

Office of the Statewide EEO Coordinator EEO Connection Newsletter

Issue 1
January 2025 — March 2025

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Statewide EEO Coordinator's Message

It's hard to believe it's 2025! Nevertheless, a new year is an opportunity to progress toward reaching goals and accomplishments. And while challenges are inevitable, when you are prepared with a plan, your chances of success increase. If you haven't already done so, update your annual EEO plan to include goals and objectives that will ensure your program is compliant. An EEO plan template is available in the [OSEEOC toolkit](#) to further assist you.

Also as we work toward another productive year, please take the time to read the FY 2024 Annual Statewide Equal Employment Opportunity Report. The report captures pertinent details regarding the state government workforce that should be utilized to strategically plan to ensure your EEO program is compliant and job applicants and employees have an overall positive work experience. You can find the report at <https://dbm.maryland.gov/eo/Documents/Publications/AnnualEEO-ReportFY2024.pdf>.

With that said, turn to page 4 and read about the EEOC's fact sheet on how wearable technologies may implicate employment discrimination laws. On page 11, read about how a jury awarded \$2.17 million against SkyWest Airlines for sex discrimination. Watch Giorgia Lupi share what long COVID-19 taught her about life (and data) in her TED talk on page 14. Read pages 17 and 18 about upcoming meetings and training scheduled for January, February, and March. That's not all: turn the page to read more.

Nicole Webb, MBA, SHRM-CP
Statewide EEO Coordinator

Office of the Statewide EEO Coordinator

Mission

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

Ask the OSEEOC Team

Q: When my EEO unit is short-staffed, can a member of the OSEEOC team assist with completing the designated job duties?

OSEEOC Answer: The agency's Fair Practices Officer should consult with the agency's leadership to identify appropriate staffing to fulfill the EEO unit's job duties and overall responsibilities. The OSEEOC team may provide consultations and guidance as needed.

Q: When employees make verbal inquiries regarding filing an EEO Complaint, what should be the next steps for the EEO professionals?

OSEEOC Answer: The agency's Fair Practices Officer or EEO Officer should educate the employee on their EEO rights within the Maryland State government and their ability to file a complaint with the two external regulatory agencies (i.e., Maryland Commission on Civil Rights and U.S. Equal Employment Opportunity Commission). It's also a best practice to follow up with the employee in writing with the information shared verbally. For the employee's convenience, provide specific names, email addresses, telephone numbers, and appropriate website information.

Q: How often does the OSEEOC offer training for Fair Practices Officers, EEO Officers and ADA Coordinators?

OSEEOC Answer: The OSEEOC offers quarterly training for EEO professionals state-wide. Training dates are included in the latest edition of the EEO Connection newsletter on the OSEEOC webpage.

Do you have a question that you would like featured ?
If so, email your question to oseeoc.dbm@maryland.gov.

EEO Spotlight

EEOC Highlights How Wearable Technologies May Implicate Employment Discrimination Laws

A new fact sheet titled “[Wearables in the Workplace: The Use of Wearables and Other Monitoring Technology Under Federal Employment Discrimination Laws](#),” released by the U.S. Equal Employment Opportunity Commission (EEOC) addresses use of wearable technologies in the nation’s workplaces. These technologies can be used to track various physical factors, such as an employee’s location, heart rate, electrical brain activity, or fatigue.

The new fact sheet reminds employers that employment discrimination laws apply to the collection and use of information from wearables. It also addresses the need for employers to provide reasonable accommodations related to wearables. Employer-mandated wearables, such as watches, rings, glasses, or helmets which collect information about a worker’s health and biometric data may be conducting a “[medical examination](#)” as defined by the [Americans with Disabilities Act \(ADA\)](#). If the wearables require employees to provide health information (including in the setting up of the device), the employer may be making “[disability-related inquiries](#).” The ADA limits the use of medical examinations or disability-related inquiries by employers and also requires employers to safeguard medical records.

