Maryland State Postings

Always Designing for People®

TO EMPLOYEES

YOUR EMPLOYER IS SUBJECT TO the Maryland Unemployment Insurance Law and pays taxes under this law. No deduction is made from your wages for this purpose.

IF YOU ARE LAID OFF or otherwise become unemployed, immediately file a claim by calling the telephone number for the area in which you reside or you may file a claim on the internet at the web site address indicated below.

IF YOU ARE ELIGIBLE, you may be entitled to unemployment insurance benefits for as many as 26 weeks.

IF YOU ARE WORKING LESS THAN FULL TIME, you may be eligible for partial benefits. If your regular hours of work have been reduced, promptly file a claim as instructed above, to determine your benefit rights.

IF YOU HAVE BEEN FILING FOR BENEFITS AND RETURN TO WORK, you must report your gross wages before deductions during the week you return to work regardless of whether or not you have been paid.

YOU ARE ENTITLED TO BENEFITS IF:

1. You are unemployed through no fault of your own.
2. You have sufficient earnings in your Base Period.
3. You have registered for work and filed a claim for benefits with a Maryland Department of Labor claim center listed below.
4. You are able to work, available for work, and actively seeking work.

NOTE: To insure prompt handling of your claim, it is necessary to have your Social Security number available. If you claim dependents under sixteen (16) years of age, you must know the Social Security number of each dependent when you file. If you do not know the Social Security numbers, you will be provided with instructions on how to provide a copy of the dependent's birth certificates or other forms of proof of dependency.

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:

Phone Number To File A Claim	Area Served		
301-313-8000 1-877-293-4125 (toll free)	Calvert Charles	Montgomery Prince Georges	St. Mary's
301-722-2000 1-877-293-4125 (toll free)	Allegany Frederick	Garrett Washington	
410-334-6800 1-877-293-4125 (toll free)	Caroline Dorchester Kent	Queen Anne's Somerset Talbot	Wicomico Worcester
410-853-1600 1-877-293-4125 (toll free)	Anne Arundel Baltimore City	Baltimore County Carroll	Cecil Harford Howard

SOLICITUD DE BENEFICIOS DEL DESEMPLEO PARA LA POBLACIÓN DE HABLE HISPANA
301-313-8000

INSIDE THE STATE OF MARYLAND
(DENTRO DEL ESTADO DE MARYLAND)
Maryland Relay Dial 711
TTY: 1-800-735-2258
Speech To Speech: 1-800-785-5630
Para Relevos En Maryland Presione 711
6 1-800-877-1264 (U.S.)

OUTSIDE THE STATE OF MARYLAND
(FUERA DEL ESTADO DE MARYLAND)
TTY: 1-800-735-2258
Speech to Speech: 1-800-785-5630
Para Relevos en Maryland presione
1-800-877-1264 (U.S.)

TO FILE A CLAIM VIA THE INTERNET:
www.mdunemployment.com

IMPORTANT NOTICE

Unemployment insurance is intended for persons who are unemployed through no fault of their own and who are ready, willing and able to work. Persons who receive benefits through false statements or fail to report ALL earnings will be disqualified and will be subject to criminal prosecution.

The Civil Rights Act of 1964 states that no person shall be discriminated against on the basis of race, color, religion, age, sex, or national origin. If you feel you have been discriminated against in the unemployment insurance process because of any of these factors, you may file a complaint with the Office of Fair Practices, 1100 North Eutaw Street, Room 613, Baltimore, Maryland 21201.

MARYLAND DEPARTMENT OF LABOR -
DIVISION OF UNEMPLOYMENT INSURANCE

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE

Maryland Department of Labor - Employment Article, Title 8, Sec. 8-903 (Revised 3-09)

MARYLAND *OCCUPATIONAL SAFETY and HEALTH ACT*

PRIVATE SECTOR
safety and health protection on the job

The Maryland Occupational Safety and Health Act of 1973 provides job safety and health protection for workers through the promotion of safe and healthful working conditions throughout the State. Requirements of the Act include the following:

Employers: Each employer shall furnish to each of his or her employees employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious harm to employees; and shall comply with occupational safety and health standards issued under the Act.

The Commissioner of Labor and Industry has the primary responsibility for administering the Act and issuing occupational safety and health standards. MOSH Safety and Health inspectors conduct jobsite inspections to ensure compliance with the Act.

Inspection: The Act requires that a representative authorized by the employees be given an opportunity to accompany the MOSH Inspector for the purpose of aiding the inspection.

Where there is no authorized employee representative, the MOSH Inspector shall consult with a reasonable number of employees concerning safety and health conditions in the workplace.

