

# MARYLAND

## Department of Budget and Management

### Annual Statewide Equal Opportunity Report

Fiscal Year 2008



Martin O'Malley, Governor • Anthony Brown, Lt. Governor • T. Eloise Foster, Secretary

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# **SECTION ONE**

## **EXECUTIVE**

## **SUMMARY**

# **SECTION 1: EXECUTIVE SUMMARY**

## **Commitment to Equal Employment Opportunity**

The State of Maryland recognizes and honors the value and dignity of every employee and understands the importance of providing its employees with a fair opportunity to pursue their careers in an environment free of discrimination or any form of prohibited harassment. The State is committed to providing a work environment free from discrimination on the basis of age, ancestry, color, creed, gender identity or expression, genetic information, marital status, mental or physical disability, national origin, religious affiliation, belief or opinion, race, sex, sexual orientation, or any other non-merit factor.

In 2007, Governor O'Malley reaffirmed the State's commitment to equal employment opportunity by updating and re-issuing the Code of Fair Employment Practices as an Executive Order. A copy of the code is provided on pages 71-77. The Executive Order clearly states that State employment decisions shall be based on merit and fitness alone and that agency leadership is expected to take personal responsibility for ensuring that equal employment opportunity is a reality in State government. The Equal Employment Opportunity Program was further bolstered through the hiring of one new full time staff member in the Office of the Statewide Equal Employment Opportunity Coordinator.

The purpose of this report is to provide the Governor and the Joint Committee on Fair Practices with the information necessary to effectively assess the State's Equal Employment Opportunity (EEO) Program.

## **EEO Accomplishments in 2008**

The first section of the report reviews the organization of the State's EEO program and identifies the goals and objectives of the Office of the Statewide Equal Employment Opportunity Coordinator.

During calendar 2008, the Office of the Statewide EEO Coordinator engaged State agencies and the State's EEO professionals in a number of activities designed to move the State toward the vision set forth in Governor O'Malley's executive order. The office focused on training, outreach, and compliance.

Through enhanced training and outreach activities, the office strove to enhance the skills and knowledge of the State's EEO professionals. Specific activities included:

- Refresher training on EEO laws, diversity, and investigative techniques for State EEO and Fair Practices Officers;
- Teleconference training on emerging trends in EEO law, mental illness and the ADA, and workplace investigations.
- Ongoing guidance and training to Americans with Disabilities Act coordinators in partnership with the Department of Disabilities.

The first annual EEO retreat was hosted by St. Mary's College. About 80 EEO professionals from various State agencies attended this event which allowed the office to communicate its vision for the program, offer training sessions, and generate a sense of teamwork among EEO professionals. Lt. Governor Brown spoke to the professionals about the administration's commitment to the EEO program and the importance of their work.

- Distribution of a quarterly EEO newsletter and improvements to the EEO website to allow for better communication among the professionals.

To assist agencies with properly administering their EEO programs, the office re-initiated compliance review audits in calendar 2008. Twelve agencies were audited and each received an exit letter reviewing potential improvements. The office will conduct additional audits in calendar 2009 and will enhance its efforts to improve administration of the program by disseminating agency specific performance reports to the head of each agency. The reports will summarize agency specific data from the annual report and compare it to the statewide trends providing greater context on the outcomes.

During calendar 2009, the office intends to continue training for EEO professionals across the State, conducting compliance audits of agency EEO efforts to ensure consistency with State and federal reporting requirements, producing and distributing educational material to ensure that all employees fully understand their rights and protections, and investigating agency appeal and Whistleblower complaints.

## **Data Analysis**

Detailed EEO statistical and demographic data for fiscal 2008 and trends since fiscal 2003 are presented in Sections 3-10. Notable table findings and trends are discussed briefly below.

### Workforce Diversity

Maryland State government employs individuals from a wide range of racial and ethnic groups. For example, African Americans make up 40% of the State government workforce (Exhibit 1). African Americans represent a larger share of the State government's workforce compared to Maryland's Civilian Labor Force (CLF), while other minorities are almost equally represented (Exhibit 2). Maryland's workforce has become more diverse since fiscal 2003. The percentage of non-Whites in the workforce has increased from about 45% in fiscal 2003 to 52% in fiscal 2008 and the percentage of females have increased from 56% in fiscal 2003 to 57% of the workforce in fiscal 2008 (Exhibit 3).

During fiscal 2008, new hires continued to add to the diversity of the workforce with women accounting for 58% of new hires, minorities accounting for more than half and African-Americans accounting for more than 40% (Exhibits 4 and 5).

Approximately 40% of State workers under the age of 50 are African American. That percentage declines among older workers, with African Americans making up 36% of workers between 50-59 and less than 30% of workers over the age of 60. (Exhibit 6). Females represent the majority of State employees in each age category.

## Advancement Opportunities

In fiscal 2008, women and minorities generally received promotions or upward reclassifications at rates consistent with their share of the workforce. Women – who represent 57% of the workforce - accounted for 56% of all promotions and 60% of reclassifications. African-Americans – who represent 41% of the workforce – accounted for 49% of the promotions and 34% of the reclassifications (Exhibit 7).

## Disciplinary Personnel Transactions

African-Americans were over-represented with respect to suspensions (63%) and terminations (54%) (Exhibit 8). This is a trend that bears watching.

## Disparities Remain

While women and minorities are well represented in State government, significant disparities remain between the genders and races with respect to employment responsibilities and pay. Whites, for example, hold 73% of positions classified as Officials and Administrators and 56% of positions classified as Professionals. African-Americans in contrast hold slightly less than half of the lower salaried Administrative Support positions (48%) and almost 70% of the Service/Maintenance positions. With respect to special appointments, 62% are white and 25% are African-American.

Women are also under-represented in certain job categories. They are less likely than men to serve as Protective Service Workers (11% of sworn officers and 39% of non-sworn officers), but are far more likely than men to serve in Administrative Support positions (90%). Despite holding 57% of State positions, women fill only 46% of positions categorized as Officials and Administrators.

The disparities in job categories contribute to the difference in the salaries paid to men and women and whites and minorities. Exhibit 9 depicts the fiscal 2008 salaries for men and women and whites and minorities. Male employees were paid an average of \$5,942 more than female employees in fiscal 2008 while Whites were paid an average of \$7,608 more than African-Americans and \$2,013 more than other minorities. The gap between the average salaries of Whites and African-Americans closed slightly between FY 2003 and FY 2008 while the gap between men and women grew slightly (Exhibits 10 and 11). Over the same period, the average salary for other minorities grew much closer to that of Whites and now exceeds the average State salary of \$48,667.

The greatest impediment to closing the salary gap for African Americans is their disproportionate share of low paying jobs. African Americans hold more than half of positions classified as Grade 8 or below. The grade with the largest number of African-American workers is Grade 13 which pays a maximum of \$52,886 while the grade with the largest number of white workers is grade 16 which pays a maximum of \$64,282.

The State has enhanced its recruitment of African-Americans by expanding current relationships with Historically Black Colleges and Universities (HBCUs) and professional organizations and job fairs that may be sources of African-American and other diversity recruitment in order to develop a talent pipeline and increase the applicant flow of qualified people of color.

## Other Data

Other data included in the report focus on the State's success in meeting requests for reasonable accommodations for disabled workers, trends in discrimination complaints, and employment at public higher education institutions. Notable findings include:

- 157 reasonable accommodation requests were received from State employees and applicants for State employment in fiscal 2008. 90% of the requests were granted.
- 431 complaints of discrimination were received statewide in fiscal 2008. Race and Sex/Gender were the most common basis for complaints. Probable cause was the finding in 29 cases and 40 complaints resulted in mediation/settlement or were resolved.
- Complaints of discrimination increased slightly from fiscal 2007.
- The vast majority of employees at the University System of Maryland (60%) and St. Mary's College of Maryland (80%) were white. About 70% of faculty and research positions in the system were filled by whites. Both the System and St. Mary's of Maryland employed slightly more women than men.
- African-Americans composed the majority of workers (68%) at Morgan State University and (67%) Baltimore City Community College. Women held almost half of the positions at Morgan State University and 62% of the positions at Baltimore City Community College.



