**MOSH INSTRUCTION:**

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| **INSTRUCTION NUMBER:** 23-9 | **EFFECTIVE DATE:** March 10, 2023 |
| **SUBJECT:**  Implementation of Exemptions and Limitations Placed on MOSH Activities by the Federal Labor/Health and Human Services Appropriations Act | **ISSUANCE DATE:** March 10, 2023 |
| **CANCELLATION:**  MOSH Instruction 14-9 | **EXPIRATION:** Effective from date above, until replaced by a new Instruction |

**Purpose:** This Instruction provides guidance for the Exemptions and Limitations on Activities by the Federal Labor Appropriations Act.

**Scope:** MOSH-wide

**Contact:** Chief of MOSH Compliance Services

See MOSH Website for Current Information

https://www.labor.maryland.gov/labor/mosh/

**Reference:**

1. [OSHA COMPLIANCE DIRECTIVE: CPL 02-00-051](https://www.osha.gov/enforcement/directives/cpl-02-00-051) EFFECTIVE DATE: May 28, 1998

**Summary:** This instruction provides guidance to MOSH personnel concerning inspections of establishments that are exempt and/or where limitations to an inspection exist in accordance with OSHA Compliance Directive (CPL) 02-00-051 – Enforcement Exemptions and Limitations under the Appropriations Act.

1. **Program Administration**
   1. The Assistant Commissioner or his authorized representative shall ensure that enforcement activities are scheduled and conducted in accordance with the most current Exemptions and Limitations on Activities by the Federal Labor Appropriations Act and related Appendices (<https://www.osha.gov/enforcement/directives/cpl-02-00-051>).
   2. If the situation arises that MOSH deems an inspection is warranted, but exempt from reimbursement of federal funds, 100% state funds may be used. In these instances, the Chief of Compliance must approve and take appropriate steps to ensure documentation of the decision and subsequent expenditures are appropriately classified.

By and Under the Authority of:



Michael A. Penn, CSP, SMS

Acting Assistant Commissioner

cc: Matthew S. Helminiak, Commissioner, Division of Labor and Industry

All MOSH Staff

Maryland Department of Labor Assistant Attorneys General

OSHA Region III