Read more at: <https://www.eeoc.gov/newsroom/eeoc-highlights-how-wearable-technologies-may-implicate-employment-discrimination-laws>

EEO Spotlight

EEOC Releases PWFA Information for Health Care Providers

The U.S. Equal Employment Opportunity Commission (EEOC) released [new information for health care providers](#) to help their patients obtain pregnancy and childbirth-related accommodations in the workplace under the [Pregnant Workers Fairness Act](#) (PWFA).

The PWFA is a new federal law enforced by the EEOC requiring employers to make reasonable accommodations to a qualified employee or applicant's known physical or mental conditions affected by, related to, or arising out of pregnancy, childbirth, or related medical conditions. A reasonable accommodation is a change in the workplace enabling an applicant or employee to apply for a job, perform their job, or enjoy access to the same benefits and privileges as other employees, such as breaks to drink water or eat, or time off for medical appointments.

Providers may play a key role in helping patients obtain accommodations at work by informing their patients about the PWFA, suggesting appropriate potential accommodations, and providing supporting documentation, if necessary.

“The PWFA ensures that pregnant workers can keep doing their jobs safely and effectively, free from discrimination and retaliation. The PWFA is more effective when health care providers understand how best to support their patients through the reasonable accommodation process,” said EEOC Chair Charlotte A. Burrows. “The EEOC’s new resource explains how health care providers can assist their patients and addresses commonly asked questions.”

Read more at: <https://www.eeoc.gov/newsroom/eeoc-releases-pwfa-information-health-care-providers>

EEO Spotlight

EEOC Research Finds Gender Pay Gap was Larger Among Federal Employees Age 40 and Over

The U.S. Equal Employment Opportunity Commission (EEOC) released a [report](#) titled, “The Impact of Age on the Gender Pay Gap in the Federal Sector.” The EEOC examined data on over two million federal employees to assess whether the gender pay gap differs for people under age 40 compared to people age 40 and over (who are protected from age discrimination by federal law). The analysis also examined how the factors associated with the gender pay gap differed between these two age groups.

“Gender pay gaps are larger for older employees. Over a lifetime, this adds up,” said Karen Brummond, a social science research analyst at the EEOC’s Office of Federal Operations and author of the report. “A small gender pay gap early in one’s career can multiply into a larger gap over time.”

The main findings from this report include:

- Regardless of how it was measured, the gender pay gap was larger among employees age 40 and over.
- In the younger age group, federal work experience was the most influential attribute, increasing the gender pay gap by \$2,105 annually or 2.9 cents on the dollar on average. Pay generally increases with experience, and the average man under age 40 had about 1.1 more years of federal work experience than their female counterparts. Occupation was the second most influential attribute at \$1,153 annually or 1.6 cents on the dollar.

Read more at: <https://www.eeoc.gov/newsroom/eeoc-research-finds-gender-pay-gap-was-larger-among-federal-employees-age-40-and-over>

EEO Spotlight

Understanding Ergonomic Assessments

An ergonomic assessment is a tool used in the workplace to determine risk factors that could potentially lead to musculoskeletal disorders or injury. When conducting an ergonomic assessment proactively, it provides an opportunity for HR to take steps to help reduce injury and increase comfort for an employee in their workplace. This also tends to contribute to increased productivity amongst the workforce.

Through IWIF/SERMA the State Employee Risk Management Administration, state of Maryland agencies have access to no-cost ergonomic resources to support employee comfort, productivity, and MSD injury risk reduction. These resources include an Office Workspace Ergonomics webinar based training and a Tips for setting up your office workspace poster. For individuals seeking ADA accommodations, or other non-work related medical based requests, individual ergonomic assessments can be conducted by IWIF/SERMA's Certified Ergonomic Assessment Specialist. Individual ergonomic assessments are virtual or in-person assessments of an individual's workstation to determine improvements in postures and processes in completing job tasks, best set up in workstation and equipment, and/or need for specific equipment.

