

HOW DO I FILE A CLAIM?

If you believe that you are experiencing or have experienced genetic information 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)

GENETIC INFORMATION 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 GENETIC INFORMATION DISCRIMINATION:

Genetic information discrimination is the *unfair* treatment of a person on the basis of his or her genetic information. The State, as your employer, is prohibited from requesting or requiring genetic information related to an employee or the employee's family members, except in limited circumstances.

Genetic information is information about chromosomes, genes, gene products, or inherited characteristics that may derive from an individual or a family member; information obtained for diagnostic and therapeutic purposes; and information obtained at a time when the individual to whom the information relates is asymptomatic for the disease. *Maryland Insurance Article § 27-909(a)(3).*

Genetic Information does **not** include: routine physical measurements; chemical, blood, and urine analyses that are widely accepted and in use in clinical practice; drug tests; HIV tests *Maryland Insurance Article § 27-909(a)(3).*

A *Genetic Test* is a laboratory test of human chromosomes, genes, or gene products that is used to identify the presence or absence of hereditary or inherited alterations in genetic material that are associated with disease or illness. *Maryland Insurance Article § 27-909(a)(5).*

MARYLAND LAW

As an employee in the State of Maryland, you are protected under Maryland law. Genetic information discrimination is barred by the Code of Fair Employment Practices, *Executive Order 01.01.2007.16*, and its Anti-Discrimination law, State Government Title 20.

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



EXAMPLES OF DISCRIMINATION:

- Refusing to hire an applicant because of his or her genetic information
- Discharging an employee because of his or her genetic information
- Imposing negative personnel action on an employee for refusing to submit to a genetic test or for not providing the results of a genetic test
- Requesting or requiring a genetic test or genetic information as a condition of employment or determining benefits, except as permitted in special circumstances.



HOW AM I PROTECTED?

It is **illegal** to discriminate on the basis of genetic information in regard to:

- recruitment
- wages
- transferring
- dismissal
- discipline
- work conditions
- promotions
- training
- advertisement
- retirement
- assignment
- performance evaluations

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.