



DEPARTMENT OF LABOR

Occupational Safety and Health Administration

Maryland State Plan; Level of Federal Enforcement: Private Sector Employment on Federal Properties

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: This document gives notice of OSHA's approval of a clarification to the Maryland State Plan to specify that private-sector employment on land that the United States or any unit of the United States leases or otherwise holds in the State is not included in its State Plan.

DATES: This clarification approval is effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Section 18 of the Occupational Safety and Health Act of 1970, 29 U.S.C. 667 (OSH Act), provides that states that wish to assume responsibility for developing and enforcing their own occupational safety and health standards may do so by submitting and obtaining federal approval of a State Plan. State Plan approval occurs in stages that

include initial approval under Section 18(c) of the Act and, ultimately, final approval under Section 18(e).

The Maryland State Plan was initially approved under Section 18(c) of the OSH Act on July 5, 1973. 38 FR 17834. The State Plan later received final approval on July 18, 1985. 50 FR 29210. The Maryland State Plan is administered by the Maryland Department of Labor, Division of Labor and Industry, Maryland Occupational Safety and Health (MOSH). As a result of the Maryland State Plan's final approval, federal OSHA relinquished its enforcement authority regarding occupational safety and health issues covered by the Maryland State Plan.

The Maryland State Plan covers most private-sector and all state and local government workers. The Maryland State Plan does not cover: federal government employers, including the United States Postal Service (USPS); contract workers and contractor-operated facilities engaged in USPS mail operations; employment at military bases; maritime employment, including shipyard employment, longshoring, and marine terminals; all working conditions of aircraft cabin crewmembers onboard aircraft in operation; and any hazard, industry, geographical area, operation or facility over which the State Plan is unable to effectively exercise jurisdiction for reasons not related to the required performance or structure of the plan. In addition, federal OSHA retains enforcement of the anti-retaliation provision of the OSH Act, Section 11(c), 29 U.S.C. 660(c), with respect to the private sector. The Maryland State Plan concurrently investigates private-sector and state and local government workplace retaliation cases under a provision analogous to Section 11(c). These exceptions to the Maryland State Plan's occupational safety and health coverage are listed on OSHA's website at <https://www.osha.gov/stateplans/md>.

By this notice and changes on OSHA's website, the parties are clarifying that federal OSHA will cover private sector employment in Maryland on land or property

owned or leased by the federal government where federal employees are regularly present for the purpose of performing their official duties; at federal government-owned contractor-operated sites; or on federal property under construction. Both MOSH and federal OSHA believe this is the best way to ensure prompt and effective protection of such private sector workers. OSHA is updating its federal website for MOSH (<https://www.osha.gov/stateplans/md>) to reflect this clarification and provide notice.

Authority and Signature

David Keeling, Assistant Secretary for the Occupational Safety and Health Administration, U.S. Department of Labor, authorized the preparation of this notice. OSHA is issuing this notice under the authority specified by Section 18 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 667), Secretary of Labor's Order No. 07-2025 (90 FR 27878) and 29 CFR parts 1902 and 1953.

Signed in Washington, DC on April 16, 2026.

David Keeling,
Assistant Secretary for the Occupational Safety and Health Administration (OSHA).

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