To participate in IWIF's upcoming Office Workspace Ergonomics webinar through Microsoft Teams on January 23, 2025, here is the link to register: <https://events.teams.microsoft.com/event/f57446dc-6ffc-4509-b6e9-7c8f1e5c6cb3@0b4ebf25-eafb-4a1b-8375-f2665c65aa29>

To learn more about upcoming events, please contact **Brittany Keller-Hokuf**, Senior Risk Management Consultant, IWIF/SERMA at bkeller@ceiwc.com.

Noteworthy Ruling

EEOC Sues Rex Healthcare, Inc. for Religious Discrimination

Rex Healthcare, Inc., a private, non-profit healthcare provider located in Raleigh, North Carolina, violated federal law when it failed to accommodate an employee's religious beliefs and fired her for failing to receive a COVID-19 vaccination, according to a lawsuit filed by the U.S. Equal Employment Opportunity Commission.

According to the EEOC's lawsuit, in 2021 Rex Healthcare implemented a policy mandating that all employees receive a COVID-19 vaccination unless they were granted an exemption because of their religious beliefs or a disability. The charging party in the EEOC's suit, who worked remotely, requested a religious exemption in accordance with the policy. Even though the employee had previously been granted an exemption from being required to take the flu vaccination based on her religious beliefs, the request for an exemption from the COVID-19 vaccination was denied.

The employee submitted multiple follow up requests with additional explanations of her religious beliefs in support of her request. Despite the employee articulating a sincerely held religious belief, Rex Healthcare denied the employee's accommodation requests and subsequently fired her for failing to comply with the company's COVID-19 vaccine mandate. Such alleged conduct violates Title VII of the Civil Rights Act of 1964, as amended, which prohibits discrimination because of an individual's religion and requires employers to reasonably accommodate an employee's religious observance or practice unless doing so would cause an undue hardship. The EEOC filed suit (EEOC v. Rex Healthcare, Inc., Case No. 5:24-cv-00739-BO) in U.S. District Court for the District for the Eastern District of North Carolina after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

Read more at: <https://www.eeoc.gov/newsroom/eeoc-sues-rex-healthcare-inc-religious-discrimination>

Noteworthy Ruling

EEOC Sues Pizza Hut for Sex-Based Harassment and Retaliation

Ayvaz Pizza, LLC, doing business as Pizza Hut, which operates more than 350 Pizza Hut restaurants in ten states and multiple locations in the Houston area, violated federal law when it subjected a female employee to sex-based harassment and retaliation, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed.

According to the EEOC, the employee was harassed by her immediate supervisor after she attempted to break off their personal relationship. Upon the termination of their relationship, the supervisor refused to provide the employee with sufficient product, labor and services to her store. The employee notified human resources about her supervisor's inappropriate behavior, and she was assigned to work under another supervisor. Approximately two weeks later, she was presented with multiple writeups and terminated, the EEOC said, in retaliation for opposing what she believed to be unlawful discrimination.

Read more at: <https://www.eeoc.gov/newsroom/eeoc-sues-pizza-hut-sex-based-harassment-and-retaliation>

Noteworthy Ruling

Phone Retailer to Pay \$107,916 in EEOC Sexual Harassment Lawsuit

Former cellular phone retailer Wireless World LLC, doing business as Experts Choice, will pay \$107,916 to settle a sexual harassment lawsuit against its predecessor Elite Wireless Group, Inc., the U.S. Equal Employment Opportunity Commission (EEOC) announced.

According to the EEOC's complaint, a teenage female store employee of Elite Wireless faced sexual harassment, including repeated unwelcome advances and requests for sex, from a sales manager in 2017. The sales manager later sexually assaulted the employee at a holiday party and Elite Wireless failed to act on reports of the harassment and permitted the sales manager to continue working with the employee, even after she filed a criminal complaint against him. In 2019, Wireless World purchased Elite Wireless and became liable for that company's failures, the EEOC charged.

Such conduct violated Title VII of the Civil Rights Act of 1964, which prohibits sex harassment and requires employers to take prompt action to investigate and stop misconduct after they are notified. After first attempting to reach a pre-litigation settlement through conciliation, the EEOC filed its lawsuit (EEOC v. Elite Wireless Group, Inc. et al, Case No. 2:19-cv-02187-DC-CKD) in U.S. District Court for the Eastern District of California.

