

HOW DO I FILE A CLAIM?

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

Complaints must be filed in writing within 30 days after you learn 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
Phone: (410) 962-3932
Toll Free: 1-800-669-4000



Office of the Statewide Equal Employment Opportunity Coordinator (OSEEOC)

DISABILITY DISCRIMINATION

Protections for State Employees



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 DISABILITY DISCRIMINATION:

Disability Discrimination is the unfair treatment of a person because of his or her mental or physical disability.

Only an individual's merit and fitness should be taken into account in employment related decisions.

DEFINING DISABILITY?

As defined by the *Americans with Disability Act of 1990 (ADA)* and Maryland law State Government Title 20, a person is disabled if s/he:

- Has a **mental** or **physical** impairment that substantially limits one or more major life activities
- Has a record of having an impairment
- Is regarded as having an impairment

Disability does not include an addiction to an illegal substance or a controlled dangerous substance. Additionally, alcoholism does not automatically constitute a disability.

LEGAL BACKGROUND:

Such action is barred by the ADA, 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*).

TYPES OF DISCRIMINATION:

- Intentionally treating an employee or applicant differently because of his or her disability. For example, with respect to hiring, giving preferential treatment to non-disabled workers.
- Offensive conduct towards a disabled co-worker that creates a hostile work environment.

WHAT IS A REASONABLE ACCOMMODATION?

A reasonable accommodation is an adjustment made to the workplace that enables a disabled employee to benefit from equal employment opportunities. Examples of reasonable accommodations include:

- Making existing workplace accessible to persons with disabilities.
- Providing required reading materials in alternative formats, such as large print or Braille
- Modifying work schedules
- Reassignment to a vacant position for which the individual is qualified.

An employer is not legally required to implement a reasonable accommodation that imposes an undue hardship on the business. Additionally, an employer is not responsible for providing personal use items, such as hearing aides or glasses.



HOW AM I PROTECTED?

It is **illegal** to discriminate on the basis of a mental or physical disability in regard 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.