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Maryland Labor Law Posters

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Employment Discrimination is Unlawful

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

How Does The Law Protect Me?

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

- | | | |
|-----------|-------------------------------|---------------------|
| Race | Ancestry or National Origin | Marital Status |
| Sex | Religion | Sexual Orientation |
| Age | Physical or Mental Disability | Gender Identity |
| Ethnicity | Color | 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 information that unlawfully limits employment.
- 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 a complaint with MCCR **within 6 months** 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.**

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

MINIMUM WAGE

STATE OF MARYLAND
DLLR
DEPARTMENT OF LABOR,
LICENSING AND REGULATIONS

Minimum Wage Rates

\$7.25

Until 12/31/14

\$8.00

Effective 1/1/15

\$8.25

Effective 7/1/15

\$8.75

Effective 7/1/16

\$9.25

Effective 7/1/17

\$10.10

Effective 7/1/18

Employers may also
be subject to the Fair
Labor Standards Act.

Effective
Oct. 1, 2014
Prince George's Co.
and Montgomery Co.
minimum wage rates
take effect. Employers
in these counties are
required to post the
applicable rate
information.

Maryland Minimum Wage and Overtime Law

(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.

Amusement and Recreational Establishments (who meet certain requirements): must pay employees at least 85% of the State Minimum Wage Rate or \$7.25, whichever is higher.

Employees under 20 years of age: must earn at least 85% of the State Minimum Wage Rate for the first 6 months of employment.

Overtime

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

- Employees of bowling establishments, and institutions providing on-premise care (other than hospitals) to the sick, the aged, or individuals with disabilities for all work over **48 hrs.** per week
- 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
- Executives, administrative, and professional employees
- Volunteers for educational, charitable, religious, and non-profit organizations
- Employees under 16 working less than 20 hours per week
- Outside salesman
- Commissioned employees
- Employees enrolled 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

Overtime Exemptions

- Drive-in theaters
- Establishments engaged in the first canning, packing or freezing of fruits, vegetables, poultry, or seafood

Overtime 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
- Employers subject to certain railroad requirements of the U.S. Dept. of Transportation, the Federal Motor Carrier Act, and the Interstate Commerce Commission

FOR MORE INFORMATION OR TO FILE A COMPLAINT CONTACT:

Employment Standards Service
Maryland Department of Labor, Licensing and Regulation
1100 N. Eutaw St. Rm. 607 Baltimore, MD 21201
Web: <http://www.dllr.maryland.gov/labor/wages>
Phone: 410-767-2357 Email: ess@dllr.state.md.us

**EMPLOYERS ARE REQUIRED BY LAW TO POST THIS INFORMATION.
PAY RECORDS MUST BE KEPT FOR 3 YEARS ON OR ABOUT THE PLACE OF WORK.
PENALTIES ARE PRESCRIBED FOR VIOLATIONS OF THE LAW.**

safety and health protection on the job

MARYLAND OCCUPATIONAL SAFETY and HEALTH ACT

PRIVATE SECTOR

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.

Employees: Each employee shall comply with all occupational safety and health standards, rules, regulations and orders issued under the Act that apply to his or her own actions and conduct on the job.

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 of up to \$7,000 for each serious violation and for optional penalties of up to \$7,000 for each nonserious violation. Civil penalties of up to \$7,000 per day may be proposed 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 \$70,000 for each such violation.

Criminal penalties are also provided for in the Act. Any willful violation resulting in death of an employee, upon conviction, is punishable by a fine of not more than \$10,000 or by imprisonment for not more than six months, or by both. Conviction of an employer after a first conviction doubles these maximum penalties.

Voluntary Activity: While providing penalties for violation, the Act also encourages efforts by labor and management to reduce injuries 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.

STATE OF MARYLAND

MARTIN O'MALLEY

Governor

ANTHONY G. BROWN

Lieutenant Governor

LEONARD J. HOWIE III

Secretary of Labor, Licensing and Regulation

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 21031

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

WORKERS' COMPENSATION LA COMPENSACIÓN DEL TRABAJADOR

in Maryland en

Job Related Accidental Personal Injury or Occupational Disease?

If you are disabled and unable to work for more than three (3) days, your employer's workers' compensation insurance company may pay your medical bills and other expenses and replace two-thirds (2/3) of your salary (limited to the maximum set by law).

If you are injured on the job:

1. Notify your employer or supervisor at once. You cannot receive full benefits unless your employer knows you are injured.
2. Tell the doctor who treats you that you were hurt on the job.
3. Complete an employee's Claim Form C-1 (available by phone or on the Commission's website) and send it to us as soon as possible.

Note: Withholding information or giving false information about any work-related activity or return to work could prevent you from receiving benefits and may subject you to fines, imprisonment or both.

Employer/Employador _____

Business Address/Dirección _____

City/State/Zip _____
Ciudad/Estado Código Postal

Federal Employer ID (FEIN) _____
Identificación Federal Del Empleador

Telephone Number/Numero Telefónico _____

Insurance Company Name _____
La Compañía de Seguro

Insurance Company Telephone _____
Teléfono de la Compañía de Seguro

MD WCC Form C-24

¿Accidentes por lesión/daño corporal relacionados con el Empleo o Enfermedad Profesional?