Read more at: <https://www.eeoc.gov/newsroom/phone-retailer-pay-107916-eeoc-sexual-harassment-lawsuit>

Noteworthy Ruling

Jury Awards \$2.17 Million Against SkyWest Airlines for Sex Discrimination

A federal jury has awarded \$2 million in punitive damages against SkyWest Airlines, a Utah-based airline, and \$170,000 for emotional harm to Sarah Budd, a female parts clerk, to settle a sex discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced. The verdict is the largest jury trial award ever obtained by the EEOC in the Northern District of Texas.

According to the EEOC, multiple coworkers and at least one manager made extremely crude sexual comments to Budd, including the suggestion that she should make money via prostitution. Male co-workers also made suggestions or requests that Budd perform demeaning sex acts, and made frequent jokes and remarks about rape and rape victims, including the statement that women who report rape do so for attention. The jury agreed that Budd, herself a survivor of sexual assault, experienced physical illness and intense mental anguish as a result of her work environment.

Budd reported the sexual harassment to her supervisor, who did nothing in response to her complaint. When Budd reported the sexual harassment to the employee relations department, the employee relations manager did not interview many employees identified as witnesses to and participants in the harassment or ask obvious follow-up questions. As a result, the investigation did not uncover the full extent of the harassment.

Read more at: <https://www.eeoc.gov/newsroom/jury-awards-217-million-against-skywest-airlines-sex-discrimination>

EEOC Sues Equinox Holdings, Inc. for Disability and Sex Discrimination

Equinox Holdings, Inc. (Equinox), which owns and operates fitness facilities and gyms nationwide, illegally discriminated against a woman who suffers from endometriosis on the basis of disability and sex when it failed to hire her as a front desk associate at its sports club in Washington because of her “monthly cycle” and potential need for a reasonable accommodation, the U.S. Equal Employment Opportunity Commission charged in a lawsuit. The agency also alleged Equinox did not accommodate her disability during the job application process.

According to the EEOC’s suit, the aggrieved applicant, who previously worked in similar positions for other gyms, asked for her second-round interview to be delayed by a few days because she experiences painful menstrual cramps and was anticipating being in that situation imminently. Equinox never scheduled her second-round interview. Instead, it rejected the applicant, the EEOC charges. The Equinox manager with whom she had her initial interview told her in a text message that she was passed over for the position because there was a concern that she would be absent in the future “due to [her] monthly cycle.” The EEOC also alleged Equinox subsequently hired a male applicant with no prior experience working in gyms for the front desk associate position.

Read more at: <https://www.eeoc.gov/newsroom/eeoc-sues-equinox-holdings-inc-disability-and-sex-discrimination>

EEOC Sues Elon Property Management for Disability Discrimination in Florida

Elon Property Management LLC (Elon), a property management company based in Lakewood, New Jersey, violated federal law by retaliating against an employee for utilizing disability leave and maintaining a policy that screened out and discriminated against a class of employees with disabilities, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit.

According to the lawsuit, Elon retaliated against a district manager for taking a medical leave of absence by placing her on a performance improvement plan the day she returned from leave and punishing her for the decline in occupancy rates of her properties that occurred while she was on leave. Additionally, the EEOC alleges that Elon screens out and discriminates against workers with disabilities by prohibiting employees from returning from a medical leave of absence without a full-duty release note from their physician and a physician-signed copy of their job description. Together, these practices prohibit employees from returning to work if they need an accommodation, the EEOC says.

Read more at: <https://www.eeoc.gov/newsroom/eeoc-sues-elon-property-management-disability-discrimination-florida>

Diversity Corner

What long COVID taught me about life (and data)



Photo credit: Ted.com

In this TED talk, Giorgia Lupi, an Information Designer, shares how she used data that shaped her life following a long COVID diagnosis. Giorgia tracked her symptoms regularly over four years, the data culminating in a visual "New York Times" narrative that resonated with many people suffering from chronic illness. In this video, you will also get a glimpse of how many individuals have been impacted by long COVID and the impact it has had on their lives. Giorgia is coauthor of *Dear Data: Observe, Collect, Draw* and the author of *This Is Me and Only Me*. She was named one of *Fast Company's* "100 Most Creative People in Business" in 2018 when she joined MIT Media Lab as a Director's Fellow.

