



“Staying Compliant, Staying Cool”

Heat Stress Prevention

(COMAR 09.12.32)

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IMPORTANT NOTE

Please note: All parts of this presentation are for informational purposes only. No parts of this presentation are to be construed as OSHA/MOSH required training or legal advice and are not a substitute for training or the advice of legal counsel. Please consult an attorney for advice concerning compliance with laws set out in Code of Maryland Regulations or Code of Federal Regulations.

Today we will discuss:

- Heat stress definitions
- Factors that affect heat stress
- Heat-related illnesses
- Maryland Heat Stress Regulations
- MOSH Resources/Enforcement



What is Heat Stress?

The net heat load to which a worker is exposed.

➔ Physical exertion, environmental factors, and clothing worn all contribute to heat stress.

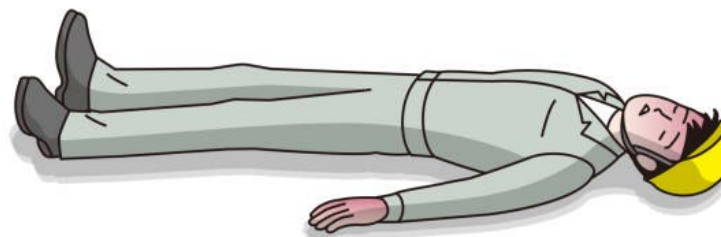
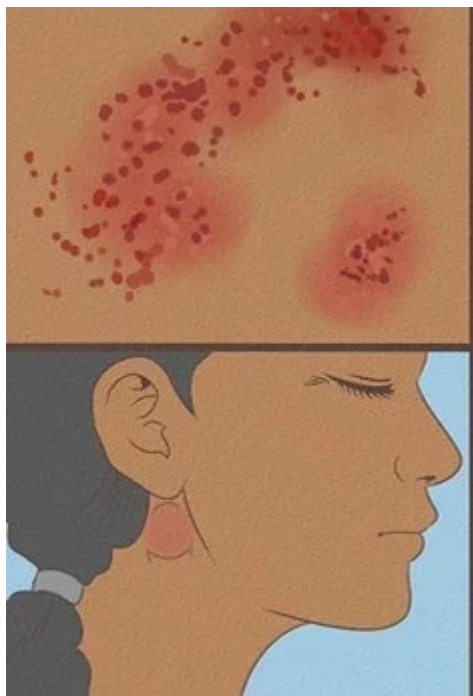
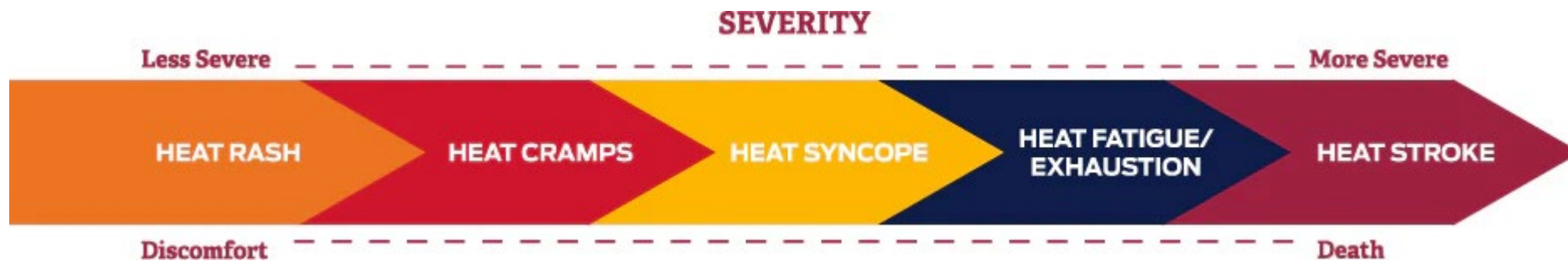


What is a Heat-Related Illness?

A medical condition resulting from the inability of the body to rid itself of excess heat.

↳ Ex: heat rash, heat cramps, heat exhaustion, heat syncope, and heat stroke.






Medical
Emergency!

Vary in degree of
severity.

All but heat stroke
usually resolve
readily without
lasting side effects

Heat-Related Illness	Symptoms and Signs
Heat stroke 	<ul style="list-style-type: none">• Confusion• Slurred speech• Unconsciousness• Seizures• Heavy sweating or hot, dry skin• Very high body temperature• Rapid heart rate
Heat exhaustion	<ul style="list-style-type: none">• Fatigue• Irritability• Thirst• Nausea or vomiting• Dizziness or lightheadedness• Heavy sweating• Elevated body temperature or fast heart rate
Heat cramps	<ul style="list-style-type: none">• Muscle spasms or pain• Usually in legs, arms, or trunk
Heat syncope	<ul style="list-style-type: none">• Fainting• Dizziness
Heat rash	<ul style="list-style-type: none">• Clusters of red bumps on skin• Often appears on neck, upper chest, and skin folds

Risk Factors for Heat Illness

Environmental risk factors:

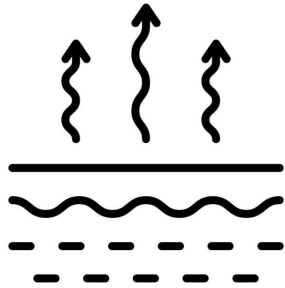
- Air temperature
- Relative humidity
- Radiant heat from the sun and other sources
- Conductive heat sources such as the ground
- Air movement
- Workload severity and duration
- Protective clothing and personal protective equipment worn by employees

Personal risk factors:

- Water consumption
- Alcohol consumption
- Caffeine consumption
- Degree of acclimatization
- Use of prescription medications
- An individual's age