### Statewide Workforce by Race

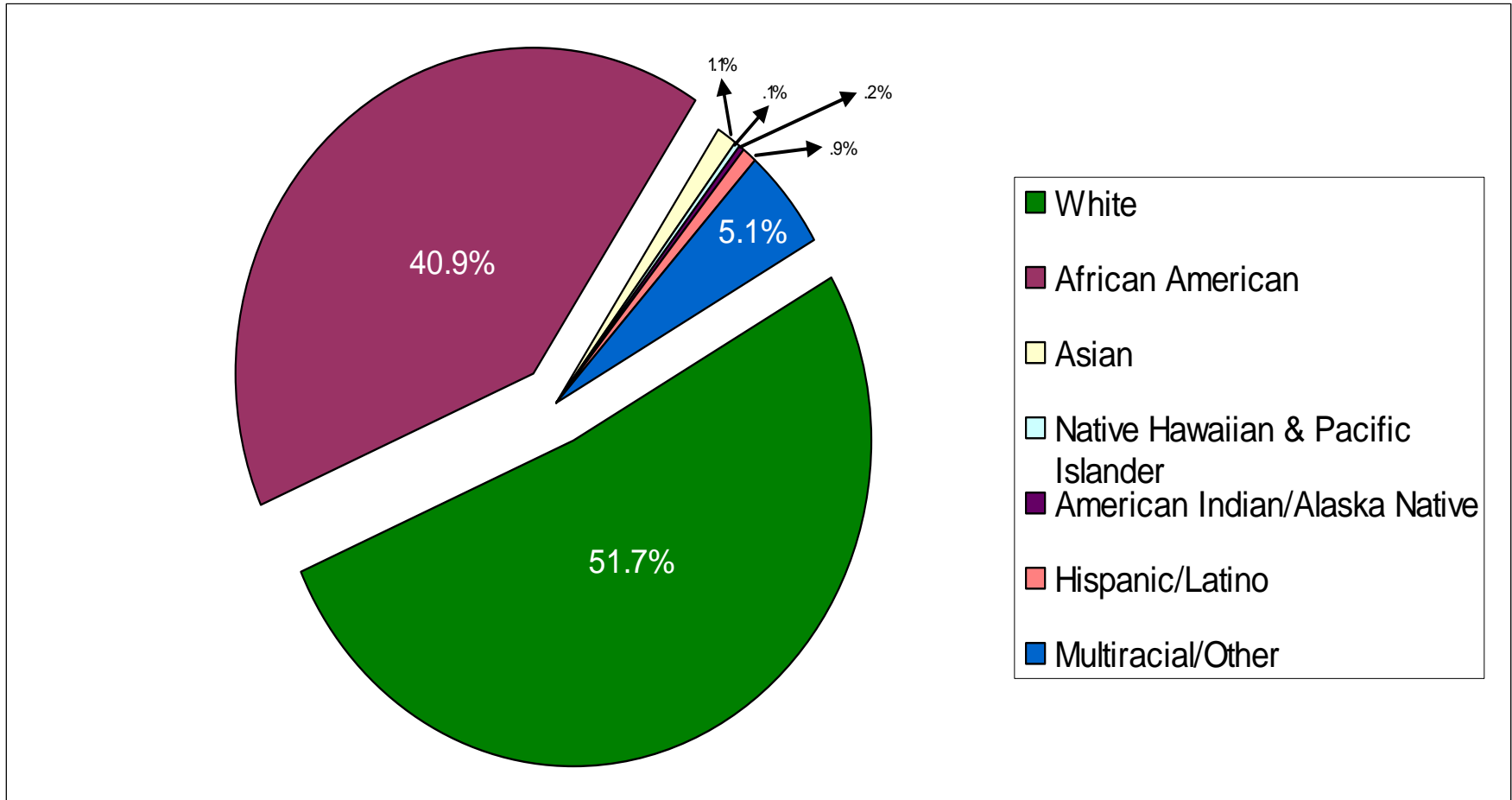


Exhibit 2

### State Workforce Utilization - FY 2008

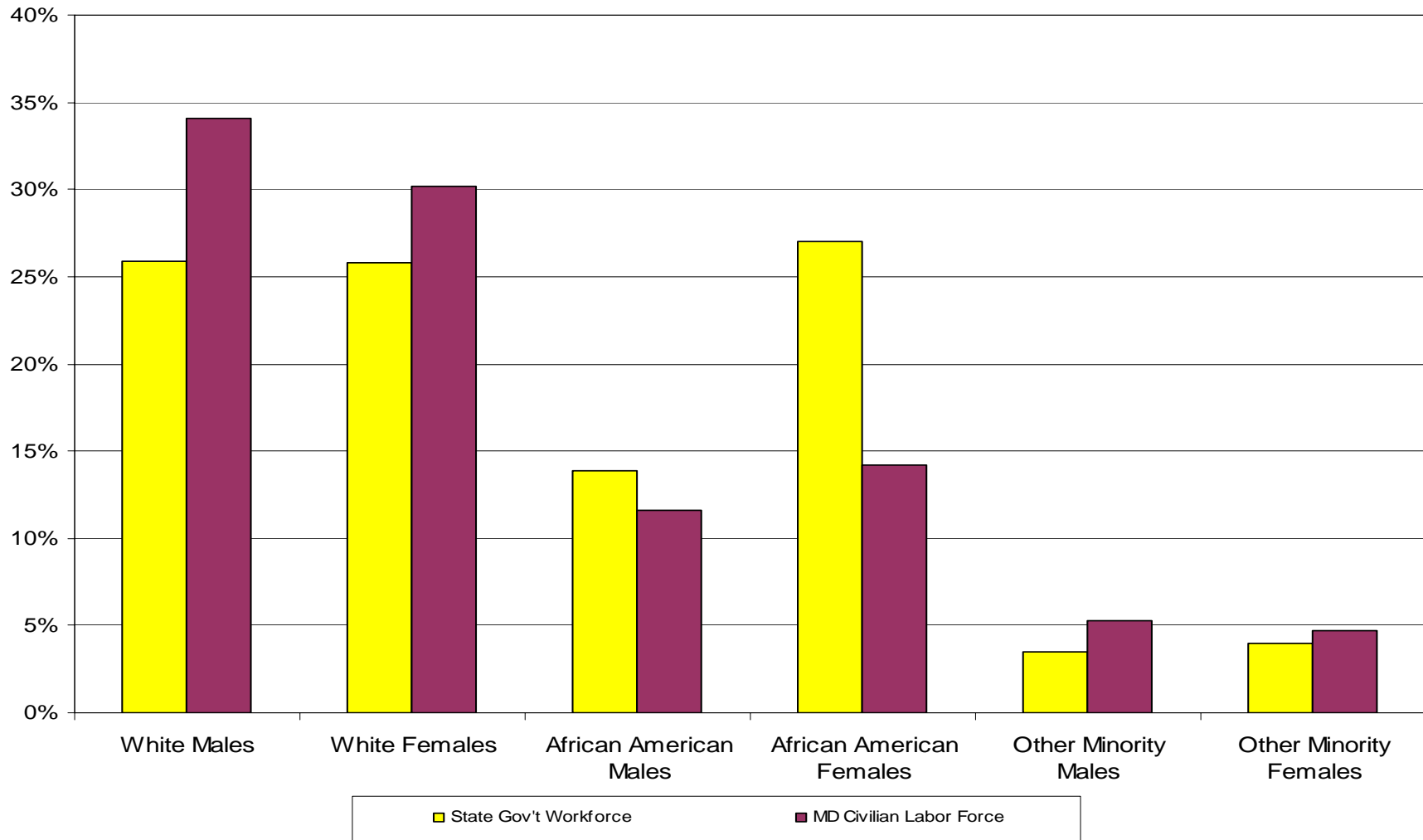


Exhibit 3

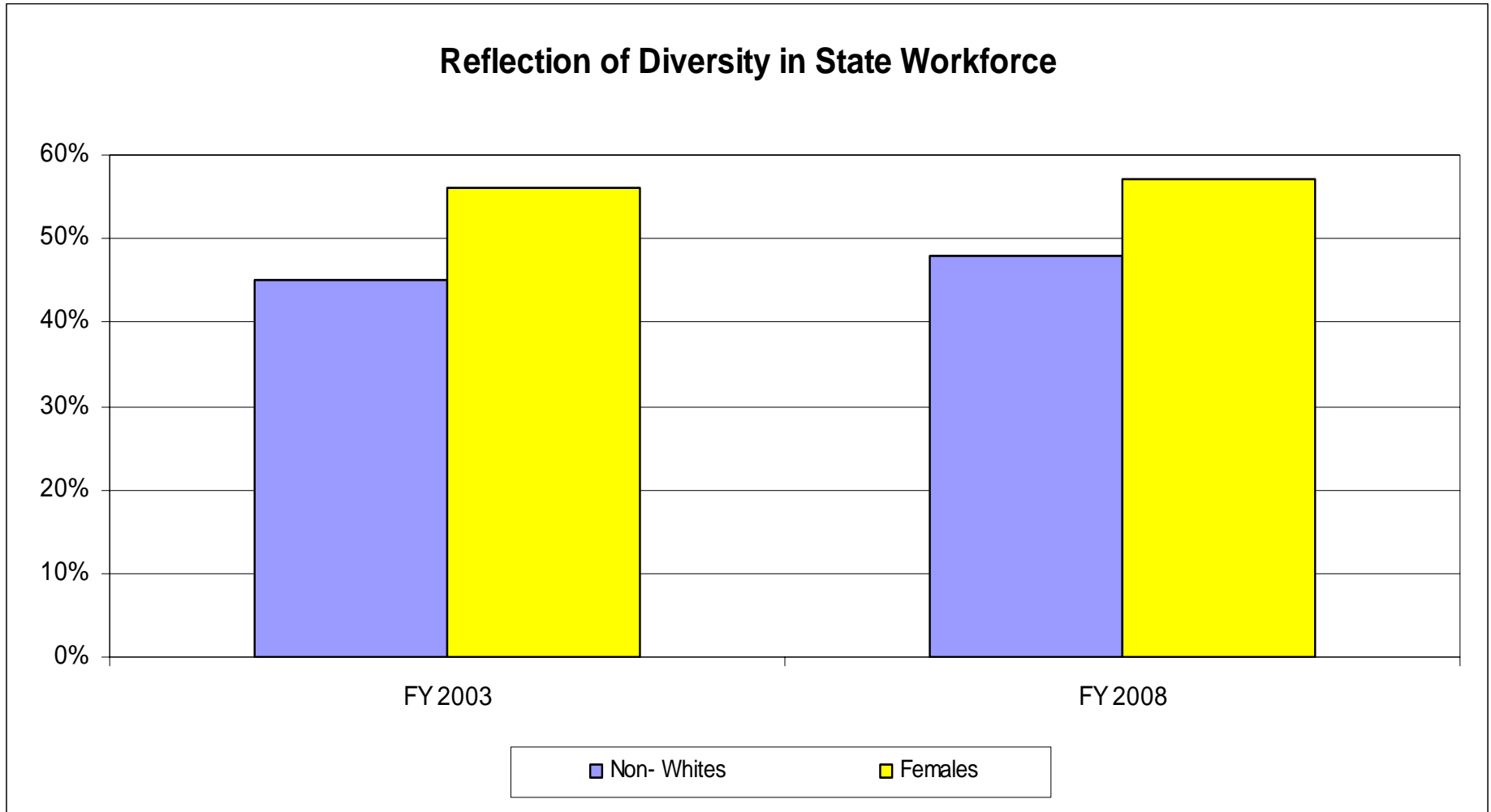


Exhibit 4

### Percentage of Women as New Hires

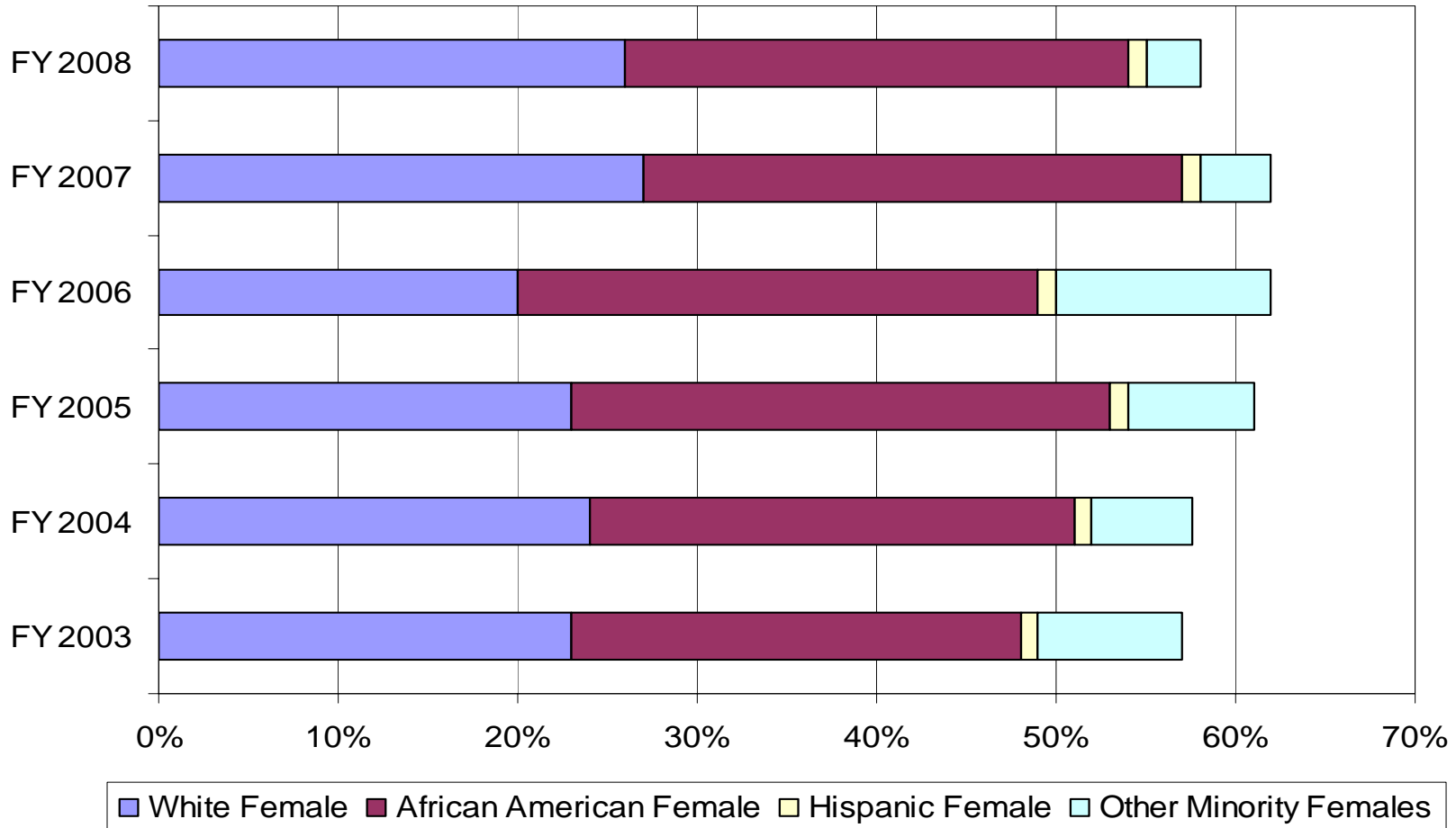


Exhibit 5

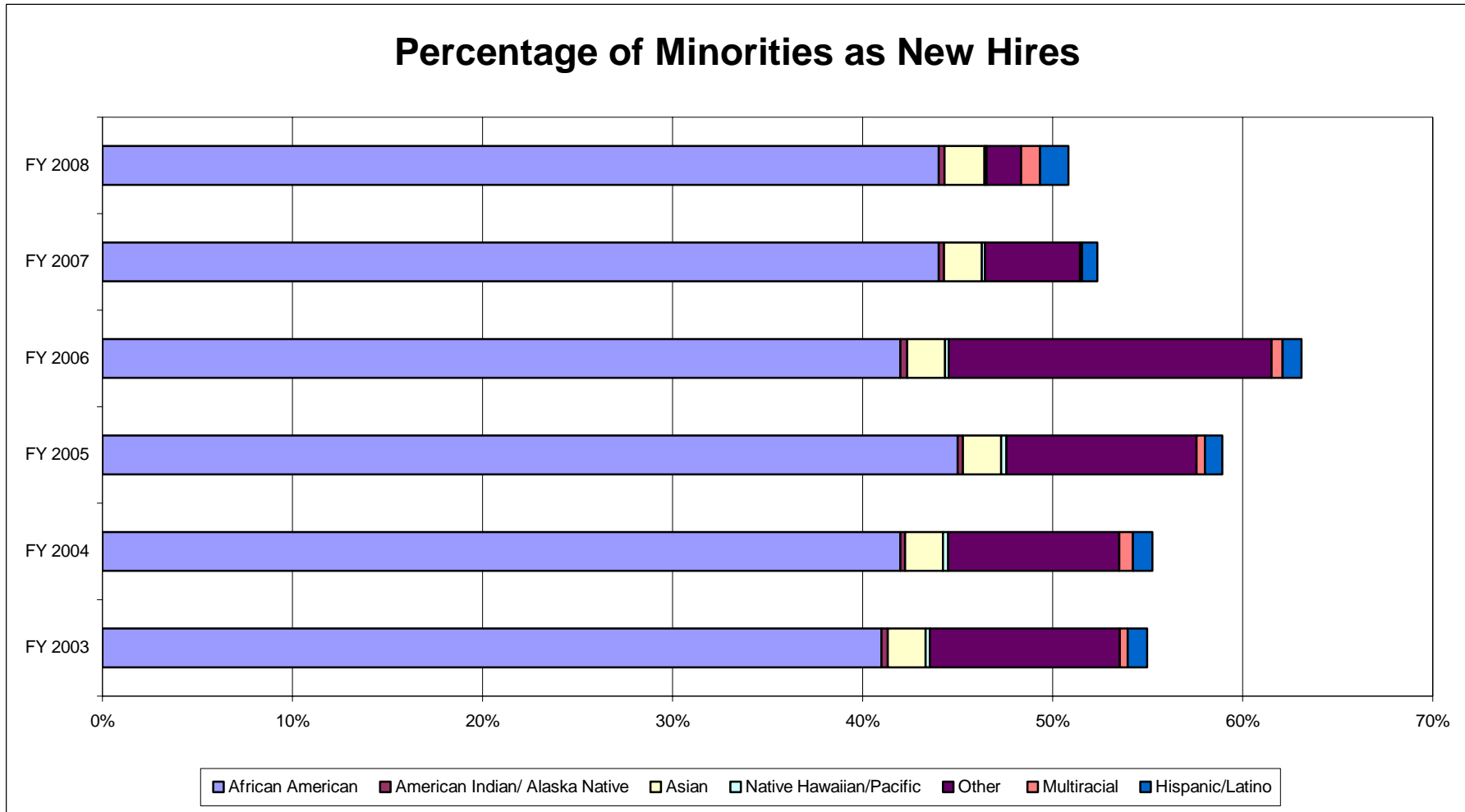


Exhibit 6

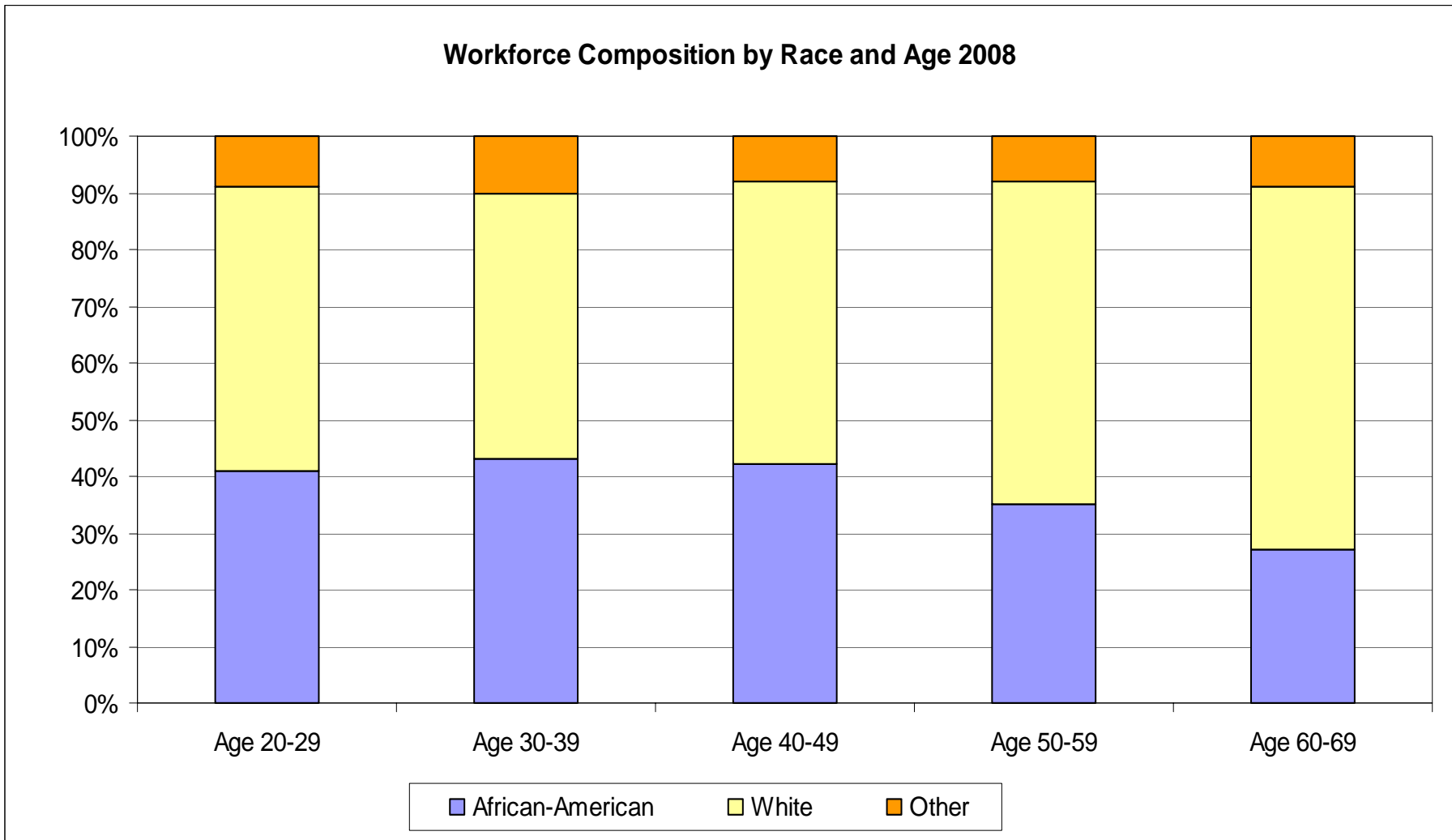


Exhibit 7

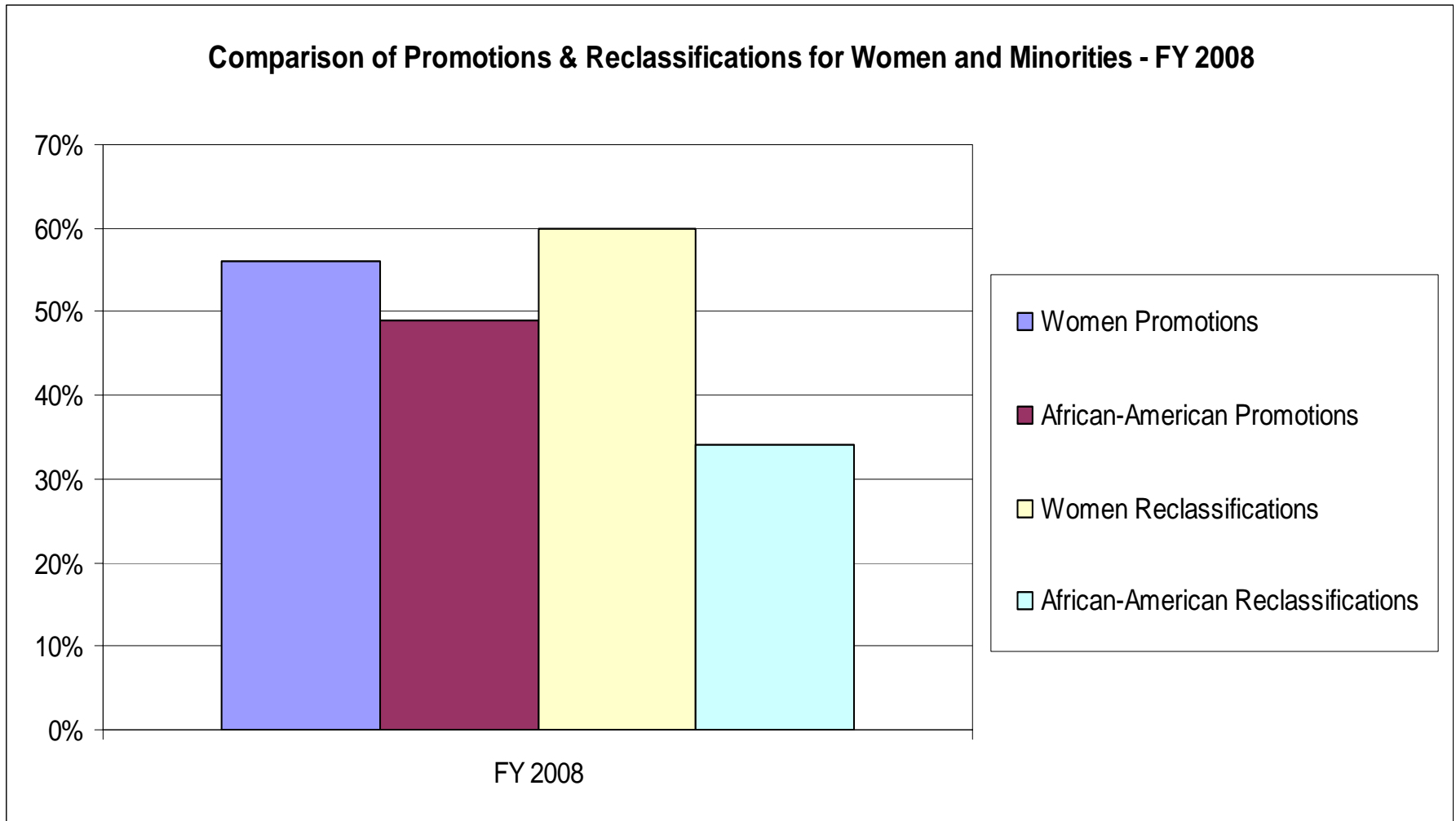


Exhibit 8

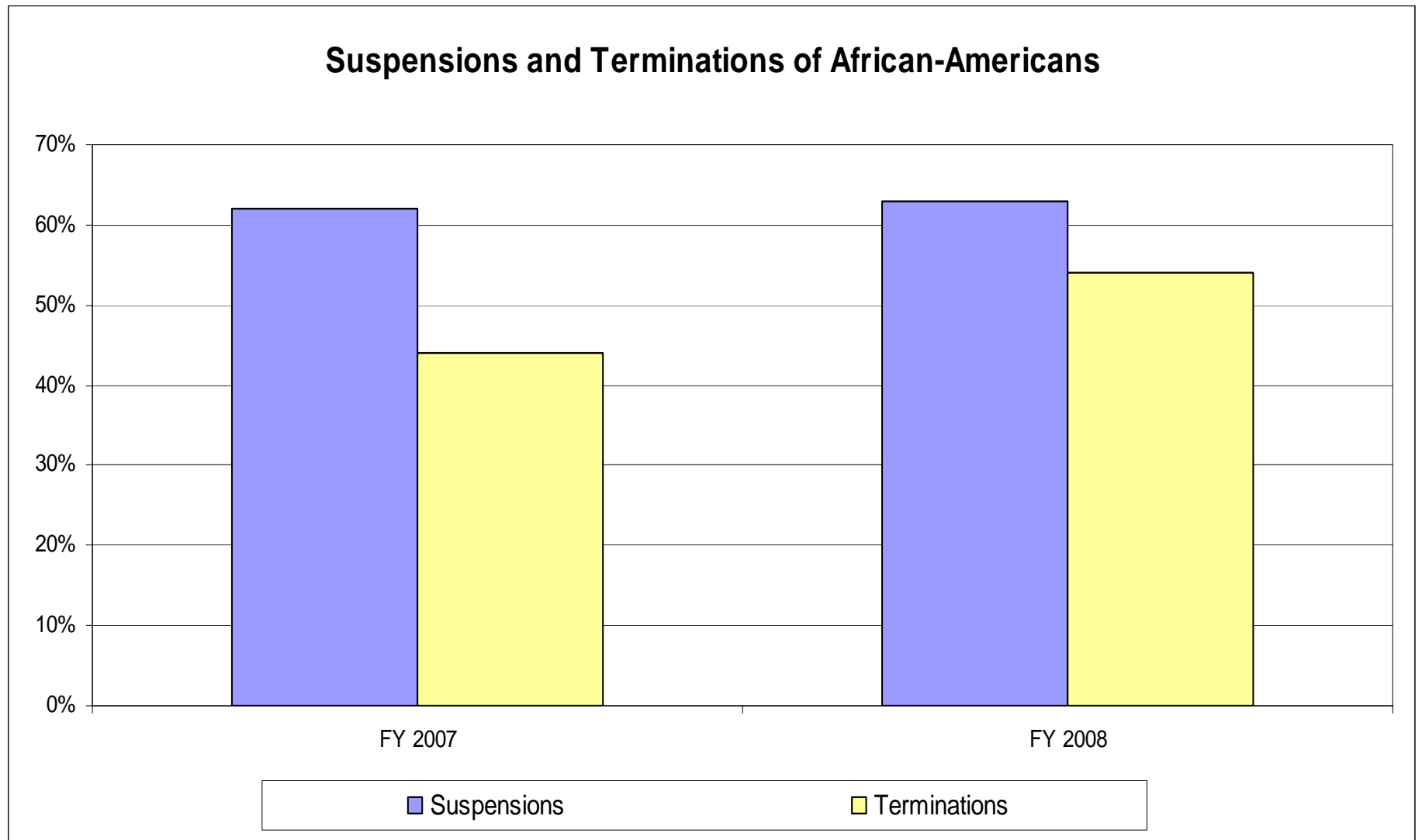




Exhibit 9



Exhibit 10

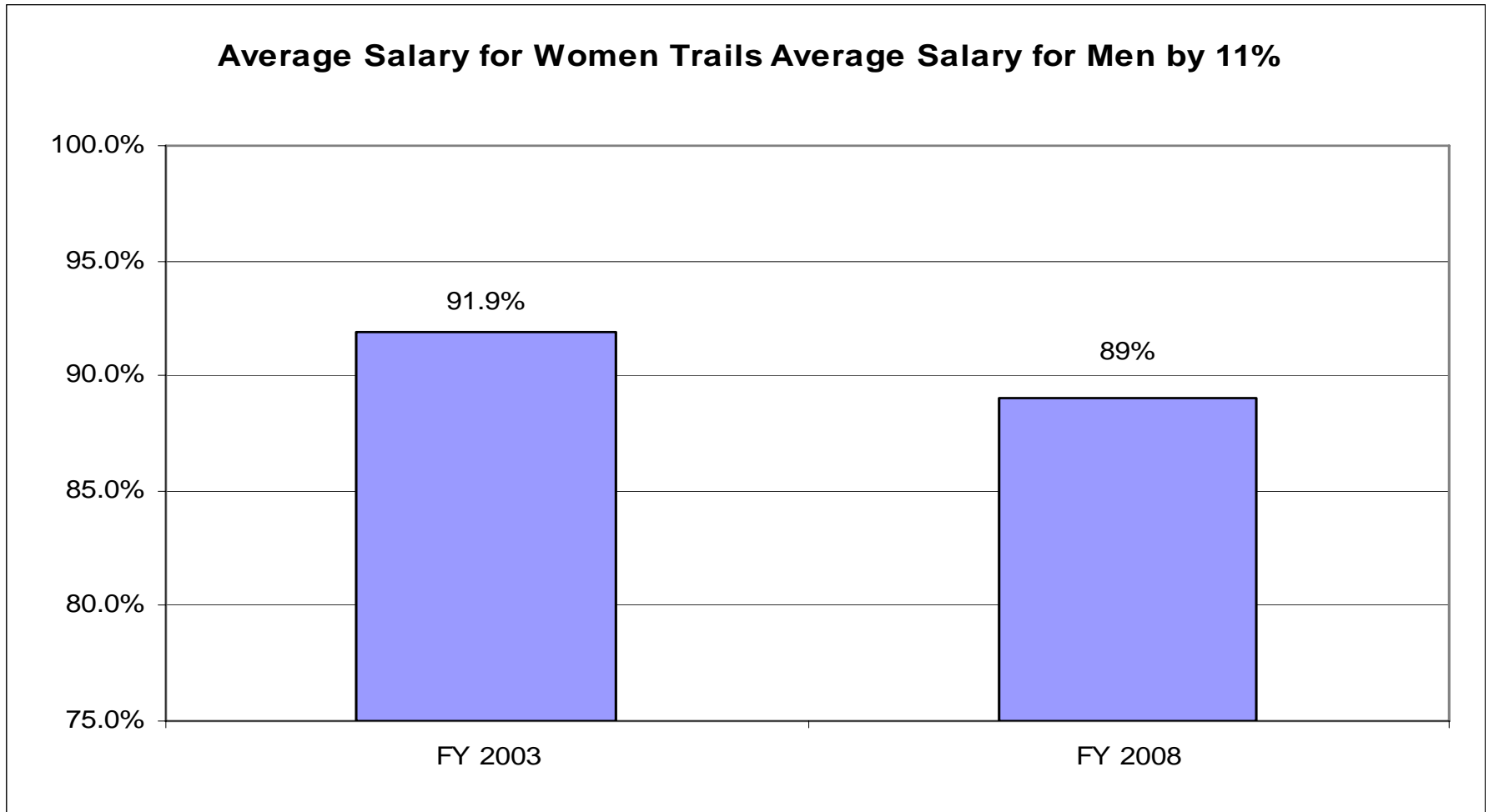
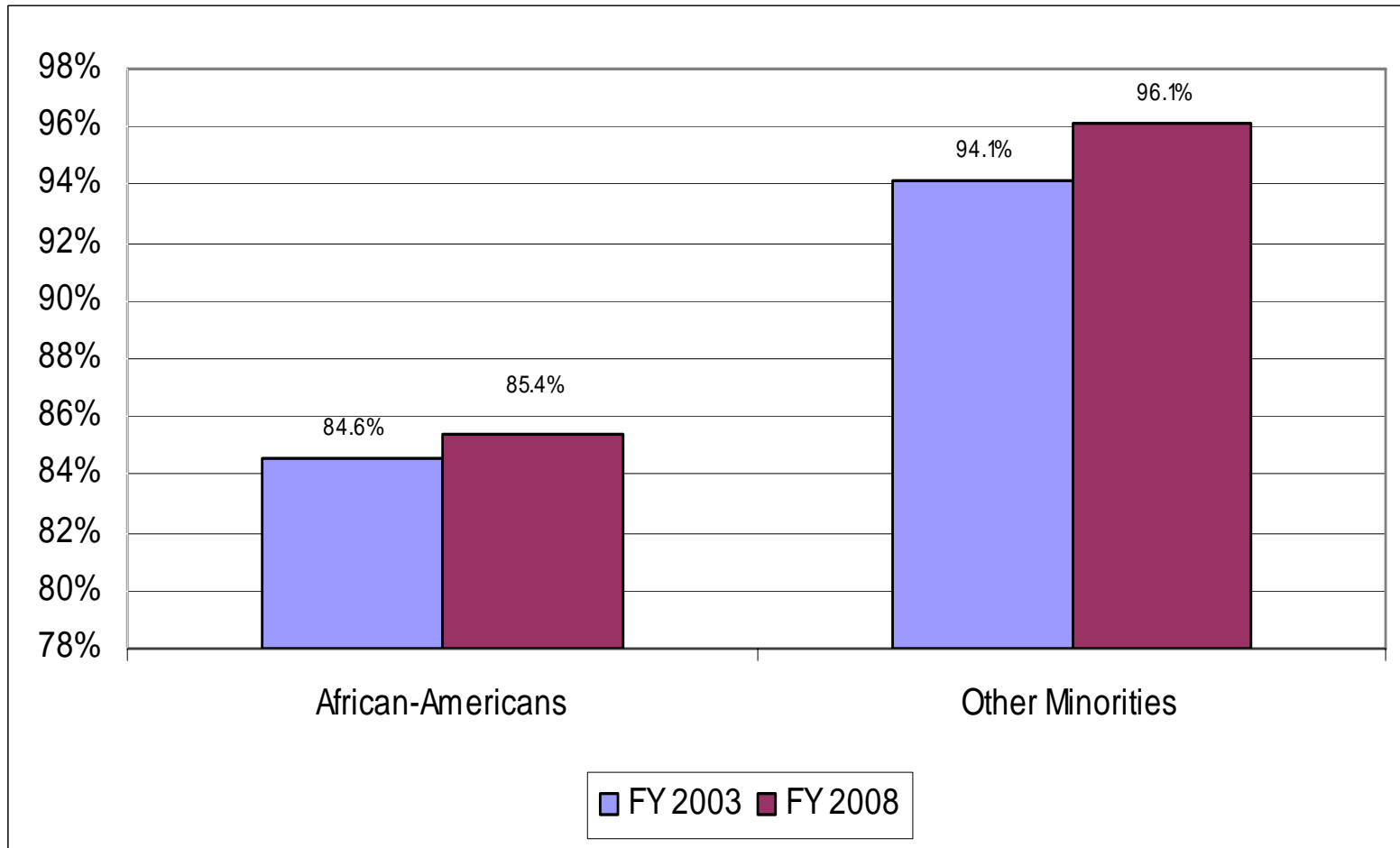


Exhibit 11

**Average Salaries of Minorities Trail Average Salaries of Whites But the Gap is Closing**



# **SECTION TWO**

## **INTRODUCTION**

## INTRODUCTION

### POLICY STATEMENT

It is the policy of the State of Maryland to prohibit discrimination in any personnel action concerning any employee or applicant for employment on the basis of age, ancestry, color, creed, genetic information, gender identity and expression, marital status, mental or physical disability, national origin, race, religious affiliation, belief, or opinion; sex, or sexual orientation. Governor O'Malley has supported the State of Maryland's Equal Employment Opportunity Program by strengthening the State's commitment to providing a work environment free from discrimination and issuing a revised Executive Order to protect all State employees from discrimination. The Equal Employment Opportunity Program ensures that State government maintains a qualified diverse work force and investigates and resolves allegations of discrimination in the work place or hiring practices.

Recognizing that the State's work force should reflect the diversity of the population it serves, the State's Executive Branch and independent agencies consistently strive to attract and select highly qualified individuals from the most diverse group possible. The State recognizes and honors the value and dignity of every employee and is committed to providing a work environment that complies with applicable federal and State laws and guidelines, and is free of discrimination, harassment and intolerance.

The State of Maryland's Equal Employment Opportunity Policy is administered in accordance with the following principles:

- Discrimination by State managers, supervisors and employees **will not be tolerated**. The recruitment, selection, appointment, compensation, assignment, promotion, transfer, discipline, and discharge of State employees shall be made without regard to age; ancestry; color; creed; genetic information; gender identity and expression, marital status; mental or physical disability; national origin; race; religious affiliation, belief or opinion; sex; or sexual orientation.
- Harassment of employees for any reason prohibited by law, including sexual harassment, is employment discrimination, and **will not be tolerated**.
- Cabinet officials, department heads, and heads of independent agencies in State government are expected to take appropriate measures to ensure that their agencies reflect the State's policy regarding unfair employment practices.
- Agency directors shall ensure that their designated Fair Practices Officers are known to all employees in their respective agencies, and that these officers have support and responsibilities consistent with relevant provisions of State law and the Governor's Executive Order – Code of Fair Employment Practices.

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- Employees are encouraged to resolve complaints of discrimination at the lowest possible level by contacting their Equal Employment Opportunity or Americans with Disabilities Act Officers. Investigations of complaints of discrimination or harassment will be conducted promptly and thoroughly, and appropriate disciplinary action will be taken against any employee violating State EEO policies.
- Employees will not be subjected to any form of retaliation for filing a complaint of discrimination or harassment, participating in an investigation of a complaint of discrimination or harassment, or for objecting to a discriminatory or other illegal or inappropriate action or practice.
- The Secretary of the Department of Budget and Management is responsible for the oversight of the State of Maryland's EEO Policy. The Statewide EEO Coordinator is responsible for ensuring statewide compliance with the State's EEO policies and practices and administering the State's EEO Program.

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**THE OFFICE OF THE STATEWIDE EQUAL EMPLOYMENT  
OPPORTUNITY COORDINATOR**

In accordance with Section 5-206 of the State Personnel and Pensions Article, the Statewide Equal Employment Opportunity Coordinator administers and enforces the State's EEO Program. The Coordinator performs under the direction and supervision of the Deputy Secretary of the Department of Budget and Management. The Coordinator is responsible for implementing the State's EEO laws, policies and procedures and serves as the State's point of contact regarding EEO related concerns.

The Office of the Statewide Equal Employment Opportunity Coordinator (OSEEOC) administers and enforces the Statewide Equal Employment Opportunity program and coordinates the activities of the agency Fair Practices Officers, EEO Officers, and the Americans with Disabilities Act (ADA) Officers in accordance with the Governor's Code of Fair Employment Practices and Subtitle 5 of the State Personnel and Pensions Article. In addition to reviewing EEO appeals, the Coordinator's office also conducts investigations of discrimination, unfair employment practices, and Whistleblower complaints.

