

CHAPTER 460
(Senate Bill 794)

AN ACT to repeal and re-enact, with amendments, Sections 29, 39 and 47 of Article 89 of the Annotated Code of Maryland (1969 Replacement Volume), title "Department of Labor and Industry," subtitle "Occupational Safety"; to amend the State law on occupational safety in order to conform to federal law; to require every employer and employee under the occupational safety laws to comply with certain rules, regulations and orders; to prohibit the discharging of or discriminating against certain employees; to provide for the inspection of any place of employment by the Commissioner of Labor and Industry and the procedures relating thereto; to require certain employers to maintain records and submit reports; and relating generally to the occupational safety laws of this State.

SECTION 1. *Be it enacted by the General Assembly of Maryland,* That Sections 29, 39 and 47 of Article 89 of the Annotated Code of Maryland (1969 Replacement Volume), title "Department of Labor and Industry," subtitle "Occupational Safety," be and they are hereby repealed and re-enacted, with amendments, to read as follows:

29.

(a) Every employer shall furnish and maintain employment and a place of employment which shall be reasonably safe and sanitary for employees. Every employer shall install, maintain and use such methods, processes, devices and safeguards, as are reasonably necessary to protect the life and safety of such employees, and shall do every other thing reasonably necessary to render safe and sanitary such employment and place of employment.

(b) Every employer and employee shall comply with the provisions of this subtitle and all rules, regulations, and orders issued pursuant thereto which are applicable to his own actions and conduct.

(c) No person or employer shall discharge or in any manner discriminate against any employee because said employee has filed any complaint or instituted any proceeding under or related to this subtitle or has testified or is about to testify in any such proceeding or because of the exercise by said employee on behalf of himself or others of any right afforded by this subtitle.

39.

(a) The Commissioner of Labor and Industry or his authorized representative shall have the power and authority to enter and inspect such places, question such employees, and investigate such facts, conditions, practices, or matters as he may deem appropriate to determine the cause of any accident that has occurred, or whether any person has violated any provisions of this subtitle, or any rule or regulation issued thereunder. The Commissioner of Labor and Industry may further investigate all matters which may aid in the enforcement of this subtitle. If after inspection for compliance with the published standards of the Department of Labor and Industry, any machinery or mechanical equipment or any part thereof is found to be in violation of Section 29 of this article, notice thereof