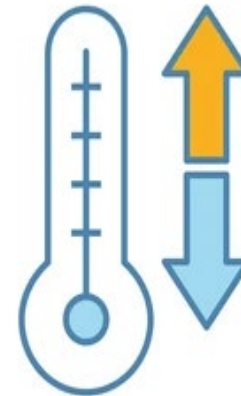


Heat Exchange and Heat Balance



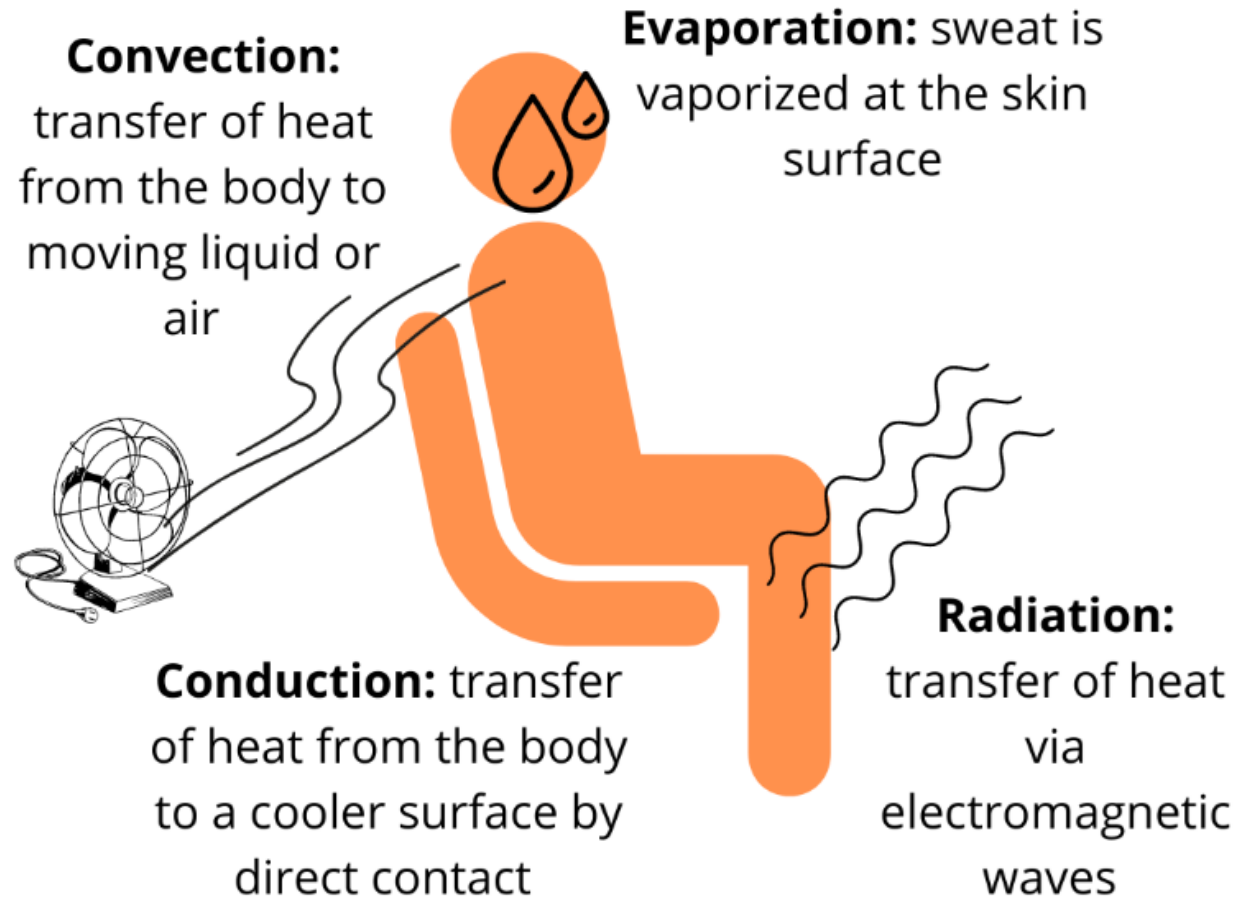
Normal body function requires that the deep body core temperature be maintained within an acceptable range.

37°C (98.6°F) $\pm 1^{\circ}\text{C}$ (1.8°F)



*Requires a constant exchange of heat between the body and the environment

Methods of Heat Loss



Hypothalamus– Primary Seat of Control

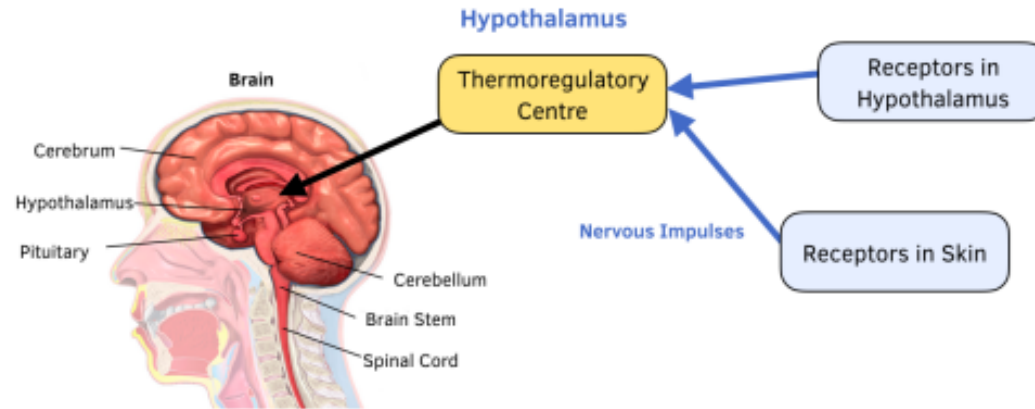
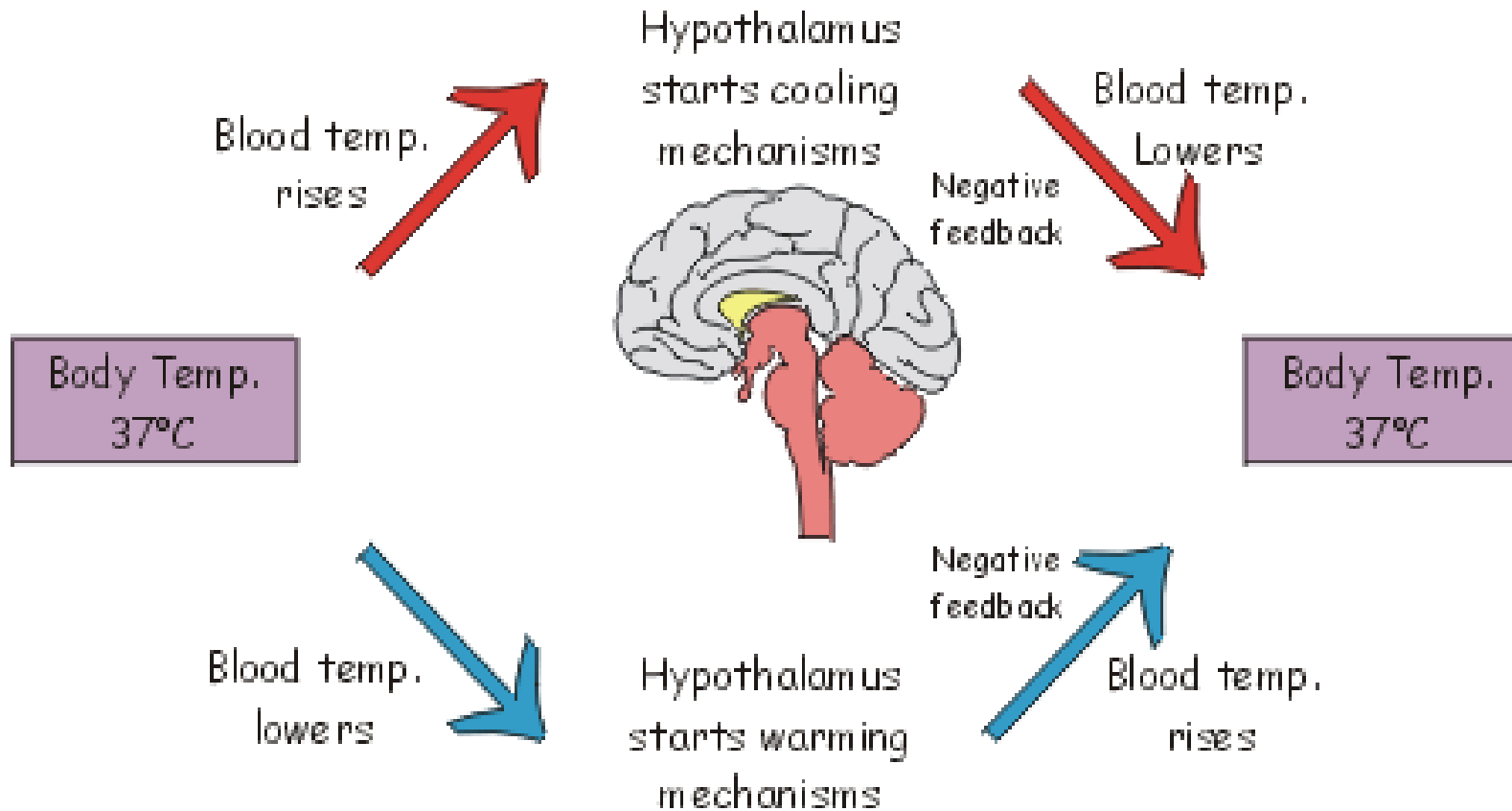


