
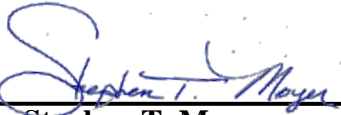



Executive Directive



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| Title: Health and Safety – Work Environment | Executive Directive Number: CAP.055.0009 Revised |
| Related MD Statute/Regulations: Correctional Services Article, §2-103, Annotated Code of Maryland | Supersedes: CAP.055.0009, dated December 12, 2014 |
| Related ACA Standards: 4-ALDF-1A-04, 4-ALDF-4A-02 4-4160, 4-4333 | Responsible Authority:  Executive Director, Environmental Compliance, Safety and Emergency Operations |
| Related MCCS Standards: .04C | Effective Date: June 12, 2015 Number of Pages: 5 |


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.01 Purpose.

- A. This directive continues policy to ensure a clean, safe, and healthy work environment in a Department of Public Safety and Correctional Services (Department) facility.
- B. This directive continues responsibilities for filing a health and safety complaint.

.02 Scope.

This directive applies to all units of the Department.

.03 Policy.

The Department is committed to a proactive approach to ensure a clean, safe, and healthy work environment at a Department facility.

.04 Definitions.

- A. In this directive, the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) Employee.
 - (a) “Employee” means an individual assigned to or employed by the Department or a unit in a full-time, part-time, temporary, or contractual position.
 - (b) “Employee” includes:
 - (i) A special appointee;
 - (ii) A volunteer; and

Executive Directive Number: CAP.055.0009

(iii) An intern.

(2) "Facility" means a structure or space used, owned, or leased by the Department or a unit to conduct Department administrative or operational activities.

.05 Responsibility.

A. A unit head is responsible for:

- (1) Providing a clean, safe, and healthy work environment at a facility under the authority of the unit head; and
- (2) Posting provisions of the Maryland Occupational Safety and Health Act according to COMAR 09.12.20.02.

B. A unit head shall ensure that the individual responsible for a unit facility establishes procedures to control food storage and disposal in the workplace that, at minimum, prohibits:

- (1) Storage:
 - (a) Contrary to the manufacture's recommendations and expiration dates;
 - (b) Overnight unless stored in a container designed to prevent rodent infestation; or
 - (c) In a facility refrigerator or storage area containing:
 - (i) Sample of urine, blood, or other body fluids;
 - (ii) Evidence;
 - (iii) Cleaning products or chemicals used to prevent insect or rodent infestation; or
 - (iv) Other substances that may cause a health risk;
 - (d) In a facility refrigerator except if:
 - (i) The food is labeled with the employee's name and date placed in the refrigerator;
 - (ii) The food is within the manufacturer's expiration date recorded on the container;
 - (iii) The owner is not on leave; and
 - (iv) The food is in the refrigerator for 5 days or more after the date on the food; and
 - (e) In the area used by the employees to store food except if the conditions under §.05B(1)(d) of this directive are met.

Executive Directive Number: CAP.055.0009

- (2) Disposal of food:
 - (a) In a container that is not designed to prevent rodent and insect infestation;
 - (b) Except for pure liquids, in a sink that is not equipped with a garbage disposal; or
 - (c) In a toilet.
 - (3) Use of an appliance to prepare food if the appliance is not clean or is not in proper working order; and
 - (4) Food to remain in a common area not normally used to prepare, serve, or consume food.
- C. A unit head shall ensure that the individual responsible for a unit facility establishes procedures to control plants in the workplace that, at minimum, prohibits:
- (1) A plant that:
 - (a) Is not in a container that protects floors and office furniture from damage;
 - (b) Interferes with operating work-related equipment;
 - (c) Is contaminated with disease or insects;
 - (d) Is not properly maintained;
 - (e) Detracts from the appearance of the facility; or
 - (f) Poses a health or safety risk for employees.
 - (2) Application of chemicals to care for plants; and
 - (3) Storing chemicals used to care for plants.
- D. A unit head shall ensure that the individual responsible for a unit facility establishes procedures prohibiting:
- (1) Cleaning products other than products provided by the unit or the person responsible for maintenance of the facility; and
 - (2) Personal air fresheners, scented oils, scented candles, air fresheners, or similar items.
- E. A unit head, or a designee, may dispose of, without notice to or approval from an employee, food, appliances, plants, chemicals used to care or plants, cleaning products, air fresheners, scented oils, scented candles, and similar items that do not comply with requirements of this directive.

Executive Directive Number: CAP.055.0009

- F. An employee is responsible for supporting a clean, safe, and healthy work environment through proper maintenance of the employee's personal work space and areas shared by other employees or individuals conducting business with the Department or unit.
- G. A unit head, or designee, shall ensure that the person responsible for cleaning the facility daily empties all trash containers and removes trash from the facility to a proper holding area awaiting final removal.
- H. If an employee suspects a health or safety condition at a facility, the employee:
 - (1) As soon as the condition is suspected, shall report the condition to the employee's supervisor detailing the suspected problem; and
 - (2) If the suspected condition allegedly violation a Maryland Occupational Safety and Health (MOSH) occupational safety and health standard defined under Labor and Employment Article, §5-101, Annotated Code of Maryland, may report the condition to MOSH according to requirements under the Labor and Employment Article, §5-209, Annotated Code of Maryland.
- I. A supervisor notified under §.05H(1) of this directive shall notify the supervisor's unit head, or a designee, of the suspected condition.
- J. A unit head, or a designee, notified under §.05I of his directive shall notify the Director — Lease Management (Director), or a designee, of the suspected condition, who shall:
 - (1) Notify appropriate State agencies and, if leased space, the owner of the facility;
 - (2) Take steps including appropriate testing to determine the cause of the suspected condition;
 - (3) If appropriate, take necessary steps to correct an identified condition; and
 - (4) Report the action taken to identify and, if appropriate, correct an identified condition to all affected individuals.
- K. If action is taken to identify and correct a reported condition and an employee feels the condition is not resolved, the employee:
 - (1) May coordinate with the Director to have, at the employee's personal expense, an independent and competent authority investigate, test, and report to the Director the cause of the reported condition; and
 - (2) If the suspected condition is under the authority of MOSH, notify MOSH according to Labor and Employment Article, §5-209, Annotated Code of Maryland.

.06 Attachments/Links.

[Maryland Occupational Safety and Health Act according to COMAR 09.12.20.02](#)

Executive Directive Number: CAP.055.0009

.07 History.

This directive replaces Executive Directive Number: CAP.055.0009 dated December 12, 2014 and supersedes provisions of any prior existing Department or unit communication with which it may be in conflict.

.08 Correctional Facility Distribution Code.

- A
- B