

## HOW DO I FILE A CLAIM?

If you believe that you have experienced or are experiencing gender identity and expression discrimination, you should first contact the EEO representative in your agency.

Complaints must be filed within 30 days after you learn of the alleged violation.

If you have questions or concerns, please contact your EEO Office or the Office of the Statewide EEO Coordinator at (410) 767-3800.



## SAFE AND CONFIDENTIAL

All investigations into your complaint are strictly confidential. Your information will only be discussed with pertinent individuals who need to know for purposes of investigation and resolution.

If you file a claim, or pursue a complaint, oppose discrimination, or participate in an investigation, Maryland Law protects you against retaliation from your employer.

It's important to understand that retaliation is not just limited to firing. It includes other adverse actions such as harassment, demotion, and unjustified negative evaluations.

## ADDITIONAL FILING INFO.

In addition to filing an initial claim with your agency's EEO Office, you may file a claim with any of the following agencies:

1. Office of the Statewide EEO Coordinator (OSEEOC). Within 10 days after your agency renders a decision on your EEO claim, you may file an appeal with the OSEEOC at:

301 West Preston Street  
Suite #607  
Baltimore, MD 21201  
Phone: (410) 767-3800  
Fax: (410) 333-5004  
<http://www.dbm.maryland.gov>

2. Maryland Commission on Civil Rights (MCCR):

William Donald Schaefer Tower  
6 Saint Paul Street, Suite 900  
Baltimore, MD 21202  
Phone: (410) 767-8600  
Fax: (410) 333-1841

3. Equal Employment Opportunity Commission (EEOC):

U.S. Equal Employment Opportunity Commission  
31 Hopkins Plaza, Suite 1432  
Baltimore, Maryland 21201  
Phone: (410) 209-2237  
Toll Free: 1-800-669-4000



Office of the Statewide Equal Employment Opportunity Coordinator (OSEEOC)

Governor Lawrence J. Hogan, Jr.  
DBM Secretary David R. Brinkley

Statewide EEO Coordinator  
Glynis Watford

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## **GENDER IDENTITY AND EXPRESSION**

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**Office of the Statewide  
Equal Employment Opportunity  
Coordinator (OSEEOC)**

## DEFINING GENDER IDENTITY AND EXPRESSION DISCRIMINATION:

Gender Identity and Expression discrimination is the identification with the gender opposite of the one assigned at birth. Gender Identity is generally described as transsexuals and transgenderists. Gender Expression can be defined as the external appearance and behaviors associated with an individual's gender. It includes vocal tone, facial appearance, body movement and any other appearances or behaviors exhibited of the opposite gender.

### **Types of Gender Identity and Expression Discrimination:**

- Unjustifiably rating some employees lower than other employees in work performance evaluations because of their gender identity or expression
- Intentionally discriminating against an employee or applicant who is perceived as a particular gender identity, even if s/he is not of that orientation
- Physically threatening or bullying a co-worker simply because of his or her gender identity or expression
- Making disparaging remarks about a co-worker's gender identity or expression to the extent that it creates a hostile work environment



### **PROTECTION:**

Regardless of your gender identity or gender expression, as a State employee or applicant for a State position, you're protected from discrimination.

The federal statutes do not specifically protect against discrimination on the basis of gender identity and expression but Maryland Law does afford this protection.

### **LEGAL BACKGROUND:**

#### **Maryland Law:**

Maryland's Code of Fair Employment Practices, *Executive Order 01.01.2007.16*, and its Anti-Discrimination law, State Government Article Title 20 prohibits discriminate against an employee or applicant for employment with the State of Maryland on the basis of the individual's gender identity and expression.

Only an individuals merit and fitness should be taken into account in employment related decisions.



## **HOW AM I PROTECTED?**

It is **illegal** to discriminate on the basis of a person's gender identity or expression:

- recruitment
- hiring
- transferring
- dismissal
- discipline
- work conditions
- promotions
- training
- advertisement
- retirement
- assignment
- performance evaluations

### **FIGHT DISCRIMINATION:**

If you or someone you know is being discriminated against, you can take the following actions:

1. Speak to the harasser. S/he might not know that his or her behavior is offensive. Also, be sure to document the incident(s) thoroughly—date, time, exact words said, and, if applicable, witnesses.
2. Speak to your supervisor. S/he may have to report your information to the EEO Office.
3. Speak to your agency's EEO Office directly.
4. File a claim with the EEO Office.