Fig 1. Thermoregulation. Receptors send feedback to the hypothalamus.

Posterior Hypothalamus provides a “set point” of core temperature and initiates physiologic responses to maintain the core temperature as it increases

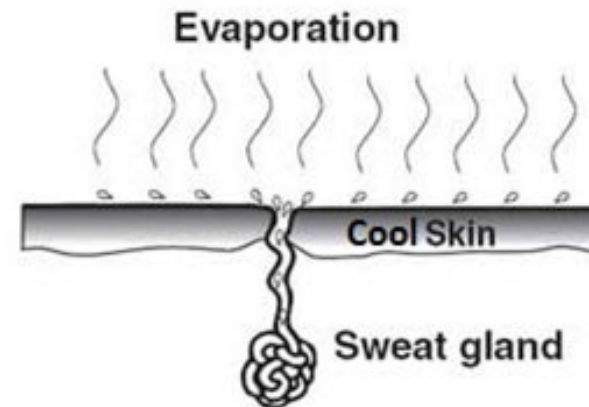
Anterior Hypothalamus receives information from receptors sensitive to temperature fluctuations

How the Body Controls Temperature



SWEAT MECHANISM

- Sweat glands are found in the outer layers of the skin
- May sweat as much as 1 liter/hour (.3 gal/hr)
 - 8-10 liters/day (2-2.5 gal/day) is the upper limit
- Large losses of water and electrolytes, through sweating, adversely affect thermoregulation



Rate of Evaporation of Sweat



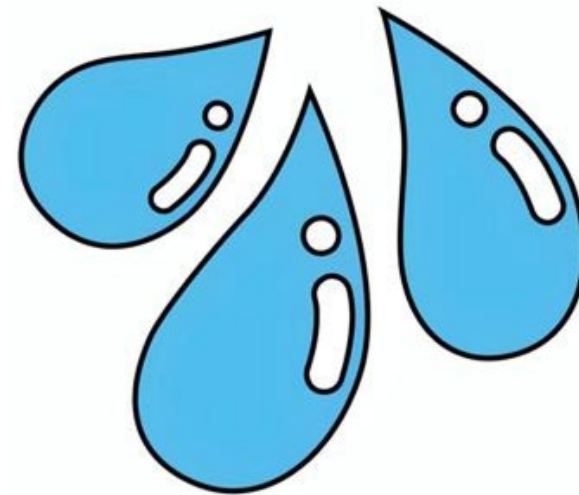
Hot, humid environments limit the amount of sweat that can be evaporated

WATER & ELECTROLYTES BALANCE

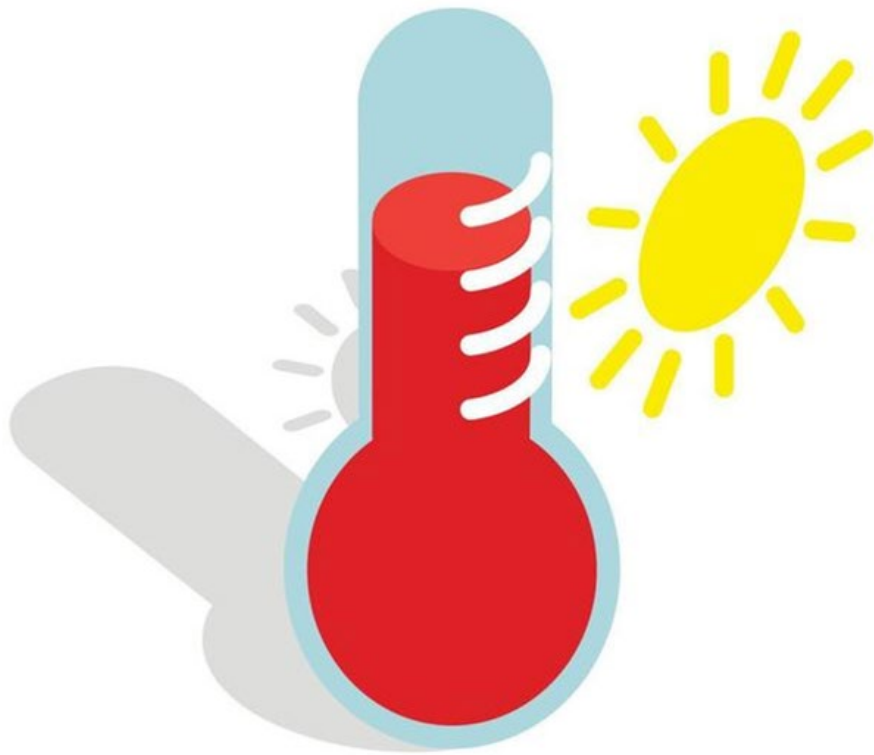
💧 Imperative to replace water lost in sweat

💧 Should drink 5-7 ounces of cool water every 15-20 minutes

💧 Do not rely on thirst as an indication to drink; by the time you're thirsty, you're already dehydrated!



How Do We Measure Heat?



Temperature

Heat Index

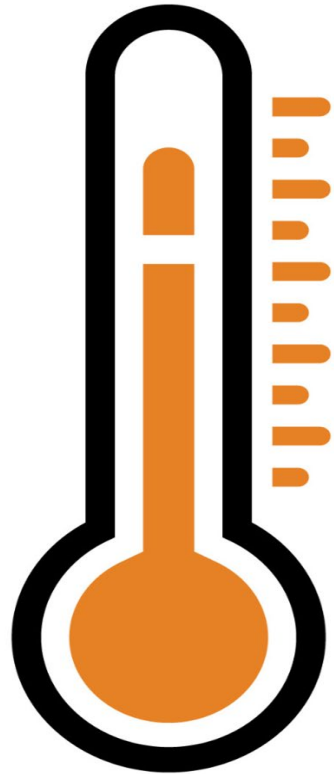
Wet Bulb Globe
Temperature

TEMP. vs HI vs WBGT

Air Temperature: Ambient air temperature; does not take into account radiation or moisture

Heat Index (HI): The apparent “real feel” temperature; air temperature + humidity

WBGT: A measure of heat stress; accounts for temperature, humidity, wind, and solar radiation



Maryland Heat Stress Regulations

(COMAR 09.12.32)

PURPOSE

Establish minimum requirements for employers to protect employees from *heat-related illness* caused by *heat stress*.



