

EEO Connection

STATEWIDE EEO COORDINATOR'S MESSAGE

A New Day, A New Time, A New Season

Just last month, we had a special visitor to our great country: Pope Francis. He brought a message of healing, restoring hope and righting wrongs. The Pope called us to abolish income inequality and embrace inclusion. It doesn't matter whether you are Catholic or not; Pope Francis had a message for us all.

Governor Hogan had the privilege to receive a special blessing from the Pontiff during his visit to Washington, DC. Governor Hogan believed he was the only one at that meeting to receive an "individual blessing." On his Facebook page, the governor wrote that he is "inspired" by the pope's words and "working to make people's lives better is something I can understand and will continue to put to work in my administration as well as my life."

Let's all be inspired to make a difference in people's lives and do something for someone in need. In our workplaces, we can be respectful, promote equality and support an inclusive environment. Equal employment opportunity is not the responsibility of a few, it is everyone's responsibility. The moment we accepted our jobs with the Maryland State government, our responsibility began. I challenge everyone who is reading my words to reflect on this message and ask yourself, "Am I living up to my responsibility?"

In this issue, read what it means to promote equal employment opportunity in the mission of the Office of the Statewide Equal Employment Opportunity Coordinator (OSEEOC) on page 2. Read about lawsuits and discrimination complaints filed against BMW Manufacturing Company, LLC, Achiotte Restaurant, Renaissance School and Sharp Healthcare in our Noteworthy Rulings section. This will teach you what not to do to bring negative attention to you and your employer.

Diversity isn't just about race and culture, on page 5 read about the new diversity in our workplaces and how one woman is working to help transgender individuals with the "biggest transition of their lives."

Have you conducted an "EEO self-audit" lately? Answer a few questions to learn of your responsibility as an EEO professional on page 6. We have a new addition to the OSEEOC. Nicole Webb joined my office last month and brings her valuable skills and a wealth of knowledge in EEO and HR. Read more about Nicole on page 7. This is just some of what you will find in this issue. Read on and enjoy!

Glynis Watford
Statewide EEO Coordinator



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OFFICE OF THE STATEWIDE EEO COORDINATOR

MISSION

- Administer and enforce state and federal equal employment opportunity laws and policies.
- Promote a work environment free of any unlawful discrimination, harassment, and retaliation.
- Assist in building a well-diversified workforce for Maryland state Government employees and applicants.



BMW to Pay \$1.6 Million and Offer Jobs to Settle Federal Race Discrimination Lawsuit



GREENVILLE, SC (Sept. 9, 2015) - The U.S. District Court for the District of South Carolina today entered a consent decree ordering BMW Manufacturing Co., LLC (BMW) to pay \$1.6 million and provide job opportunities to alleged victims of race discrimination as part of the resolution of a lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC). The lawsuit, filed by

EEOC's Charlotte District Office, alleged that BMW excluded African-American logistics workers from employment at a disproportionate rate when the company's new logistics contractor applied BMW's criminal conviction records guidelines to incumbent logistics employees...

Read more at <http://www.eeoc.gov/eeoc/newsroom/release/9-8-15.cfm>

“EEOC alleged that 80 percent of the incumbent workers disqualified from employment as a result of applying BMW's guidelines were black.”

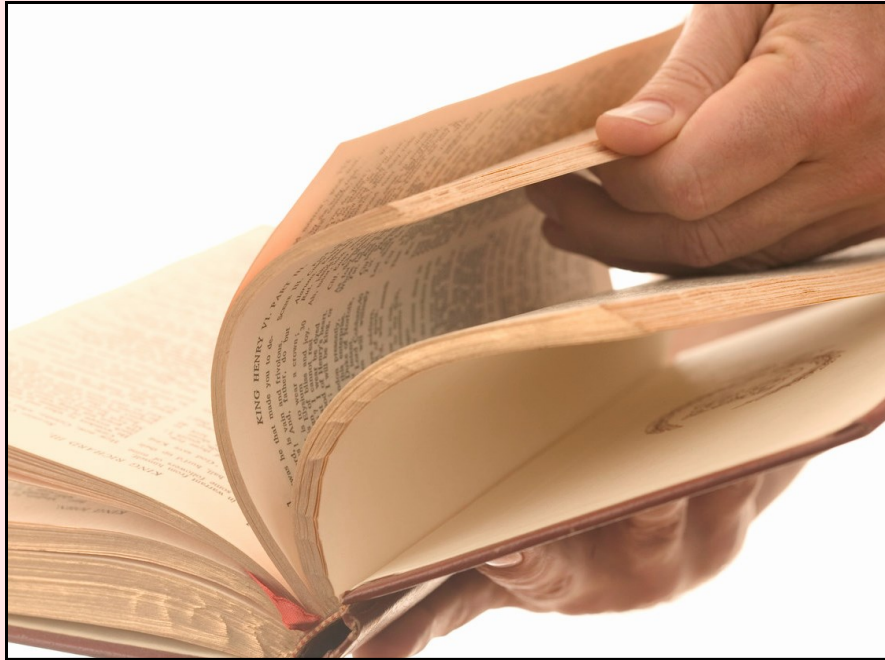
Achiote Restaurant Sued by EEOC for Sexual Harassment and Retaliation



SAN DIEGO, CA (Sept. 4, 2015) - A San Ysidro, Calif., restaurant which serves Mexican food just north of the U.S.-Mexico border violated federal law by subjecting young, male Mexican-American workers to sexual harassment and then retaliating against them for complaining about it, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it filed yesterday.