Complaint: Employees or their representatives have the right to file a complaint with the Commissioner requesting an inspection if they believe unsafe or unhealthful conditions exist in their workplace. The Commissioner will withhold names of employees complaining on request.

The Act provides that employees may not be discharged or discriminated against in any way for filing safety and health complaints or otherwise exercising their rights under the Act.

An employee who believes he or she has been discriminated against may file a complaint with the Commissioner and/or the Federal Occupational Safety and Health Administration Regional Office within 30 days of the alleged discrimination.

Citation: If upon an inspection the Commissioner believes an employer has violated the Act, a citation alleging such violations shall be issued to the employer. Each citation shall specify a time period within which the alleged violation must be corrected.

The MOSH citation must be prominently displayed at or near the place of alleged violation for three days, or until it is corrected, whichever is later, to warn employees of dangers that may exist there.

Proposed Penalty: The Act provides for mandatory civil penalties against employers. Civil penalties up to the maximum penalty per day may be assessed for failure to correct violations within the proposed time period. Also, any employer who willfully or repeatedly violates the Act may be assessed civil penalties of up to 10 times the maximum penalty amount for each such violation.

In compliance with Labor and Employment Article, §5-810 Ch. 104, Acts of 2024:

1. Beginning with inspections that take place on or after July 1, 2024, the maximum penalty is:
   a. $16,131 for each violation;
   b. $16,131 for each day an identified violation is not corrected within the period allowed for correction; and
   c. $161,323 for each willful or repeated violation.
2. The new minimum civil penalty for a willful violation is $11,162 for each violation.
3. Beginning on January 1, 2025, the Commissioner of Labor will annually increase the maximum and minimum willful civil penalties by the calendar year percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) or a successor index, effective on July 15th of each year. The Commissioner of Labor will maintain the current penalty amounts on the MOSH website.

In addition to mandatory civil penalties, the Act also provides for imposition of criminal penalties. Any willful violation of the Act resulting in death of an employee is punishable, upon conviction, by a fine of not more than $10,000 or by imprisonment for not more than six months, or by both. Conviction for a subsequent offense is punishable by a fine of not more than $20,000 or by imprisonment for not more than one year, or by both.

Voluntary Activity: While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injury and illnesses arising out of employment. The Commissioner of Labor and Industry encourages employers and employees to reduce workplace hazards voluntarily and to develop and improve safety and health programs in all workplaces and industries.

Such cooperative action would initially focus on the identification and elimination of hazards that could cause death, injury, or illness to employees and supervisors. There are many public and private organizations that can provide information and assistance in this effort, if requested.

ADDITIONAL INFORMATION AND COPIES OF THE ACT, SPECIFIC MARYLAND OCCUPATIONAL SAFETY AND HEALTH STANDARDS, AND OTHER APPLICABLE REGULATIONS MAY BE OBTAINED FROM

MOSH TRAINING and EDUCATION
10946 Golden West Drive, Suite 160
Hunt Valley, Maryland 20131
Phone: 410-527-2091

Complaints about State Program administration may be made to Regional Administrator, Occupational Safety and Health Administration, The Curtis Center, Suite 740 West, 170 S. Independence Mall West, Philadelphia, PA 19106-3309

Pregnant & Working

Know Your Rights!

If you are pregnant, you have a legal right to a reasonable accommodation if your pregnancy causes or contributes to a disability and the accommodation does not impose an undue hardship on your employer. *State Government Article, §20-609(b)*

What Does That Mean?

If you have a disability that is contributed to or caused by pregnancy, you may request a reasonable accommodation at work. Your employer must explore "all possible means of providing the reasonable accommodation." *State Government Article, §20-609(g)*

The law lists an assortment of options for both you and your employer to consider in order to comply with a request for reasonable accommodation. These include, but are not limited to:

- Changing job duties
- Changing work hours
- Relocation
- Providing mechanical or electrical aids
- Transfers to less strenuous or less hazardous positions
- Providing leave

Every situation is different. You must explore every available option with your employer to decide what accommodation meets your needs.

Do I Need a Doctor's Note?

It depends on what your employer requests. The law allows an employer, at his or her discretion, to require certification from your health care provider regarding the medical advisability of a reasonable accommodation, but only to the same extent certification is required for other temporary disabilities. *State Government Article, §20-609(f)*

If required, the certification must include:

- Date a reasonable accommodation is medically advisable;
- Probable duration of the accommodation should be provided;
- Explanation as to the medical advisability of the reasonable accommodation.

Can I Still Get in Trouble?

Retaliation is prohibited under *State Government Article, §20-609(h)* when exercising your rights. If an employee seeks to exercise her right to request a reasonable accommodation he is temporarily disability due to pregnancy, an employer may not:

- Interfere with;
- Restrain;
- Deny the exercise; or
- Deny the attempt to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

What If I Am A Victim Of Discrimination?