SCOPE

Applies ✓

Employers with employees working (indoor or outdoor) and exposed to a heat index* equal to or greater than **80°F** in the working area.


* *Heat index tells you how it feels outside in the shade. It does NOT take into account radiant heat from the sun.*





SCOPE

Does NOT Apply ✖

- Emergency operations and essential services* 
- Incidental exposures
 - (working < 15 consecutive min/hr)
- Entities with a mechanical ventilation system or fan
 - (must maintain the heat index below 80°F)

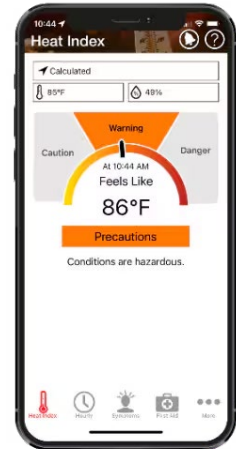
*Work in connection with an emergency that requires the involvement of:

- a) law enforcement
- b) emergency medical services
- c) firefighting
- d) rescue and evacuation operations
- e) emergency restoration of essential utilities or telecommunications






Prevention and Management Plan

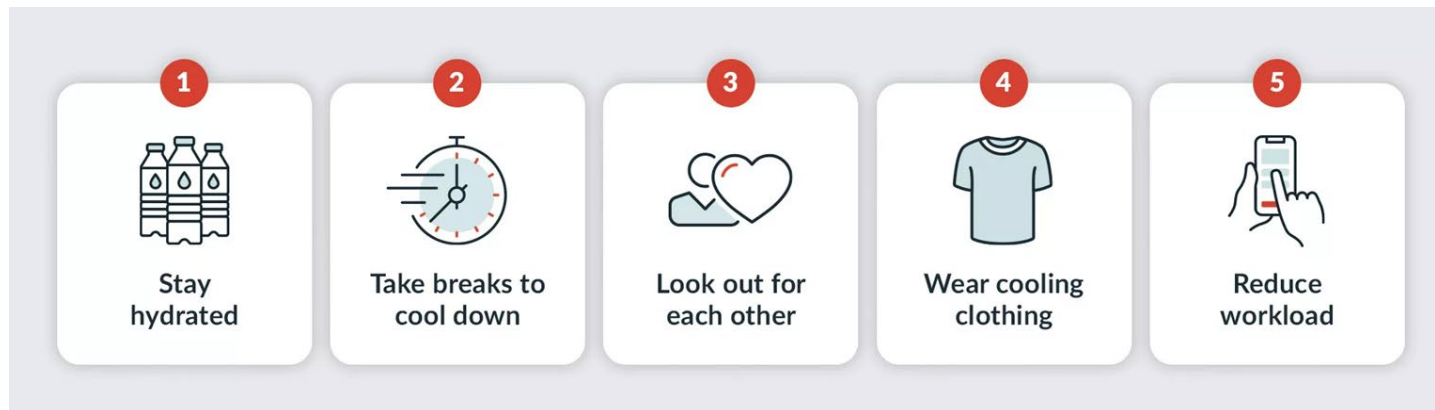
- Heat index monitoring by the employer
 - Throughout the work shift in the working areas
- Measure
 - Temp. & humidity simultaneously/directly
 - Local weather data 🌤️
 - OSHA-NIOSH Heat Safety Tool App
- Plan ➡
 - For heat illness prevention and management
 - Develop, implement, and maintain (in writing)



Prevention and Management Plan

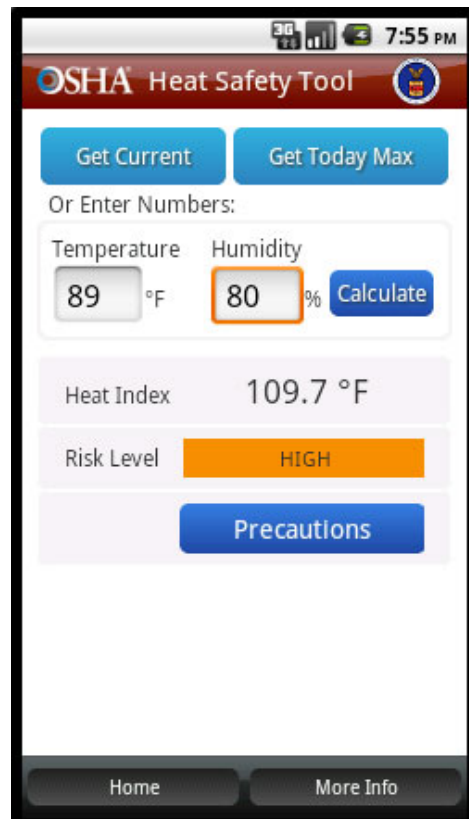
Include the following elements:

- Acclimatization
- Shade access
 - Alternative cooling methods
- Drinking Water 
- High heat procedures 
- Emergency response
 - Heat-related illnesses
- Training 





Monitor the Heat Index



The App indicates the hazard levels as:

- Caution (less than 80°F HI)
- Warning (80°F – 94°F HI)
- Danger (95°F HI or higher)

Offers recommended actions to protect workers.

<https://www.osha.gov/heat-exposure/hazards>

<https://www.osha.gov/otm/section-3-health-hazards/chapter-4>

MONITOR THE HEAT INDEX

NOAA's National Weather Service

Heat Index

Temperature (°F)

Relative Humidity (%)	80	82	84	86	88	90	92	94	96	98	100	102	104	106	108	110
40	80	81	83	85	88	91	94	97	101	105	109	114	119	124	130	136
45	80	82	84	87	89	93	96	100	104	109	114	119	124	130	137	
50	81	83	85	88	91	95	99	103	108	113	118	124	131	137		
55	81	84	86	89	93	97	101	106	112	117	124	130	137			
60	82	84	88	91	95	100	105	110	116	123	129	137				
65	82	85	89	93	98	103	108	114	121	128	136					
70	83	86	90	95	100	105	112	119	126	134						
75	84	88	92	97	103	109	116	124	132							
80	84	89	94	100	106	113	121	129								
85	85	90	96	102	110	117	126	135								
90	86	91	98	105	113	122	131									
95	86	93	100	108	117	127										
100	87	95	103	112	121	132										

Likelihood of Heat Disorders with Prolonged Exposure or Strenuous Activity

Caution

Extreme Caution

Danger

Extreme Danger



Acclimatization

The physiologic changes which occur in response to a succession of days of exposure to environmental heat stress that reduce the strain caused by the heat stress of the environment

Acclimatization

- Develops in 1-3 weeks
 - Mere exposure to heat does not confer acclimatization
 - Elevated metabolic rates are required for at least 2 hours per day
 - Acclimatization to one heat stress level does not confer full acclimatization to higher levels of heat stress
- Acclimatization can be lost quickly if exposure is discontinued
 - Loss is transitory and can be made up