The OSEEOC is responsible for the following specific tasks:

- Monitoring and evaluating activities, policies and practices of Maryland State government to ensure they are in compliance with State and federal employment provisions and the Governor's Executive Order on Fair Employment Practices;
- Reviewing and investigating appeals of decisions in EEO complaints filed against Executive Branch agencies, including agencies with independent personnel systems and the University System of Maryland, and, as designee of the Secretary, for investigating whistleblower complaints filed against such agencies, with the exception of those filed against the Department of Budget and Management;
- Making certain that State employees understand the State's EEO policies and their rights and responsibilities;
- Coordinating and implementing training on such topics as ADA, Sexual Harassment, Diversity, and EEO laws;
- Preparing the Annual Report on the State's EEO Program;
- Monitoring discrimination complaints against State agencies filed with the U. S. Equal Employment Opportunity Commission, the Maryland Commission on Human Relations, and other external enforcement agencies;

**SECTION 2: INTRODUCTION**

- Conducting Agency Audit Compliance Reviews;
- Assisting agency Fair Practices, Equal Employment Opportunity and Americans with Disabilities Act Officers with enforcement efforts;
- Partnering with the Maryland Department of Disabilities to provide ongoing education and assistance to the ADA Officers;
- Providing consultation and technical assistance to agency Fair Practices, EEO and ADA officers, as well as other agency officials;
- Preparing and distributing reports in compliance with other State and federal requirements.



# **SECTION THREE**

## **STATEWIDE**

## **WORKFORCE**

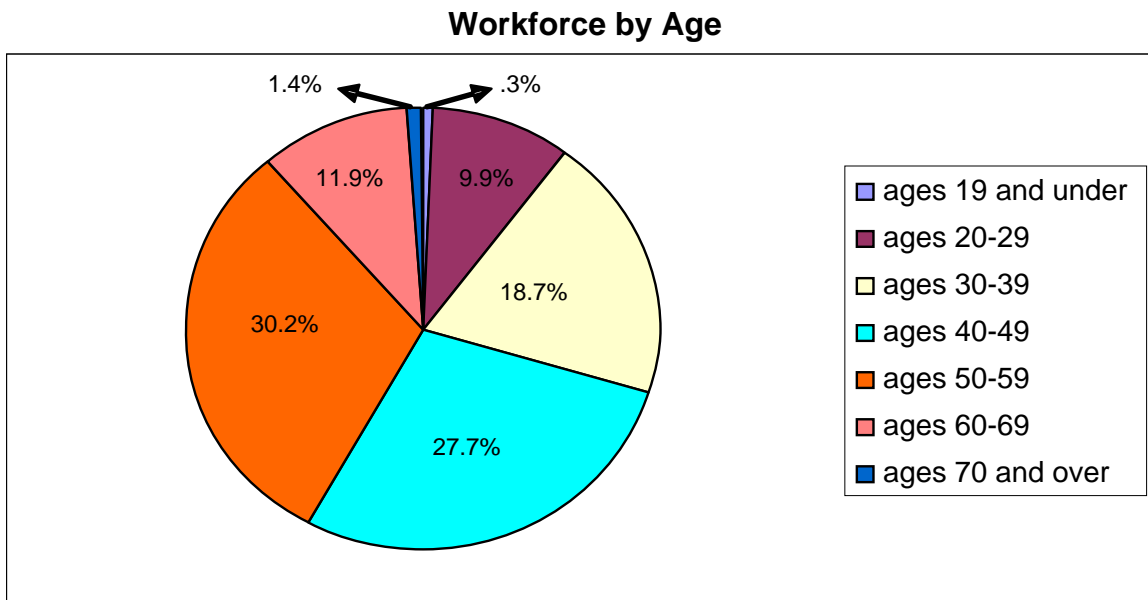
## **STATISTICS**

## SECTION 3: STATEWIDE WORKFORCE STATISTICS

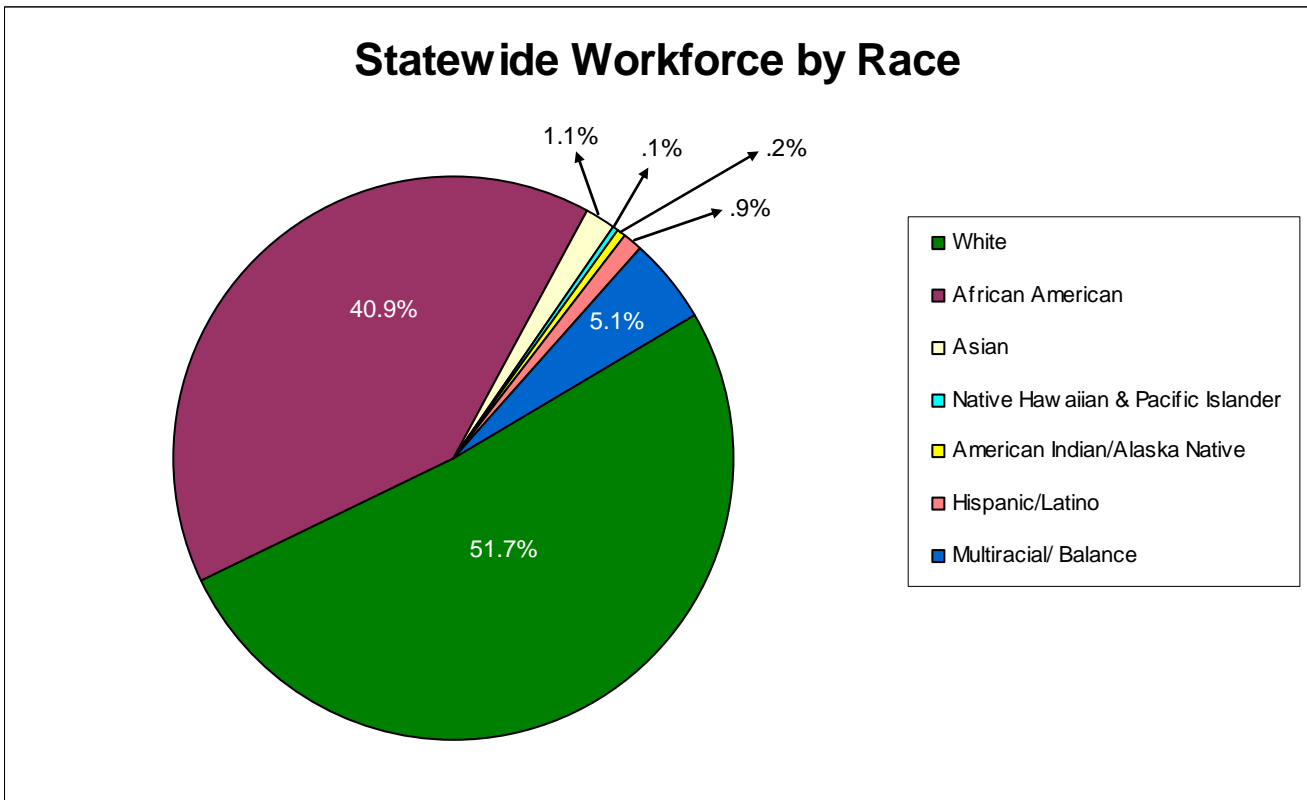
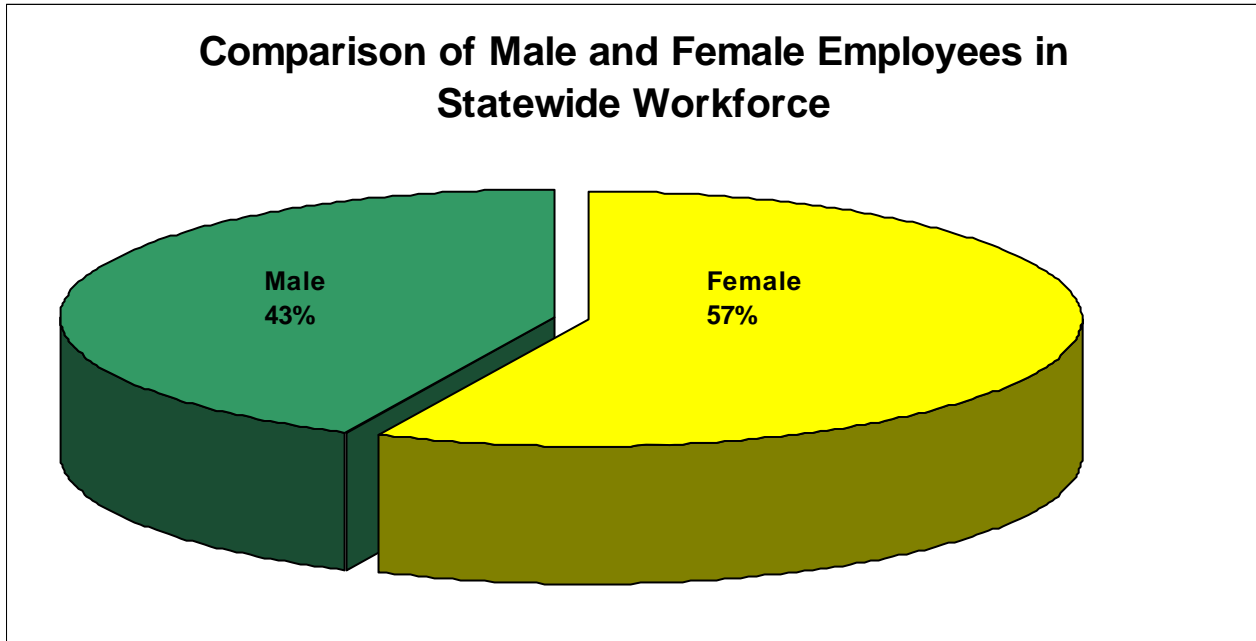
The Fiscal Year 2008 Annual EEO Report contains data on the total number of State employees in the Executive Branch of State government.

Highlights of the demographic information presented in the following charts include:

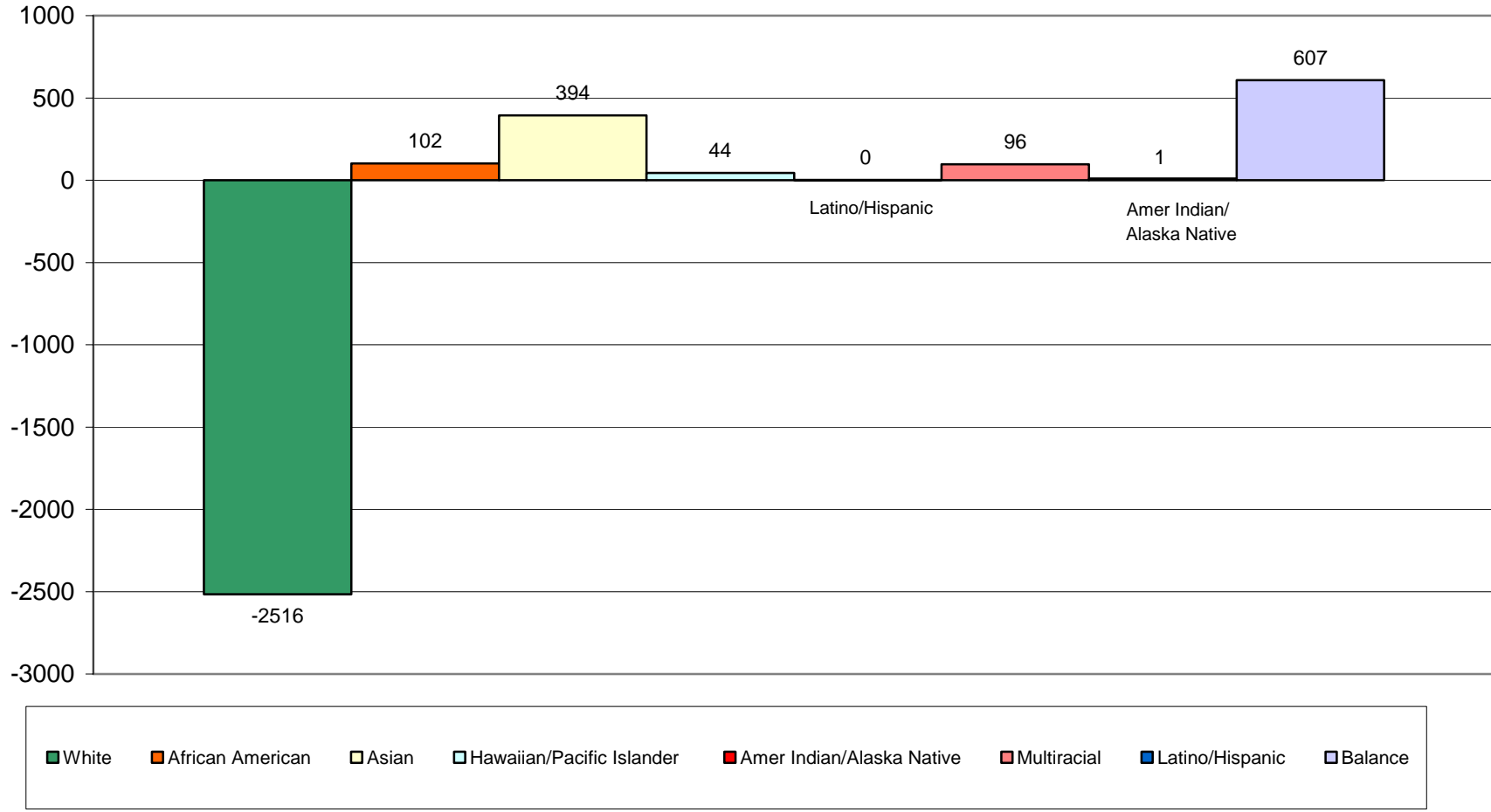
- The size of Maryland State government’s workforce declined from 56,793 individuals in FY 2003 to 55,521 in FY 2008.
- The number of Whites and African-American males in the workforce has declined, while the number of Asians and people refusing to identify a race or identifying as multi-racial has increased.
- Maryland has a racially diverse workforce with African-Americans holding more than 40% of State positions and workers identifying themselves as belonging to other minority groups holding another 7% of positions.
- Females represent 57% of the State’s workforce in fiscal 2008, up from 56% in 2003.
- Over 70% of the State’s workforce in fiscal 2008 was over the age of 40.



**SECTION 3 - SUMMARY HIGHLIGHTS**



## Change in Number of Employees by Race from Fiscal Year 2003 to 2008



**TOTAL FULL-TIME AND PART-TIME WORKFORCE UTILIZATION**

EEO Job Category	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance ( <i>no race checked</i> )		Multiracial		Hispanic or Latino ( <i>no other race checked</i> )	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Officials and Administrators</b>	<b>4,395</b>	<b>2,376</b>	<b>2,019</b>	1,843	1,359	321	491	2	3	32	19	2	2	149	116	15	7	12	22
		54%	46%	42%	31%	7%	11%	0.05%	0.1%	0.73%	0.43%	0.05%	0.05%	3.39%	2.64%	0.34%	0.16%	0.27%	0.50%
<b>Professionals</b>	<b>22,531</b>	<b>7,708</b>	<b>14,823</b>	4,863	7,634	2,075	6,113	16	29	186	186	10	7	446	659	30	88	82	107
		34%	66%	22%	34%	9%	27%	0.07%	0.13%	0.83%	0.83%	0.04%	0.03%	1.98%	2.92%	0.13%	0.39%	0.36%	0.47%
<b>Technicians</b>	<b>3,412</b>	<b>1,674</b>	<b>1,738</b>	1,230	878	349	772	6	3	23	5	3	3	33	42	17	13	13	22
		49%	51%	36%	26%	10%	23%	0.18%	0.09%	0.67%	0.15%	0.09%	0.09%	0.97%	1.23%	0.50%	0.38%	0.38%	0.64%
<b>Protective Service Workers: Sworn</b>	<b>2,316</b>	<b>2,069</b>	<b>247</b>	1,511	132	417	100	3	0	11	1	2	0	84	12	1	1	40	1
		89%	11%	65%	6%	18%	4%	0.13%	0.00%	0.47%	0.04%	0.09%	0.00%	3.63%	0.52%	0.04%	0.04%	1.73%	0.04%
<b>Protective Service Workers: Non-Sworn</b>	<b>8,640</b>	<b>5,240</b>	<b>3,400</b>	2,620	453	2,178	2,634	3	6	21	2	5	1	364	274	21	19	28	11
		61%	39%	30%	5%	25%	30%	0.03%	0.07%	0.24%	0.02%	0.06%	0.01%	4.21%	3.17%	0.24%	0.22%	0.32%	0.13%
<b>Administrative Support</b>	<b>7,850</b>	<b>782</b>	<b>7,068</b>	335	3,254	377	3,387	1	19	25	54	2	7	29	222	7	47	6	78
		10%	90%	4%	41%	5%	43%	0.01%	0.24%	0.32%	0.69%	0.03%	0.09%	0.37%	2.83%	0.09%	0.60%	0.08%	0.99%
<b>Skilled Craft Workers</b>	<b>2,082</b>	<b>2,026</b>	<b>56</b>	1,372	34	574	21	11	0	20	0	2	0	18	1	13	0	16	0
		97%	3%	66%	2%	28%	1%	0.53%	0.00%	0.96%	0.00%	0.10%	0.00%	0.86%	0.05%	0.62%	0.00%	0.77%	0.00%
<b>Service-Maintenance</b>	<b>4,295</b>	<b>2,107</b>	<b>2,188</b>	588	593	1,411	1,473	8	7	15	12	7	7	44	70	16	8	18	18
		49%	51%	14%	14%	33%	34%	0.19%	0.16%	0.35%	0.28%	0.16%	0.16%	1.02%	1.63%	0.37%	0.19%	0.42%	0.42%
<b>TOTAL</b>	<b>55,521</b>	<b>23,982</b>	<b>31,539</b>	<b>14,362</b>	<b>14,337</b>	<b>7,702</b>	<b>14,991</b>	<b>50</b>	<b>67</b>	<b>333</b>	<b>279</b>	<b>33</b>	<b>27</b>	<b>1,167</b>	<b>1,396</b>	<b>120</b>	<b>183</b>	<b>215</b>	<b>259</b>
		43%	57%	26%	26%	14%	27%	0.09%	0.12%	0.60%	0.50%	0.06%	0.05%	2.10%	2.51%	0.22%	0.33%	0.39%	0.47%

NOTE: The data include SPMS and MDOT full-time and part-time employees; contractals are not included.

### STATEWIDE WORKFORCE BY AGE

AGE	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
19 or under	189	73	116	41	57	25	55	0	0	3	0	0	0	2	2	1	0	1	2
		39%	61%	22%	30%	13%	29%	0%	0%	1.59%	0%	0%	0%	1.06%	1.06%	0.53%	0%	0.53%	1.06%
20-29	6,160	2,471	3,689	1,573	1,490	657	1,852	7	10	44	50	3	3	137	200	9	41	41	43
		40%	60%	26%	24%	11%	30%	0.11%	0.16%	0.71%	0.81%	0.05%	0.05%	2.22%	3.25%	0.15%	0.67%	0.67%	0.70%
30-39	11,708	4,770	6,938	2,754	2,693	1,509	3,497	8	11	102	106	10	6	304	486	20	49	63	90
		41%	59%	24%	23%	13%	30%	0.07%	0.09%	0.87%	0.91%	0.09%	0.05%	2.60%	4.15%	0.17%	0.42%	0.54%	0.77%
40-49	17,324	7,082	10,242	4,057	4,622	2,341	4,778	21	18	92	95	12	10	464	571	35	54	60	94
		41%	59%	23%	27%	14%	28%	0.12%	0.10%	0.53%	0.55%	0.07%	0.06%	2.68%	3.30%	0.20%	0.31%	0.35%	0.54%
50-59	18,873	7,564	11,309	4,778	6,035	2,163	4,561	13	30	91	74	6	5	433	482	28	38	52	84
		40%	60%	25%	32%	11%	24%	0.07%	0.16%	0.48%	0.39%	0.03%	0.03%	2.29%	2.55%	0.15%	0.20%	0.28%	0.45%
60-69	7,424	3,451	3,973	2,395	2,376	753	1,297	8	12	56	43	2	3	209	208	12	13	16	21
		46%	54%	32%	32%	10%	17%	0.11%	0.16%	0.75%	0.58%	0.03%	0.04%	2.82%	2.80%	0.16%	0.18%	0.22%	0.28%
70 and over	852	485	367	317	228	106	108	0	1	9	2	0	1	47	25	3	0	3	2
		57%	43%	37%	27%	12%	13%	0%	0.1%	1.1%	0.2%	0%	0.1%	5.5%	2.9%	0.4%	0%	0.4%	0.2%
<b>TOTAL</b>	<b>62,530</b>	<b>25,896</b>	<b>36,634</b>	<b>15,915</b>	<b>17,501</b>	<b>7,554</b>	<b>16,148</b>	<b>57</b>	<b>82</b>	<b>397</b>	<b>370</b>	<b>33</b>	<b>28</b>	<b>1,596</b>	<b>1,974</b>	<b>108</b>	<b>195</b>	<b>236</b>	<b>336</b>
		41%	59%	25%	28%	12%	26%	0.09%	0.13%	0.63%	0.59%	0.05%	0.04%	2.55%	3.16%	0.17%	0.31%	0.38%	0.54%

NOTE: The data include Executive Branch and Independent agencies, excluding MDOT. No contractals are included.

**STATEWIDE WORKFORCE BY SERVICE TYPE**

Service Type	TOTAL		Race														Ethnicity		
			White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)		
			Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male
Executive	983	625	358	490	244	98	89	0	0	14	4	1	0	10	11	8	2	4	8
		64%	36%	50%	25%	10%	9%	0%	0%	14%	0.4%	0.10%	0	1.02%	1.12%	0.81%	0.20%	0.41%	0.81%
Independent	782	417	365	277	261	71	66	0	0	2	0	2	0	63	29	2	3	0	6
		53%	47%	35%	33%	9%	8%	0%	0%	0.26%	0%	0.26%	0%	8.06%	3.71%	0.26%	0.38%	0%	0.77%
Management	1,715	955	760	737	494	135	204	0	0	9	5	1	2	67	46	3	3	3	6
		56%	44%	43%	29%	8%	12%	0%	0%	0.52%	0.29%	0.06%	0.12%	3.91%	2.68%	0.17%	0.17%	0.17%	0.35%
Professional	4,138	909	3,229	649	2,206	158	778	1	5	32	54	3	2	48	150	1	16	17	18
		22%	78%	16%	53%	4%	19%	0.02%	0.12%	0.77%	1.30%	0%	0.05%	1.16%	3.62%	0.00%	0.39%	0.41%	0.43%
Skilled Service	32,063	12,113	19,950	6,576	7,687	4,504	10,962	22	39	124	130	9	15	749	883	36	81	93	153
		38%	62%	21%	24%	14%	34%	0.07%	0.12%	0.39%	0.41%	0.03%	0.05%	2.34%	2.75%	0.11%	0.25%	0.29%	0.48%
Special Appointment	4,412	1,625	2,787	1,141	1,608	278	841	4	6	24	31	0	2	152	244	9	24	17	31
		37%	63%	26%	36%	6%	19%	0.09%	0.14%	0.54%	0.70%	0%	0.05%	3.45%	5.53%	0.20%	0.54%	0.39%	0.70%
Designated Political Appointment	174	75	99	61	66	10	25	0	1	2	2	0	0	1	5	0	0	1	0
		43%	57%	35%	38%	6%	14%	0%	0.57%	1.15%	1.15%	0%	0%	0.57%	2.87%	0%	0%	0.57%	0%
MDOT Commission	7	6	1	6	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		86%	14%	86%	14%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Permanent MTA Union	2,512	1541	971	371	19	1109	928	6	3	8	0	5	4	16	13	15	4	11	0
		61%	39%	15%	1%	44%	37%	0.24%	0.12%	0.32%	0%	0.20%	0%	0.64%	0.52%	0.60%	0.16%	0.44%	0%
Uniform Police	1,498	1,384	114	1102	87	216	24	0	0	8	2	2	0	29	0	0	0	27	1
		92%	8%	74%	6%	14%	2%	0%	0%	0.53%	0.13%	0.13%	0.00%	1.94%	0.00%	0.00%	0.00%	180%	0.07%
Temporary	188	55	133	40	90	8	32	0	2	3	4	0	1	2	0	2	3	0	1
		29%	71%	21%	48%	4%	17%	0%	1.06%	1.60%	2.13%	0%	0.53%	1.06%	0%	1.06%	1.60%	0%	0.53%
Transportation Service	7,049	4,277	2,772	2,912	1,574	1,115	1,042	17	11	107	47	10	1	30	15	44	47	42	35
		61%	39%	41%	22%	16%	15%	0.24%	0.16%	1.52%	0.67%	0.14%	0.01%	0.43%	0.21%	0.62%	0.67%	0.60%	0.50%
<b>TOTAL</b>	<b>55,521</b>	<b>23,982</b>	<b>31,539</b>	<b>14,362</b>	<b>14,337</b>	<b>7,702</b>	<b>14,991</b>	<b>50</b>	<b>67</b>	<b>333</b>	<b>279</b>	<b>33</b>	<b>27</b>	<b>1,167</b>	<b>1,396</b>	<b>120</b>	<b>183</b>	<b>215</b>	<b>259</b>
		43%	57%	26%	26%	14%	27%	0.09%	0.12%	0.60%	0.50%	0.06%	0.05%	2.10%	2.51%	0.22%	0.33%	0.39%	0.47%

NOTE: The data include SPMS and MDOT full-time and part-time employees; contractals are not included.

# **SECTION FOUR**

## **WORKFORCE**

## **UTILIZATION**



## **SECTION 4: WORKFORCE UTILIZATION**

### **INTRODUCTION**

Section four provides a narrative and statistical comparison of the State's workforce with the Civilian Labor Force (CLF) in the eight EEO job categories.