Click to view the video click: https://www.ted.com/talks/giorgia_lupi_what_long_covid_taught_me_about_life_and_data?subtitle=en

Diversity Corner

3 ways to create a work culture that brings out the best in Employees



Photo credit: Ted.com

In this TedTalk, Chris White, who leads the University of Michigan’s Center for Positive Organizations, discusses how organizations can bring out the best in people. CBS, Fast Company, Forbes, Inc., and more have featured Chris’ work. Chris is also co-author of “Changing Your Company from the Inside Out,” which was published by the Harvard Business Review Press.

Click to view the video click: <https://www.youtube.com/watch?v=2y8SA6cLUys>

2025 Diversity Calendar

January 2025

- ◆ National Slavery and Human Trafficking Prevention Month
- ◆ Poverty in America Awareness Month

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| January 1 | New Year's Day (State Offices Closed) |
| January 4 | World Braille Day |
| January 20 | Martin Luther King, Jr. Day (State Offices Closed) |
| January 27 | International Holocaust Remembrance Day |

February 2025

- ◆ Black History Month

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| February 1 | National Freedom Day |
| February 15 | Susan B. Anthony Day |
| February 17 | President's Day (State Offices Closed) |
| February 19 | Day of Remembrance of Japanese American Incarceration During World War II |

March 2025

- ◆ Women's History Month
- ◆ Developmental Disabilities Awareness Month
- ◆ Greek-American Heritage Month
- ◆ Irish-American Heritage Month

| | |
|-----------------------|-----------------------------------|
| March 8 | International Women's Day |
| February 28—,March 29 | Ramadan |
| March 9-15 | Multiple Sclerosis Awareness Week |
| March 17 | St Patrick's Day |
| March 31 | Transgender Day of Visibility |

Meetings and Trainings

January 2025

Sexual Harassment Prevention Training Train-the-Trainer - Virtual Session

Presented by: Maryland Commission on Civil Rights (MCCR)

Date: January 29th and 30th

Time: 9:00 am - 3:00 pm each day

Register here: [https://docs.google.com/forms/d/](https://docs.google.com/forms/d/e/1FAIpQLScsxiPpNJBAT3bZbWrpRdF9d8rqontI7piqr6u1OEC40zZ3Zg/viewform)

[e/1FAIpQLScsxiPpNJBAT3bZbWrpRdF9d8rqontI7piqr6u1OEC40zZ3Zg/viewform](https://docs.google.com/forms/d/e/1FAIpQLScsxiPpNJBAT3bZbWrpRdF9d8rqontI7piqr6u1OEC40zZ3Zg/viewform)

Statewide EEO Group Meeting—Virtual Session

Note: Fair Practices Officers, EEO Officers and ADA Coordinators should attend!

Date: January 31, 2025

Time: 10:00 a.m. - 12:00 p.m.

Register here: [https://docs.google.com/forms/d/](https://docs.google.com/forms/d/e/1FAIpQLSfWc83gGGFQtgc1jkU7Bj_TkbUQjsTLOI_WfL8Uo1kEfTLIcQ/viewform?usp=pp_url)

[e/1FAIpQLSfWc83gGGFQtgc1jkU7Bj_TkbUQjsTLOI_WfL8Uo1kEfTLIcQ/viewform?usp=pp_url](https://docs.google.com/forms/d/e/1FAIpQLSfWc83gGGFQtgc1jkU7Bj_TkbUQjsTLOI_WfL8Uo1kEfTLIcQ/viewform?usp=pp_url)

February 2025

Statewide EEO Program Overview: Virtual Session

Date: February 5, 2025

Time: 10:00 a.m.—11: 30 a.m.