Acclimatization Benefits

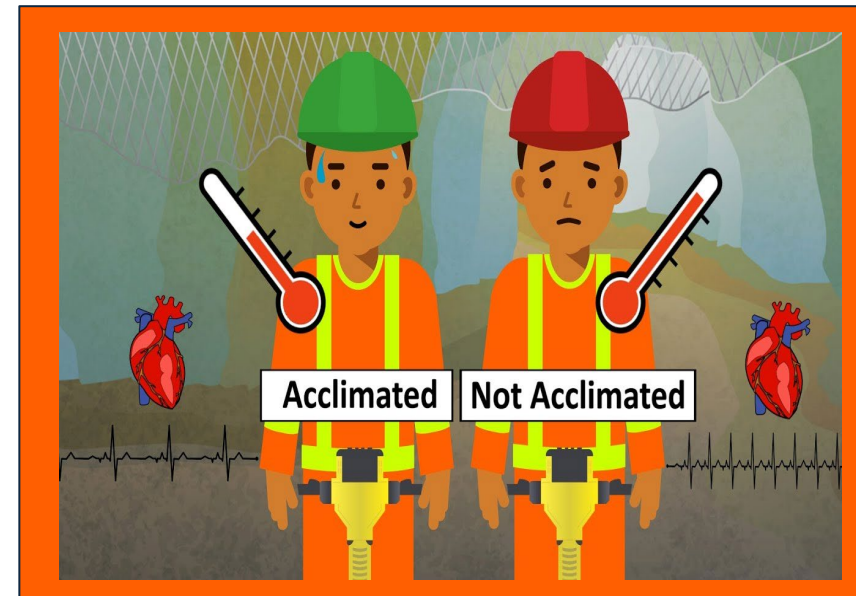
- More efficient sweating
 - Increase sweat production, reduce electrolyte loss
- Blood flow to the skin is reduced; more blood is available to muscles
- More stable and better-regulated blood pressure with lower pulse rates
- Improved productivity and safety



Acclimatization Requirements


Exposed employees

- Acclimatization period of up to 14 days. 📅
 - Newly exposed
 - Returning employees (after 7+ consecutive days of absence)
- Monitoring by the employer
 - Signs of heat-related illnesses
 - Via regular communication
 - Phone or radio 📞
 - Buddy system
 - Other observation



Acclimatization Requirements

Employer shall develop/implement schedule

- Gradual increase of exposure time 
 - 5-14 day period (max 20% increase each day)
- NIOSH recommendations
- Combination with *alternative cooling/control measures**

* *creating other controls to manage heat (ex: job rotation, cooling garments, mechanical ventilation systems, etc.)*

Schedule shall be in writing.

Things to consider:

1. Acclimated vs. Unacclimated employees
2. Environmental conditions and anticipated workload
3. Impact of clothing/PPE
4. Personal risk factors
5. Re-acclimatizing as necessary
6. Alternative cooling/control methods



