

# Office of the Statewide EEO Coordinator **EEO Connection Newsletter**

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## **Statewide EEO Coordinator's Message**

Welcome to the latest edition of the EEO Connection newsletter. I hope you're having a great start to the fourth quarter! If you're like me, you're excited to enjoy the fall weather.

The OSEEOC team is currently working to develop the FY 2024 Annual Statewide EEO Report, and this is only possible with your cooperation and support. Thank you to all who submitted their agency's EEO program data. This has allowed us to remain on schedule with development. The OSEEOC team is also planning for the 2025 calendar year, which is only three months away. We are assessing our mission, vision, goals, and feedback from many of you, as well as other stakeholders. Your feedback is important to us, and I encourage you to continue to share it so that we can consider it for future planning. We are committed to developing a statewide EEO program that is compliant, inclusive, and overall effective.

That said, turn to page 4 and read about Governor Moore's announcement of a project to document the civil rights movement in Baltimore City. On page 5, read about the legislative changes taking effect October 1, 2024. On pages 8-11, read about noteworthy rulings from the U.S. Equal Employment Opportunity Commission. On pages 17-18, read about the upcoming training opportunities. 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.

## 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 in the next *Ask the OSEEOC Team*?  
If so, email your question to [oseeoc.dbm@maryland.gov](mailto:oseeoc.dbm@maryland.gov) by December 1, 2024.

## EEO Spotlight

# Governor Moore Announces Project to Document the Civil Rights Movement in Baltimore City

Governor Wes Moore announced on Monday, September 9, 2024 that the Maryland Historical Trust, a division of the Maryland Department of Planning, received a \$50,000 federal grant to support a project to document places related to the Civil Rights Movement in Baltimore City. The funding was made possible through the African American Civil Rights grant program under the Historic Preservation Fund, which is administered by the Department of Interior National Park Service.

"Baltimoreans have advocated, organized, and marched for civil rights since the city's founding – in rowhouses, churches, parks, universities, factories, corner stores, and more," **said Gov. Moore.** "Our history is our power, and the Moore-Miller Administration is committed to telling the stories of Baltimore City's long tradition of civil rights leadership."

The African American Civil Rights grant program funds preservation projects and sites tied to the struggle of African Americans to gain equal rights. As a contribution to Maryland's Year of Civil Rights, the project will document approximately twelve places important to the Civil Rights Movement in Baltimore City for inclusion in the Maryland Inventory of Historic Properties.

**Read more at:** <https://governor.maryland.gov/news/press/pages/governor-moore-announces-project-to-document-the-civil-rights-movement-in-baltimore-city.aspx>

# EEO Spotlight

## Reminder: New Legislation (Effective - October 1, 2024)

This is a **reminder** that legislation that will impact the statewide EEO program in the executive branch of state government will take effect on **October 1, 2024**. For your reference, below is a list of the legislation with pertinent information highlighted.

### **Senate Bill 0133 / CH0555**

- Amends State Personnel & Pensions
- Title 5, Subtitle 2
- §§ 5-211 & 5-212
- Extends investigation timeframe from 30 days to 60 days
- Permits up to additional 30 days (i.e. 90 days total) with Complainant's written consent

### **House Bill 0602 / CH0131**

- Amends Labor and Employment
- Title 3, Subtitle 3
- § 3-304
- Amends Equal Pay for Equal Work statute to also prohibit employment discrimination based on sexual orientation

### **Senate Bill 0413 / CH0323**

- Amends State Government
- Title 20, Subtitle 6
- §§ 20-101, 20-601 – 20-610
- Amends State employment discrimination law to include military status among the protected classifications
- Military status is defined as a member of uniformed services, member of reserves, or dependent, under federal law

If you have any questions, please contact Nicole Webb, Statewide EEO Coordinator at [Nicole.webb@maryland.gov](mailto:Nicole.webb@maryland.gov) or 410-767- 3800.