If you refuse your rights under the law have been violated, you must file a complaint with MCCR **within 300 days** of the alleged act of discrimination. A trained Civil Rights Officer will work with you to discuss what happened and determine if there is reason to believe a discriminatory violation occurred. You can reach MCCR by phone, email, fax, letter, or walk-in. **All procedures by MCCR are confidential until your case is certified for public hearing or trial.**

State of Maryland
Commission on Civil Rights
6 Saint Paul Street, Suite 900
Baltimore, MD 21202-1631

Main: (410) 767-8600
Toll Free: 1 (800) 637-6247
TTY (410) 333-1737 • Fax: (410) 333-1841
mccr@marylandmail.gov
www.mccr.maryland.gov

MARYLAND EARNED SICK AND SAFE LEAVE EMPLOYEE NOTICE

The Maryland Healthy Working Families Act requires employers with 15 or more employees to provide paid sick and safe leave for certain employees. It also requires employers with employing 14 or fewer employees provide unpaid sick and safe leave for certain employees.

Accrual

Earned sick and safe leave begins to accrue on February 11, 2018, or the date on which an employee begins employment with the employer, whichever is later. An employee accrues earned sick and safe leave at a rate of at least one hour for every 30 hours the employee works; however, an employee is not entitled to earn more than 40 hours of earned sick and safe leave in a year or accrue more than 64 hours of earned sick and safe leave at any time.

Leave Usage

An employee is allowed to use earned sick and safe leave under the following conditions:

- To care for or treat the employee's mental or physical illness, injury, or condition;
- To obtain preventative medical care for the employee or the employee's family member;
- To care for a family member with a mental or physical illness, injury, or condition;
- For maternity or paternity leave; or
- The absence from work is necessary due to domestic violence, sexual assault, or stalking committed against the employee or the employee's family member and the leave is being used: (1) to obtain medical or mental health attention; (2) to obtain services from a victim services organization; (3) for legal services or proceedings; or (4) because the employee has temporarily relocated as a result of the domestic violence, sexual assault, or stalking.

A family member includes a spouse, child, parent, grandparent, grandchild, sibling, the legal guardian or ward of the employee or the employee's spouse, or an individual who acted as a parent or stood in loco parentis to the employee or the employee's spouse when the employee or the employee's spouse was a minor.

Employees are permitted to use earned sick and safe leave in increments in certain amounts established by their employer. Employees are required to give notice of the need to use earned sick and safe leave when it is foreseeable. An employer may deny leave in certain circumstances.

Reporting

Employers are required to provide employees with a written statement of the employee's available earned sick and safe leave.

Prohibitions

An employer is prohibited under the law from taking adverse action against an employee who exercises a right under the Maryland Healthy Working Families Act and an employee is prohibited from making a complaint, bringing an action, or testifying in an action in bad faith.

How to File a Complaint or Obtain Additional Information

If you feel your rights have been violated under this law or you would like additional information, you may contact:

Commissioner of Labor and Industry
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
sol.assistance@maryland.gov

rev. 2/22

Maryland Equal Pay for Equal Work

(Labor and Employment Article Title 3, Subtitle 3)

§3-301.

(a) In this subtitle the following words have the meanings indicated.

(b)(1) "Employer" means:

(i) a person engaged in a business, industry, profession, trade, or other enterprise in the State;

(ii) the State and its units;

(iii) a county or its units; and

(iv) a municipal government in the State.

(2) "Employer" includes a person who acts directly or indirectly in the interest of another employer with an employee.

(c) "Gender identity" has the meaning stated in § 20–101 of the State Government Article.

(d)(1) "Wage" means all compensation for employment.

(2) "Wage" includes board, lodging, or other advantage provided to an employee for the convenience of the employer.

§3-302.

This subtitle applies to an employer of both men and women in a lawful enterprise.

§3-303.

In addition to any powers set forth elsewhere, the Commissioner may:

(1) use informal methods of conference, conciliation, and persuasion to eliminate pay practices that are unlawful under this subtitle; and

(2) supervise the payment of a wage owing to an employee under this subtitle.

§3-304.

(a) In this section, "prevailing loss favorable employment opportunities" means:

(1) assigning or directing the employee into a less favorable position, work, if career tracks are offered, or position;

(2) failing to provide information about promotions or advancement in the full range of career tracks offered by the employer; or

(3) limiting or depriving an employee of employment opportunities that would otherwise be available to the employee but for the employee's sex or gender identity.

(b)(1) An employer may not discriminate between employees in any subdivision by:

(i) paying a wage to employee of one sex or gender identity at a rate less than the rate paid to employees of another sex or gender identity if both employees work in the same establishment and perform work of comparable character or work on the same operation, in the same business, or of the same type; or

(ii) providing less favorable employment opportunities based on sex or gender identity.