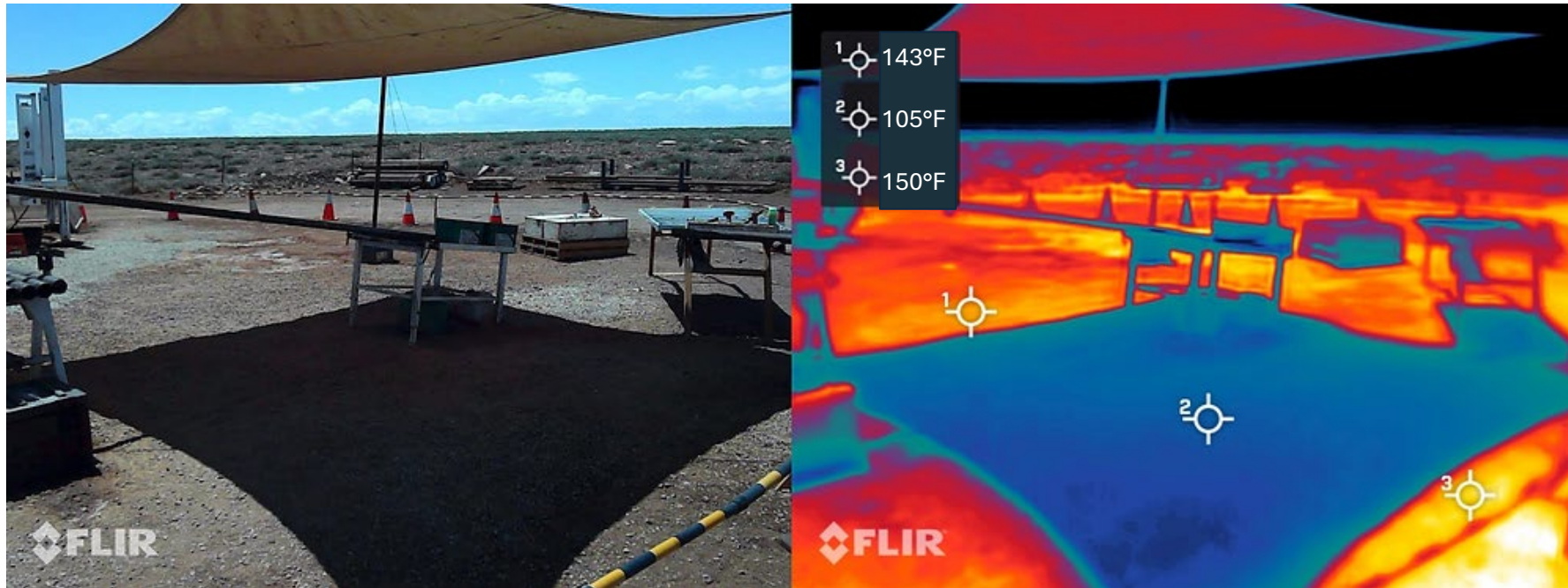
SHADE ACCESS

Shaded area = blockage of direct sunlight

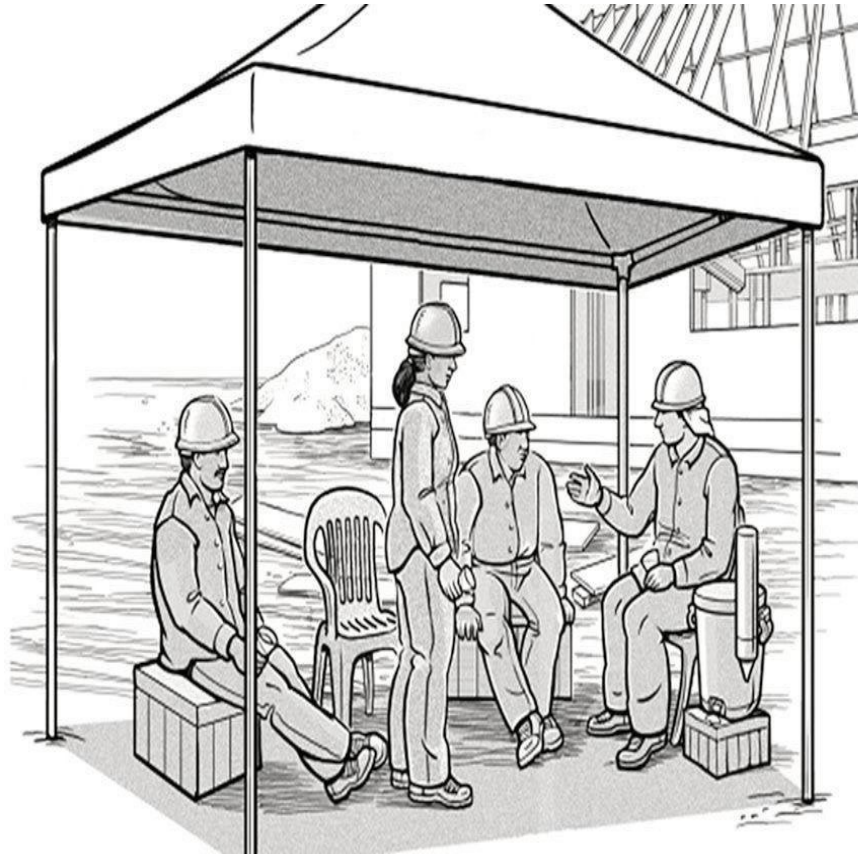
- Sufficient blockage = objects do NOT cast a shadow in the area of blocked sunlight.
- Shade is adequate only when it completely blocks the direct sunlight and allows the body to cool.
- Effective access to shade does not deter or discourage access or use.



Shaded vs. Non-Shaded Areas



Thermal imagery analysis of ground surface temperature of shaded and non-shaded areas during a clear ~100°F day.



SHADED AREAS

Requirements:

1. Close to the work area as practicable
2. Outside, open, and exposed to air on at least three sides
3. Prevent contributing heat sources from reducing effectiveness 🔥
4. Sufficient size for the number of employees utilizing the shaded area
5. Allow for normal sitting posture
6. Accommodate the removal/storage of PPE during use

WHAT IF...

...creating outdoor shade is infeasible or unsafe in the work area?

Employers must implement alternative cooling and control measures that provide, at a minimum, equivalent protection to shade.

Employer may provide cooling with an indoor mechanical ventilation system as an alternative (**must satisfy requirements 2-5 from previous slide*)

Alternative cooling measures include, but are not limited to, cooling employees by:

- Putting them in an air-conditioned environment, if available
- Using misting machines
- Using cooling vests (e.g., commercially available ice vests)
- Using battery-operated, portable cooling devices
- Using air-cooled garments (e.g., suits or hoods)





DRINKING WATER



DRINKING WATER

The employer shall provide *drinking water*.

- 💧 No cost to exposed employees
- 💧 Close to the work area
- 💧 At least 32oz/worker/hour*

Potable, cool
water that is safe
to drink

*Employer is not required to provide the entire water supply at the start of an employee's shift, but must be available at all times while work is being performed.

H₂O



Opportunities and encouragement?

Sufficient amounts of water?



Are you hydrated?

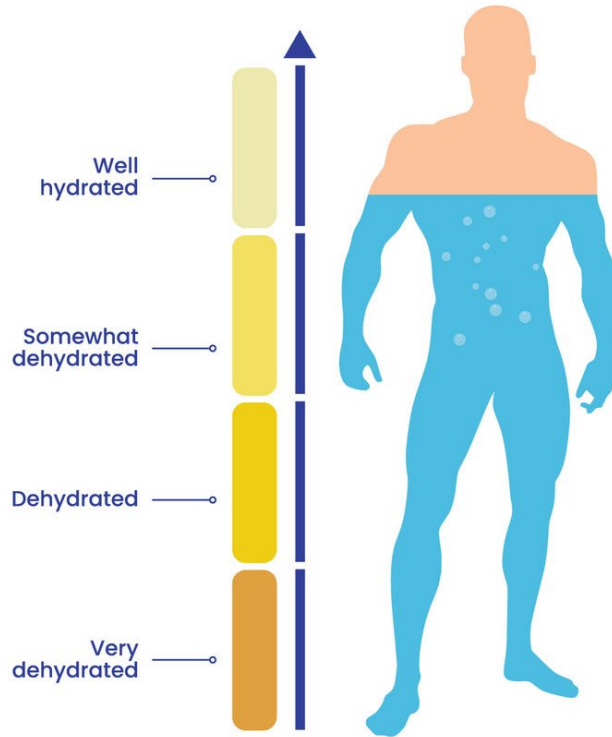
URINE COLOR CHART

Make sure you are drinking enough fluids to stay hydrated throughout the day.

Drinking water is the best way to stay hydrated.

Limit alcohol and caffeine intake.

Don't wait until you're thirsty to drink water.



Stay Hydrated

Drink more water than usual - and don't wait until you're thirsty!

BEAT THE HEAT

 Centers for Disease Control and Prevention
National Center for Environmental Health

HIGH HEAT PROCEDURES



High Heat Procedures

Implement when heat index $\geq 90^{\circ}\text{F}$ in work area

Include a work and rest schedule to protect employees from heat illness that is adjusted for:

- Environmental conditions
- Workload
- Impact of required PPE/clothing

When in effect, the employer shall monitor exposed employees for signs of heat-related illness with regular communication



High Heat Procedures Cont'd

- Heat index **90°-100°F**
 - minimum rest period of 10 mins/2 hrs worked
- Heat index above **100°F**
 - minimum rest period of 15 mins/1 hr worked
- Alternative measures/schedules (NIOSH)



*If employer can demonstrate effective heat management through *alternative cooling and control measures*, schedule outlined above may not be required.

Alternative Cooling and Control Measures

1. Must be readily available and accessible to employees at all times when work is being performed
2. Must be documented in writing
3. Do not supersede any other requirements of the chapter



Rest Periods



- May coincide with a meal period
- Shall NOT be discouraged by employers
- Shall be taken as needed to prevent heat-related illness
- Shall be taken in the SHADE

Emergency Response



Delays Can Be Deadly

- Every minute counts when it comes to heat stroke
- Immediate cooling and emergency care are essential
- Don't want to waste time guessing what to do



Emergency Response Plan



Effective and accessible communication at all times at the worksite

↳ Contacting supervisor or *emergency services*

↳ Transporting employees to a location accessible to emergency personnel

- **Simply saying you will call 911 is not sufficient**
- **Employees and supervisors should know their roles**

Know how to recognize/respond to symptoms, report incidents, activate EMS, provide care...



