

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that the reference to "work place", in subsection (a) of this section, is carried over from the former law. The General Assembly may wish to consider substituting the defined term "place of employment".

In subsection (b)(2)(i) through (iii) of this section, the parenthetical references to specific sections in the United States Code are deleted as misleading or unnecessary since those references cited sections on the declaration of purpose, the short title and cooperation with states, respectively. See generally Title 30, Chapter 22 of the United States Code (Federal Mine Safety and Health Act of 1977), Title 33, Chapter 18 of the United States Code (Longshore and Harbor Workers' Compensation Act), and Title 42, Chapter 23 of the United States Code (Atomic Energy Act of 1954).

Defined term: "Employee" § 5-101

5-104. GENERAL DUTIES OF EMPLOYERS AND EMPLOYEES.

(A) SAFE EMPLOYMENT AND PLACES OF EMPLOYMENT.

EACH EMPLOYER SHALL PROVIDE EACH EMPLOYEE OF THE EMPLOYER WITH EMPLOYMENT AND A PLACE OF EMPLOYMENT THAT ARE:

(1) SAFE AND HEALTHFUL; AND

(2) FREE FROM EACH RECOGNIZED HAZARD THAT IS CAUSING OR LIKELY TO CAUSE DEATH OR SERIOUS PHYSICAL HARM TO THE EMPLOYEE.

(B) COMPLIANCE WITH LAW.

(1) EACH EMPLOYER SHALL COMPLY WITH THIS TITLE, EACH APPLICABLE REGULATION THAT THE COMMISSIONER ADOPTS TO CARRY OUT THIS TITLE, AND EACH APPLICABLE ORDER THAT THE COMMISSIONER PASSES UNDER THIS TITLE.

(2) EACH EMPLOYEE SHALL COMPLY WITH THIS TITLE AND, WHEN APPLICABLE TO THE EMPLOYEE'S ACTIONS AND CONDUCT IN THE COURSE OF EMPLOYMENT, EACH REGULATION THAT THE COMMISSIONER PASSES UNDER THIS TITLE.

(C) NOTICE OF RIGHTS AND DUTIES.

EACH EMPLOYER SHALL KEEP ITS EMPLOYEES INFORMED OF THEIR PROTECTIONS AND DUTIES UNDER THIS TITLE, INCLUDING EACH APPLICABLE OCCUPATIONAL SAFETY AND HEALTH STANDARD, BY:

(1) POSTING NOTICE WHERE NOTICES TO EMPLOYEES NORMALLY ARE POSTED; OR