(2) For purposes of paragraph (1)(i) of this subsection, an employer shall be deemed to work at the same establishment as another employee if the employees work in the same employer at workplaces located in the same county of the State.

(c) Except as provided in subsection (d) of this section, subsection (b) of this section does not prohibit a variation in a wage that is based on:

(1) a seniority system that does not discriminate on the basis of sex or gender identity;

(2) a merit increase system that does not discriminate on the basis of sex or gender identity;

(3) jobs that require different abilities or skills;

(4) jobs that require the regular performance of different duties or services;

(5) work that is performed on different shifts or at different times; or

(6) a system that measures performance based on a quality or quantity of production; or

(7) a bona fide factor other than sex or gender identity, including education, training, or experience, to which the factor:

(i) is not based on or derived from a gender–based differential in compensation;

(ii) is job related with respect to the position and consistent with a business necessity; and

(iii) accounts for the entire differential.

(d) This section does not preclude an employee from demonstrating that an employer's reliance on an exception listed in subsection (c) of this section is a pretext for discrimination on the basis of sex or gender identity.

(e) An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.

§3-304.1.

(a) An employer may not:

(1) prohibit an employee from:

(i) inquiring about, discussing, or disclosing the wages of the employee or another employee; or

(ii) requesting that the employer provide a reason for why the employee's wages are a condition of employment;

(2) require an employee to sign a waiver or any document that purports to deny the employee the right to disclose or discuss the employee's wages; or

(3) take any adverse employment action against an employee for:

(i) inquiring about the employee's wages or another employee's wages;

(ii) disclosing the employee's own wages;

(iii) discussing another employee's wages if those wages have been disclosed voluntarily;

(iv) asking the employer to provide a reason for the employee's wages; or

(v) aiding or encouraging another employee's exercise of rights under this subtitle.

(b)(1) Subject to paragraph (2) of this subsection, an employer may, in a written policy provided to each employee, establish reasonable working limitations on the time, place, and manner for inquiries about or the discussion or disclosure of employee wages.

(2) A limitation established under paragraph (1) of this subsection shall be consistent with standards adopted by the Commissioner and all other State and federal laws.

(3) Subject to subsection (d) of this section, limitations established under paragraph (1) of this subsection may include prohibiting an employee from discussing or disclosing the wages of another employee without the employee's prior permission.

(c) Except as provided in subsection (d) of this section, the failure of an employee to adhere to a reasonable limitation included in a written policy under subsection (b) of this section shall be an affirmative defense to a claim made against an employer by the employee under this section for an adverse employment action taken by the employer against the employee for the reasonable limitation and not for an inquiry, a discussion, or a disclosure of wages in accordance with this section.

(d) (1) A prohibition established in accordance with paragraph (3) of this section against the discussion or disclosure of the wages of another employee without that employee's prior permission may not apply to instances in which an employee who has access to the wage information of other employees as a part of the employee's essential job functions if the discussion or disclosure is in response to a complaint or charge or in furtherance of an investigation, a proceeding, a hearing, or an action under this subtitle, including an investigation conducted by the employer.

(2) If an employee who has access to wage information as part of the essential functions of the employee's job discloses the information to other employees or wage information about other employees obtained outside the performance of the essential functions of the employee's job, the employee shall be entitled to all the protections afforded under this subtitle.

(e) Nothing in this section shall be construed to:

(1) require an employee to disclose the employee's wages;

(2) diminish employers' rights to negotiate the terms and conditions of employment under federal, State, or local law;

(3) limit the rights of an employee provided under any other provision of law or collective bargaining agreement;

(4) create an obligation on any employer or employee to disclose wages;

(5) permit an employee, without the written consent of an employer, to disclose proprietary information, trade secret information, or information that is otherwise subject to a legal privilege or protected by law; or

(6) permit an employee to disclose wage information to a competitor of the employer.

§3-304.2.

(a) On request, an employer shall provide to an applicant for employment the wage range for the position for which the applicant applies.

(b) If in an employer may not:

(1) threaten against or refuse to interview, hire, or employ an applicant for employment because the applicant:

1. Did not provide wage history; or

2. Requested the wage range in accordance with this section for the position for which the applicant applied; and

(2) Except a provided in paragraph (2) of this subsection:

1. Rely on the wage history of an applicant for employment in screening or considering the applicant for employment or in determining the wages for the applicant; or

2. Seek the wage history for an applicant for employment orally or in writing, through an employee or an agent or from a current or former employer.