Training

- Prior to first exposure to heat
- Re-train employees & supervisors *at least*:
 - annually prior to exposure
 - immediately following any heat-related illness incident (*suspected or confirmed*)
- Understandable language for all employees and supervisors





Key points to include:


- Work/environmental conditions that affect heat illness
- Personal risk factors that affect heat illness
- Acclimatization (concept, methods, etc.)
- Importance of water/rest breaks
- Signs/symptoms/types of heat-related illnesses
 - First aid & emergency response measures
- Reporting procedures for heat illnesses
- Employer's compliance procedures/requirements

Training Records

Maintain for one year from training date

To include:

- Names of trainees
- Dates of training sessions
- Summary/outline of training sessions

 *Training records shall be made available to MOSH upon request.*

Example Training Record:

Initial Heat Stress Training for New Employees	
Date of Hire:	MM/DD/YYYY
Date of Training:	MM/DD/YYYY
Trainer:	Ash Ember (Supervisor)
Training Outline:	<ol style="list-style-type: none">1. The work and environmental conditions that affect heat-related illness2. The personal risk factors that affect heat-related illness3. The concept, importance, and methods of acclimatization4. The importance of frequent consumption of water and rest breaks in preventing heat-related illness5. The types of heat-related illness, the signs and symptoms of heat-related illness, and the appropriate first aid and emergency response measures6. The importance of and procedures for employees immediately reporting to the employer the signs and symptoms of heat-related illness7. Procedures and the requirements for complying with COMAR 09.12.32
I acknowledge receiving the training outlined above and understand its requirements and the expectations of me as an employee. I have been given the opportunity to provide feedback and ask questions regarding heat illness and related training.	
Employee Name:	Sunny Ray
Employee Signature:	Sunny Ray

From MOSH Model Plan Template

MOSH Resources

MOSH website for the most up-to-date info

<https://www.labor.maryland.gov/labor/mosh/moshheatstress.shtml>

MOSH Heat Stress Regulation and Guidance Documents **New**

- [Maryland Heat Stress Illness Prevention Standard](#)
The COMAR 09.12.32 **Heat Stress Standards** are effective as of September 30, 2024
- [Key Requirements: Maryland Heat Stress Standards](#)
- [Summary of Key Maryland Requirements Fact Sheet](#)
- [MD Heat Illness Prevention\(HIP\) Model Program for Maryland Employers](#)

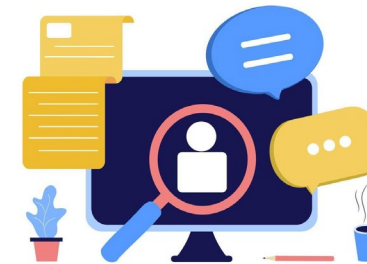
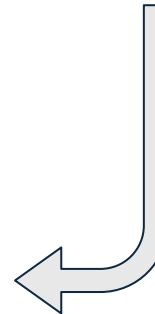
Written Heat Illness Prevention Plan

For Maryland Employers

Under the authority of Labor and Employment Article §§ 2-106(b)(5) and 5-1201(b) of the Annotated Code of Maryland, the Code of Maryland Regulations (COMAR) 09.12.32 requires employers to establish minimum requirements to protect employees whose employment activities, indoor or outdoor, expose employees to a heat index that equals or exceeds 80°F, and from heat-related illness caused by heat stress in the workplace (see Regulation .02 Scope of COMAR 09.12.32 for exemptions).

Employers should develop and implement a written *Heat-Related Illness Prevention and Management Plan*, which includes but is not limited to:

- Monitoring the heat index throughout the work shift
- Providing sufficient amounts of drinking water
- Providing shade and the implementation of rest breaks
- Recognizing signs and symptoms of heat-related illnesses
- Procedures for acclimatization to working conditions
- Procedures for high-heat conditions
- An emergency response plan



Anticipated Enforcement



- Complaint-driven
- No specific requirements for reporting heat-related incidents to MOSH
 - Report **hospitalizations** or **fatalities** as required
 - Record on 300 logs (if they meet the criteria for *work-relatedness* and treatment beyond first aid)





Questions?

mosh.outreach@maryland.gov



MOSH UPDATES

Claude Van Pelt

Occupational Safety and Health Compliance Officer



Maryland House Bill 0176 (Davis Martinez Public Employee Safety and Health Act)

- Requires the Correctional Training Commission to adopt certain regulations for the training, issuance, and use of body-worn cameras
- Requires each correctional unit to develop and maintain a certain written policy for the use of body-worn cameras by correctional officers
- **Establishes the Public Employees' Safety and Health Unit in the Division of Labor and Industry to administer and enforce certain provisions regarding the oversight of the workplace safety and health of employees of certain public bodies**

Maryland House Bill 0176 (Davis Martinez Public Employee Safety and Health Act)

- Repeals the prohibition on certain penalties being applied to public bodies
- Requires the revenues from certain civil penalties to be used for the Maryland Apprenticeship and Training Program
- Requires the Commissioner of Labor and Industry, in consultation with the Occupational Safety and Health Advisory Board, to adopt regulations that protect employees of public bodies from workplace violence

Effective Dates:

- The act shall take effect October 1, 2025.
- On or before, October 1, 2026, the Commissioner, in consultation with the board, shall adopt regulations for Workplace Violence
- “Workplace Violence” means an act of violence or a threat of violence that occurs at a place of employment and that is not a lawful act of self-defense or defense of another person.
 - Includes regardless or whether the employee is physically or psychologically injured:
 - Using or threatening to use physical violence against an employee; or
 - An incident involving the use of or threatening the use of a firearm or other dangerous weapon

New Requirement for Public Bodies

- 5-104(c)(2): Each Public Body annually shall make available to each of its employees a copy of:
 - Commissioner's annual written report on safety and health in public bodies that includes:
 - A summary of the work and findings of the unit
 - A summary of any new regulations adopted during the immediately preceding year
 - A summary of trending safety and health issues related to employees of public bodies
 - A list of any hazardous workplace circumstances found at the workplaces of public bodies during the immediately preceding year AND citations issued to public bodies during the immediately preceding year.
 - This annual report is to be completed on or by July each year
 - In addition to the posting requirement for citations, a public body that is issued a citation shall make available a copy of the citation to all affected employees.

New to Penalties? Let Break Down the Process!

- A citation will be recommended based on the violation documented by the inspecting CSHO.
- The maximum penalty that may be proposed for a serious or an other-than-serious violation is \$7,000. In the case of willful or repeated violations, a civil penalty of up to \$70,000 may be proposed
- The classifications for the citation will either be “Serious” or “Other-Than-Serious”. The classification is based on the severity of the injury or illness which could result from the violation.
- There are other related classifications such as “Repeat”, “Willful”, and “Failure to Abate”

Serious Citations – Assessing the Probability

a. Number of workers exposed:

Each worker up to 10	1-10
----------------------	------

b. Frequency of exposure:

Any exposure up to once a week	1-3
More than once a week up to daily exposure	4-6
Continuous daily exposure	7-10

c. Employee proximity:

Fringe of danger zone	1-3
Near danger zone	4-6
At the point of danger	7-10

d. Working conditions including environmental and other factors (e.g., speed of operations, lighting, temperature, weather conditions, noise, housekeeping, etc.) which may influence the likelihood of an accident resulting in injury:

Low stress/good conditions	1-3
Medium stress/fair conditions	4-6
High stress/poor conditions	7-10

- Scales are (1-10)

- $(A+B+C+D)/4 = \text{Probability}$

- $(\text{Probability} + \text{Severity})/2 = \text{Gravity}$

- $\text{Gravity} \times \$500 = \text{Calculated Penalty}$

Serious Citations – Assessing the Probability

2. **Good Faith Rating.** The good faith rating of an employer is determined by considering the above five factors, to which an appropriate numerical value shall be assigned in accordance with the relative contribution of each, as indicated on the appropriate form. The numerical value for each circled answer shall be totaled to obtain the "good faith total". The numerical total shall be applied to the following scale to determine the "good faith adjustment".