Si usted se encuentra incapacitado o inhabilitado para trabajar por más de tres días, el seguro de trabajadores que tienen las compañías pudiera cubrir las facturas médicas y otros gastos relacionados. También le compensarían 2/3 de sus ingresos (Hasta un monto máximo estipulado por la ley)

Si usted sufre una lesión en el trabajo, debe:

1. Informarle a su empleador o supervisor de inmediato. No podría recibir todos sus beneficios a menos que su empleador fuere notificado que sufrió una lesión.
2. Informarle al médico quien de administre tratamiento que usted se lesionó en su trabajo.
3. Llenar el formulario Employee's Claim Form C-1 (disponible consultando la página del Internet para el Workers' Compensation o solicitando uno por teléfono). Diligenciarlo para que las oficinas del Workers' Compensation lo reciban lo antes posible.

Aviso: El suministrar información falsa u ocultar información sobre cualquier actividad relacionada con su trabajo o relacionada con su regreso al trabajo, pudiera afectar los beneficios que recibiera o pudiera acarrearle multas, encarcelamiento o ambas.

Maryland Workers' Compensation Commission
10 East Baltimore Street, Baltimore, Maryland 21202-1641
(410) 864-5100 / Outside Baltimore (800) 492-0479

Webpage - <http://www.wcc.state.md.us> / TTY Users 711 in Maryland or (800) 735-2258

This notice must be printed on 8.5" x 14" gold or yellow paper, display complete employer information and be pasted in a conspicuous location at each work site or location in accordance with COMAR 14.09.01.02 and 14.09.01.03.

WORK PERMIT FOR MINORS

Employment Standards Service
1100 N. Eutaw St. Room 607
Baltimore, MD 21201
Phone: 410-767-2357
Email: DLESSMinorWorkPermit_DLIR@maryland.gov

<p>A minor under the age of 14 may not be employed or permitted to work.</p> <p>Minors 14 through 17 years of age may only work with a work permit.</p> <ul style="list-style-type: none"> 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. 	<p>APPLYING FOR A WORK PERMIT</p> <p>Applications for work permits are accepted online at: https://www.dlir.state.md.us/childworkpermit</p> <p>Steps:</p> <ul style="list-style-type: none"> Minor completes required information online Minor prints work permit TO BE VALID: The Minor, the Minor's Parent (Guardian), and the Employer must sign the permit
<p>PERMISSIBLE HOURS OF EMPLOYMENT FOR ALL MINORS</p> <p>May not be employed or permitted to work more than 5 hours continuously without a non-working period of at least ½ hour.</p> <p>MINORS 14 – 15 4 hours on any day when school is in session. 8 hours on any day when school is not in session. 23 hours in any week when school is in session for 5 days. 40 hours in any week when school is not in session. May only work between the hours of 7:00 am and 8:00 pm May work until 9:00 pm from Memorial Day until Labor Day The hours worked by a minor enrolled in 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.</p> <p>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 8 consecutive hours of non-work, non-school time in each 24-hour period</p> <p>EXEMPTIONS Exceptions to hours and occupations may be granted by the Commissioner of Labor and Industry. Applications for exceptions should be addressed to the Commissioner giving explicit details.</p>	<p>NON- EMPLOYMENT ACTIVITIES</p> <p>Activities not considered employment if performed outside of the prescribed school day and the activity does not involve mining, manufacturing or hazardous occupations. The activities include:</p> <ul style="list-style-type: none"> 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. Caddying on a golf course. Employment as an instructor 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 Youth Camp Act. Hazardous work performed by non-paid volunteers of a volunteer fire department or 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.
<p>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.</p> <p>FEDERAL RESTRICTIONS Restrictions under the child labor provisions of the Federal Fair Labor Standards Act may be greater than State Standards. In all cases, the higher or more restrictive standard prevails. Information on Federal Standards is available from the Baltimore office (410) 962-6211 and the Hyattsville office (301) 436-6767 of the U.S. Department of Labor, Wage and Hour Division.</p>	

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.

- Occupations in or about plant or establishments containing explosive components.
- Occupations involving slaughtering, meat-packing or processing, or rendering.
- Coal-Mine occupations.
- Logging occupations and occupations in the operation of any sawmill, lath 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.

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:

- Occupations in, about, or in connection with:
- Blast furnaces.
 - Docks or wharves, other than marinas where pleasure boats are sold or served.
 - Pilots, firemen, or engineers on any vessel or boat engaged in commerce.
 - Railroads.
 - Erection and repair of electrical wires.
 - Any distillery where alcoholic beverages are -

A minor may not be employed to transfer monetary funds in any amount between 8 p.m. and 8 a.m. or in any amount over \$100.00 between 8 a.m. and 8 p.m. unless that minor is the child of the owner or operator or the funds have been received in payment of goods or services delivered by the minor.