(2) After an employer makes an initial offer of employment with an offer of compensation to an applicant for employment, an employer may:

(i) Subject to paragraph (3) of this subsection, rely on the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the employer; or

(ii) Seek to confirm the wage history voluntarily provided by the applicant for employment to support a wage offer higher than the initial wage offered by the employer.

(3) An employer may rely on wage history under paragraph (2) of this subsection only if the higher wage does not create an unlawful pay differential based on protected class listed under §3–304 of this subtitle.

(C) This section may not be construed to prohibit an applicant for employment from sharing wage history with an employer voluntarily.

§3-305.

(a) (1) Each employer shall keep each record that the Commissioner requires on:

(i) wages of employees;

(ii) job classifications of employees; and

(iii) other conditions of employment.

(2) An employer shall keep the records required under this subsection for the period of time that the Commissioner requires.

(b) On the basis of the records required under this section, an employer shall make each report that the Commissioner requires.

§3-306.

(a) On request of an employee, the Commissioner shall provide without charge a copy of this subtitle to the employee.

(b) Each employer shall keep posted conspicuously in each place of employment a copy of this subtitle.

(c) The Commissioner, in consultation with the Maryland Commission on Civil Rights, shall develop educational materials and make training available to assist employers in adopting training, policies, and procedures that comply with the requirements of this subtitle.

§3-306.1.

(a) Whenever the Commissioner determines that this subtitle has been violated, the Commissioner shall:

(1) try to resolve any issue involved in the violation informally by mediation; or

(2) ask the Attorney General to bring an action on behalf of the employee or employees.

(b) The Attorney General may bring an action under this section in the county where the violation allegedly occurred for injunctive relief, damages, or other relief.

§3-307.

(a)(1) If an employer knew or reasonably should have known that the employer's action violates § 3–304 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover actual damages for each employee of another sex or gender identity employed in the same type work and an additional equal amount as liquidated damages.

(2) If an employer knew or reasonably should have known that the employer's action violates § 3–304.1 of this subtitle, an affected employee may bring an action against the employer for injunctive relief and to recover actual damages and an additional equal amount as liquidated damages.

(3) An employee may bring an action on behalf of the employee and other employees similarly affected.

(b) On the written request of an employee who is entitled to bring an action under this section, the Commissioner may:

(1) take an assignment of the claim in trust for the employee;

(2) ask the Attorney General to bring an action in accordance with this section on behalf of the employee; and

(3) consolidate 2 or more claims against an employer.

(c) An action under this section shall be filed within 3 years after the employee receives from the employer the wages paid on the termination of employment under § 3–505(a) of this title.

(d) The agreement of an employee to work for less than the wage to which the employee is entitled under this subtitle is not a defense to an action under this section.

(e) If a court determines that an employee is entitled to judgment in an action under this section, the court shall allow against the employer reasonable counsel fees and other costs of the action, as well as prejudgment interest in accordance with the Maryland Rules.

§3-308.

(a) An employer may not:

(1) willfully violate any provision of this subtitle;

(2) hinder, delay, or otherwise interfere with the Commissioner or an authorized representative of the Commissioner in the enforcement of this subtitle;

(3) refuse entry to the Commissioner or an authorized representative of the Commissioner who is a place of employment that the Commissioner is authorized under this subtitle to inspect;

(4) discharge or otherwise discriminate against an employee or applicant for employment because the employee or applicant for employment:

(i) makes a complaint to the employer, the Commissioner, or another person;

(ii) brings an action under this subtitle or a proceeding that relates to the subject of this subtitle or causes the action or proceeding to be brought; or

(iii) has testified or will testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle; or

(5) Violate §3–304.2 of this subtitle.

(b) An employee or an applicant for employment may not:

(1) make a groundless or malicious complaint to the Commissioner or an authorized representative of the Commissioner;

(2) in bad faith, bring an action under this subtitle;

(3) in bad faith, bring a proceeding that relates to the subject of this subtitle; or

(4) in bad faith, testify in an action under this subtitle or a proceeding that relates to the subject of this subtitle.

(c) The Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a)(1), (4), or subsection (b)(1), (3), or (4) of this section.

(d) (1) Except as provided in paragraph (2) of this subsection, an employer who violates any provision of subsection (a)(1) or (3) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $300.

(2) If the paragraph does not apply to a violation of §3304.2

(i) If an employer is found to have violated this subtitle twice or more times within a 3–year period, the Commissioner or a court may require the employer to pay a civil penalty equal to 10% of the amount of damages owed by the employer.

(ii) Each civil penalty assessed under this paragraph shall be paid to the General Fund of the State to offset the cost of enforcing this subtitle.