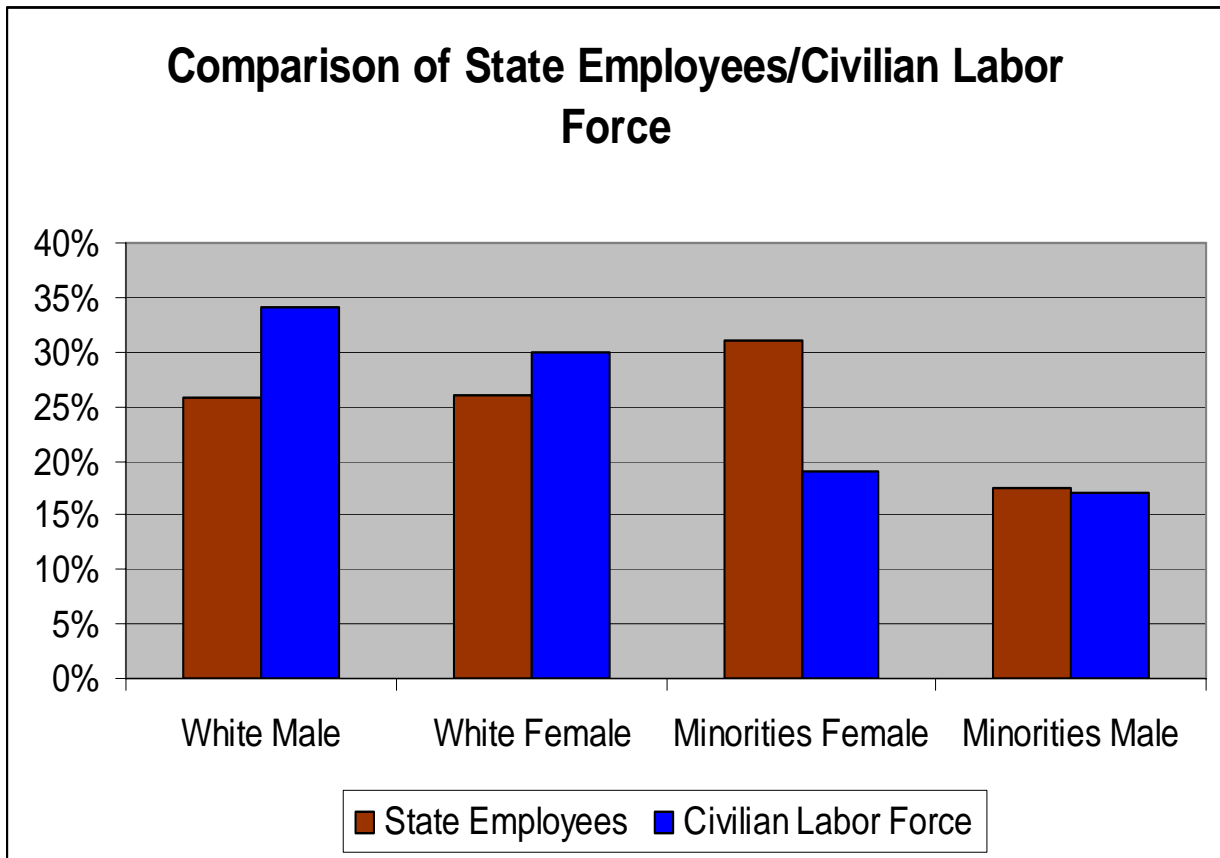
### **SUMMARY HIGHLIGHTS**

Trends displayed in the following charts are highlighted as follows:

- White males and White females represent a higher proportion of the CLF than State government's workforce.
- Minorities compose a larger share of the State workforce than CLF. Minorities also hold about 27% of the State positions classified as Officials and Administrators matching the CLF availability.
- Minorities experienced increases in all categories from FY 2003 to FY 2008. The largest increases in minority representation occurred in the categories of Professional (1,337) and Service Maintenance (636).
- African-Americans represent a higher proportion of the State's workforce than the CLF.
- African-Americans exceeded the CLF availability in the Professionals, Technicians, Protective Service Workers: Non-Sworn, and Service Maintenance categories.
- African-American females in the State's workforce far exceeded the CLF availability in the Administrative Support category, while African-American males exceeded the CLF availability in the Protective Service Workers: Non-Sworn category.
- White males and Other Minorities males exceeded the CLF availability in the Protective Service Workers: Sworn category.
- White males, African-American males and females, and Other Minorities males and females exceeded the CLF availability in the Protective Service Workers: Non-Sworn categories.

### SECTION 4 - SUMMARY HIGHLIGHTS

- The largest representation of females in FY 2008 was in the Professional job category (14,823).



**STATEWIDE WORKFORCE UTILIZATION ANALYSIS — FISCAL YEAR 2008**

EEO JOB CATEGORY		WHITE						AFRICAN-AMERICAN						OTHER MINORITIES						TOTAL PERMANENT POSITIONS
		MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	
Officials and Administrators	#	1,843	43.9%		1,359	29.2%		321	8.0%		491	10.9%		212	4.7%		169	3.4%		4,395
	%	41.9%		-2.0%	30.92%		1.7%	7.3%		-0.7%	11.2%		0.3%	4.82%		0.1%	3.85%		0.5%	
Professionals	#	4,863	34%		7,634	35.5%		2,075	7.2%		6,113	12.6%		770	5.6%		1,076	5.1%		22,531
	%	21.6%		-12.4%	33.9%		-1.6%	9.2%		2.0%	27.1%		14.5%	3.4%		-2%	4.8%		-0.3%	
Technicians	#	1,230	29%		878	33.3%		349	9.7%		772	18.0%		95	4.4%		88	5.6%		3,412
	%	36.0%		7%	25.7%		-7.6%	10.2%		0.5%	22.6%		4.6%	2.8%		-1.65%	2.6%		-2.97%	
Protective Service Workers: Sworn	#	1,511	45.6%		132	7.8%		417	29.1%		100	13.3%		141	3.2%		15	0.9%		2,316
	%	65.2%		20%	5.7%		-2.1%	18.0%		-11.1%	4.3%		-9.0%	6.1%		2.92%	0.6%		-0.3%	
Protective Service Workers: Non-Sworn	#	2,620	25.4%		453	44.2%		2,178	10.2%		2,634	15.5%		442	2.3%		313	2.3%		8,640
	%	30.3%		4.9%	5%		-39.0%	25%		15.0%	30%		14.5%	5%		3%	4%		1.3%	
Administrative Support	#	335	19.1%		3,254	43.0%		377	8.3%		3,387	21.4%		70	2.8%		427	5.3%		7,850
	%	4.3%		-14.8%	41.5%		-1.5%	4.80%		-3.5%	43.15%		21.7%	0.9%		-1.91%	5.4%		0.1%	
Skilled Craft Workers	#	1,372	67.5%		34	3.7%		574	16.7%		21	1.9%		80	9.3%		1	0.9%		2,082
	%	65.9%		-1.6%	1.6%		-2.1%	27.6%		10.9%	1.0%		-0.9%	3.9%		-5.40%	0.05%		-0.8%	
Service-Maintenance	#	588	30.5%	x	593	23.2%		1,411	18.7%		1,473	14.3%		108	7.0%		122	6.3%		4,295
	%	13.7%		-17%	13.8%		-9.39%	32.9%		14.2%	34.3%		20.0%	2.5%		-4.49%	2.8%		-3.4%	
<b>TOTALS</b>	#	<b>14,362</b>	<b>34.0%</b>		<b>14,337</b>	<b>30.2%</b>		<b>7,702</b>	<b>11.6%</b>		<b>14,991</b>	<b>14.2%</b>		<b>1,918</b>	<b>5.3%</b>		<b>2,211</b>	<b>4.7%</b>		<b>55,521</b>
	%	25.9%		-8.1%	25.8%		-4.38%	13.9%		2.3%	27%		12.8%	3.5%		-1.83%	4%		-0.7%	

NOTE: Data include SPMS and MDOT full-time and part-time employees; contractals are not included.

**2008 SUMMARY OF AGENCY WORK FORCE ANALYSIS**

AGENCY	WHITE		TOTAL	AFRICAN AMERICAN		TOTAL	OTHER MINORITIES		TOTAL	TOTAL EMPLOYEES
	MALE	FEMALE		MALE	FEMALE		MALE	FEMALE		
Executive Department	30	26	56	3	13	16	0	1	1	73
Baltimore City Community College	60	78	138	111	208	319	11	8	19	476
Baltimore City Sheriff's Office	14	2	16	22	12	34	0	0	0	50
Board of Elections Laws	26	88	114	11	22	33	6	25	31	178
Board of Public Works	1	7	8	0	0	0	0	0	0	8
Boards and Commissions	16	40	56	5	20	25	1	4	5	86
Canal Place	0	1	1	0	0	0	0	0	0	1
College Savings Plan	1	4	5	0	3	3	3	3	6	14
Comptroller of the Treasury	240	392	632	69	304	373	27	34	61	1,066
Deaf and Hard of Hearing	0	2	2	0	0	0	0	0	0	2
Dept of Aging	25	86	111	7	67	74	2	23	25	210
Dept of Agriculture	188	135	323	16	28	44	15	17	32	399
Dept of Assessment and Taxation	174	190	364	28	194	222	9	15	24	610
Dept Budget and Management	80	137	217	38	111	149	15	24	39	405
Dept Business and Economic Dev	65	88	153	22	49	71	11	24	35	259
Dept of Disabilities	7	14	21	0	2	2	0	1	1	24
Dept of Education	262	586	848	101	412	513	52	117	169	1,530
Dept of Environment	369	273	642	69	89	158	55	28	83	883

**2008 SUMMARY OF AGENCY WORK FORCE ANALYSIS**

AGENCY	WHITE			AFRICAN AMERICAN			OTHER MINORITIES			TOTAL EMPLOYEES
	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	MALE	FEMALE	TOTAL	
Dept of General Services	195	71	266	141	131	272	22	9	31	569
Dept Health and Mental Hygiene	1,415	4,374	5,789	858	2,580	3,438	245	517	762	9,989
Dept Housing and Community Dev	64	105	169	19	54	73	15	26	41	283
Dept Human Resources	448	1,915	2,363	623	3216	3,839	64	213	277	6,479
Dept Juvenile Services	353	348	701	410	732	1,142	98	119	217	2,060
Dept Labor, Licencing and Regulation	395	349	744	169	456	625	26	52	78	1,447
Dept Natural Resources	607	350	957	59	75	134	100	38	138	1,229
Dept Maryland State Police	1,482	326	1,808	256	117	373	84	19	103	2,284
Dept of Planning	60	54	114	6	23	29	10	11	21	164
Dept Public Safetyand Corr Servs	2,955	1,198	4,153	2,094	3,423	5,517	459	416	875	10,545
Dept of Transportation	3,699	1,820	5,519	2,309	2,054	4363	334	196	530	10,412
Governor's Office for Children	4	7	11	1	6	7	0	0	0	18
Health Care Alternative Dispute Resol	1	3	4	0	1	1	0	0	0	5
Historic St Mary's City Commission	20	12	32	0	1	1	3	1	4	37
Maryland State Archives	12	21	33	6	4	10	6	0	6	49
MD Automobile Insurance Fund	103	163	266	25	111	136	10	20	30	432
MD Board of Contract Appeals	2	0	2	0	1	1	1	1	2	5
MD Commission on Human Rel	3	6	9	6	16	22	4	3	7	38

**2008 SUMMARY OF AGENCY WORK FORCE ANALYSIS**

AGENCY	WHITE		TOTAL	AFRICAN AMERICAN		TOTAL	OTHER MINORITIES		TOTAL	TOTAL EMPLOYEES
	MALE	FEMALE		MALE	FEMALE		MALE	FEMALE		
MD Energy Administration	9	3	12	0	2	2	2	1	3	17
MD Environmental Services	429	133	562	136	34	170	27	8	35	767
MD Food Center Authority	10	7	17	4	1	5	1	1	2	24
MD Higher Education Comm	16	30	46	5	10	15	1	3	4	65
MD Inst for Emer Medical Servs Sys	33	26	59	7	10	17	7	5	12	88
MD Insurance Admin	74	95	169	23	70	93	6	3	9	271
MD Judiciary	605	1,371	1,976	195	914	1,109	114	354	468	3,553
MD Museum of African Amer	0	0	0	8	15	23	0	1	1	24
MD State Lottery Agency	53	33	86	26	39	65	6	9	15	166
MD Public Broadcasting Comm	65	55	120	16	15	31	15	15	30	181
MD State Retirement Agency	35	36	71	16	74	90	8	10	18	179
MD School for the Deaf	78	196	274	14	15	29	6	11	17	320
MD Stadium Authority	40	16	56	18	13	31	1	0	1	88
MD Tax Court	5	2	7	0	0	0	1	0	1	8
MD State Treasurer's Office	16	26	42	1	10	11	1	6	7	60
MD Teachers/Employee Supp Ret	2	5	7	0	4	4	1	1	2	13
MD Veteran's Affairs	25	8	33	13	4	17	9	5	14	64
Military Department	157	58	215	73	29	102	20	5	25	342

**2008 SUMMARY OF AGENCY WORKFORCE ANALYSIS**

AGENCY	WHITE		TOTAL	AFRICAN AMERICAN		TOTAL	OTHER MINORITIES		TOTAL	TOTAL EMPLOYEES
	MALE	FEMALE		MALE	FEMALE		MALE	FEMALE		
Morgan State University	57	31	88	310	341	651	120	99	219	958
Office of Administrative Hearings	28	41	69	5	27	32	3	16	19	120
Office of Attorney General	68	107	175	12	36	48	5	7	12	235
Office of People's Counsel	3	7	10	0	4	4	2	2	4	18
Office of Public Defender	227	294	521	60	191	251	68	117	185	957
Office of the Secretary	9	10	19	2	4	6	0	3	3	28
Office of State Prosecutor	5	4	9	1	0	1	1	1	2	12
Property Tax Assess Appeals Board	30	13	43	5	6	11	46	8	54	108
Public School Construction Program	4	4	8	4	6	10	0	0	0	18
Public Service Commission	29	29	58	9	21	30	26	13	39	127
St. Mary's College of Maryland	137	160	297	23	31	54	16	7	23	374
Subsequent Injury Fund	6	11	17	0	2	2	0	0	0	19
Uninsured Employer's Fund	4	3	7	1	2	3	1	2	3	13
University of Maryland Systems	10,115	10,542	20,657	2,490	4,280	6,770	3,638	3,389	7,027	34,454
Worker's Compensation Commission	16	28	44	6	55	61	4	9	13	118
<b>TOTAL-Maryland State Work Force</b>	<b>25,766</b> 27%	<b>26,655</b> 28%	<b>52,421</b> 55%	<b>10,967</b> 11%	<b>20,800</b> 22%	<b>31,767</b> 33%	<b>5,844</b> 6%	<b>6,076</b> 6%	<b>11,920</b> 12%	<b>96,108</b>
<b>TOTAL - Civilian Labor Force</b>	<b>997,070</b> 34.0%	<b>885,633</b> 30.2%	<b>1,882,703</b> 64.3%	<b>340,177</b> 11.6%	<b>416,424</b> 14.2%	<b>756,601</b> 25.8%	<b>155,426</b> 5.3%	<b>137,830</b> 4.7%	<b>293,256</b> 10%	<b>2,932,560</b>

**SECTION FIVE**

**DISTRIBUTION**

**OF STATEWIDE EMPLOYEE**

**WORKFORCE BY**

**SALARY, GRADE, RACE,**

**AND GENDER**



## **SECTION 5: DISTRIBUTION OF STATEWIDE WORKFORCE BY SALARY AND GRADE**

### **INTRODUCTION**

Section five presents the salary and grade of employees by race and gender. This section includes a comparison of salary and grade information for Fiscal Years 2003 through 2008.

### **SUMMARY HIGHLIGHTS**

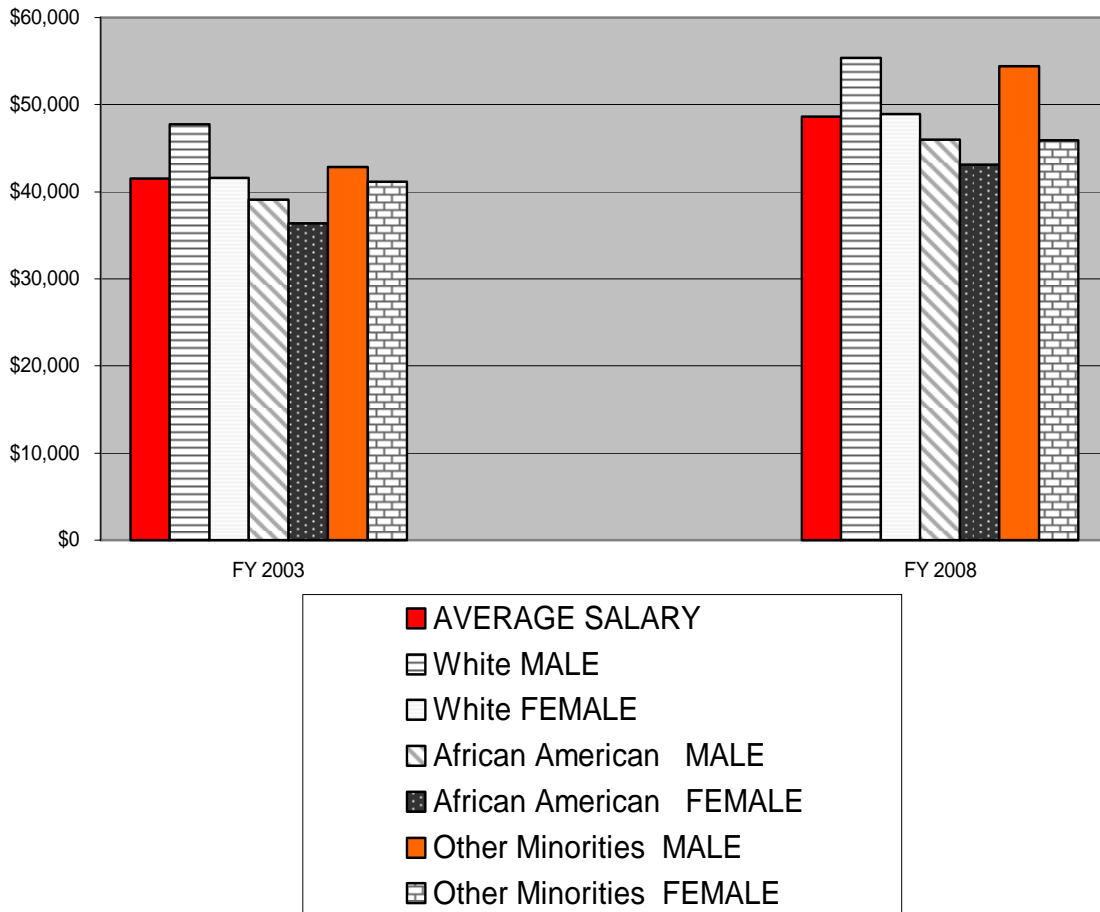
Trends displayed in the following charts include:

- Male employees were paid an average of \$5,942 more than female employees in fiscal 2008.
- White employees were paid an average of \$52,160 in fiscal 2008 compared to \$44,552 for African-American employees and \$50,147 for Other Minority employees.
- The gap between the salaries of Whites and African-Americans increased slightly from FY 2003 to FY 2008. The average salary for other minorities, however, grew much closer to that of Whites and now exceeds the average State salary.
- The salary differentials between men and women and Whites and African-Americans are related to differences in the types of positions held. Whites (74%) and men (70%) are far more likely than African-Americans (15%) and women (30%) to hold positions in the Executive Pay Plan and positions classified as Grade 24 and above. African-Americans, in contrast, hold a majority of the positions classified at Grade 8 or below. Females hold more than 70% of positions classified at Grade 11 and below.

COMPARISON OF AVERAGE SALARIES BY RACE AND  
GENDER FOR FY 2003 AND FY 2008

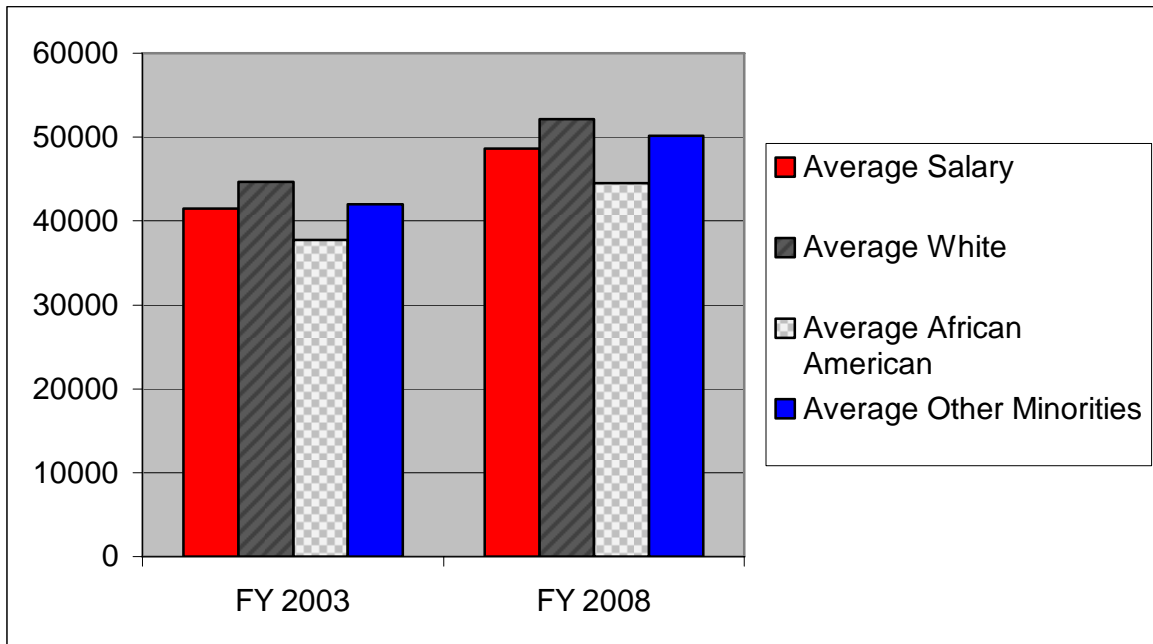
YEAR	AVERAGE SALARY	White		African American		Other Minorities	
		MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
FY 2003	\$41,485	\$47,722	\$41,563	\$39,097	\$36,397	\$42,858	\$ 41,178
FY 2008	\$48,667	\$55,390	\$48,930	\$45,981	\$43,123	\$54,402	\$45,893

**YEARLY AVERAGE SALARY COMPARISON**



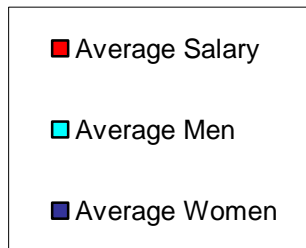
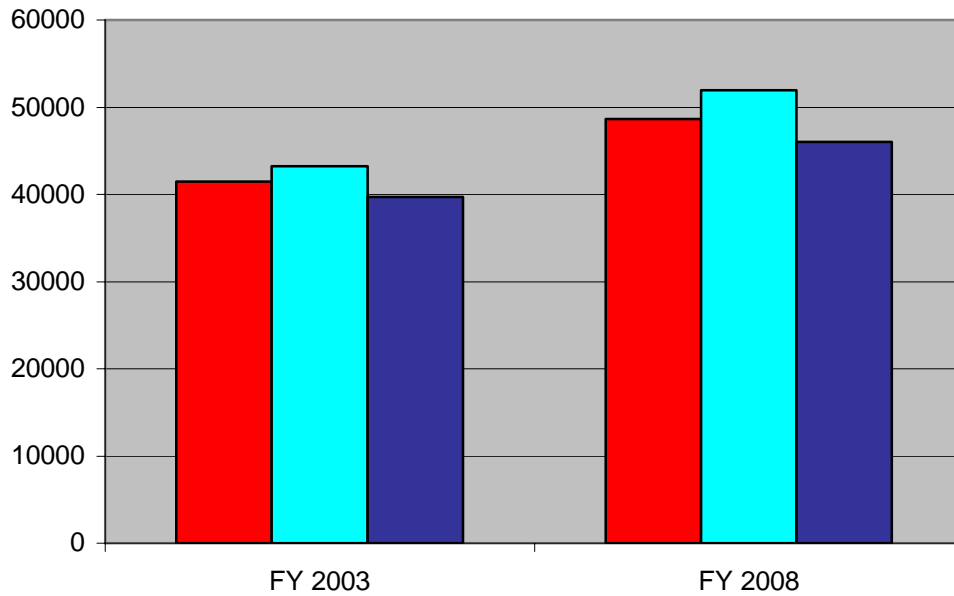
**COMPARISON OF AVERAGE SALARIES BY RACE  
FOR FY 2003 AND FY 2008**

Year	Average Salary	White	African American	Other Minorities
FY 2003	\$41,485	\$44,642	\$37,747	\$42,018
FY 2008	\$48,667	\$52,160	\$44,552	\$50,147



**COMPARISON OF AVERAGE SALARIES BY GENDER  
FOR FY 2003 AND FY 2008**

<b>Year</b>	<b>Average Salary</b>	<b>Men</b>	<b>Women</b>
<b>FY 2003</b>	\$41,485	\$43,225	\$39,712
<b>FY 2008</b>	\$48,667	\$51,924	\$45,982



## WORKFORCE BY SALARY, RACE AND GENDER — FISCAL YEAR 2008

Chart A

Salary	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
\$10,000 or Less	18	14	4	13	4	1	0	0	0	0	0	0	0	0	0	0	0	0	0
		78%	22%	72%	22%	6%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
\$10,001 - \$20,000	1	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
		100%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
\$20,001 - \$30,000	3,954	1,294	2,660	561	1,051	622	1,398	8	10	30	31	3	3	47	96	8	19	15	52
		33%	67%	14%	27%	16%	35%	0.2%	0.3%	0.8%	0.8%	0.1%	0.1%	1.2%	2.4%	0.2%	0.5%	0.4%	1.3%
\$30,001 - \$40,000	12,760	4,127	8,633	2,146	3,397	1,710	4,698	10	15	55	65	7	9	145	306	20	61	34	82
		32%	68%	17%	27%	13%	37%	0.1%	0.1%	0.4%	0.5%	0.1%	0.1%	1.1%	2.4%	0.2%	0.5%	0.3%	0.6%
\$40,001 - \$50,000	15,064	6,223	8,841	3,687	3,751	2,110	4,546	14	22	67	56	6	6	254	368	27	44	58	48
		41%	59%	24%	25%	14%	30%	0.1%	0.1%	0.4%	0.4%	0.04%	0.04%	1.7%	2.4%	0.2%	0.3%	0.4%	0.3%
\$50,001 - \$60,000	10,031	4,640	5,391	3,024	2,890	1,199	2,099	6	11	66	59	6	0	255	262	23	26	61	44
		46%	54%	30%	29%	12%	21%	0.06%	0.1%	0.7%	0.6%	0.1%	0%	2.5%	2.6%	0.2%	0.3%	0.6%	0.4%
\$60,001 and Over	10,728	5,937	4,791	4,434	3,082	925	1,252	6	5	103	66	6	3	401	325	26	27	36	31
		55%	45%	41%	29%	9%	12%	0.1%	0.05%	1.0%	0.6%	0.1%	0.03%	3.7%	3.0%	0.2%	0.3%	0.3%	0.3%
Hourly/Daily	2,965	1,746	1,219	497	162	1,134	998	6	4	12	2	5	6	65	39	16	6	11	2
		59%	41%	17%	5%	38%	34%	0.2%	0.1%	0.4%	0.1%	0.2%	0.2%	2.2%	1.3%	0.5%	0.2%	0.4%	0.1%
<b>TOTAL</b>	<b>55,521</b>	<b>23,982</b>	<b>31,539</b>	<b>14,362</b>	<b>14,337</b>	<b>7,702</b>	<b>14,991</b>	<b>50</b>	<b>67</b>	<b>333</b>	<b>279</b>	<b>33</b>	<b>27</b>	<b>1,167</b>	<b>1,396</b>	<b>120</b>	<b>183</b>	<b>215</b>	<b>259</b>
		43%	57%	26%	26%	14%	27%	0.09%	0.12%	0.60%	0.50%	0.06%	0.05%	2.10%	2.51%	0.22%	0.33%	0.39%	0.47%

NOTE: Data include SPMS and MDOT full-time and part-time employees; contractals are not included.