## EEO Spotlight

# EEOC Strategic Enforcement Plan Fiscal Years 2024 - 2028

The U.S. Equal Employment Opportunity Commission (EEOC) was created by the landmark Civil Rights Act of 1964 in direct response to calls for racial and economic justice at the historic March on Washington for Jobs and Freedom. As the primary federal agency charged by Congress with enforcing laws against employment discrimination, the EEOC's mission is to prevent and remedy unlawful employment discrimination and advance equal employment opportunity for all.

The purpose of the EEOC's Strategic Enforcement Plan (SEP) is to focus and coordinate the agency's work over a multiple fiscal year (FY) period to have a sustained impact in advancing equal employment opportunity. The agency's first [Strategic Enforcement Plan adopted for FY 2013-2016](#) established subject matter priorities and strategies to integrate the EEOC's private, public, and federal sector activities. In adopting the [FY 2017-2021 SEP](#), the Commission reaffirmed its subject matter priorities with some modifications and additions.

**Read more at:** <https://www.eeoc.gov/strategic-enforcement-plan-fiscal-years-2024-2028?>

## EEO Spotlight

### EEOC Research Finds Unequal Opportunity in the High Tech Sector and Workforce

The U.S. Equal Employment Opportunity Commission (EEOC) recently released a report, “[High Tech, Low Inclusion: Diversity in the High Tech Workforce and Sector from 2014 - 2022](#)” which highlights demographic disparities for workers in 56 science, technology, engineering, and mathematics (STEM) occupations and the industries employing them.

The report assesses the current state of diversity in the high tech workforce and those employed in the high tech sector. It also discusses the most common discrimination charges filed by high tech sector workers with the EEOC, building on previous reports from 2016 and 2017 by the [EEOC](#) and the [Government Accountability Office \(GAO\)](#), respectively.

The EEOC report released acknowledges that employers have made limited progress toward including qualified workers of all backgrounds in the high tech sector and high tech workforce but concludes that significant barriers still remain to equal employment opportunity in high tech. The magnitude of the underrepresentation for some demographic groups, particularly for women and Black workers, combined with research and the EEOC’s experience enforcing anti-discrimination laws, suggest that discrimination likely contributes to the relatively low employment of women, Black workers, Hispanic workers, and older workers in high tech.

**Read more at:** <https://www.eeoc.gov/newsroom/eeoc-research-finds-unequal-opportunity-high-tech-sector-and-workforce>

## Noteworthy Ruling

### National Telecommuting Institute Settles Discrimination Suit for \$1.25 Million

National Telecommuting Institute, Inc. (NTI), a Westwood, Massachusetts-based staffing support firm, agreed to pay \$1.25 million to settle a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC).

The EEOC's lawsuit charged NTI with violating the Americans with Disabilities Act when it did not pursue placement or referral of blind and low-vision job applicants as telephone-based customer service agents when the company became aware that applicants used accessibility technologies such as screen readers to convert computer text to speech – presuming that the company's client employers were not able to support the accommodating technology at that time. The lawsuit also alleged that NTI denied disability-related accommodations during their pre-employment application process. Both practices were unnecessary and exclusionary barriers to employment opportunities since at least 2017.

“Staffing agencies should serve as a gateway to opportunity for workers,” said EEOC Chair Charlotte A. Burrows. “The agency’s strategic enforcement plan notes the importance of ensuring staffing agencies know their responsibilities under employment discrimination laws. The EEOC will continue to use all the tools at its disposal to ensure fair and inclusive workplaces.”

**Read more at:** <https://www.eeoc.gov/newsroom/national-telecommuting-institute-settles-discrimination-suit-125-million>

# Noteworthy Ruling

## Radiant Services to Pay \$1.1 Million in EEOC Hiring Discrimination Lawsuit

Gardena-based laundry facility Radiant Services Corporation will pay \$1.1 million and furnish extensive injunctive relief to settle a U.S. Equal Employment Opportunity Commission (EEOC) discrimination lawsuit.