(E) (1) If the Commissioner determines that an employer has violated §3–304.2 of this subtitle, the Commissioner:

(i) shall issue an order compelling compliance; and

(ii) may, in the Commissioner's discretion,

1. for a first violation, issue a citation to the employer compelling compliance;

2. for a second violation, assess a civil penalty of up to $500 for each applicant for employment for whom the employer is not in compliance; or

3. for each subsequent violation, assess a civil penalty of up to $600 for each applicant for employment for whom the employer is not in compliance if the violation occurred within 3 years after a previous determination that a violation had occurred.

(2) In determining the amount of the penalty, if assessed, the Commissioner shall consider:

(i) the gravity of the violation;

(ii) the size of the employer's business;

(iii) the employer's good faith; and

(iv) the employer's history of violations under this subtitle.

(3) If the Commissioner assesses a penalty under paragraph (1)(ii) of this subsection, the penalty shall be subject to the notice and hearing requirements of Title 10, Subtitle 2 of the State Government Article.

For additional information or to file a complaint, please contact:

FOR MORE INFORMATION CONTACT:
Department of Labor
Division of Labor and Industry
Employment Standards Service
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
Phone: 410-767-2357

Rev. 2/22

Minor Fact Sheet

Maryland Department of Labor

Rev. 8/23

(Labor and Employment Article, Section 3 -205, Annotated Code of Maryland)

FOR MORE INFORMATION CONTACT:
Maryland Department of Labor
Division of Industry - Employment Standards Service
10946 Golden West Drive, Suite 160 • Hunt Valley, MD 21031
Telephone Number: (410) 767-2357 • Fax Number: (410) 333-7303
E-mail: dldleemployerstandards-dll@maryland.gov

APPLYING FOR A WORK PERMIT

Applications for work permits are accepted online at: www.dllr.state.md.us/child/employ.shtml.

Steps:

- **Minor or Parent/Guardian completes required information online and prints work permit**
- **TO BE VALID: The Minor, the Minor's Parent/ Guardian, and the Employer must sign the permit**

NOTE TO EMPLOYERS

- **A minor under the age of 14 is not permitted to work and may not be employed.**
- **Minors 14 through 17 years of age may only work with a work permit.**
- **The work permit must be in the employer's possession before the minor is permitted to work.**
- **Employers must keep the work permit on file for three years.**

Permissible Hours of Employment

All Minors:

May not be employed or permitted to work more than the hours continuously without a non-working period of at least 8 hour.

Minors 14—15:

- **Non-school hours:**
- 3 hours on any day when school is in session;
- 8 hours on any day when school is not in session
- 18 hours in a school week;
- 40 hours in a week when school is not in session;
- "May only work between the hours of 7:00 am and 7:00 pm.
- "May work until 9:00 pm from June 1 until Labor Day.
- The hours worked by a minor who is employed as a bona fide work- study or student-learner program when school is normally in session may not be counted towards the permissible hours of work prescribed above.

*This is based upon a more restrictive Federal law.

Minors 16—17:

May spend no more than 12 hours in a combination of school hours and work hours each day.

Must be allowed at least eight consecutive hours of non-work, non-school time in each 24-hour period.

Non-Employment Activities

Activities not considered employment if performed outside of the prescribed school day and the activities do not involve mining, manufacturing, or hazardous occupations. The activities include:

- Farm work performed on a farm.
- Domestic work performed in or about a home.
- Work performed in a business owned or operated by a parent or one standing in the place of a parent.
- Work performed by non-paid volunteers, in a charitable or non-profit organization, employed with the written consent of a parent or one standing in the place of a parent.
- Cadd/ping on a golf course.
- Employment as an entertainer or on an instructional sailboat.
- Manufacturing of evergreen wreaths in or about a home.
- Delivery of newspapers to the consumer.
- Work performed as a counselor, assistant counselor, or instructor in a youth camp certified under the Maryland Public Health Act.
- Hazardous work performed by non-paid volunteers of a volunteer fire department a company or volunteer rescue squad who have completed or are taking a course of study relating to firefighting or rescue and who are 16 years of age or older.

Special Permits

Special permits may be issued to minors of any age to be employed as a model, performer, or entertainer. The applications and permits are available only from the Baltimore office of the Division of Labor and Industry address below or online at: www.dllr.state.md.us/labor/wages/childlabor.shtml

Federal Restrictions

Employers are generally subject to both state child labor laws and the federal child labor provisions of the Fair Labor Standards Act (FLSA), 29 U.S.C. 212(c), and the FLSA child labor at 29 CFR Part 570. Certain provisions of Maryland state law may be less restrictive than federal law, and employers covered by the FLSA that only have to follow minimum provisions of Maryland state law will be in violation of federal law. See 29 U.S.C. 218(a). For more information on federal child labor law, please visit the U.S. Department of Labor's Wage and Hour Division Website at www.dol.gov/whd.