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

(1) Manufacturing, mechanical or processing occupations including occupations in workrooms, workplaces or storage 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
- airports
- brickyard
- gases
- lumberyard
- lye
- boats engaged in navigation or commerce
- occupations causing dust or gases in injurious quantities
- any occupation deemed injurious by the Commissioner after investigation.

UNEMPLOYMENT INSURANCE

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 Department of Labor, Licensing and Regulation 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 certificate or other forms of proof of dependency.

IF YOU ARE TOTALLY OR PARTIALLY UNEMPLOYED CALL:

Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served	Phone Number To File A Claim	Area Served
410-368-5300	Baltimore City	301-723-2000	Allegany	410-334-6800	Caroline
1-877-293-4125 (toll free)	Anne Arundel Howard	1-877-293-4125 (toll free)	Frederick Garrett Washington	1-877-293-4125 (toll free)	Dorchester Kent Queen Anne Somerset Talbot Wicomico Worcester
301-313-8000	Calvert	410-853-1600	Baltimore		
1-877-293-4125 (toll free)	Charles Montgomery Prince George's St. Mary's	1-877-293-4125 (toll free)	Carroll Cecil Harford		
	SOLICITUD DE BENEFICIOS DEL DESEMPLEO PARA LA POBLACIÓN DE HABLE HISPANA 301-313-8000		TTY FROM BALTIMORE AREA AND OUT-OF-STATE 410-767-2727		TTY TOLL FREE OUTSIDE BALTIMORE (but within Maryland) 1-800-827-4400
	Para Relevos en Maryland presione 711		For Maryland Relay Dial 711		For Maryland Relay Dial 711

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 failure 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, LICENSING AND REGULATION OFFICE OF UNEMPLOYMENT INSURANCE

THIS CARD MUST BE POSTED IN A CONSPICUOUS PLACE

EQUAL PAY FOR EQUAL WORK

EQUAL PAY FOR EQUAL WORK

Labor and Employment Article - Title 3, Subtitle 3

Annotated Code of Maryland

3-301. Definitions.

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

(b) *Employer.* -

(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 and 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) *Wage.* -

- (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. Scope of subtitle.

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

3-303. Miscellaneous powers of Commissioner.

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. Equal pay for equal work.

(a) *In general.* - An employer may not discriminate between employees in any occupation by paying a wage to employees of 1 sex at a rate less than the rate paid to employees of the opposite sex 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.

(b) *Effect of requirement.* - Subsection (a) 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;
- (2) a merit increase system that does not discriminate on the basis of sex;
- (3) jobs that require different abilities or skills;
- (4) jobs that require the regular performance of different duties or services; or
- (5) work that is performed on different shifts or at different times of day.

(c) *Reduction in wages.* - An employer who is paying a wage in violation of this subtitle may not reduce another wage to comply with this subtitle.

3-305. Records and reports.

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

- (1) wages of employees;
- (2) job classifications of employees;
- (3) racial classification of employees;
- (4) gender of employees; and
- (5) other conditions of employment.

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

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

(d) The Commissioner may analyze the records required under this section to study pay disparity issues.

3-306. Copies and posting of subtitle.

(a) *Copies.* - On request of an employer, the Commissioner shall provide without charge a copy of this subtitle to the employer.

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

3-306.1. Enforcement

(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 applicant or employee. (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. Action against employer by or for employee.

(a) *Action by employee.* -

(1) If an employer violates this subtitle, an affected employee may bring an action against the employer to recover the difference between the wages paid to male and female employees who do the same type work and an additional equal amount as liquidated damages.

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

(b) *Assignment of claims.* - 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) *Limitations period.* - An action under this section shall be filed within 3 years of the act on which the action is based.

(d) *Defense.* - 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) *Costs.* - 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.

3-308. Prohibited acts; penalties.

(a) *Prohibited acts of employer.* - 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 into a place of employment that the Commissioner is authorized under this subtitle to inspect; or
- (4) discharge or otherwise discriminate against an employee because the employee:
 - (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.

(b) *Prohibited acts of employee.* - An employee 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) *Action by Commissioner.* - The Commissioner may bring an action for injunctive relief and damages against a person who violates subsection (a) (1) or (4) or subsection (b) (1), (3) or (4) of this section.

(d) *Penalties.* - An employer who violates any provision of subsection (a) (2) or (3) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$300.

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

**Maryland Department of Labor,
Licensing and Regulation**

Division of Labor and Industry – Employment Standards Service Unit
1100 N. Eutaw St. Room 607

Baltimore, MD 21201

Phone: 410-767-2357

Email: ess@dllr.state.md.us

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 the 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
Department of Labor, Licensing and Regulation

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

TO BE POSTED

Pregnant & Working

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

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(d)*

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 best suits your needs.

What If I Am A Victim Of Discrimination?

If you believe your rights under the law have been violated, you must file a complaint with MCCR **within 6 months** 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.**

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, §20609(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 for a temporary 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).

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