The EEOC's related suit against BaronHR recently settled for \$2.2 million and extensive injunctive relief remedies, bringing the total settlement to be distributed to class members to \$3.3 million.

The EEOC's lawsuit charged that since at least 2015, Radiant failed to recruit and hire workers for low-skill positions based on their race (Black, Asian and white) and national origin (non-Hispanic). The lawsuit further alleged that Radiant illegally segregated jobs based on sex.

Such alleged conduct violated Title VII of the Civil Rights Act of 1964, which prohibits discrimination in recruitment and hiring based on race, national origin, and sex. The EEOC filed suit (EEOC v. Radiant Services Corp., BaronHR, LLC, *et al*, Case No. 2:22-cv-06517-GW-RAO) in U.S. District Court for the Central District of California after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

**Read more at:** <https://www.eeoc.gov/newsroom/radiant-services-pay-11-million-eeoc-hiring-discrimination-lawsuit>

## Noteworthy Ruling

### Ohio Nursing and Rehabilitation Facility to Pay \$150,000 in Age, Sex and Retaliation Discrimination Case

The Laurels of Athens, a nursing and rehabilitation facility in Athens, Ohio, owned and operated by Laurel Heath Care Company, Athens LTC, Inc., Ciena Healthcare Management, Inc., and Ciena Group, LLC, will pay \$150,000 and provide other relief to settle an age and sex discrimination case filed by the U.S. Equal Employment Opportunity Commission (EEOC).

According to the lawsuit, a physical therapy assistant was fired in 2020 after he tried to return from approved medical leave. At the time, the employee was 59 years old and a few months away from his 60th birthday. The Laurels of Athens fired him and claimed there was no work available even though it offered work to other younger, female physical therapy assistants. The company also refused to rehire the employee after he filed a charge of discrimination.

Such alleged conduct violated the Age Discrimination in Employment Act (ADEA), which prohibits age discrimination, and Title VII of the Civil Rights Act of 1964, which prohibits sex discrimination. The EEOC filed suit (EEOC v. Laurel Health Care Company, et al., Case No. 2:23-cv-03159) in the U.S. District Court for the Southern District of Ohio after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

**Read more at:** <https://www.eeoc.gov/newsroom/ohio-nursing-and-rehabilitation-facility-pay-150000-age-sex-and-retaliation-discrimination>

## Noteworthy Ruling

### EEOC Secures \$340,000 Settlement Against “Bark If You’re Dirty” Pet Stores

Bark If You’re Dirty, a pet store with locations in Phoenix and Scottsdale, owned and operated by Teetszinty, LLC, Teetszinty 2, LLC, and Teetszinty Holding LLC, will pay \$340,000 and provide other injunctive relief to settle a U.S. Equal Employment Opportunity Commission (EEOC) lawsuit.

According to the EEOC’s suit on behalf of a class of female employees, a male manager at the Phoenix store and a male employee at the Scottsdale store subjected female employees to constant sexual harassment, including inappropriate sexual comments about female employees and customers, physically touching female employees without their consent, sexually propositioning female employees, and showing female employees naked photos.

Female employees complained about this harassment to management at both stores on multiple occasions over a period of several years. However, Bark If You’re Dirty, formerly known as Wag N’ Wash, failed to take prompt and appropriate action to stop the harassment. The EEOC also alleged that Bark If You’re Dirty retaliated against certain female employees by terminating them after they complained. Other female employees felt compelled to resign because they were severely affected and left vulnerable with management’s inaction.

**Read more at:** <https://www.eeoc.gov/newsroom/eeoc-secures-340000-settlement-against-bark-if-youre-dirty-pet-stores>

### EEOC Sues Osmose Utilities Services for Disability Discrimination and Retaliation

Osmose Utilities Services, Inc., a provider of services and products to utility companies to support their infrastructures, violated federal law when it denied an employee an accommodation for her disability and then fired her, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit.