**WORKFORCE BY GRADE, RACE AND GENDER — FISCAL YEAR 2008**

**Chart B**

Grade	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Flat/Slope	<b>32</b>	<b>26</b>	<b>6</b>	24	6	1	0	0	0	1	0	0	0	0	0	0	0	0	0
		81%	19%	75%	19%	3%	0%	0%	0%	3%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Grade 5 (\$20,772 - \$32,014)	<b>745</b>	<b>289</b>	<b>456</b>	104	211	161	202	2	2	4	10	2	0	9	20	0	2	7	9
		39%	61%	14%	28%	22%	27%	0.27%	0.27%	0.54%	1.34%	0.27%	0.00%	1.21%	2.68%	0.00%	0.27%	0.94%	1.21%
Grade 6 (\$22,007 - \$34,035)	<b>713</b>	<b>377</b>	<b>336</b>	157	130	199	183	1	2	3	4	0	0	10	10	5	1	2	6
		53%	47%	22.0%	18%	28%	26%	0.14%	0.28%	0.42%	0.56%	0.00%	0.00%	1.40%	1.40%	0.70%	0.14%	0.28%	0.84%
Grade 7 (\$23,329- \$36,203)	<b>1,713</b>	<b>459</b>	<b>1,254</b>	181	415	253	767	0	3	5	7	0	2	18	44	0	4	2	12
		27%	73%	11%	24%	15%	45%	0.00%	0.18%	0.29%	0.41%	0.00%	0.12%	1.05%	2.57%	0.00%	0.23%	0.12%	0.70%
Grade 8 (\$24,744 - \$38,516)	<b>1,719</b>	<b>462</b>	<b>1,257</b>	213	471	220	695	3	3	7	15	0	0	12	33	1	10	6	30
		27%	73%	12%	27%	13%	40%	0.17%	0.17%	0.41%	0.87%	0.00%	0.00%	0.70%	1.92%	0.06%	0.58%	0.35%	1.75%
Grade 9 (\$26,257 - \$40,996)	<b>2,133</b>	<b>402</b>	<b>1,731</b>	241	749	139	900	1	3	7	7	0	2	9	53	0	5	5	12
		19%	81%	11%	35%	7%	42%	0.05%	0.14%	0.33%	0.33%	0.0%	0.09%	0.42%	2.48%	0.0%	0.23%	0.23%	0.56%
Grade 10 (\$27,876- \$43,647)	<b>3,010</b>	<b>921</b>	<b>2,089</b>	556	1,001	304	961	3	6	26	19	4	5	11	54	9	20	8	23
		31%	69%	18%	33%	10%	32%	0.10%	0.20%	0.86%	0.63%	0.13%	0.17%	0.37%	1.79%	0.30%	0.66%	0.27%	0.76%
Grade 11 (\$29,607 - \$46,490)	<b>3,511</b>	<b>824</b>	<b>2,687</b>	425	1,064	353	1,482	3	4	10	14	0	4	26	81	3	18	4	20
		23%	77%	12%	30%	10%	42%	0.09%	0.11%	0.28%	0.40%	0.00%	0.11%	0.74%	2.31%	0.09%	0.51%	0.11%	0.57%
Grade 12 (\$31,461 - \$49,571)	<b>4,512</b>	<b>1,823</b>	<b>2,689</b>	1,003	1,112	709	1,427	5	8	10	16	3	0	62	92	12	15	19	19
		40%	60%	22%	25%	16%	32%	0.11%	0.18%	0.22%	0.35%	0.07%	0.00%	92.00%	12.00%	15.00%	19.00%	0.42%	0.42%
Grade 13 (\$33,444- \$52,886)	<b>6,507</b>	<b>3,097</b>	<b>3,410</b>	1,687	1,058	1,216	2,157	4	8	27	12	3	2	132	142	12	14	16	17
		48%	52%	26%	16%	19%	33%	0.06%	0.12%	0.41%	0.18%	0.05%	0.03%	2.03%	2.18%	0.18%	0.22%	0.25%	0.26%
Grade 14 (\$35,568 - \$56,438)	<b>4,594</b>	<b>2,023</b>	<b>2,571</b>	1,205	1,014	653	1,367	2	3	13	15	1	1	126	134	8	19	15	18
		44%	56%	26%	22%	14%	30%	0.04%	0.07%	0.28%	0.33%	0.02%	0.02%	2.74%	2.92%	0.17%	0.41%	0.33%	0.39%
Grade 15 (\$37,837 - \$60,222)	<b>3,130</b>	<b>1,132</b>	<b>1,998</b>	737	1,018	289	838	4	5	30	21	1	1	47	91	11	10	13	14
		36%	64%	24%	33%	9%	27%	0.13%	0.16%	0.96%	0.67%	0.03%	0.03%	1.50%	2.91%	0.35%	0.32%	0.42%	0.45%

**WORKFORCE BY GRADE, RACE AND GENDER — FISCAL YEAR 2008 (Continued)**

Grade	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Grade 16 (\$40,268-\$64,282)	<b>4,923</b>	<b>1,966</b> 40%	<b>2,957</b> 60%	1,194 24%	1,635 33%	583 12%	1,090 22%	1 0.02%	7 0.14%	26 0.53%	22 0.45%	3 0.06%	0 0.00%	127 2.58%	164 3.33%	6 0.12%	15 0.30%	26 0.53%	24 0.49%
Grade 17 (\$42,867-\$68,626)	<b>3,363</b>	<b>1,420</b> 42%	<b>1,943</b> 58%	913 27%	1,071 32%	362 11%	722 21%	2 0.06%	2 0.06%	31 0.92%	31 0.92%	2 0.06%	0 0.00%	85 2.53%	88 2.62%	5 0.15%	16 0.48%	20 0.59%	13 0.39%
Grade 18 (\$45,650-\$73,259)	<b>2,098</b>	<b>1,012</b> 48%	<b>1,086</b> 52%	709 34%	696 33%	185 9%	298 14%	4 0.19%	1 0.05%	28 1.33%	23 1.10%	0 0.00%	1 0.05%	78 3.72%	61 2.91%	5 0.24%	2 0.10%	3 0.14%	4 0.19%
Grade 19 (\$48,664-\$78,130)	<b>1,526</b>	<b>791</b> 52%	<b>735</b> 48%	607 40%	499 33%	115 8%	175 11%	2 0.13%	1 0.07%	20 1.31%	15 0.98%	1 0.07%	1 0.07%	41 2.69%	35 2.29%	2 0.13%	2 0.13%	3 0.20%	7 0.46%
Grade 20 (\$51,911-\$83,350)	<b>958</b>	<b>541</b> 56%	<b>417</b> 44%	416 43%	267 28%	78 8%	112 12%	0 0.00%	0 0.00%	12 1.25%	5 0.52%	1 0.10%	1 0.10%	27 2.82%	24 2.51%	4 0.42%	5 0.52%	3 0.31%	3 0.31%
Grade 21 (\$55,388-\$88,927)	<b>803</b>	<b>423</b> 53%	<b>380</b> 47%	334 42%	251 31%	46 6%	74 9%	0 0.00%	0 0.00%	5 0.62%	0 0.00%	0 0.00%	0 0.00%	33 4.11%	49 6.10%	2 0.25%	2 0.25%	3 0.37%	4 0.50%
Grade 22 (\$59,107-\$94,909)	<b>992</b>	<b>525</b> 53%	<b>467</b> 47%	401 40%	313 32%	66 7%	95 10%	0 0.00%	0 0.00%	6 0.60%	5 0.50%	0 0.00%	0 0.00%	45 4.54%	48 4.84%	4 0.40%	1 0.10%	3 0.30%	5 0.50%
Grade 23 (\$63,087-\$101,301)	<b>351</b>	<b>192</b> 55%	<b>159</b> 45%	149 42%	117 33%	28 8%	20 6%	0 0.00%	1 0.28%	2 0.57%	2 0.57%	0 0.00%	0 0.00%	12 3.42%	15 4.27%	0 0.00%	0 0.00%	1 0.28%	4 1.14%
Grade 24 (\$67,345-\$108,134)	<b>368</b>	<b>200</b> 54%	<b>168</b> 46%	159 43%	114 31%	23 6%	30 8%	0 0.00%	0 0.00%	3 0.82%	1 0.27%	0 0.00%	0 0.00%	14 3.80%	22 5.98%	1 0.27%	1 0.27%	0 0.00%	0 0.00%
Grade 25 (\$71,902-\$115,442)	<b>99</b>	<b>64</b> 65%	<b>35</b> 35%	51 52%	30 30%	8 8%	4 4%	0 0.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%	0 0.00%	4 4.04%	1 1.01%	1 1.01%	0 0.00%	0 0.00%	0 0.00%
Grade 26 (\$76,699-\$123,277)	<b>84</b>	<b>44</b> 52%	<b>40</b> 48%	41 49%	28 33%	3 4%	10 12%	0 0.00%	0 0.00%	0 0.00%	1 1.19%	0 0.00%	0 0.00%	0 0.00%	1 1.19%	0 0.00%	0 0.00%	0 0.00%	0 0.00%
Hourly/Daily	<b>2,965</b>	<b>1,746</b> 59%	<b>1,219</b> 41%	497 17%	162 5%	1,134 38%	998 34%	6 0.20%	4 0.13%	12 0.40%	2 0.07%	5 0.17%	6 0.20%	65 2.19%	39 1.32%	16 0.54%	6 0.20%	11 0.37%	2 0.07%
MRT*	<b>4,672</b>	<b>3,223</b> 69%	<b>1,449</b> 31%	2,358 50%	905 19%	574 12%	384 8%	7 0.15%	4 0.09%	45 0.96%	32 0.68%	7 0.15%	1 0.02%	174 3.72%	95 2.03%	13 0.28%	15 0.32%	45 0.96%	13 0.28%
<b>TOTAL</b>	<b>55,521</b>	<b>23,982</b> 43%	<b>31,539</b> 57%	<b>14,362</b> 26%	<b>14,337</b> 26%	<b>7,702</b> 14%	<b>14,991</b> 27%	<b>50</b> 0.09%	<b>67</b> 0.12%	<b>333</b> 0.60%	<b>279</b> 0.50%	<b>33</b> 0.06%	<b>27</b> 0.05%	<b>1,167</b> 2.10%	<b>1,396</b> 2.51%	<b>120</b> 0.22%	<b>183</b> 0.33%	<b>215</b> 0.39%	<b>259</b> 0.47%

\*MRT (Merit Rate Table) — Includes State Police, Physicians, Emergency Police, DNR Police, Executive Pay Plan, and MDOT employees, these employees are not compensated within the regular salary grades.

NOTE: Data include SPMS and MDOT full-time and part-time employees; contractals are not included.

**EXECUTIVE PAY PLAN WORKFORCE BY SALARY, GRADE, RACE AND GENDER — FISCAL YEAR 2008**

Chart C

EPP Scale	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
ES 4 — (\$73,145- \$97,527)	5	5	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		100%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
ES 5 — (\$78,588- \$104,843)	23	14	9	12	7	1	0	0	0	0	0	0	0	1	2	0	0	0	0
		61%	39%	52%	30%	4%	0%	0%	0%	0%	0%	0%	0%	4%	9%	0%	0%	0%	0%
ES 6 — (\$84,471- \$112,745)	42	25	17	18	13	3	2	0	0	1	0	0	0	1	2	0	0	2	0
		60%	40%	43%	31%	7%	5%	0%	0%	2%	0%	0%	0%	2%	5%	0%	0%	5%	0%
ES 7 — (\$90,823- \$121,282)	35	26	9	18	7	4	1	0	0	1	0	0	0	2	1	1	0	0	0
		74%	26%	51%	20%	11%	3%	0%	0%	3%	0%	0%	0%	6%	3%	3%	0%	0%	0%
ES 8 — (\$97,683- \$130,501)	26	20	6	15	3	4	1	0	0	0	0	0	0	0	2	0	0	1	0
		77%	23%	58%	12%	15%	4%	0%	0%	0%	0%	0%	0%	0%	8%	0%	0%	4%	0%
ES 9 — (\$105,094- \$140,460)	22	17	5	12	3	2	2	0	0	1	0	1	0	1	0	0	0	0	0
		77%	23%	55%	14%	9%	9%	0%	0%	5%	0%	5%	0%	5%	0%	0%	0%	0%	0%
ES 10 — (\$113,094- \$151,210)	11	6	5	4	2	2	3	0	0	0	0	0	0	0	0	0	0	0	0
		55%	45%	36%	18%	18%	27%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
ES 11 — (\$121,740- \$162,825)	11	9	2	9	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0
		82%	18%	82%	9%	0%	9%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>TOTAL</b>	<b>175</b>	<b>122</b>	<b>53</b>	<b>93</b>	<b>36</b>	<b>16</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>7</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>0</b>
		70%	30%	53%	21%	9%	6%	0%	0%	2%	0%	1%	0%	3%	4%	1%	0%	2%	0%



**SECTION SIX**

**STATEWIDE**

**PERSONNEL**

**TRANSACTIONS**

## SECTION 6: PERSONNEL TRANSACTIONS

### INTRODUCTION

The data provided in this section depicts the personnel transactions processed by the Office of Personnel Services and Benefits in Fiscal Years 2003 and 2008. This information also reflects the type of transaction by race and gender.

### SUMMARY HIGHLIGHTS

Trends displayed in the following charts are highlighted as follows:

- ❖ The total number of applicants appointed to vacant positions in FY 2008 was 5,759. Of this number, 58% were females and 51% were minorities.
- ❖ African-Americans and Whites were appointed to a slightly higher percentage of positions in Fiscal 2008 than in Fiscal 2003.
- ❖ Females – who represent 57% of the workforce – received 56% of all promotions in Fiscal 2008 and African-Americans - who represent 41% of the workforce - received 49% of all promotions.
- ❖ Females accounted for 60% of reclassifications in Fiscal 2008, while minorities accounted for 43% of the reclassifications. The African-American share of reclassifications declined slightly from 35% in FY 2003 to 34% in FY 2008.
- ❖ The total number of demotions in FY 2008 was 353. This represented an increase of 127 actions from FY 2003. During FY 2008, African American females and White females received the greatest number of demotion actions, each at 29%.
- ❖ The total number of suspensions for FY 2008 was 734, 27 fewer than in FY 2003. Minorities accounted for 70% of suspension actions in FY 2008.
- ❖ There were 368 terminations made in FY 2008. Females constituted 44% of these actions and 31% were minority females.

**STATEWIDE PERSONNEL TRANSACTIONS — FISCAL YEAR 2008**

Type of Transaction	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Appointments</b>	<b>5,759</b>	<b>2,441</b>	<b>3,318</b>	1,321	1,470	941	1,640	5	13	69	50	6	2	52	53	15	39	32	51
		42%	58%	23%	26%	16%	28%	0.1%	0.2%	1.2%	0.9%	0.1%	0.03%	0.9%	0.9%	0.3%	0.7%	0.6%	0.9%
<b>Reinstatements</b>	<b>617</b>	<b>209</b>	<b>408</b>	102	127	88	246	0	0	5	4	0	0	11	26	1	3	2	2
		34%	66%	17%	21%	14%	40%	0%	0%	0.8%	0.6%	0%	0%	1.8%	4.2%	0.2%	0.5%	0.3%	0.3%
<b>Promotions</b>	<b>4,342</b>	<b>1,892</b>	<b>2,450</b>	1,001	862	756	1,396	2	2	29	28	1	4	76	103	14	33	13	22
		44%	56%	23%	20%	17%	32%	0.05%	0.05%	0.7%	0.6%	0.0%	0.1%	1.8%	2.4%	0.3%	0.8%	0.3%	0.5%
<b>Reclassifications</b>	<b>3,900</b>	<b>1,575</b>	<b>2,325</b>	1,012	1,196	395	921	9	9	42	23	2	3	84	135	9	15	22	23
		40%	60%	26%	31%	10%	24%	0.2%	0.2%	1.1%	0.6%	0.1%	0.1%	2.2%	3.5%	0.2%	0.4%	0.6%	0.6%
<b>Demotions</b>	<b>353</b>	<b>133</b>	<b>220</b>	91	102	33	101	2	1	2	1	0	0	4	9	0	4	1	2
		38%	62%	26%	29%	9%	29%	0.6%	0.3%	0.6%	0.3%	0%	0%	1.1%	2.5%	0%	1.1%	0.3%	0.6%
<b>Suspensions</b>	<b>734</b>	<b>334</b>	<b>400</b>	124	99	190	270	2	0	0	7	1	0	11	16	2	5	4	3
		46%	54%	17%	13%	26%	37%	0.3%	0%	0%	1.0%	0.1%	0%	1.5%	2.2%	0.3%	0.7%	0.5%	0.4%
<b>TOTAL</b>	<b>15,705</b>	<b>6,584</b>	<b>9,121</b>	<b>3,651</b>	<b>3,856</b>	<b>2,403</b>	<b>4,574</b>	<b>20</b>	<b>25</b>	<b>147</b>	<b>113</b>	<b>10</b>	<b>9</b>	<b>238</b>	<b>342</b>	<b>41</b>	<b>99</b>	<b>74</b>	<b>103</b>
		42%	58%	23%	25%	15%	29%	0.1%	0.2%	0.9%	0.7%	0.1%	0.1%	1.5%	2.2%	0.3%	0.6%	0.5%	0.7%

**STATEWIDE SEPARATIONS AND TERMINATIONS — FISCAL YEAR 2008**

Type of Separations and Terminations	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Resignations</b>	<b>3,118</b>	<b>1,122</b>	<b>1,996</b>	551	808	436	965	4	3	31	23	1	2	73	152	9	14	17	29
		36%	64%	18%	26%	14%	31%	0.1%	0.1%	1.0%	0.7%	0.03%	0.1%	2.3%	4.9%	0.3%	0.4%	0.5%	0.9%
<b>Retired</b>	<b>1,888</b>	<b>900</b>	<b>988</b>	595	564	248	385	1	2	4	3	0	0	46	23	3	7	3	4
		48%	52%	32%	30%	13%	20%	0.1%	0.1%	0.2%	0.2%	0%	0%	2.4%	1.2%	0.2%	0.4%	0.2%	0.2%
<b>Terminations</b>	<b>368</b>	<b>207</b>	<b>161</b>	86	45	102	97	2	0	1	0	1	0	12	16	2	2	1	1
		56%	44%	23%	12%	28%	26%	0.5%	0%	0.3%	0%	0.3%	0%	3.3%	4.3%	0.5%	0.5%	0.3%	0.3%
<b>TOTAL</b>	<b>5,374</b>	<b>2,229</b>	<b>3,145</b>	<b>1,232</b>	<b>1,417</b>	<b>786</b>	<b>1,447</b>	<b>7</b>	<b>5</b>	<b>36</b>	<b>26</b>	<b>2</b>	<b>2</b>	<b>131</b>	<b>191</b>	<b>14</b>	<b>23</b>	<b>21</b>	<b>34</b>
		41%	59%	23%	26%	15%	27%	0.1%	0.1%	0.7%	0.5%	0.0%	0.0%	2.4%	3.6%	0.3%	0.4%	0.4%	0.6%

NOTE: Data include SPMS and MDOT full-time and part-time employees; contractals are not included.

