

HOW DO I FILE A CLAIM?

If you believe that you have experienced or are experiencing age discrimination, you should first contact the EEO representative in your agency.

Complaints must be filed in writing within 30 days after you learned of the alleged violation.

If you have questions or concerns, please contact your EEO Office or the Office of the Statewide EEO Coordinator at (410) 767-3800.



SAFE AND CONFIDENTIAL

All investigations into your complaint are strictly confidential. Your information will only be discussed with pertinent individuals who need to know for purposes of investigation and resolution.

If you file a claim or pursue a complaint, oppose discrimination, or participate in an investigation, Maryland law protects you against retaliation by your employer.

It's important to understand that retaliation is not just limited to firing. It includes other adverse actions such as harassment, demotion, and unjustified negative evaluations.

ADDITIONAL FILING INFO.

In addition to filing an initial claim with your agency's EEO Office, you may file a claim with any of the following agencies:

1. Office of the Statewide EEO Coordinator (OSEEOC). Within 10 days after your agency renders a decision on your EEO claim, you may file an appeal with the OSEEOC at:

301 West Preston Street
Suite #607
Baltimore, MD 21201
Phone: (410) 767-3800
Fax: (410) 333-5004
<http://www.dbm.maryland.gov>

2. Maryland Commission on Human Relations (MCHR):

William Donald Schaefer Tower
6 Saint Paul Street, Suite 900
Baltimore, MD 21202
Phone: (410) 767-8600
Fax: (410) 333-1841

3. Equal Employment Opportunity Commission (EEOC):

U.S. Equal Employment Opportunity
Commission
10 South Howard Street, 3rd Floor
Baltimore, Maryland 21201
410-962-3932
1-800-669-4000



Office of the Statewide Equal Employment
Opportunity Coordinator (OSEEOC)

AGE DISCRIMINATION

Protections for State Employees



(image: www.daysthatendiny.com)

State of Maryland
Department of Budget and Management
Office of the Statewide EEO Coordinator

Governor Martin O'Malley
Secretary T. Eloise Foster
State EEO Coordinator
Glynis Watford

DEFINING AGE DISCRIMINATION:

Age discrimination is the *unfair* treatment of a person because of his or her age. Maryland law protects employees and applicants from age discrimination in advertising, recruitment, referral, hiring, discharge, pay, promotion, training, fringe benefits, forced early retirement and other aspects of employment.

Only an individual's merit and fitness should be taken into account in employment-related decisions, unless age is a bona fide occupational qualification.

TYPES OF AGE DISCRIMINATION:

- Making reductions-in-force based on age rather than on objective work-related criteria.
- Implementing a neutral policy that, in application, creates a disproportional adverse effect on the protected group.
- Statements or actions motivated by an individual's age that create a hostile work environment.
- Telling job applicants that they are overqualified.
- Accommodating the preference of co-workers, clients or customers for younger workers.

WHO IS PROTECTED?

Maryland law does not specify a minimum or maximum age requirement to qualify for protection from Age Discrimination. Any employee or applicant who believes that s/he has been treated differently as a result of his/her age may file a claim.

Unlike Maryland law, the Federal Age Discrimination and Employment Act (ADEA) protects individuals 40 years and older from age discrimination in employment.



LEGAL BACKGROUND

Protections are derived from Maryland's Anti-Discrimination law, State Government Title 20 and *State Personnel and Pensions Article §2-302*, and also by Maryland's Code of Fair Employment Practices (*Executive Order 01.01.2007.16*).



HOW AM I PROTECTED?

It is **illegal** to discriminate on the basis of age in regards to:

- recruitment
 - hiring
 - transferring
 - dismissal
 - discipline
 - work conditions
 - promotions
 - training
 - advertisement
 - retirement
 - assignment
 - performance evaluations
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FIGHT DISCRIMINATION:

If you or someone you know is being discriminated against, you can take the following actions:

1. Speak to the harasser. S/he might not know that his or her behavior is offensive. Also, be sure to document the incident(s) thoroughly—date, time, exact words said, and, if applicable, witnesses.
2. Speak to your supervisor. S/he may have to report your information to the EEO Office.
3. Speak to your agency's EEO Office directly.
4. File a claim with the EEO Office.