Register here: [https://docs.google.com/forms/d/](https://docs.google.com/forms/d/e/1FAIpQLSfjAl2K9GOQejDOh6DCLsi5UbyLQcwF-txqgkqZBB10-bo-bg/viewform)

[e/1FAIpQLSfjAl2K9GOQejDOh6DCLsi5UbyLQcwF-txqgkqZBB10-bo-bg/viewform](https://docs.google.com/forms/d/e/1FAIpQLSfjAl2K9GOQejDOh6DCLsi5UbyLQcwF-txqgkqZBB10-bo-bg/viewform)

MD Whistleblower Law Information Session: Virtual Session

Date: February 12, 2025

Time: 10:00 a.m.—11: 30 a.m.

Register here: [https://docs.google.com/forms/d/](https://docs.google.com/forms/d/e/1FAIpQLSd57_PvegZ248jNy4KvsJEoDQbKerCAKN6qzow4UpCw4InUOA/viewform)

[e/1FAIpQLSd57_PvegZ248jNy4KvsJEoDQbKerCAKN6qzow4UpCw4InUOA/viewform](https://docs.google.com/forms/d/e/1FAIpQLSd57_PvegZ248jNy4KvsJEoDQbKerCAKN6qzow4UpCw4InUOA/viewform)

ADA Coordinators Meeting – Virtual Session

Date: February 19, 2025

Time: 10:00 a.m.—11: 30 a.m.

Register here: <https://docs.google.com/forms/d/e/1FAIpQLSc8RjBBcn3IL->

Meetings and Trainings

February 2025

The Fundamentals of the Americans with Disabilities (ADA), Americans with Disabilities Act Amendment Act, State Disability Laws and Policies, and the Reasonable Accommodations Process – Virtual Session

Date: February 26, 2025

Time: 10:00 a.m.—12:00 p.m.

Register here: <https://docs.google.com/forms/d/e/1FAIpQLSftX6qw-m9kwmVKWl2wUqyNtbruG6nfd1uP6DB-bEN9tS4aoA/viewform>

Sexual Harassment Prevention Training Train-the-Trainer - Virtual Session

Presented by: Maryland Commission on Civil Rights (MCCR)

Date: February 26th and 27th

Time: 9:00 am - 3:00 pm each day

Register here: https://docs.google.com/forms/d/e/1FAIpQLSdyxDu4wJ-CfRJcja_HjTK_7MKZH9HUBkCa_m_kaziCM2COJA/viewform

March 2025

Reasonable Accommodation Requests and the Interactive Process—A Hands on Approach: In Person Session

Date: March 13, 2025

Time: 10:00 a.m.—12:30 p.m.

Location: TBA

Register here: https://docs.google.com/forms/d/e/1FAIpQLSd1OIZnlTHTwt3uU3g0iINPOQ6e__qCO6GCCFfv80h9OkjRLA/viewform

Sexual Harassment Prevention Training Train-the-Trainer - Virtual Session

Presented by: Maryland Commission on Civil Rights (MCCR)

Date: March 19th and 20th

Time: 9:00 am - 3:00 pm each day

Register here: https://docs.google.com/forms/d/e/1FAIpQLSf7JpD_QhWTmfuDGOevVhAa9CazxKsputcs7Zrr9RbQJvffdw/viewform

Resources for EEO Professionals

Division of Rehabilitation Services (DORS)

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

Department of Labor

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

Employee Assistance Program (EAP)

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

Equal Employment Opportunity Commission (EEOC)

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

Job Accommodation Network (JAN)

<https://askjan.org/>

Maryland Commission on Civil Rights (MCCR)

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

Society for Human Resource Management (SHRM)

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

Maryland Department of Disabilities

<http://mdod.maryland.gov/Pages/Home.aspx>

Out & Equal Workplace Advocates

<http://outandequal.org/>

Chimes

<https://chimes.org>

Maryland LGBT Chamber of Commerce

<https://mdlgbt.org>

OSEEOC Team

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