**STATEWIDE PERSONNEL TRANSACTION ANALYSIS -- Comparision of June 30, 2003 and June 30, 2008**

TYPE OF TRANSACTIONS	YEAR	WHITE		AFRICAN AMERICAN		OTHER MINORITIES		TOTAL		Grand Total
		Male	Female	Male	Female	Male	Female	Male	Female	
Appointments	2003	913 22%	918 23%	642 16%	1,007 25%	215 5%	377 9%	1,770 43%	2,302 57%	4,072
	2008	1,321 23%	1,470 26%	941 16%	1,640 28%	179 3%	208 4%	2,441 42%	3,318 58%	5,759
Reinstatements	2003	141 22%	110 18%	115 18%	172 27%	42 7%	47 7%	298 48%	329 52%	627
	2008	102 17%	127 21%	88 14%	246 40%	19 3%	35 6%	209 34%	408 66%	617
Promotions	2003	649 21%	640 21%	453 15%	972 31%	166 5%	206 7%	1,268 41%	1,818 59%	3,086
	2008	1,001 23%	862 20%	756 17%	1,396 32%	135 3%	192 4%	1,892 44%	2,450 56%	4,342
Reclassifications	2003	985 26%	1,319 35%	373 10%	966 25%	62 2%	106 3%	1,420 37%	2,391 63%	3,811
	2008	1,012 26%	1,196 31%	395 10%	921 24%	168 4%	208 5%	1,575 40%	2,325 60%	3,900
Demotions	2003	53 23%	59 26%	24 11%	48 21%	18 8%	24 11%	95 42%	131 58%	226
	2008	91 26%	102 29%	33 9%	101 29%	9 3%	17 5%	133 38%	220 62%	353
Suspensions	2003	122 16%	92 12%	207 27%	310 41%	12 2%	18 2%	341 45%	420 55%	761
	2008	124 17%	99 13%	190 26%	270 37%	20 3%	31 4%	334 46%	400 54%	734
Resignations	2003	564 22%	775 30%	352 13%	684 26%	81 3%	155 6%	997 38%	1,614 62%	2,611
	2008	551 18%	808 26%	436 14%	965 31%	135 4%	223 7%	1,122 36%	1,996 64%	3,118
Terminations	2003	162 28%	112 19%	146 25%	128 22%	14 2%	18 3%	322 56%	258 44%	580
	2008	86 23%	45 12%	102 28%	97 26%	19 5%	19 5%	207 56%	161 44%	368

**STATEWIDE PERSONNEL TRANSACTION ANALYSIS -- Comparison of June 30, 2003 and June 30, 2008**

TYPE OF TRANSACTIONS	YEAR	WHITE		AFRICAN AMERICAN		OTHER MINORITIES		TOTAL		Grand Total
		Male	Female	Male	Female	Male	Female	Male	Female	
Rejections on Probation	2003	110	17	23	39	86	12	219	68	287
		38%	6%	8%	14%	30%	4%	76%	24%	
	2008	25	23	38	68	2	3	65	94	159
		16%	14%	24%	43%	1%	2%	41%	59%	
<b>TOTAL</b>	<b>2003</b>	<b>3,699</b>	<b>4,042</b>	<b>2,335</b>	<b>4,326</b>	<b>696</b>	<b>963</b>	<b>6,730</b>	<b>9,331</b>	<b>16,061</b>
		<b>23%</b>	<b>25%</b>	<b>15%</b>	<b>27%</b>	<b>4%</b>	<b>6%</b>	<b>42%</b>	<b>58%</b>	
	<b>2008</b>	<b>4,313</b>	<b>4,732</b>	<b>2,979</b>	<b>5,704</b>	<b>686</b>	<b>936</b>	<b>7,978</b>	<b>11,372</b>	<b>19,350</b>
		<b>22%</b>	<b>24%</b>	<b>15%</b>	<b>29%</b>	<b>4%</b>	<b>5%</b>	<b>41%</b>	<b>59%</b>	

**No Comparative Data Available**

TYPE OF TRANSACTIONS	YEAR	WHITE		AFRICAN AMERICAN		OTHER MINORITIES		TOTAL		Grand Total
		Male	Female	Male	Female	Male	Female	Male	Female	
Transfers-In	2008	187	95	64	129	17	22	268	246	514
		36%	18%	12%	25%	3%	4%	52%	48%	
Horizontal Transfers	2008	20	33	12	32	5	5	37	70	107
		19%	31%	11%	30%	5%	5%	35%	65%	
Disciplinary Demotion	2008	7	3	8	10	3	3	18	16	34
		21%	9%	24%	29%	9%	9%	53%	47%	
Forfeiture of Annual Leave	2008	59	36	85	101	12	6	156	143	299
		20%	12%	28%	34%	4%	2%	52%	48%	
Deaths	2008	22	18	25	18	7	2	54	38	92
		24%	20%	27%	20%	8%	2%	59%	41%	
Retired	2008	595	564	248	385	57	39	900	988	1888
		32%	30%	13%	3%	3%	2%	48%	52%	
Transfer U of MD Sys	2008	3	5	1	6	0	5	4	16	20
		15%	25%	5%	30%	0%	25%	20%	80%	
Military Leave	2008	1	0	1	0	1	0	3	0	3
		33%	0%	33%	0%	33%	0%	100%	0%	
Layoffs from Allocated Position	2008	0	4	2	4	0	0	2	8	10
		0%	40%	20%	40%	0%	0%	20%	80%	
End of Employment No Vac	2008	20	33	4	21	0	9	24	63	87
		23%	38%	5%	24%	0%	10%	28%	72%	
<b>TOTAL</b>	<b>2008</b>	<b>914</b>	<b>791</b>	<b>450</b>	<b>706</b>	<b>102</b>	<b>91</b>	<b>1,466</b>	<b>1,588</b>	<b>3,054</b>
		<b>30%</b>	<b>26%</b>	<b>15%</b>	<b>23%</b>	<b>3%</b>	<b>3%</b>	<b>48%</b>	<b>52%</b>	

**SEPARATIONS AND TERMINATIONS BY AGE, RACE AND GENDER — FISCAL YEAR 2008**

AGE	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>RESIGNATIONS</b>																			
19 OR LESS	30	11	19	7	5	4	14	0	0	0	0	0	0	0	0	0	0	0	0
20 - 29	808	272	536	151	188	95	296	1	1	7	5	0	0	12	34	1	3	5	9
30 - 39	957	335	622	141	247	142	312	2	1	14	6	0	1	25	45	5	6	6	4
40 - 49	744	266	478	109	208	125	212	0	0	5	5	0	1	22	42	2	2	3	8
50 - 59	456	169	287	98	132	54	112	1	1	2	7	1	0	10	24	1	3	2	8
60 - 69	116	67	49	44	24	16	18	0	0	3	0	0	0	3	7	0	0	1	0
70 PLUS	7	2	5	1	4	0	1	0	0	0	0	0	0	1	0	0	0	0	0
<b>TOTAL</b>	<b>3,118</b>	<b>1,122</b>	<b>1,996</b>	<b>551</b>	<b>808</b>	<b>436</b>	<b>965</b>	<b>4</b>	<b>3</b>	<b>31</b>	<b>23</b>	<b>1</b>	<b>2</b>	<b>73</b>	<b>152</b>	<b>9</b>	<b>14</b>	<b>17</b>	<b>29</b>
<b>REJECTIONS ON PROBATION</b>																			
19 OR LESS	5	2	3	1	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0
20 - 29	63	22	41	9	10	12	30	0	1	0	0	0	0	0	0	0	0	1	0
30 - 39	38	12	26	2	2	9	23	0	0	1	1	0	0	0	0	0	0	0	0
40 - 49	29	16	13	5	3	11	9	0	0	0	1	0	0	0	0	0	0	0	0
50 - 59	20	12	8	8	5	4	3	0	0	0	0	0	0	0	0	0	0	0	0
60 - 69	4	1	3	0	2	1	1	0	0	0	0	0	0	0	0	0	0	0	0
70 PLUS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>159</b>	<b>65</b>	<b>94</b>	<b>25</b>	<b>23</b>	<b>38</b>	<b>68</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>
<b>TERMINATIONS</b>																			
19 OR LESS	5	2	3	2	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0
20 - 29	93	52	41	17	7	29	30	0	0	0	0	0	0	4	3	2	1	0	0
30 - 39	83	46	37	23	8	21	26	1	0	1	0	0	0	0	3	0	0	0	0
40 - 49	94	45	49	13	18	27	24	0	0	0	0	1	0	4	6	0	1	0	0
50 - 59	66	42	24	19	9	21	13	1	0	0	0	0	0	1	2	0	0	0	0
60 - 69	19	13	6	7	3	4	1	0	0	0	0	0	0	1	1	0	0	1	1
70 PLUS	8	7	1	5	0	0	0	0	0	0	0	0	0	2	1	0	0	0	0
<b>TOTAL</b>	<b>368</b>	<b>207</b>	<b>161</b>	<b>86</b>	<b>45</b>	<b>102</b>	<b>97</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>12</b>	<b>16</b>	<b>2</b>	<b>2</b>	<b>1</b>	<b>1</b>
<b>GRAND TOTAL</b>	<b>3,645</b>	<b>1,394</b>	<b>2,251</b>	<b>662</b>	<b>876</b>	<b>576</b>	<b>1,130</b>	<b>6</b>	<b>4</b>	<b>33</b>	<b>25</b>	<b>2</b>	<b>2</b>	<b>85</b>	<b>168</b>	<b>11</b>	<b>16</b>	<b>19</b>	<b>30</b>

# **SECTION SEVEN**

## **REASONABLE**

### **ACCOMMODATIONS**

## **SECTION 7: REASONABLE ACCOMMODATIONS**

In fiscal year 2008 there were 157 requests for reasonable accommodations from State employees and applicants for State employment. Of this amount, 141 or 90% of the requests were granted. There were 22 agencies that reported data on reasonable accommodation requests, with the Department of Education, Department of Human Resources, MDOT, and Department of Health and Mental Hygiene accounting for 105 or 67% of the total employee/applicant reasonable accommodation requests reported.



**STATEWIDE REQUESTS FOR REASONABLE ACCOMMODATION — FISCAL YEAR 2008**

Agency	Applicants	Employees	STATUS			
			Granted	Denied	Pending	Other
Assessment and Taxation		3	3			
Automobile Insurance Fund		8	8			
Budget and Management		1			1	
Comptroller		3	3			
Education		24	22		2	
Environmental Services		1	1			
General Services		1	1			
Health and Mental Hygiene		23	22	1		
Housing and Community Development		6	3	3		
Human Resources		35	35			
Insurance Administration		1	1			
Juvenile Services	2	7	8		1	
Military		1	1			
Morgan State University	1		1			
Natural Resources		2	1			1
Maryland State Police		1	1			
Public Defenders Office		2	1	1		
Public Safety and Correctional Services		9	9			
State Retirement & Pension System		1	1			
Subsequent Injury Fund		1	1			
Transportation	3	20	17	4		2
Worker's Compensation Commission		1	1			
<b>TOTAL</b>	<b>6</b>	<b>151</b>	<b>141</b>	<b>9</b>	<b>4</b>	<b>3</b>

NOTE: All of the agencies Statewide reported. These are the only agencies reporting reasonable accommodation requests.

**SECTION EIGHT**

**STATEWIDE**

**EEO**

**COMPLAINTS**

## SECTION 8: STATEWIDE EEO COMPLAINTS

- ❖ The total number of internal and external complaints statewide for fiscal 2008 was 431. Of these, 290 were internal complaints and 141 were external complaints.
- ❖ The primary basis for internal complaints was Race and Sex/Gender.
- ❖ The number of internal complaints has declined slightly from more than 300 in fiscal 2003 to 290 in fiscal 2008.
- ❖ The Office of the Statewide Equal Employment Opportunity Coordinator processed a total of 13 EEO appeals in fiscal 2008.
- ❖ The Office investigated 5 Whistleblower complaints. All five were found to have “no probable cause”.
- ❖ In fiscal 2008, statewide discrimination complaints increased in comparison to fiscal 2007. A total of 431 complaints were received as compared to 415 in fiscal 2007 and 402 in fiscal 2006.

Type of Internal Complaint	FY 2007	FY 2008
Disability	9	20
National Origin	5	1
Race	47	45
Sex/Gender	57	51
Age	5	10

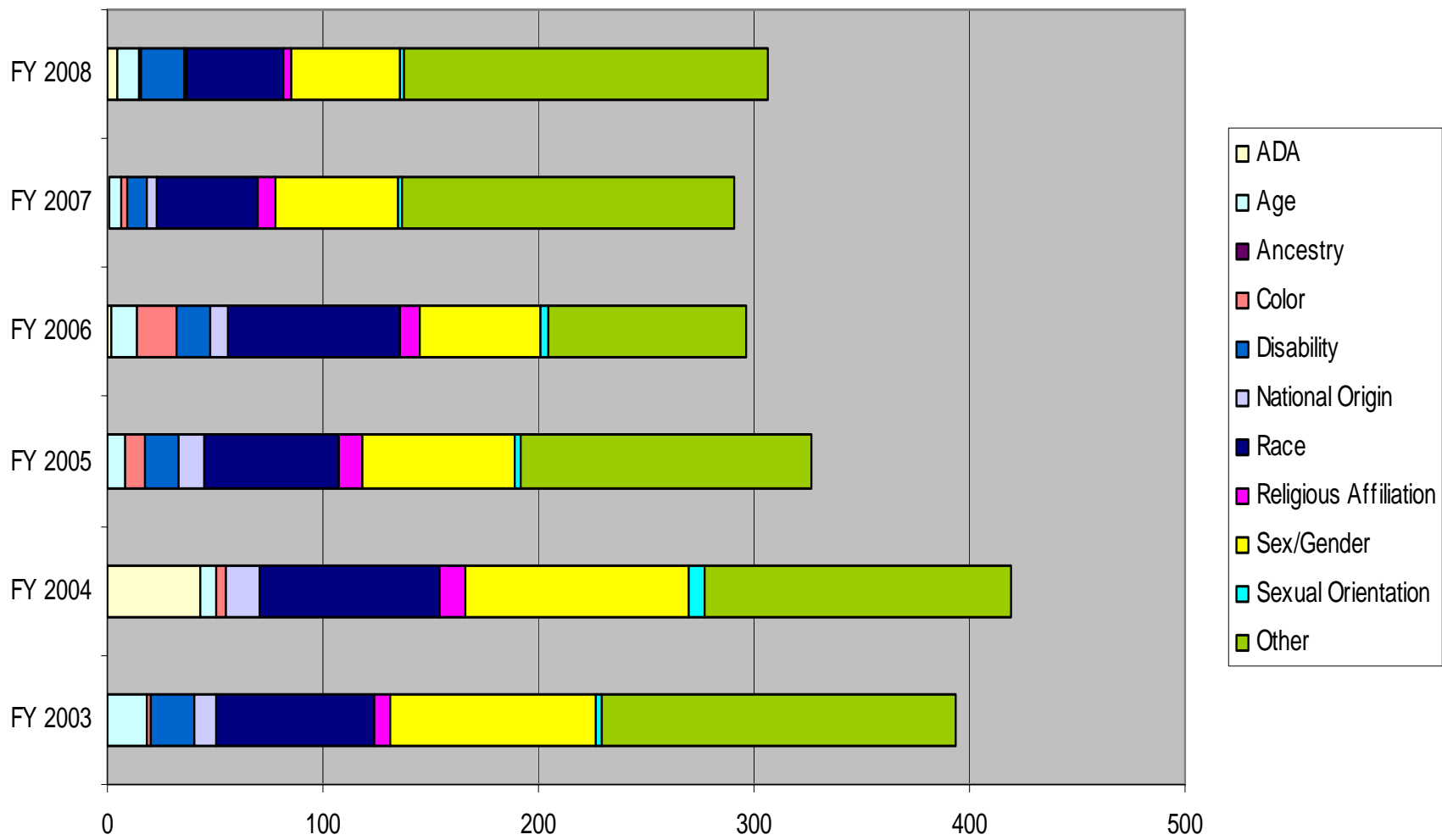
NOTE: Internal complaints are those filed at the agency level, usually with a State agency’s Fair Practices Officer or Equal Employment Opportunity Officer.

External complaints are those filed with the Maryland Commission on Human Relations or Equal Employment Opportunity Commission.

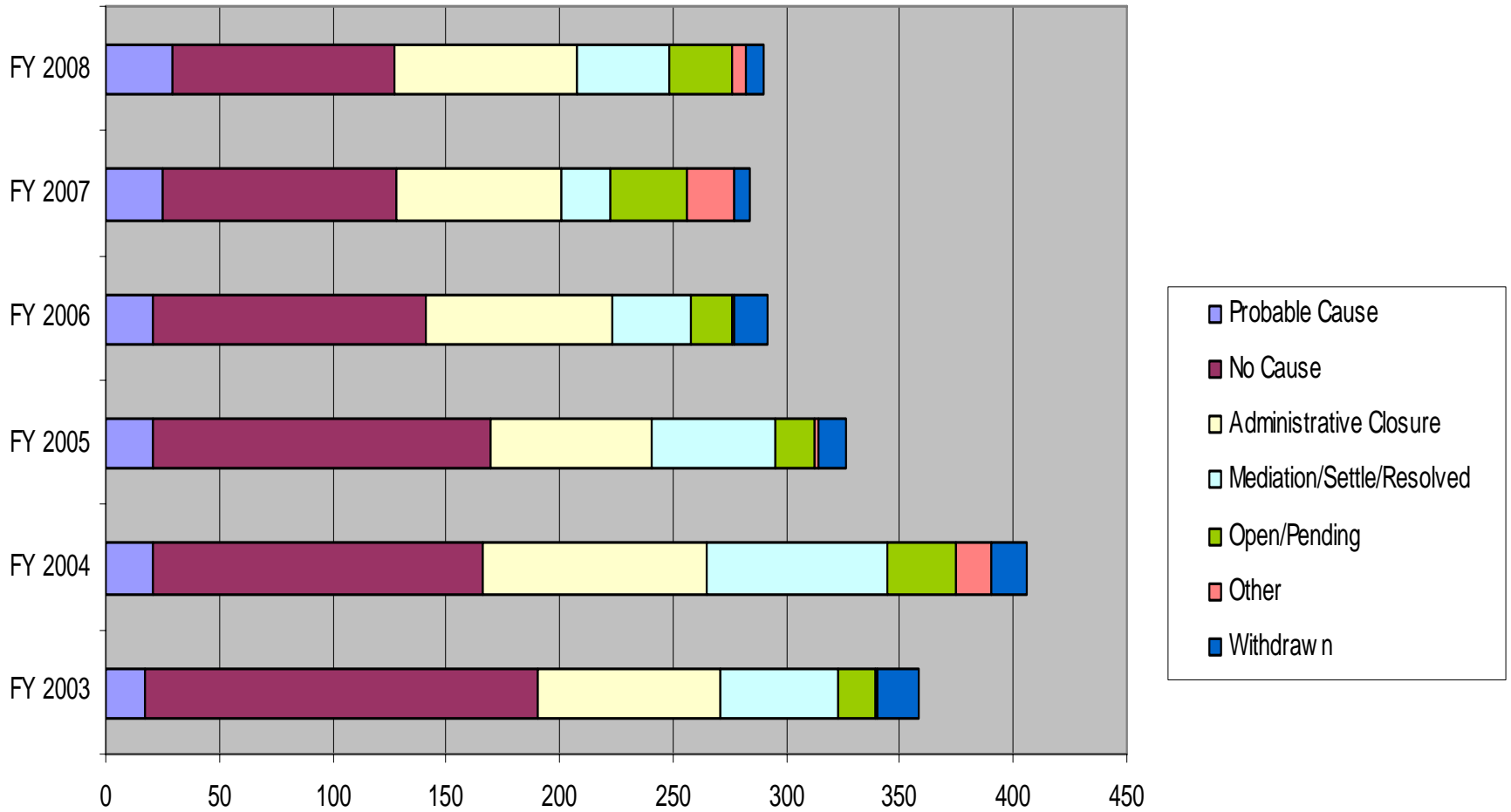
‘Other’ complaints include employment related complaints, not discriminatory in basis.



## Internal Complaints by Type



## Internal Complaints by Disposition



**SECTION NINE**

**UNIVERSITY SYSTEM**

**OF**

**MARYLAND**

## **SECTION 9: UNIVERSITY SYSTEM OF MARYLAND**

The University of System of Maryland includes the USM Office and the following institutions: Bowie State University, Coppin State University, Frostburg State University, Salisbury University, Towson University, University of Baltimore, University of Maryland Baltimore, University of Maryland Baltimore County, University of Maryland Biotechnology Institute, University of Maryland Center for Environmental Science, University of Maryland College Park, University of Maryland Eastern Shore, and University of Maryland University College.

- There were a total of 34,454 employees in the University System of Maryland.
  - Of the total employees, 20,657 (60%) were White, 6,770 (19%) were African American, 92 (.2%) were American Indian and Alaska Native, 4,062 (12%) were Asian, 1,013 (3%) were Hispanic or Latino, and 1,860 (6%) were Balance (no race checked).
  - Males comprised 16,243 (47%) of the work force.
  - Females comprised 18,211 (53%) of the work force.
  - The majority of Faculty and Instructor positions were filled by Whites (70%) and Males (56%).



**UNIVERSITY SYSTEM OF MARYLAND**

**TOTAL FULL-TIME AND PART-TIME WORKFORCE UTILIZATION - FISCAL YEAR 2008**

EEO Job Category	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Officials and Administrators</b>	<b>1,427</b>	<b>714</b>	<b>713</b>	531	510	127	167	2	0	24	14	0	0	19	16	0	0	11	6
		50%	50%	37%	36%	9%	12%	0.1%	0%	1.7%	1.0%	0%	0%	1.3%	1.1%	0%	0%	0.8%	0.4%
<b>Faculty and Instructors</b>	<b>10,047</b>	<b>5,634</b>	<b>4,413</b>	4,037	2,983	579	669	18	11	497	284	0	0	393	352	0	0	110	114
		56%	44%	40%	30%	6%	7%	0.2%	0.1%	4.9%	2.8%	0%	0%	3.9%	3.5%	0%	0%	1.1%	1.1%
<b>Faculty/Research</b>	<b>2,436</b>	<b>1,493</b>	<b>943</b>	956	661	39	72	0	1	424	172	0	0	36	24	0	0	38	13
		61%	39%	39.2%	27%	1.6%	3%	0%	0.04%	17.4%	7.1%	0%	0%	1.5%	1.0%	0%	0%	1.6%	0.5%
<b>Faculty/Public Service</b>	<b>4</b>	<b>4</b>	<b>0</b>	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
		100%	0%	50%	0%	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Teachers' Assistants/Assoc</b>	<b>5,945</b>	<b>2,929</b>	<b>3,016</b>	1,411	1,571	142	274	5	14	1,004	761	0	0	269	284	0	0	98	112
		49%	51%	24%	26%	2%	5%	0.1%	0.2%	16.9%	12.8%	0%	0%	4.5%	4.8%	0%	0%	1.6%	1.9%
<b>Professionals</b>	<b>7,100</b>	<b>2,748</b>	<b>4,352</b>	1,880	2,678	481	1,047	7	4	212	367	0	0	97	171	0	0	71	85
		39%	61%	26%	38%	7%	15%	0.1%	0.1%	3.0%	5.2%	0%	0%	1.4%	2.4%	0%	0%	1.0%	1.2%
<b>Administrative Support</b>	<b>3,346</b>	<b>560</b>	<b>2,786</b>	268	1,451	213	1,103	2	13	32	96	0	0	30	78	0	0	15	45
		17%	83%	8%	43%	6%	33%	0.1%	0.4%	1.0%	2.9%	0%	0%	0.9%	2.3%	0%	0%	0.4%	1.3%
<b>Technical-Paraprofessionals</b>	<b>1,660</b>	<b>678</b>	<b>982</b>	384	513	207	343	4	3	35	55	0	0	24	40	0	0	24	28
		41%	59%	23%	31%	12%	21%	0.2%	0.2%	2.1%	3.3%	0%	0%	1.4%	2.4%	0%	0%	1.4%	1.7%
<b>Skilled Craft Workers</b>	<b>725</b>	<b>685</b>	<b>40</b>	435	18	180	19	5	0	25	0	0	0	16	1	0	0	24	2
		94%	6%	60%	2%	25%	3%	0.7%	0%	3.4%	0%	0%	0%	2.2%	0.1%	0%	0%	3.3%	0.3%
<b>Service-Maintenance</b>	<b>1,764</b>	<b>798</b>	<b>966</b>	211	157	520	586	1	2	21	39	0	0	2	8	0	0	43	174
		45%	55%	12%	9%	29%	33%	0.1%	0.1%	1.2%	2.2%	0%	0%	0.1%	0.5%	0%	0%	2.4%	9.9%
<b>TOTAL</b>	<b>34,454</b>	<b>16,243</b>	<b>18,211</b>	<b>10,115</b>	<b>10,542</b>	<b>2,490</b>	<b>4,280</b>	<b>44</b>	<b>48</b>	<b>2,274</b>	<b>1,788</b>	<b>0</b>	<b>0</b>	<b>886</b>	<b>974</b>	<b>0</b>	<b>0</b>	<b>434</b>	<b>579</b>
		47%	53%	29%	31%	7%	12%	0.1%	0.1%	7%	5.2%	0%	0%	3%	3%	0%	0%	1%	2%

# **SECTION TEN**

## **INDEPENDENT HIGHER**

### **EDUCATION**

#### **INSTITUTIONS**

## **SECTION 10: INDEPENDENT HIGHER EDUCATION INSTITUTIONS**

### **BALTIMORE CITY COMMUNITY COLLEGE**

- There are 476 employees in the Baltimore City Community College workforce.
  - 319 or 67% are African-American employees
  - 294 or 62% are female employees

### **MORGAN STATE UNIVERSITY**

- There are 958 employees in the Morgan State University workforce.
  - 651 or 68% are African-American employees
  - 471 or 49% are female employees

### **St. MARY'S COLLEGE OF MARYLAND**

- There are 374 employees in the St. Mary's College of Maryland workforce.
  - 54 or 14% are African-American employees
  - 198 or 53% are female employees

**BALTIMORE CITY COMMUNITY COLLEGE  
TOTAL FULL-TIME AND PART-TIME WORKFORCE UTILIZATION — FISCAL YEAR 2008**

EEO Job Category	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Officials and Administrators</b>	<b>18</b>	<b>8</b>	<b>10</b>	1	3	7	7	0	0	0	0	0	0	0	0	0	0	0	0
		44%	56%	6%	17%	39%	39%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Professionals</b>	<b>185</b>	<b>74</b>	<b>111</b>	25	42	43	67	0	0	5	1	0	0	0	0	0	0	1	1
		40%	60%	14%	23%	23%	36%	0%	0%	2.70%	0.54%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Technicians</b>	<b>20</b>	<b>14</b>	<b>6</b>	4	1	10	5	0	0	0	0	0	0	0	0	0	0	0	0
		70%	30%	20%	5%	50%	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Protective Service Workers: Sworn</b>	<b>12</b>	<b>8</b>	<b>4</b>	2	1	5	3	0	0	0	0	0	0	0	0	0	0	1	0
		67%	33%	17%	8%	42%	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	8.33%
<b>Protective Service Workers: Non-Sworn</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Administrative Support</b>	<b>146</b>	<b>48</b>	<b>98</b>	22	24	23	69	0	0	1	3	0	0	0	0	0	0	2	2
		33%	67%	15%	16%	16%	47%	0%	0%	1%	2%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Skilled Craft Workers</b>	<b>84</b>	<b>19</b>	<b>65</b>	1	7	18	57	0	0	0	0	0	0	0	0	0	0	0	1
		23%	77%	1%	8%	21%	68%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Service-Maintenance</b>	<b>11</b>	<b>11</b>	<b>0</b>	5	0	5	0	0	0	1	0	0	0	0	0	0	0	0	0
		100%	0%	45.5%	0%	45.5%	0%	0%	0%	9%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>TOTAL</b>	<b>476</b>	<b>182</b>	<b>294</b>	<b>60</b>	<b>78</b>	<b>111</b>	<b>208</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>4</b>
		38%	62%	13%	16%	23%	44%	0%	0%	1.47%	0.84%	0%	0%	0%	0%	0%	0%	0%	0%