According to the EEOC's lawsuit, a one call locator who had suffered a head injury and stroke requested to work fully remote from home as an accommodation. In-person attendance was not an essential function of the position and Osmose Utilities had previously allowed the employee to work remotely while its office was relocated in 2019. However, Osmose Utilities denied the employee's request to work remotely as an accommodation for her medical condition.

Alternatively, the employee requested to work remotely for two to three days per week. However, Osmose Utilities denied the employee's alternative request. Although the employer granted the employee leave to attend medical appointments, management complained about the employee leaving work to go to medical appointments and pressured her to end her appointments prematurely. Six weeks after her first accommodation request, the employee was fired without any warning.

**Read more at:** <https://www.eeoc.gov/newsroom/eeoc-sues-osmose-utilities-services-disability-discrimination-and-retaliation>

### EEOC Sues Children's Healthcare of Atlanta for Disability Discrimination

Children's Healthcare of Atlanta, Inc. (CHOA), a pediatric health care system based in Atlanta, violated federal law when it failed to provide a job applicant a disability-related accommodation and rescinded its offer of employment because the applicant had a disability, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit.

According to the EEOC's lawsuit, the applicant for a registration associate position requested a disability-related exemption to CHOAs flu vaccination requirement based on a severe allergy to eggs, which are contained in the standard flu vaccination. The applicant provided medical documentation to support the accommodation request, but CHOAs failed to provide a reasonable accommodation of a vaccine exemption or an egg-free flu vaccine. Instead, the EEOC said, CHOAs rescinded its offer of employment based on the applicant's disability and filled the position with an internal candidate who had "no issue" receiving the flu vaccine.

**Read more at:** <https://www.eeoc.gov/newsroom/eeoc-sues-childrens-healthcare-atlanta-disability-discrimination>

## Diversity Corner

### **Governor Moore Launches Second Maryland Corps and Service Year Option Cohort During 9/11 Day of Service and Remembrance**

Governor Wes Moore attended the launch of the second Maryland Corps and Service Year Option cohort during the 9/11 Day of Service and Remembrance at the University of Maryland, College Park on Wednesday, September 11, 2024.

“This year will change you, and it will challenge you. There will be moments when the work gets hard — and may even feel like it’s too much. But the work you do will make our state better,” **said Gov. Moore**. “At a time when the world needs healing, you will offer healing hands. At a time when the world can feel dark, you will offer light. And together, we will make Maryland the best place in the world to change the world.”

The 2024-2025 cohort includes more than 600 members—more than double the size of the inaugural cohort—including 500 Service Year Option members and 100 Maryland Corps members. Participants represent all 24 Maryland jurisdictions.

**Read more at:** <https://governor.maryland.gov/news/press/pages/governor-moore-launches-second-maryland-corps-and-service-year-option-cohort-during-911-day-of-service-and-remembrance.aspx>

## Diversity Corner

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



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>**

# 2024 Diversity Calendar

## October 2024

- ♦ Global Diversity Awareness Month
- ♦ National Disability Employment Awareness Month
- ♦ Breast Cancer Awareness Month
- ♦ National Polish American Heritage Month

Date	Holiday or Special Observance
October 1	Defender of Ukraine Day
October 14	Columbus Day (State Offices Closed)
October 14	Indigenous People's Day
October 10	World Mental Health Day
October 17	Spirit Day

## November 2024

- ♦ National Native American Heritage Month

Date	Holiday or Special Observance
November 5	Election Day (State Offices Closed)
November 11	Veteran's Day (State Offices Closed)
November 16	Dutch American Heritage Day
November 20	Transgender Day of Remembrance
November 28	Thanksgiving Day (State Offices Closed)
November 29	American Indian Heritage Day (State Offices Closed)

## December 2024

Date	Holiday or Special Observance
December 1	World AIDS Day
December 3	International Day of Persons with Disabilities
December 25—January 2, 2025	Hanukkah
December 10	International Human Rights Day
December 25	Christmas (State Offices Closed)
December 26—January 1, 2025	Kwanzaa
December 31	New Year's Eve

