

HOW DO I FILE A CLAIM?

If you believe that you have experienced or are experiencing sexual orientation 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 from 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, MD 21201
Phone: (410) 962-3932
Toll Free: 1-800-669-4000

SEXUAL ORIENTATION 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



Office of the Statewide Equal Employment
Opportunity Coordinator (OSEEOC)

DEFINING SEXUAL ORIENTATION DISCRIMINATION:

Sexual Orientation is the identification of an individual as to male or female homosexuality, heterosexuality, or bisexuality. Unfair treatment on the basis of sexual orientation is prohibited.

It is also unlawful to discriminate against a person for associating with a person of a particular sexual orientation.

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

Types of Sexual Discrimination;

- Intentionally giving preferential treatment to candidates or employees with respect to job promotions due to their sexual orientation
- Unjustifiably rating some employees lower than other employees in work performance evaluations because of their sexual orientation
- Intentionally discriminating against an employee or applicant who is perceived as having a particular sexual orientation, even if s/he is not of that orientation
- Threatening or bullying a co-worker simply because of his or her sexual orientation
- Making disparaging remarks about a co-worker's sexual orientation to the extent that it creates a hostile and intimidating work environment



PROTECTION

Whether you're heterosexual, homosexual, or bisexual, as a State employee or applicant for a State position, you're protected from discrimination on the basis of your sexual orientation.

Maryland Law:

Maryland's Code of Fair Employment Practices, *Executive Order 01.01.2007.16*, and its Anti-Discrimination law, *Annotated Code Article 49B*, prohibit discrimination on the basis of sexual orientation.

Federal Law:

Title VII of the *Civil Rights Act of 1964* does not specifically prohibit discrimination based on an individual's sexual orientation. It does, however, prohibit discrimination based on sex, including same-sex harassment—regardless of the sexual orientation of the harasser or victim.



HOW AM I PROTECTED?

It is **illegal** to discriminate on the basis of sexual orientation 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.