**BALTIMORE CITY COMMUNITY COLLEGE  
PERSONNEL TRANSACTIONS ANALYSIS — FISCAL YEAR 2008**

Type of Transaction	TOTAL			Race														Ethnicity			
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)			
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female		
Appointments	40	13	27	4	7	7	20	0	0	1	0	0	0	0	0	0	0	0	0	1	0
		32.5%	67.5%	10%	18%	18%	50%	0%	0%	3%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	3%
Reinstatements	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0
		100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%
Promotions	15	10	5	2	2	5	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0
		67%	33%	13%	13%	33%	20%	0%	0%	20%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Reclassifications	4	0	4	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	100%	0%	50%	0%	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Demotions	5	2	3	1	1	1	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0
		40%	60%	20%	20%	20%	20%	0%	0%	0%	0%	0%	0%	0%	0%	20%	0%	0%	0%	0%	0%
Transfers	2	0	2	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0
		0%	100%	0%	0%	0%	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	50%	0%	0%	0%
Suspensions	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	100%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>TOTAL</b>	<b>68</b>	<b>26</b>	<b>42</b>	<b>7</b>	<b>13</b>	<b>13</b>	<b>27</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>0</b>	
		38%	62%	10%	19%	19%	40%	0%	0%	6%	0%	0%	0%	0%	0%	1%	0%	1%	3%	0%	

**SUMMARY OF SEPARATIONS AND TERMINATIONS — FISCAL YEAR 2008**

Type of Separations and Terminations	TOTAL			Race														Ethnicity		
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)		
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Resignations	35	16	19	4	3	12	14	0	0	0	2	0	0	0	0	0	0	0	0	0
		46%	54%	11%	9%	34%	40%	0%	0%	0%	6%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Rejection on Probation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Terminations	10	9	1	1	0	6	1	0	0	2	0	0	0	0	0	0	0	0	0	0
		90%	10%	10%	0%	60%	10%	0%	0%	20%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>TOTAL</b>	<b>45</b>	<b>25</b>	<b>20</b>	<b>5</b>	<b>3</b>	<b>18</b>	<b>15</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
		56%	44%	11%	7%	40%	33%	0%	0%	4%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%

**MORGAN STATE UNIVERSITY**  
**TOTAL FULL-TIME AND PART-TIME WORKFORCE UTILIZATION — FISCAL YEAR 2008**

EEO Job Category	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Officials and Administrators</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Professionals</b>	<b>688</b>	<b>378</b>	<b>310</b>	52	30	229	211	3	1	7	4	0	0	81	56	6	6	0	2
		55%	45%	8%	4%	33%	31%	0.4%	0.1%	1%	0.6%	0%	0%	12%	8%	0.9%	0.9%	0%	0.3%
<b>Technicians</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Protective Service Workers: Sworn</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Protective Service Workers: Non-Sworn</b>	<b>30</b>	<b>24</b>	<b>6</b>	3	0	12	6	0	0	0	0	0	0	9	0	0	0	0	0
		80%	20%	10%	0%	40%	20%	0%	0%	0%	0%	0%	0%	30%	0%	0%	0%	0%	0%
<b>Administrative Support</b>	<b>240</b>	<b>85</b>	<b>155</b>	2	1	69	124	0	1	0	0	0	0	14	26	0	0	0	3
		35%	65%	1%	0.4%	29%	52%	0%	0.4%	0%	0%	0%	0%	6%	11%	0%	0%	0%	1%
<b>Skilled Craft Workers</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Service-Maintenance</b>	<b>0</b>	<b>0</b>	<b>0</b>	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>TOTAL</b>	<b>958</b>	<b>487</b>	<b>471</b>	<b>57</b>	<b>31</b>	<b>310</b>	<b>341</b>	<b>3</b>	<b>2</b>	<b>7</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>104</b>	<b>82</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>5</b>
		51%	49%	6%	3%	32%	36%	0.3%	0.2%	0.7%	0.4%	0%	0%	11%	9%	0.6%	0.6%	0%	0.5%

**MORGAN STATE UNIVERSITY**  
**PERSONNEL TRANSACTIONS ANALYSIS — FISCAL YEAR 2008**

Type of Transaction	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Appointments</b>	<b>87</b>	<b>42</b>	<b>45</b>	4	2	30	35	0	0	3	1	0	0	1	0	4	5	0	2
		48%	52%	5%	2%	34%	40%	0%	0%	3%	1%	0%	0%	1%	0%	5%	6%	0%	2%
<b>Reinstatements</b>	<b>9</b>	<b>3</b>	<b>6</b>	0	0	3	6	0	0	0	0	0	0	0	0	0	0	0	0
		33%	67%	0%	0%	33%	67%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Promotions</b>	<b>8</b>	<b>3</b>	<b>5</b>	0	0	3	4	0	0	0	0	0	0	0	0	0	0	0	1
		37.5%	62.5%	0%	0%	38%	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	13%
<b>Reclassifications</b>	<b>8</b>	<b>3</b>	<b>5</b>	1	0	1	3	0	0	0	0	0	0	1	2	0	0	0	0
		37.5%	62.5%	13%	0%	13%	38%	0%	0%	0%	0%	0%	0%	13%	25%	0%	0%	0%	0%
<b>Demotions</b>	<b>1</b>	<b>0</b>	<b>1</b>	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
		0%	100%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Suspensions</b>	<b>3</b>	<b>2</b>	<b>1</b>	0	0	2	1	0	0	0	0	0	0	0	0	0	0	0	0
		67%	33%	0%	0%	67%	33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Transfers</b>	<b>7</b>	<b>1</b>	<b>6</b>	0	0	1	5	0	0	0	0	0	0	0	0	0	0	0	1
		14%	86%	0%	0%	14%	71%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	14%
<b>TOTAL</b>	<b>123</b>	<b>54</b>	<b>69</b>	<b>5</b>	<b>2</b>	<b>40</b>	<b>55</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>4</b>	<b>5</b>	<b>0</b>	<b>4</b>
		44%	56%	4%	2%	33%	45%	0%	0%	2%	1%	0%	0%	2%	2%	3%	4%	0%	3%

**SUMMARY OF SEPARATIONS AND TERMINATIONS — FISCAL YEAR 2008**

Type of Separations and Terminations	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska		Asian		Native Hawaiian & Other Pacific		Balance (no race checked)		Multiracial		Hispanic or Latino (no other	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
<b>Resignations</b>	<b>72</b>	<b>32</b>	<b>40</b>	4	2	28	35	0	1	0	2	0	0	0	0	0	0	0	0
		44%	56%	6%	3%	39%	49%	0%	1%	0%	3%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Rejection on Probation</b>	<b>1</b>	<b>1</b>	<b>0</b>	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
		100%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Terminations</b>	<b>4</b>	<b>0</b>	<b>4</b>	0	1	0	3	0	0	0	0	0	0	0	0	0	0	0	0
		0%	100%	0%	25%	0%	75%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>TOTAL</b>	<b>77</b>	<b>33</b>	<b>44</b>	<b>4</b>	<b>3</b>	<b>29</b>	<b>38</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
		43%	57%	5%	4%	38%	49%	0%	1%	0%	3%	0%	0%	0%	0%	0%	0%	0%	0%

**ST. MARY'S COLLEGE OF MARYLAND**  
**TOTAL FULL-TIME AND PART-TIME WORKFORCE UTILIZATION — FISCAL YEAR 2008**

EEO Job Category	TOTAL			Race														Ethnicity		
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)		
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
<b>Officials and Administrators</b>	<b>44</b>	<b>23</b>	<b>21</b>	20	21	2	0	0	0	0	0	0	0	0	0	0	0	0	1	0
		52%	48%	45%	48%	5%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%
<b>Professionals</b>	<b>183</b>	<b>89</b>	<b>94</b>	72	84	6	6	0	0	7	2	0	0	0	0	0	0	0	4	2
		49%	51%	39%	46%	3%	3%	0%	0%	3.8%	1.1%	0%	0%	0%	0%	0%	0%	0%	2.2%	1.1%
<b>Technicians</b>	<b>56</b>	<b>22</b>	<b>34</b>	20	27	0	5	0	0	1	2	0	0	0	0	0	0	0	1	0
		39%	61%	36%	48%	0%	9%	0%	0%	2%	4%	0%	0%	0%	0%	0%	0%	0%	2%	0%
<b>Protective Service Workers: Sworn</b>	<b>1</b>	<b>1</b>	<b>0</b>	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		100%	0%	0%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Protective Service Workers: Non-Sworn</b>	<b>5</b>	<b>4</b>	<b>1</b>	4	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		80%	20%	80%	20%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Administrative Support</b>	<b>27</b>	<b>1</b>	<b>26</b>	1	20	0	5	0	0	0	1	0	0	0	0	0	0	0	0	0
		4%	96%	4%	74%	0%	19%	0%	0%	0%	4%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>Skilled Craft Workers</b>	<b>12</b>	<b>12</b>	<b>0</b>	8	0	3	0	0	0	0	0	0	0	0	0	0	0	0	1	0
		100%	0%	67%	0%	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	8%	0%
<b>Service-Maintenance</b>	<b>46</b>	<b>24</b>	<b>22</b>	12	7	11	15	0	0	0	0	0	0	0	0	0	0	0	1	0
		52%	48%	26%	15%	24%	33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	2%	0%
<b>TOTAL</b>	<b>374</b>	<b>176</b>	<b>198</b>	<b>137</b>	<b>160</b>	<b>23</b>	<b>31</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>	<b>2</b>
		47%	53%	37%	43%	6%	8%	0%	0%	2.1%	1.34%	0%	0%	0%	0%	0.0%	0%	0%	2%	0.53%



**ST. MARY'S COLLEGE OF MARYLAND  
PERSONNEL TRANSACTIONS ANALYSIS — FISCAL YEAR 2008**

Type of Transaction	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Appointments	69	36	33	26	24	7	6	0	0	1	1	0	0	0	0	1	0	1	2
		52%	48%	38%	35%	10%	9%	0%	0%	1%	1%	0%	0%	0%	0%	1%	0%	1%	3%
Reinstatements	3	2	1	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		67%	33%	67%	33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Promotions	3	0	3	0	2	0	1	0	0	0	0	0	0	0	0	0	0	0	0
		0%	100%	0%	67%	0%	33%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Reclassifications	2	1	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		50%	50%	50%	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Suspensions	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Demotions	1	0	1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		0%	100%	0%	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
TOTAL	78	39	39	29	29	7	7	0	0	1	1	0	0	0	0	1	0	1	2
		50%	50%	37%	37%	9%	9%	0%	0%	1%	1%	0%	0%	0%	0%	1%	0%	1%	3%

**SUMMARY OF SEPARATIONS AND TERMINATIONS — FISCAL YEAR 2008**

Type of Separations and Terminations	TOTAL			Race														Ethnicity	
				White		African-American		American Indian & Alaska Native		Asian		Native Hawaiian & Other Pacific Islander		Balance (no race checked)		Multiracial		Hispanic or Latino (no other race checked)	
	Employees	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Resignations	49	30	19	25	14	2	2	0	0	1	2	0	0	1	0	0	0	1	1
		61%	39%	51%	29%	4%	4%	0%	0%	2%	4%	0%	0%	2%	0%	0%	0%	2%	2%
Rejection on Probation	4	3	1	1	1	2	0	0	0	0	0	0	0	0	0	0	0	0	0
		75%	25%	25%	25%	50%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Terminations	3	2	1	1	1	0	0	0	0	0	0	0	0	1	0	0	0	0	0
		67%	33%	33%	33%	0%	0%	0%	0%	0%	0%	0%	0%	33%	0%	0%	0%	0%	0%
TOTAL	56	35	21	27	16	4	2	0	0	1	2	0	0	2	0	0	0	1	1
		62.5%	37.5%	48%	29%	7%	4%	0%	0%	2%	4%	0%	0%	4%	0%	0%	0%	2%	2%

# APPENDICES

## **EXECUTIVE ORDER**

**01.01.2007.16**

### **Code of Fair Employment Practices**

(Rescinds Executive Order 01.01.2007.09)

**WHEREAS**, The State of Maryland recognizes and honors the value and dignity of every employee and understands the importance of providing its employees with a fair opportunity to pursue their careers in an environment free of discrimination or any form of prohibited harassment;

**WHEREAS**, Title 5, Subtitle 2 of the State Personnel and Pensions Article of the Annotated Code of Maryland establishes an Equal Employment Opportunity (EEO) program to ensure that employment decisions are based only on merit and fitness;

**WHEREAS**, The State is committed to providing a work environment free from discrimination on the basis of age, ancestry, color, creed, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, religious affiliation, belief or opinion, race, sex, sexual orientation, or any other non-merit factor;

**WHEREAS**, All Executive Branch appointing authorities and managers are expected to assume personal responsibility and leadership in ensuring that fair employment practices are adhered to and that equal employment opportunity is a reality in Maryland State government; and

**WHEREAS**, There is a need to update prior Executive Orders to emphasize the State of Maryland's commitment to fair employment practices, to reaffirm the responsibilities of State agencies to uphold these important principles, and to reflect existing law.

**NOW, THEREFORE**, *I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, DO HEREBY RESCIND EXECUTIVE ORDER .01.01.2007.09 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER EFFECTIVELY IMMEDIATELY.*

Appendix A

**ARTICLE I – EQUAL EMPLOYMENT OPPORTUNITY PROGRAM IN STATE GOVERNMENT**

- A. All personnel actions concerning any employee or applicant for employment in the Executive Branch will be taken on the basis of merit and fitness, and without regard to:
1. Age;
  2. Ancestry;
  3. Color;
  4. Creed;
  5. Gender identity and expression;
  6. Genetic information;
  7. Marital status;
  8. Mental or physical disability;
  9. National origin;
  10. Race;
  11. Religious affiliation, belief or opinion;
  12. Sex; or;
  13. Sexual orientation.
- B. All personnel actions concerning any skilled, professional or management service employee and any special appointee designated by the Secretary of Budget and Management, or any applicant for employment in those services or in comparable positions in an independent personnel system in the Executive Branch, shall be without regard to political affiliation, belief or opinion.
- C. Discrimination against or harassment of employees on the basis of any reason prohibited by law is not permitted.
- D. Retaliation against any employee who opposes discrimination or participates in an EEO investigation is not permitted.
- E. Retaliation against an individual because of their refusal to submit to a genetic test or make available the results of a genetic test is not permitted.
- F. The Secretary of Budget and Management shall:
- (1) Recommend the appointment of a Statewide Equal Employment Opportunity Coordinator who shall administer the program and coordinate the activities of the agency Fair Practices Officers, EEO Officers, and Americans with Disabilities Act Officers;

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- (2) Establish an Equal Employment Opportunity Unit which will report directly to the Equal Employment Opportunity Coordinator to oversee the administration of an equal employment practices program consistent with the requirements of applicable federal and State law governing equal employment opportunity, the State Personnel and Pensions Article, and this Executive Order;
  - (3) Upon an appropriate showing by an agency, and consistent with State and federal law, permit any bona fide occupational qualification; and
  - (4) Take any action, not consistent with federal or State law, to resolve employee complaints of unfair employment practices.
- G. The head of each department or other independent unit in the Executive Branch shall, consistent with guidelines and regulations promulgated by the Secretary of Budget and Management:
- (1) Appoint a Fair Practices Officer, and any Equal Employment Opportunity Officers, as required, for the appropriate implementation of the Equal Employment Opportunity Program in the department or unit;
  - (2) Ensure that the personnel practices in the department or unit are not discriminatory;
  - (3) Review disciplinary actions initiated against employees, employee grievances and complaints of discrimination to ensure the fair and equitable treatment of employees in their department or unit;
  - (4) Develop and implement policies that promote equal employment opportunity and work force diversification reflective of the availability of women, minorities, and persons with disabilities in the relevant labor market;
  - (5) Provide leadership and training to managers, supervisors and other employees in fair employment practices;
  - (6) Ensure that designated Fair Practices and Equal Employment Opportunity Officers are known to all employees in their respective agencies and that these Officers have appropriate decision-making authority consistent with relevant federal and State law, this Executive Order, and personnel regulations;

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- (7) Consult and cooperate fully with the Secretary of Budget and Management and the Statewide EEO Coordinator or their designees in investigating and resolving expeditiously complaints of discrimination or unfair employment practices;
- (8) Provide statistical and other information requested by the Secretary of Budget and Management regarding efforts to implement the department's or unit's Equal Employment Opportunity Program;
- (9) Develop and implement programs, activities and events to acknowledge and educate about diversity and cultural differences; and
- (10) Implement any decision of the Secretary of Budget and Management not consistent with the spirit or requirements of this Executive Order and federal or State law.

H. Cabinet officials and other heads of departments or units are expected to lead by example in promoting fair employment practices and this Administration's policy of zero tolerance for employment discrimination.

#### **ARTICLE II – COMPLAINTS OF DISCRIMINATION AND UNFAIR EMPLOYMENT PRACTICES**

- A. It is the policy of this Administration that all complaints of discrimination or other unfair employment practices be thoroughly investigated and promptly resolved, as appropriate.
- B. The Statewide EEO Coordinator shall monitor the compliance and effectiveness of each agency's EEO program and make recommendations for improvement.
- C. The Secretary of Budget and Management shall develop and promulgate rules, regulations, and guidelines for the investigation and resolution of complaints of discrimination or other unfair employment practices which shall include, at a minimum:
  - (1) Provisions for resolving complaints informally whenever possible;
  - (2) Provisions for employees to file complaints with the Fair Practices or Equal Employment Opportunity Officer for the department or unit;
  - (3) Provisions for the review and resolution of any employment grievance, complaint involving discrimination or other unfair employment practices by the Secretary of Budget and Management prior to any appeal to the Office of Administrative Hearings;

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- (4) Guidelines for cooperation with the investigation of any complaint of discrimination filed with the Maryland Commission on Human Relations, the United States Equal Employment Opportunity Commission or any other agency authorized by law to conduct such investigations; and
  - (5) Training programs for managers and supervisors in identifying and resolving complaints of discrimination or other unfair employment practices.
- D. No employee shall be harassed or otherwise retaliated against for filing a complaint of discrimination or other unfair employment practice, providing information in support of any such complaint or testifying, assisting or participating in any phase of an investigation of any unfair employment practice, or on the basis of his or her refusal to submit to a genetic test or make available the results of a genetic test.
- E. Discrimination or retaliation complaints by Fair Practices Officers, Equal Employment Opportunity Officers, or EEO Office Directors shall be filed with the head of the unit or their designee and may be appealed to the Statewide EEO Coordinator's Office.

### **ARTICLE III – COOPERATION WITH THE MARYLAND COMMISSION ON HUMAN RELATIONS AND THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

- A. In accordance with the requirements of applicable federal and State law governing equal employment opportunity, the State Personnel and Pensions Article, and this Executive Order, all heads of departments and units in the Executive Branch shall cooperate fully with the Maryland Commission on Human Relations, the United States Equal Employment Opportunity Commission and any other federal or State agency investigating discrimination and duly comply with any validly adopted rules, regulations, and orders for effectuating the State's policies against discrimination and resolving complaints of discrimination.
- B. Every attempt shall be made to resolve complaints of discrimination within a department or unit; however, employees who file complaints of discrimination with agency Fair Practices Officers or Equal Employment Opportunity Officers shall be advised of their right to file a complaint with the Maryland Commission on Human Relations and the United States Equal Employment Opportunity Commission.
- C. The Secretary of Budget and Management shall establish guidelines which provide for agency participation in mediation or arbitration of employee complaints of discriminatory or unfair employment practices.

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- D. If an employee of the Maryland Commission on Human Relations files a complaint of discrimination against a State agency, the Governor shall appoint an individual to perform the functions usually performed by the Commission.

#### **ARTICLE IV– STATE ACTION**

- A. Any employee of the State who violates the laws of this State pertaining to equal employment opportunity, this Executive Order or guidelines, rules and regulations promulgated pursuant thereto, will be subject to disciplinary action, up to and including dismissal from employment with the State.
- B. In performing services to the public, employees of this State will not discriminate against the public or individuals for any reason prohibited by law, nor shall they authorize the use of State facilities in the furtherance of any unlawfully discriminatory purpose or by any organization which unlawfully discriminates in its membership or policies.

#### **ARTICLE V – ACCOMMODATIONS**

- A. Reasonable accommodation shall be provided for all qualified applicants for employment and State employees with disabilities, consistent with the requirements of federal and State law.
- B. Meetings, hearings, and employment tests shall be conducted in an accessible manner and location, as required by federal and State law.
- C. No employee shall be retaliated against for seeking a reasonable accommodation for a disability.
- D. Managers and Supervisors shall receive training concerning reasonable accommodations for disabilities.

#### **ARTICLE VI – ANNUAL REPORTS**

- A. The head of each principal department or unit in the Executive Branch shall, by October 15 of each year, or as otherwise requested, submit to the Secretary of Budget and Management an annual report of activities taken in the previous fiscal year to effectuate this Code of Fair Employment Practices. The report shall contain the information required by the Secretary of Budget and Management in a form consistent with the guidelines issued by the Secretary of Budget and Management.
- B. The Secretary of Budget and Management shall, by January 1 of each year, submit



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to the Governor an annual report on statewide equal employment opportunity practices. The Secretary of Budget and Management shall provide copies of the report to each department and unit, the General Assembly, and the Maryland Commission on Human Relations.

**ARTICLE VII – NOTICE TO EMPLOYEES**

- A. The Secretary of Budget and Management shall publish the policies of this State with regard to its fair employment practices and make copies of the publication available to all agencies.
- B. Consistent with the requirements of federal and State law, the Secretary shall authorize an appropriate notice of State fair employment practices and the manner in which the notice is to be posted.
- C. The heads of departments and units shall procure the publication and notice required by this Executive Order, furnish copies of the publication to all managers and supervisors and make it available to employees, and post the notice in the locations and manner required by the Secretary of Budget and Management.

Appendix B

**STATEWIDE EQUAL EMPLOYMENT ORGANIZATIONAL RESPONSIBILITY**

**GOVERNOR**

On the 15<sup>th</sup> day of May, 2007, Governor Martin O'Malley issued a New Code of Fair Employment Practices. Executive Order 01.01.2007.09 and later rescinded this Order and replaced it with Executive Order 01.01.2007.19 on the 22<sup>nd</sup> day of August 2007. Governor O'Malley values and honors all State of Maryland Employees and believes in equal opportunity in employment for all employees and applicants for employment without regard to race, sex, disability, religion, genetic information, gender identity and expression and national origin and all other prohibited basis. Governor O'Malley is committed to providing a professional work environment that is free from discrimination, harassment and retaliation. As part of this initiative, the Governor believes that we need to guarantee every employee the basic protections that they deserve, and that our state government sets an example for equal employment opportunities throughout Maryland. As part of this reform the Governor has enacted the development of the EEO Agency Cases Tracking System that tracks agency internal complaints that is reported to the Governor's office on a bi-monthly basis.

**THE JOINT COMMITTEE ON FAIR PRACTICES**

The Joint Committee on Fair Practices was created by the State Personnel Management System Reform Act of 1996. The committee is comprised of three members of the State Senate and three members from the House of Delegates. The Committee oversees reviews, evaluates, and makes recommendations on equal opportunity policies and practices, and certain procurement policies of State government.

**SECRETARY OF THE DEPARTMENT OF BUDGET AND MANAGEMENT**

In accordance with Section 5-204 of the State Personnel and Pensions Article, the Secretary oversees the Equal Employment Opportunity Program for Executive Branch agencies including agencies with independent personnel systems. This law specifically requires that the Secretary shall administer the EEO Program in compliance with all State and federal laws governing equal employment opportunity; adopt regulations, policies, and directives to implement the Program; ensure that equal employment opportunity efforts are considered in evaluating the work performance of supervisors, managers, and directors of the Department; evaluate the equal employment efforts in each unit; enforce the provisions of the Governor's Code of Fair Employment Practices, and develop and submit to the Governor an annual report of the State's EEO Program.

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**DEPUTY SECRETARY DEPARTMENT OF BUDGET AND MANAGEMENT**

The Deputy Secretary of the Department of Budget and Management is responsible for assisting the Secretary in implementing and overseeing the Equal Employment Opportunity program and ensuring its compliance with all State and federal laws governing equal employment opportunity and the Governor's Fair Employment Practices.