OCCUPATIONS FORBIDDEN TO ALL MINORS: Certain occupations are declared to be hazardous by the U.S. Secretary of Labor and have been adopted by reference by the Commissioner of Labor and Industry for the State of Maryland. All minors are forbidden to be employed at these occupations with certain exceptions including but not limited to Youth Apprenticeship.

- Occupations in or about plants or establishments manufacturing or storing explosives or articles containing explosive components.
- Occupations of motor-vehicle driver and outside helper.
- Coal-mine occupations.
- Logging occupations and occupations in the operation of any sawmill, lathe mill, shingle mill, or cooperage-stock mill.
- Occupations involved in the operation of power-driven woodworking machines.
- Occupations involving exposure to radioactive substances and to ionizing radiations.
- Occupations involved in the operation of elevators and other power-driven hoisting apparatus.
- Occupations involved in the operation of power-driven metal forming, punching, and shearing machines.
- Occupations in connection with mining, other than coal.
- Occupations involving slaughtering, meat-packing or processing, or rendering.
- Occupations involved in the operation of certain power-driven bakery machines.
- Occupations involved in the operation of certain power-driven paper products machines.
- Occupations involved in the manufacture of brick, tile, and kindred products.
- Occupations involved in the operation of circular saws, band saws, and guillotine shears.
- Occupations involved in wrecking, demolition, and shipbreaking operations.
- Occupations involved in roofing operations.
- Occupations in excavation operations.

In addition to the hazardous occupations as declared by the U.S. Secretary of Labor and adopted by the Commissioner of Labor and Industry, the following occupations are forbidden to all minors:

- Blast furnaces.
- Docks or docking areas, other than maintain where pleasure boats are sold or served.
- Plants, firemen, or engineers on any vessel or boat engaged in commerce.
- Railroads.
- Erection and repair of electrical wires.
- Any distillery where alcoholic beverages are manufactured, bottled, wrapped, or packed.
- The manufacturing of dangerous or toxic chemicals or compounds.
- Cleaning, oiling, or wiping of machinery.
- Any occupation forbidden by any local, state, or federal law.
- Any occupation which after investigation by the Commissioner is deemed injurious to the health and welfare of the minor.

A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 6 a.m. or in any amount over $100.00 between 6 a.m. and 8 p.m. unless that minor is the child of the owner or operator, or the funds have been received in the form of a check or money order endorsed by the minor.

AREAS OF EMPLOYMENT RESTRICTED FOR MINORS 14 AND 15 YEARS OF AGE

(1) Manufacturing, mechanical, or processing occupations including occupations in the operation of any machine or engage areas where goods are manufactured or processed.

(2) Operation, cleaning, or adjusting of any power-driven machinery other than office machines.

(3) Occupations in, about, or in connection with (except office or sales work not performed on site)

- scaffolding
- gases
- boats engaged in navigation or commerce
- acids
- lumberyard
- carton pushing activities
- construction
- ice
- certain baling and cooking
- dyes
- airports
- any occupation deemed injurious by the Commissioner after investigation.
- railroads
- public messaging service
- loading operations
- occupations causing dust or gases in injurious quantities
- transportation of persons or property

Notice to Tipped Employees

Under Maryland law, a tipped employee is an employee who customarily and regularly receives more than $30 per month in tips or gratuities.

Maryland law prohibits an employer from requiring a tipped employee to reimburse an employer or pay an employer for the amount of a customer's charge for food or beverages if the customer leaves the employee's place of business without paying for the charges. In addition, unless otherwise provided by law, and employer is prohibited from making a deduction to an employee's wages to cover the cost of a customer's charge for food or beverages if the customer leaves the employee's place of business without paying the charge for food or beverages.

If you think you have been required to make an improper payment or there has been an improper deduction from your wages related to a customer's charges if the customer leaves the place of business without paying the charges, you may contact the Commissioner of Labor and Industry at:

Maryland Department of Labor
Division of Labor and Industry
Employment Standards Service
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
Telephone Number: (410) 767-2357
Fax Number: (410) 333-7303
E-mail: dldleemployerstandards-dll@maryland.gov

PURSUANT TO §3-713 (C) OF THE LABOR AND EMPLOYMENT ARTICLES OF THE MARYLAND ANNOTATED CODE, EMPLOYERS ARE REQUIRED TO CONSPICUOUSLY POST THIS NOTICE IN A PLACE WHERE ANY TIPPED EMPLOYEE IS EMPLOYED.

Rev. 2/2022

C0125

MARYLAND

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SP-MD-E

Maryland Minimum Wage and Overtime Law

Minimum Wage Postings

Maryland Department of Labor

$15.00
Effective 1/1/24

Montgomery Co.

Different minimum wage rates are in effect. Employers in this county are required to post the applicable rate information.