According to EEOC's lawsuit, the restaurant manager, using a hidden cell phone, secretly video-recorded male workers at Achiote restaurant -- all Mexican-American, between the ages of 19 and 21 - while they were using the men's staff restroom during work hours. Upon learning that he had been recorded, a 21-year-old male server immediately reported the activity both the San Diego Police Department and the restaurant's owner, EEOC said...

Read more at <http://www.eeoc.gov/eeoc/newsroom/release/9-4-15d.cfm>



Renaissance School to Pay \$69,000 to Settle EEOC Age and Sex Bias Suit

MILWAUKEE, WI (Sept. 4, 2015) - The U.S. Equal Employment Opportunity Commission (EEOC) announced today that U.S. District Judge J.P. Stadtmueller has entered a consent decree resolving its litigation against Renaissance School, a voucher school located in Racine, Wis.

EEOC's investigation found that, after hiring Boro Bosovich as a principal/supervisor and learning that he had retired from a prior job, Renaissance School's owners began questioning his fitness for the job and making comments related to his age. Ultimately, they fired him a few days after hiring him. EEOC's investigation also found that during the few days Renaissance School employed Bosovich, at least one of its owners made gender-discriminatory comments, implying that females were more desirable as employees because they were more passive.

The alleged conduct violates the Age Discrimination in Employment Act of 1967 (ADEA), prohibiting age-based discrimination, and Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits discrimination based on sex. The EEOC filed suit against Renaissance School (*EEOC v. Renaissance School, Inc.*, No. 2:15-cv-00411-JPS) in the Eastern District of Wisconsin in April 2015 after first trying to reach a pre-litigation settlement through its conciliation process...

Read more at

<http://www.eeoc.gov/eeoc/newsroom/release/9-4-15b.cfm>

Sharp Healthcare Sued by EEOC for Disability Discrimination

SAN DIEGO, CA (Sept. 1, 2015) - Sharp HealthCare, an operator of hospitals and medical facilities, violated federal law when it denied hire to a job applicant because it perceived her as disabled, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to EEOC, in 2012, a job applicant applied for a surgical scrub technician position at the Sharp Memorial Outpatient Pavilion, a surgical center in San Diego. The job applicant was offered the position contingent upon the passage of a post-offer medical examination. However, EEOC said that Sharp rescinded its employment offer after the exam due to a perceived disability. Sharp regarded her as disabled due to a minor ankle ailment that would not have affected her job performance, EEOC said. After the denial of hire, the applicant was hired into the same position at another medical facility...

Read more at <http://www.eeoc.gov/eeoc/newsroom/release/9-1-15.cfm>



Supporting Transgender Employees

It was a few weeks before Christmas in 1998 when Jillian Weiss, then working as a male attorney at a medium-sized New York City corporate litigation firm, confided in her secretary that she was considering transitioning genders. "I was close with her, so I told her what I was going through," says Weiss, who was fairly new to the position at the time. "I'm guessing she told someone else because I was promptly terminated." After losing her job, Weiss decided it was the opportune time to make the transition to female—and she quickly learned that finding jobs would no longer come easily. "It was impossible," she says. "This job search was nothing like previous job searches." Despite having experience at several large law firms, she could land only a secretarial position, work she was grateful to get. "I was dealing with [transgender] friends who were living in the street and figuring out how to get a meal," she says, "so I felt extremely privileged..."

Read more at: <http://www.shrm.org/publications/hrmagazine/editorialcontent/2015/0915/pages/0915-transgender-employees.aspx#sthash.B2QaSgMG.dpuf>



EEO Professional Role “Self Audit”

Every so often, employees within your agencies may begin to perceive EEO professionals as being biased and not true to their official role. Employees have often stated that EEO professionals work for the employer and, therefore, will always favor them. This statement should never be true due to the EEO professional’s role to serve as an internal unbiased party who is responsible for a vast amount of EEO related tasks in support of state and federal EEO laws. An EEO professional’s role is to be impartial and insure fair and equitable treatment for everyone. In an effort to ensure that you are consistently aware of your role and responsibilities, ask yourself the following questions:



- Are my clients and internal stakeholders aware of who I am, and do they understand my role as an EEO professional?
 - Do I represent the EEO program in a manner that is perceived to be fair, equitable and unbiased?
 - Am I maintaining confidentiality regarding EEO matters and involving others on a need to know basis only?
 - Have I taken steps to network with my clients and internal stakeholders within my agency, in order to develop healthy relationships?
 - Do I consistently enforce my agency’s EEO program as outlined by state and federal laws as well as by my agencies policies and procedures?
 - Do I regularly attend training and development opportunities specific to EEO matters in order to remain current on industry trends, updates on existing laws and creations of new laws?
 - Do I request guidance from other EEO professionals on matters in which I may be in need of assistance?
 - Am I comfortable making tough decisions pertaining to EEO related matters, even when I know others will not favor my decision?
- Do I take copious notes when working on EEO related matters?

If your answer to these questions is anything other than “Yes”, it is recommended that you reevaluate your role and responsibilities as an EEO Professional. The EEO role plays a pertinent part in insuring fair and equitable treatment for job applicants and employees, and it’s imperative that this is not compromised.

- OSEEOC Team

EEO PROFESSIONAL FEATURE



Nicole Webb
Senior EEO Compliance Officer
Office of the Statewide Equal
Employment Opportunity Coordinator

“If you always do what’s right ethically, there will be no regrets for doing things wrong”.

Nicole Webb was hired by the Office of the Statewide Equal Employment Opportunity Coordinator in September 2015. Prior to taking on her new role, she worked in various Human Resources and EEO positions for several colleges and universities. Nicole brings over ten years of experience to her new role. She will be responsible for working directly with the Statewide EEO Coordinator to facilitate EEO appeals, whistle-blower complaints, EEO compliance training and more.

Upcoming Meetings & Trainings

Maryland Commission on Civil Rights

Commemorating Disability Awareness Month

Disability related Laws and Reasonable Accommodations in the Workplace Workshop

October 7, 2015, 1:00 p.m.—4:00 p.m.

October 20, 2015, 9:30 a.m.—12:30 p.m.

1800 Washington Boulevard

Baltimore, Maryland 21230

[http://us8.campaign-archive2.com/?](http://us8.campaign-archive2.com/?u=6af40b17b6a347915ce4b5ba2&id=eaebf0e9f2&e=2fb3656f43)

[u=6af40b17b6a347915ce4b5ba2&id=eaebf0e9f2&e=2fb3656f43](http://us8.campaign-archive2.com/?u=6af40b17b6a347915ce4b5ba2&id=eaebf0e9f2&e=2fb3656f43)

SHRM Diversity and Inclusion Conference and Exposition

October 26, 2015— October 28, 2015

110 Huntington Avenue

Boston, Mass. 02116

<http://conferences.shrm.org/diversity-conference>



*“Never stop learning because life never stops teaching”
- Anonymous*

Chesapeake Human Resources Association

10th Annual Fall Human Resources Conference
Employment Law/Legislative

Tuesday, November 10, 2015

8:00 a.m. — 4:30 p.m.

Martins West

6817 Dogwood Road

Baltimore, Maryland 21244

[http://www.chra.com/events/event_details.asp?](http://www.chra.com/events/event_details.asp?id=660403)
[id=660403](http://www.chra.com/events/event_details.asp?id=660403)

ADA Coordinators Meeting

Topic—TBA

December 8, 2015

9:30 a.m.—11:30 a.m.

201 West Preston Street, Room L1

Baltimore, Maryland 21201

Diversity Calendar

October 2015

- National Disability Employment Awareness Month
- LGBT History Month
- Italian American Heritage Month
- October 19—Multicultural Diversity Day

November 2015

- National Native American Heritage Month
- November 11—Veterans Day
- November 16—20—American Education Week
- November 26—Thanksgiving Day

December 2015

- December 6-14 - Hanukkah
- December 10—Human Rights Day
- December 25—Christmas Day
- December 26-January 1 – Kwanzaa
- December 31 –New Years Eve



Resources for EEO Professionals



Division of Rehabilitation Services (DORS)

<http://dors.maryland.gov/Pages/default.aspx>

Department of Labor

<http://www.dol.gov/>

Employee Assistance Program (EAP)

<http://www.dbm.maryland.gov/employees/Pages/EAP.aspx>

Equal Employment Opportunity Commission (EEOC)

<http://www.eeoc.gov/>

Job Accommodation Network (JAN)

<https://askjan.org/>

Maryland Commission on Civil Rights (MCCR)

<http://mccr.maryland.gov/>

Society for Human Resource Management (SHRM)

<http://www.shrm.org/pages/default.aspx>

Office of the Statewide EEO Coordinator Contact Information

[For additional information, please contact the Office of the Statewide Equal Employment Opportunity Coordinator online at](http://dbm.maryland.gov/eoo/Pages/EEOHome.aspx)

<http://dbm.maryland.gov/eoo/Pages/EEOHome.aspx>



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