**STATEWIDE EQUAL EMPLOYMENT OPPORTUNITY COORDINATOR**

In accordance with Section 5-206 of the State Personnel and Pensions Article, the Statewide Equal Employment Opportunity Coordinator administers and enforces the State's EEO Program. The Coordinator performs under the direction and supervision of the Deputy Secretary of the Department of Budget and Management. In complying with this mandate, the Coordinator is appointed to implement EEO laws, policies and procedures, as well, serve as the State's point of contact regarding EEO related concerns. The Coordinator also reviews and investigates appeals of EEO findings and determinations by executive and independent agencies; investigates appeals of EEO findings and alleged violations of the Governor's Code of Fair Employment Practices and the State Whistleblower statute; works with agency Fair Practices, EEO and ADA Officers to ensure they establish and maintain a diverse, non-discriminatory and accessible work place that is free of harassment and retaliation; plans and provides EEO-related training and education; and prepares the annual Statewide EEO report.

**SECRETARIES AND HEADS OF STATE AGENCIES**

In accordance with Executive Order 01.01.2007.16, each Secretary and Agency Head is responsible for ensuring compliance with the State's EEO Program within his or her respective Executive Branch agency including agencies with independent personnel systems; appointing a Fair Practices Officer and any Equal Employment Opportunity Officer; ensuring that the personnel practices in the department or unit are not discriminatory; reviewing disciplinary actions initiated against employees to ensure fair and equitable treatment; developing and implementing policies that promote equal employment opportunity and work force diversification; providing leadership and training to managers, supervisors and other employees in fair employment practices.

**FAIR PRACTICES OFFICER**

In accordance with State law, the Fair Practices Officer shall implement the EEO Program within the unit; investigate and, as appropriate, resolve complaints of alleged discrimination or unfair employment practices; and coordinate the activities of the equal employment opportunity offices in the unit. The Fair Practices Officer must report to the head of the agency and be an assistant secretary or an employee of the unit with stature similar to that of an assistant secretary.

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**EQUAL EMPLOYMENT OPPORTUNITY OFFICER**

State law mandates that the Equal Employment Opportunity Officers enforce the State's EEO Program and monitor compliance with State and federal EEO laws; investigate and resolve all internal agency employee discrimination and unfair employment complaints; monitor personnel actions adopted by the unit and ensure implementation is in compliance with all State and federal EEO laws; respond to plans and direct various programs including, equal employment opportunity, contract compliance, training and community relations; respond to complaints and requests for information from external adjudications and enforcement agencies; assist in developing EEO goals; and monitor personnel actions.

**AMERICANS WITH DISABILITIES ACT (ADA) OFFICERS**

The ADA Officers are responsible for advising employees and managers on issues relating to Title 1 of the Americans with Disabilities Act. This includes, but is not limited to, issues related to making determinations regarding an employee's eligibility under the ADA, recommending and implementing reasonable accommodations, and ensuring an accessible work place. The ADA Officer is also responsible for training all staff on ADA related laws and policies; ensuring agency compliance with ADA violations to shield the employer from liability; and maintaining knowledge of resources.

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**FAIR PRACTICES, EEO AND ADA OFFICERS**

AGENCY	ACRONYM	FAIR PRACTICES	EEO	ADA
Administrative Hearings, Office of	OAH	Richard Norman	Grant Chism	Grant Chism
African American Museum	MAAMC	Junius Randolph	Junius Randolph	Junius Randolph
Aging, Maryland Department of	MDOA	Ilene Rosenthal	Judy Quamina	Judy Quamina
Agriculture, Department of	MDA	Douglas Wilson	Vacant	Vacant
Archives, Marland State	MSA	Richard Richardson	Christopher Haley	Cecilia Smith
Assessments and Taxation, Department of	DAT	Annie Cure	Sheila McKenney	Sheila McKenney
Attorney General's Office	OAG	Charlotte Hughes	Katherine Winfree John Howard Jr.	Vacant
Automobile Insurance Fund, Maryland	MAIF	John F. Banghart	Charisse Walker	Thomas Dixon III
Baltimore City Community College	BCCC	Dee Medina-Porter	Dee Medina-Porter	Michele Pollard
Bowie State University	BSU	Glen Issac	Glen Issac	Vacant
Budget and Management Department	DBM	David Romans	Michelle Romney	Michelle Romney
Business and Economic Development, Department of	DBED	Everett J. Ross	Everett J. Ross	Everett J. Ross
College Savings Plans of Maryland	CSPM	Azriel Osofsky	Azriel Osofsky	Azriel Osofsky
Comptroller of Maryland	COMP	Steven Barzal	Steven Barzal	Steven Barzal
Contract Appeal, Maryland Board of	SBCA	Loni Howe Michael Carnahan Jr.	Loni Howe Michael Carnahan Jr.	Loni Howe
Coppin University	CSU	Tammy Flowers	Tammy Flowers	Darlene Webb Maqbool Patel
Deaf, Maryland Schools for the	MSD	Eva Staubitz	Eva Staubitz Anne Currin	Anne Currin
Education, Maryland State Department	MSDE	Dr. John Smeallie	Woodrow Grant, Jr.	Woodrow Grant Jr.
Elections State Board of	SBEL	Jacqueline Bryley	Jared DeMarinis	Roger Stitt
Emergency Medical Services Systems, Maryland Institute for	MIEMSS	Patricia A. Gainer	James W. Brown Sadie Hannah	Robert Dubansky
Environment, Maryland Department of	MDE	Robert Alexander	Tyrone Hill Robert Alexander	Tyrone Hill
Environmental Services, Maryland	MES	Beth S. Wojton	Donna Oliff	Donna Oliff
Executive Department State of Maryland	EXEC	Robert Platky	Robert Platky	Vacant
Food Center Authority, Maryland	MFCA	Betty Allison	Rose Harrell	Betty Allison
Frostburg State University	FSU	Beth W. Hoffman	Beth W. Hoffman	Beth W. Hoffman
General Services Department of	DGS	Beatrice Tignor	Paul Ford	Janet Cora
Health and Mental Hygiene, Department of	DHMH	Hilda J. Davis	Lee Williamson	Felisa A. McCall-Smith
Health Care Alternative Dispute Resolution	HCAD	Robin Ryan	Robin Ryan	Robin Ryan
Higher Education Commission, Maryland	MHEC	G. Edward Ommert	Paula Fitzwater	Jeffrey Cann
Housing and Community Development Department of	DHCD	Brien C. Boone	Brien C. Boone	Brien C. Boone
Human Relations, Maryland Commission	MCHR	Benny F. Short	Isora Cook	Isora Cook
Human Resources Department of	DHR	Carl W. Bailey, Jr.	Gerald Stansbury	Gerald Stansbury
Insurance Administration, Maryland	MIA	Nikhil Divecha	Susan Yates	Susan Yates
Judiciary of Maryland	JUD	Jeraldine Kavanaugh	Jeraldine Kavanaugh	Vacant
Juvenile Services, Department of	DJS	Celest S. Womack	Celest S. Womack	Celest S. Womack
Labor, Licensing and Regulation, Department of	DLLR	Jennifer Reed	Jennifer Reed	Jennifer Reed

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Lottery Agency, Maryland State	MSLA	Gina Smith	Michael Faulker	Michael Williams
Military Department	DMIL	Col. Peter Hinz	William H. Allen	William Allen
Morgan State University	MSU	Jodi A. Cavanaugh	Jodi A. Cavanaugh	Jodi A. Cavanaugh
Natural Resources, Department of	DNR	Monica Johnson	Richard W. Allen	Richard W. Allen
Peoples Counsel, Office of the	PCPS	Seva Diakoparaskevas Terri Czarski	Seva Diakoparaskevas Terri Czarski	Seva Diakoparaskevas
Planning, Department of	MDP	Nasrin Rahman	Nasrin Rahman	Nasrin Rahman
Police, Department of Maryland State	DMSP	Capt. Christopher Finn	Capt. Christopher Finn Corporal Sonya Clark	Michelle Miller
Property Tax Assessment Appeals Board	PTAAB	Kent Finkelsen Julie Greene	Julie Greene	Kent Finkelsen
Prosecutor, Office of the State	SPO	Genie Gunthrop	Genie Gunthrop	Genie Gunthrop
Public Broadcasting Commission, Maryland	MPT	Larry D. Unger	Gladys Kaplan	Gladys Kaplan
Public Defender, Office of the	PDS	Nancy Forster	Lynn C. Bellamy	Lynn C. Bellamy
Public Safety and Correctional Services, Department of	DPSCS	Tyrone Barnard	Paula Green-Holt George Stamas Gilda Felicia Jones	Gene Noble
Public School Construction Program	PSCP	Robert C. Crocetti	Robert C. Crocetti	Robert Crocetti
Public Service Commission	PSC	Terry Romine	Matthew Papatthakis	Susan Ryncewicz
Public Works, Board of	BPW	Doldon W. Moore, Jr.	Doldon W. Moore, Jr.	Doldon W. Moore, Jr.
Retirement & Pensions Systems, Maryland State Retirement Agency	MSRA	Vacant	Patrice Wells-Sowah	Vacant
St. Mary's College of Maryland	SMCM	Sally A. Davis	Melvin A. McClintock	Nancy B. Danganan
Salisbury University	SU	Amy Hasson	Jeff Boyer	Jeff Boyer
Sheriff's Office, Baltimore City	BCS	Karen Shelton	Karen Shelton	Karen Shelton
Stadium Authority Maryland	STAD	Carol Salmon David Raith	Bernadette A. Burghardt	Gary McGuigan
Subsequent Injury Fund	SIF	Edgar G. Dodd III	Edgar G. Dodd III	Edgar G. Dodd III
Supplemental Retirement Plans, Maryland Teachers and State Employees	MSRP	Anna Marie Smith	Anna Marie Smith	Anna Marie Smith
Tax Court, Maryland	MTC	Robert L. Zouck	John T. Hearn	Robert L. Zouck
Towson University	TU	Debbie Seeberger	Daniel Leonard	Daniel Leonard
Treasurer's Office, Maryland State	TREA	Bernadette Benik	Shelly Reid	Shelly Reid
Transportation, Maryland Department of	MDOT	Jan Bryant	Linda Morris	Jan Bryant
Maryland Aviation Administration	MAA	Angela Martin	Theolinda Owens	Richard Keen
Maryland Port Administration	MPA	Yamillette Collett	Wanda Forman	Yamillette Collett
Maryland Transportation Authority	MdTA	Alice Brooks	Louis W. Jones	Louis W. Jones
Maryland Transit Administration	MTA	Carolyn Brown	Herschel D. Milliken	Joyce Callahan
Motor Vehicle Administration	MVA	Minnie I. Carter	Pierre Williams	Minnie I. Carter
State Highway Administration	SHA	Jennifer Jenkins	Karen Shipley	Sharon Ramsey
Uninsured Employer's Fund	UEF	James E. Brewer	James E. Brewer	James E. Brewer
University Systems of Maryland	USM	James Sansbury	Martha Warren	Martha Warren

## Appendix C

University of Maryland Baltimore County	UMBC	Adrienne Mercer	Adrienne Mercer	Adrienne Mercer
University of Maryland Eastern Shore	UMES	Marie H. Billie	Marie H. Billie	Marie H. Billie
University of Maryland for Environmental Science	UMCES	Dennis Mesko	Dennis Mesko	Dennis Mesko
University of Maryland University College	UMUC	Ernesto Santos-DeJesus	Vacant	Vacant
Veteran Affairs, Maryland Department	MDVA	John Kearns	John Kearns	Rose Bean
Worker's Compensation Commission	WCC	Lisa Erlandson Turpin	Lisa Erlandson Turpin	Lisa Erlandson Turpin

# **GLOSSARY**



## **GLOSSARY**

**AFFIRMATIVE ACTION:** Those actions appropriate to overcome the effects of past and present practices, policies or other barriers to equal employment opportunity.

**APPOINTMENT:** Filing a position with a qualified candidate and does not include a reassignment.

**CAREER REINVESTMENT PROGRAM:** The program created by the Office of Personnel Services and Benefits to facilitate the movement of laid-off or separated employees and employees with disabilities into other skill areas.

**CIVILIAN LABOR FORCE:** The number of persons 16 years of age and over, (except those in the armed forces), who are employed or who are unemployed and seeking employment in the geographic area from which an employer would recruit. (United States Department of Labor.)

**COORDINATOR:** The Statewide Equal Employment Opportunity Coordinator (Annotated Code of Maryland State Personnel and Pensions Article, §5-201)

**DEMOTION:** A change from one class to another class with a lower maximum rate of compensation.

**DESIGNATED POLITICAL SPECIAL APPOINTMENT:** Those job functions that satisfy the political appointment criteria as stated in the law. These include:

1. Administrative support work for an Executive Service official or agency head;
2. Special Assistant to an Executive Service official or agency head;
3. Legislative Liaison or Director of Government Affairs;
4. Public Information Officer or Director of Communications;
5. Chief of Staff or Primary Executive Administrator for an agency;
6. Attorneys in the Office of the Attorney General.

**DISABILITY:** With respect to an individual –

1. a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
2. a record of such an impairment; or
3. being regarded as having such impairment. (Americans with Disabilities Act, Title I, vol. 42, United States Code §12102, et seq. 1990)

**EXECUTIVE SERVICE:**

(a) ***Executive Branch*** – Except as otherwise provided by law, the following positions in the Executive Branch of State government are in the executive service:

- (1) the chief administrator of a principal unit or a comparable position that is not excluded from the State Personnel Management System under §6-301 of this title as a constitutional or elected office; and
- (2) a deputy secretary or assistant secretary of a principal unit or a position that the Secretary determines has similar stature.

(b) ***Other positions.*** – The executive service includes any other position that is determined by the Secretary to be in the executive service. (Annotated Code of Maryland State Personnel and Pensions Article §6-404)

**INFORMAL COMPLAINT:** A complaint received at the originating agency and/or appealed to the Office of Statewide Equal Employment Opportunity Coordinator.

**FORMAL COMPLAINT:** A complaint filed with the Maryland Commission on Human Relations, Department of Justice, Courts, and/or Equal Employment Opportunity Commission.

**MANAGEMENT SERVICE:**

(a) ***Executive Branch*** – Except as otherwise provided by law, a position in the Executive Branch of State government is in the management service if the position:

- (1) primarily involves direct responsibility for the oversight and management of personnel and financial resources;
- (2) requires the exercise of discretion and independent judgment; and
- (3) is not in the executive service.

(b) ***Other positions.*** – The management service includes any other position that is determined by the Secretary to be in the management service. (Annotated Code of Maryland State Personnel and Pensions Article §6-403)

**MULTIRACIAL:** Two or more races.

**NEW HIRES:** An employee who was hired for the first time or rehired after a break in service for permanent full-time employment.

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**PERMANENT PART-TIME EMPLOYEE:** An employee who works an average of 50% or more but less than 100% of the regular workweek. (Annotated Code of Maryland State Personnel and Pensions Article §7-701)

**PRINCIPAL UNIT:** A principal department or other principal independent unit of State government.

### **PROFESSIONAL SERVICE:**

(a) ***Executive Branch*** – Except as otherwise provided by law, a position in the Executive Branch of State government is in the professional service if the position:

(1) requires knowledge of an advanced type in a field of science or learning customarily acquired by a course of specialized intellectual instruction and study; and

(2) normally requires a professional license, advanced degree, or both

(b) ***Other positions.*** – The professional service includes any other position that is determined by the Secretary to be in the professional service. (Annotated Code of Maryland State Personnel and Pensions Article §6-402)

**PROGRAM:** Equal Employment Opportunity Program established under the Annotated Code of Maryland State Personnel and Pensions Article, Title 5.

**PROMOTION:** A change from one class to another class with a higher maximum rate of compensation.

**PROMOTIONAL CANDIDATE:** An employee in a non-temporary position in the skilled or professional services who is not a special appointment.

**PROTECTED GROUP:** A group that is specifically protected by Maryland law from discrimination.

**SECRETARY:** means, except as otherwise provided by law, the Secretary of Budget and Management or the Secretary's designee.

**SKILLED SERVICE:**

- (a) ***Executive Branch*** – Except as provided in this title or otherwise provided by law, all positions in the Executive Branch of State government that are included in the State Personnel Management System are in the skilled service.
  
- (b) ***Judicial Branch*** – Except as otherwise provided by law, the following positions in the Judicial Branch of State government are in the skilled service.
  - (1) clerical and administrative positions in the District Court of Maryland; and
  - (2) full-time constables in the District Court of Maryland.
  
- (c) ***Other positions.*** – The skilled service includes any other position that is specified by law to be in the service. (Annotated Code of Maryland State Personnel and Pensions Article §6-401)

**SPECIAL APPOINTEES:** Except as otherwise provided by law, individuals in the following positions in the skilled service, professional service, management service, or executive service are considered special appointments:

- (1) a position to which an individual is directly appointed by the Governor by an appointment that is not provided by the Maryland Constitution;
- (2) a position to which an individual is directly appointed by the Board of Public Works;
- (3) as determined by the Secretary, a position which performs a significant policy role or provides direct support to a member of the executive service;
- (4) a position that is assigned to the Government House;
- (5) a position that is assigned to the Governor’s Office; and
- (6) any other position that is specified by law to be a special appointment.  
(Annotated Code of Maryland State Personnel and Pensions Article §6-405)

**UNDER-UTILIZATION:** Having a lower number of protected group employees in the overall work force and within categories than would reasonably be expected by their availability in the relevant Civilian Labor Force.

**UTILIZATION ANALYSIS:** A statistical comparison of an agency’s work force in various job categories with the relevant Civilian Labor Force.

## RACIAL/ETHNIC CATEGORIES

**WHITE (*not of Hispanic origin*):** A person having origins in any of the original peoples of Europe, the Middle East, North Africa.

**AFRICAN-AMERICAN (*not of Hispanic origin*):** A person having origin in any of the black racial groups of Africa.

**AMERICAN INDIAN OR ALASKAN NATIVE:** All persons having origins in any of the original peoples of North or South America, including Central America, and who maintain cultural identification through tribal affiliation or community recognition.

**ASIAN:** A person having origin in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**HISPANIC OR LATINO:** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

**NATIVE HAWAIIAN OR PACIFIC ISLANDER:** All persons having origins in any of the original peoples of the Hawaii, Guam, Samoa, or other Pacific Islands.

**MULTIRACIAL:** Two or more races.

## **DESCRIPTION OF JOB CATEGORIES**

**Officials and Administrators:** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division and fire chief and inspectors, examiners (*bank, hearing, motor vehicle, warehouse*), inspectors (*construction, building, safety, rent-and-housing, fire, A.B.C. Board, license, dairy, livestock, transportation*), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.

**Professionals:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dieticians, lawyers, system analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, librarians, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.

**Protective Service Workers:** Occupations in which workers are entrusted with public safety, security and protection from destructive forces. Includes: police patrol officers, fire fighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, game and fish wardens, park rangers (*except maintenance*), and kindred workers.

**Administrative Support :** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: bookkeepers, messengers, office clerks, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.

**Service-Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene or safety of the general public or which contribute to the upkeep and care of buildings, facilities or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners and grounds keepers, refuse collectors, construction laborers, park rangers, (*maintenance*), farm workers (*except managers*), craft apprentices/trainees/helpers, and kindred workers.

**Skilled Service Workers:** Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work, which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators, kindred workers.

**Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (*medical, dental, electronic, physical sciences*), police and fire sergeants, inspectors (*production or processing inspectors, testers and weighers*), and kindred workers.

## **LEGAL MANDATES**

State agencies are governed by various federal, State and local mandates to establish and maintain a viable, responsible and effective Equal Employment Opportunity Program. These mandates include:

### **Age Discrimination in Employment Act (ADEA) of 1967, as amended in 1978**

Makes it unlawful to discriminate against employees or job applicants based on age when they are 40 years of age or older.

### **Age Discrimination Act of 1975**

Prohibits age discrimination in programs receiving federal financial assistance.

### **The American with Disabilities Act (ADA) of 1990, as amended**

Prohibits discrimination based on disabilities in the areas of employment, public services, public accommodations and services operated by private entities, and telecommunications.

### **Article 49B of the Annotated Code of Maryland, as amended in 1977**

Prohibits discrimination in all areas of the employer-employee relationship based on race, color, religion, ancestry or national origin, sex, age, marital status, or physical or mental disability which is unrelated in nature and extends to the performance of the employment, and to that end, to prohibit discrimination in employment by any person or employer.

### **Civil Rights Act of 1866**

Provides that all persons within the United States shall have the same right to make and enforce contracts free of racial discrimination.

### **Civil Rights Act of 1871**

Provides that every person who, under color of any statute, causes the deprivation of any rights secured by federal laws shall be liable to the person injured.

### **Title VI, Civil Rights Act of 1964, as amended**

Prohibits discrimination based on race, color and national origin in programs or activities receiving federal financial assistance.

### **Title VII, Civil Rights Act of 1964, as amended in 1972**

Prohibits discrimination because of race, color, religion, sex or national origin, in any term, condition, or privilege of employment. Title VII also covers sexual harassment and pregnancy-related discrimination.



**Title I, Civil Rights Act of 1968**

Provides for the imposition of criminal penalties for interference with a person's civil rights, including employment because of that person's race, color, religion or national origin.

**The Civil Rights Restoration Act of 1987**

Restores the broad scope of coverage and clarifies the application of Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title VI of the Civil Rights Act of 1964.

**The Civil Rights Act of 1991**

Provides for additional remedies (monetary) under federal law to deter intentional discrimination and unlawful harassment; clarifies and codifies "business necessity" and job relatedness; provides clarification and statutory guidelines for disparate impact; and expands scope of relevant civil right statutes.

**Code of Maryland Regulations (COMAR) Title 17.04.08 Employee Rights and Protections**

§.03 "Equal Employment Opportunity Program," §.04 "Procedures for Investigating Complaints of Discrimination," §.05 "Whistleblower Complaints," and §.07 "Appeal of Whistleblower Complaints" establishes under the auspices of the Secretary of the Department of Budget and Management an equal opportunity program.

**Title IX of the Education Amendments of 1972**

Prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance.

**The Equal Pay Act of 1963, as amended in 1974**

Prohibits sex discrimination in compensation by barring employers from paying an employee "at a rate less than the rate at which he pays wages to employees of the opposite sex in such establishment for equal work on jobs, the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working conditions."

**Executive Order 11246, as amended by Executive Orders 11375 and 12086 in 1978**

Prohibits employers doing business with the federal government from discriminating in employment by federal contractors and subcontractors based on race, color, religion, sex, or national origin and requires covered contractors to practice affirmative action.

**Executive Order 01.01.2007.16 Code of Fair Employment Practices (Rescinds Executive Orders 01.01.2007.09)**

Prohibits discrimination with respect to State employment based on age, ancestry, color, creed, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, race, religious or political affiliation, belief or opinion, sex, sexual orientation, or any other non-merit factor. This Executive Order also establishes the Equal Employment Opportunity Program for Executive Branch of State Government. (*Appendix A*)

**The Fair Labor Standards Act (FLSA)**

Establishes standards for minimum wages, equal pay, overtime, and child labor. An equal pay standard was added in 1964 as an amendment to the FLSA by the Equal Pay Act of 1963.

**The Fifth Amendment, U.S. Constitution**

Provides that no person may be deprived of life, liberty, or property without due process of law.

**Fourteenth Amendment, U.S. Constitution**

Prohibits states from depriving any person of life, liberty, or property without due process of law and from denying any person the equal protection of the law.

**State and Local Fiscal Assistance Act of 1972, as amended**

Prohibits discrimination on the grounds of race, color, national origin, sex, age, mental or physical disability, and religion in all programs and activities of state and local governments receiving funds under the Act.

**Intergovernmental Personnel Act of 1970, as amended in 1978**

Requires that all aspects of employment be conducted in accordance with merit principles and provides that no one shall be denied equality of opportunity in any phase of employment based on race, color, religion, sex, national origin, political affiliation or opinion, age, or mental or physical disability (except where age, sex, or disability is a bona fide condition of employment).

**The Job Training Partnership Act (JTPA) of 1982, as amended and implementing regulations at 29 CFR 34**

Prohibits discrimination in any JTPA funded or assisted activity based on race, color, sex, national origin, religion, age, handicap, political affiliation of belief, citizenship, or status as a JTPA participant.

**Rehabilitation Act of 1973, as amended in 1978, §503 and §504**

**§503** – requires federal contractors to provide equal employment opportunities for qualified individuals with disabilities and to take affirmative action to hire and advance in employment qualified individuals with disabilities.

**§504** – prohibits discrimination against individuals with disabilities in any program or activity receiving federal financial assistance.

**State Personnel and Pensions Article §2-302 of the Annotated Code of Maryland**

Provides that employees and applicants for employment be given a fair opportunity to pursue their careers in an environment free of discrimination or harassment prohibited by law and prohibits employment discrimination and harassment by State managers, supervisors or other employees.

**State Personnel and Pensions Article, Title 5 of the Annotated Code of Maryland**

Establishes under the auspices of the Secretary of the Department of Budget and Management an equal employment opportunity program for employees in the State Personnel Management System and applicants for employment. The program provides equal opportunity in employment on the basis of merit and fitness and without regard to political or religious opinion or affiliation, marital status, race, color, national origin, sex, physical or mental disability, age, ancestry or any other non-merit factors, except when sex, disability, or age involves a bona fide job requirement.

**Vietnam Era Veterans' Readjustment and Assistance Act of 1974, as amended**

Prohibits employment discrimination against qualified disabled veterans and veterans of the Vietnam era and requires affirmative action of certain contractors and subcontractors to hire qualified disabled veterans and veterans of the Vietnam era.