(Labor and Employment Article, Title 3, Subtitle 4, Annotated Code of Maryland)

Minimum Wage

Most employees must be paid the Maryland State Minimum Wage Rate.

Tipped Employees (earning more than $30 per month in tips) must earn the State Minimum Wage Rate per hour. Employers must pay at least **$3.63** per hour. This amount plus tips must equal at least the State Minimum Wage Rate. Subject to the adoption of related regulations, restaurant employers who utilize a tip credit are required to provide employees with a written or electronic wage statement for each pay period showing the employee's effective hourly rate of pay including employer paid cash wages plus tips for tip credit hours worked for each workweek of the pay period. Additional information and updates will be posted on the Maryland Department of Labor website.

Employees under 18 years of age must earn at least 85% of the State Minimum Wage Rate.

Overtime

Most employees must be paid **1.5 times** their usual hourly rate for all work over **40 hrs.** per week. Exceptions:

- Agricultural workers for all work over **60 hrs.** per week

Exemptions

Minimum Wage and Overtime Exemptions:

- Immediate family member of the employer
- Certain agricultural employees
- Executive, administrative, and professional employees
- Volunteers in educational, charitable, religious, and non-profit organizations
- Employees under the age of 16 working less than 20 hours per week
- Outside salespersons
- Commissioned employees
- Employees employed as a trainee as part of a public school special education program
- Non-administrative employees of organized camps
- Certain establishments selling food and drink for consumption on the premises grossing less than $400,000 annually
- Drive-in theatres
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Overtime Only Exemptions
(must earn the State Minimum Wage Rate):

- Taxicab drivers
- Certain employees selling/servicing automobiles, farm equipment, trailers, or trucks
- Non-profit concert promoter, theater, music festival, music pavilion, or theatrical show
- Employees subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission
- Seasonal amusement and recreational establishments that meet certain criteria

FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:

Maryland Department of Labor
Division of Labor and Industry—Employment Standards Service
10946 Golden West Drive, Suite 160
Hunt Valley, MD 21031
Telephone Number: (410) 767-2357
Fax Number: (410) 333-7303
E-mail: dldleemployerstandards-dll@maryland.gov

Rev. 12/22

EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION CONSPICUOUSLY. THIS IS A SUMMARY OF THE LAW. TO ENSURE COMPLIANCE, CONSULT A LEGAL ADVISOR.

PENALTIES ARE PRESCRIBED FOR VIOLATIONS OF THE LAW.

TO BE POSTED
HEALTH INSURANCE COVERAGE

You and other members of your family may be eligible under Maryland law to continue to be covered by your former employer's health insurance policy if:

- You quit your job or you were terminated from your employment for a reason other than for cause; and
- You are covered by your employer under a group hospital-medical policy or a health maintenance organization (HMO) for at least three (3) months prior to being separated from your employment; and
- You do not have other similar insurance.

If you wish to continue your health insurance, you MUST give your employer written notice no later than forty-five (45) days after your last day of work.

IMPORTANT:

You will be responsible for paying the entire cost of the health insurance policy.

For further information about this program, you should contact your employer, or if necessary, telephone the Insurance Administration in Baltimore at (410) 468-2244 or 1-800-492-6116 (Ext. 2244).

State of Maryland
Maryland Department of Labor

THIS NOTICE APPLIES TO STATE LAW. YOU MAY HAVE ERISA BENEFITS UNDER FEDERAL LAW.

TO BE POSTED
Employment Discrimination *is Unlawful*

How Does The Law Protect Me?

State Government Article, §20-602 of the Annotated Code of Maryland provides every Maryland resident equal protection in employment regardless of:

Race	Physical or Mental Disability
Sex	Color
Age	Marital Status
Ethnicity	Military Status
Ancestry or National Origin	Sexual Orientation
Religion	Gender Identity
	Genetic information

What Am I Protected From?

You are protected from unlawful discrimination from the following employment-related practices:

- Employers cannot discriminate in recruiting, interviewing, hiring, upgrading/promoting, setting work conditions, and discharging an employee.
- Labor organizations cannot deny membership to qualified persons or discriminate in apprenticeship programs.
- Employment agencies cannot discriminate in job referrals, ask discriminatory pre-employment questions, or circulate discriminatory job advertisements.
- Newspapers and other media cannot publish job advertisements that discriminate.

What If My Employer Retaliates?

Retaliation is also prohibited under the law when you exercise your rights to seek relief and redress. If an employee decides to file an employment discrimination complaint, an employer may not:

- Interfere with;
- Restrain;
- Deny the exercise; or
- Deny the attempt to exercise the right.

Any form of retaliation is grounds to file a Complaint of Discrimination with the Maryland Commission on Civil Rights (MCCR).

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file