0 – 5	25%
6 – 10	15%
11 – 20	5%
21 – 40	0%

3. **History.** The evaluation of the employer's history is based on the employer's experience which resulted in past violations under the Act. The numerical value for the history rating shall be assigned in accordance with the following:
- Initial inspection/no previous employer history/previous inspections in compliance or only OTS violations cited 10%
 - Previous inspection not in compliance/serious hazards cited/cited more than 36 months prior to this inspection (issuance to closing) 5%
 - All other scenarios of noncompliant activity 0%
4. **Size.** In establishing the size rating, the CO/IH shall determine the size of an employer on the basis of the number of persons employed. The CO/IH shall consider all of the employer's establishments and all employees. Information on the total number of employees generally can be obtained at the inspected worksite. However, on occasion it may be necessary to obtain or confirm the information from the employer's main establishment. The numerical value for the size rating shall be assigned in accordance with the following:

Employees	Scale
1 – 25	60%
26 – 100	40%
101 – 250	20%
251 or more	0%

5. **Actual Harm.** In evaluating the apparent violation, the CO/IH shall determine if the exposed employee(s) received any degree of actual harm. The actual harm may be related to diminished health capacity or physical injury. If the CO/IH determines the existence of actual harm to any employee, a penalty of up to \$2,000 shall be applied.

Injury/Illness	Actual Harm
No injury/illness	\$0
Injury/illness not resulting in hospitalization, or temporary reversible illness requiring minor supportive treatment	\$500
Injury/illness resulting in hospitalization, or temporary reversible illness with a variable but limited period of disability	\$1,000
Injury involving permanent disability, or chronic irreversible illnesses	\$1,500
Death of one or more employees	\$2,000

- Determine and Apply Penalty reductions (Good Faith + History + Size = Reduction %)
- Apply Reduction to the Calculated Penalty and then add the actual harm penalty. This gives you the proposed penalty for the citation. (Yes, this is done for each citation)
- Let's do an example.....

Serious Violation Penalty Example

Four utility employees were working in an unprotected trench that was 10 feet deep. The CSHO discovered that they have been working in this manner for 2 months. The CSHO discovered their employer has a MOSH history with serious citations from 1 year ago. Throughout the inspection process the employer was not cooperative and did not enforce worksite rules. The employer had 5 employees in the company.

Severity Factor	10	Samples Taken?	No
# of Workers Exposed	4	Frequency of Exposure	10
Employee Proximity	10	Stress/Working Conditions	1
Probability	6		
Gravity	8	Gravity based Penalty	\$4,000.00
# of Times Repeated		Multiplier	
Size	50%	Good Faith	0%
History	0%		
Calculated Penalty	\$2,000.00	Proposed Penalty	\$2,000.00

- $4+10+10+1=25$
- $25/4=6$ (Always round down)
- $6+10=16 / 2 = 8$
- $8 \times \$500 = \$4,000$
- $\$4,000 \times 50\% = \$2,000$
- **PENDING ON THE COMPANY'S HISTORY, MOSH MAY RECOMMEND AN ADDITIONAL 50% PENALTY REDUCTION IF THE HAZARD IS ABATED ONSITE!**
- $\$2,000 \times (50\% \text{ Abatement}) = \$1,000$
- **MOSH MAY GROUP CITATIONS FOR PENALTY PURPOSES TOO!**

Other-Than-Serious Violations

- Other-Than-Serious Violations typically have a proposed penalty of \$0 due to MOSH Instruction 23-8.
- There are a few exceptions such as, but not limited to, posting, recordkeeping, and reporting citations.

Related Classifications

- **Failure to Abate** – Violation has not been corrected - The proposed daily penalty shall be multiplied by the number of calendar days that the violation continued uncorrected. (Maximum is x10)
- **Willful** - A willful violation is one where either: (a) the employer committed an intentional and knowing violation, or (b) although the employer did not intentionally violate the law, the employer acted with indifference to its obligation, or (c) the violation was indicative of careless disregard of employer responsibilities. (x10)
- **Repeat** – Violation with a similar condition that has been cited previously, usually within the past three years. (Extended to five years after first repeat)

Citations*	Issued as Repeated	Multiplier
1	0	0
2	1	2
3	2	4
4	3	6
5	4	10

MOSH Issued Citations! What Should I Do?

- Unless you file a valid notice of contest or schedule an informal conference, you must pay all proposed penalties **within 15 work days** after receipt of the citation.
- Call the regional office where the MOSH inspection took place and ask to schedule an **INFORMAL CONFERENCE**. The contact number should be listed on the packet.
- The informal conference is a means of settling pending issues between MOSH and an employer so that further contestment proceedings will not be necessary. You may use this opportunity to discuss:
 - Informal settlement of the case
 - Ways to correct an alleged violation of MOSH standards
 - Questions about a proposed penalty
 - Problems with a proposed abatement date
 - Issues concerning employee safety practices
 - Other related questions you may haveIf you wish to contest only a proposed penalty, you must correct all violations by the dates indicated on the citation.
- This must be scheduled with 15 work days upon receipt of the citations. Please bring all abatement documentation and the Abatement Verification Response Form.

Additional Employer Rights

- You may also file a notice of contest. This guarantees your right to court. To contest a citation or proposed penalty, you must notify the Assistant Commissioner for MOSH. This notice of contest must clearly state what is being contested: the citation, the proposed penalty, or both.
- A notice of contest must be **in writing** and postmarked **within 15 work days** of **receipt** of the citation.
- When a citation is contested, the Commissioner of Labor and Industry will designate a hearing examiner to hear the case at the Office of Administrative Hearings.

Additional Employer Rights

- An Assistant Attorney General will be assigned to present the case for MOSH. You may request a **pre-hearing conference** with the Assistant Attorney General to attempt to resolve or narrow the issues or to discuss settlement of the case.
- The hearing examiner's written determination will become a final order of the Commissioner unless the Commissioner receives a valid request for a review, or unless the Commissioner orders a review.
- If you disagree with the hearing officer's determination, you may file a petition for review by the Commissioner. The Commissioner may conduct the review with or without a hearing.
- If you are not satisfied with the Commissioner's decision on review, you may appeal to the appropriate Circuit Court.

More Help is Available!

- MOSH Consultation - assists private and public sector employers, free of charge, to improve safety and health in their workplace through **voluntary compliance** with the MOSH law and regulations
- MOSH Outreach - provides **seminars** on MOSH standards and topics of general interest at regional locations across the State. These seminars are free of charge and open to the public. Free **speakers** on specific MOSH standards are also provided for professional and trade associations, employer and employee organizations, and other groups. Safety **videos** are available on loan, and numerous **publications** on a wide range of occupational safety and health topics are available upon request.