# Meetings and Trainings

October 2024

## Statewide EEO Program Overview– Webinar

**Presented by:** Office of the Statewide EEO Coordinator

**Date:** Tuesday, October 15, 2024

**Time:** 10:00am– 11:30am

**Link to register:** [https://docs.google.com/forms/d/e/1FAIpQLSd1dI-Ms3XDOyquizN76OEUSG41kfpvZN1f1jMxbiHtbrmbqmA/viewform?usp=pp\\_url](https://docs.google.com/forms/d/e/1FAIpQLSd1dI-Ms3XDOyquizN76OEUSG41kfpvZN1f1jMxbiHtbrmbqmA/viewform?usp=pp_url)

## Maryland Whistleblower Law Information Session– Webinar

**Presented by:** Office of the Statewide EEO Coordinator

**Date:** Wednesday, October 16, 2024

**Time:** 10:00am -11:30am

**Link to register:** [https://docs.google.com/forms/d/e/1FAIpQLSfcfm-x4cZ2TKLcLfye1wwyNe07mwwmLm7FZlp2vfOzVY\\_mA/viewform?usp=pp\\_url](https://docs.google.com/forms/d/e/1FAIpQLSfcfm-x4cZ2TKLcLfye1wwyNe07mwwmLm7FZlp2vfOzVY_mA/viewform?usp=pp_url)

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

**Presented by:** Office of the Statewide EEO Coordinator

**Date:** Thursday, October 17, 2024

**Time:** 10:00am– 12:30pm

**Link to register:** [https://docs.google.com/forms/d/e/1FAIpQLSdJ5urKza2q33S5udlNeMUvntozgwJmQFB\\_qUDo1tPjmbmOeg/viewform?usp=pp\\_url](https://docs.google.com/forms/d/e/1FAIpQLSdJ5urKza2q33S5udlNeMUvntozgwJmQFB_qUDo1tPjmbmOeg/viewform?usp=pp_url)

**\*This prerequisite training is part 1 of a 2-part training curriculum**

# Meetings and Trainings

## October 2024

### **Reasonable Accommodation Requests and the Interactive Process— A Hands on Approach (In-Person)**

**Presented by:** Office of the Statewide EEO Coordinator

**Date:** Friday, October 18, 2024

**Time:** 10:00am– 12:30pm

**Location:** provided upon registration

**Link to register:** [https://docs.google.com/forms/d/e/1FAIpQLSet\\_vWng7g2OB9wjej9GFMtWvulH8naLsYjzDCCciDkVuSb2Q/viewform?usp=pp\\_url](https://docs.google.com/forms/d/e/1FAIpQLSet_vWng7g2OB9wjej9GFMtWvulH8naLsYjzDCCciDkVuSb2Q/viewform?usp=pp_url)

**\* This training is part 2 of a 2-part training curriculum. Prior attendance to the Fundamentals of the ADA, ADAAA, State Laws and Policies, and the RA Process is required before attending this training session.**

## November 2024

### **Sexual Harassment Prevention Training Train-the-Trainer (Virtual two-day course)**

**Presented by:** The Maryland Commission on Civil Rights (MCCR)

**Date:** Tuesday, November 12, 2024 and Wednesday, November 13, 2024

**Time:** 9:00am– 3:00pm each day

**Link to Register:** [https://docs.google.com/forms/d/e/1FAIpQLSfSMsjoilDxHPXnmWUYisrLgiNFQk5E0HRCTSvkuF6\\_yXIZmQ/viewform?usp=pp\\_url](https://docs.google.com/forms/d/e/1FAIpQLSfSMsjoilDxHPXnmWUYisrLgiNFQk5E0HRCTSvkuF6_yXIZmQ/viewform?usp=pp_url)

**\*Registration limited to 40 people**

**Note:** This two-day course is mandatory for a State of MD Government employee that is designated to facilitate Sexual Harassment Prevention Training at their respective State agency.

# 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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