

Office of the Statewide EEO Coordinator

Statewide EEO Coordinator's Message

New Year, New Administration, Same Mission!

Thank you for your continued support of the State's EEO program.

As we gear up for another productive year, I encourage you to take the time to review the FY 2022 Annual Statewide Equal Employment Opportunity Report .The information in this report captures pertinent details regarding the state government workforce, which can assist you with developing your agency's EEO plan, goals, and other initiatives moving forward. I hope that you find this year's report both valuable and informative. You can find the report at <https://dbm.maryland.gov/eoo/Documents/Publications/AnnualEEO-ReportFY2022.pdf>

With that said, turn to page 4 and read about the EEOC's appointment of two senior-level professionals. On page 7, read why the EEOC sued Jerry's Chevrolet and Jerry's Motor Cars for pay discrimination and retaliation. Listen to Sofie van der Meulen's TED Talk to learn how to reinvent diversity and inclusion in the workplace on page 10.

On pages 14 and 15, read about upcoming meetings and training scheduled for January, February, and March. That's not all: turn the page to read more.

Nicole Webb
Statewide EEO Coordinator

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Office of the Statewide EEO Coordinators Mission

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



Ask the OSEEOC Team

Q: How can I register for the mandatory Sexual Harassment Prevention training that all State Government Employees must complete?

OSEEOC Answer:

Consult with your manager to learn the name of your designated Fair Practice Officer and EEO Officer, and follow up with them regarding upcoming training dates.

Q: How can I request an ADA reasonable accommodation?

OSEEOC Answer:

Consult with your manager or human resources representative to learn the name of your agency's designated ADA Coordinator and follow up with the professional to make a request.

Q: Will there be any professional development opportunities provided by the Office of the Statewide EEO Coordinator for newly appointed Fair Practice Officers and EEO Officers?

OSEEOC Answer:

Yes, the Office of the Statewide EEO Coordinator works diligently to provide professional development opportunities to members of the EEO community. These opportunities are announced via our quarterly EEO Newsletter and email. Please be sure to contact our office at 410-767-3800, to have your name added to our email list.

EEO SPOTLIGHT

EEOC Announces Two Senior-Level Appointments

The U.S. Equal Opportunity Commission (EEOC) announced the selection of two individuals to key Senior Executive Service managerial positions at the agency. EEOC Chair Charlotte A. Burrows selected Patricia St. Clair as the new director of Field Coordination Programs in the Office of Field Programs (OFP) and Dr. Marvin Williams as the new director of the Office of Civil Rights, Diversity, and Inclusion (OCRDI).

St. Clair has more than 20 years of legal experience specializing in equal employment opportunity, labor and diversity, equity, inclusion, and accessibility in both the private and government sector. St. Clair previously served as Assistant Director of Federal Sector Programs, Outreach Training and Engagement Division, in the EEOC's Office of Federal Operations (OFO) where she managed the development, implementation, and delivery of anti-discrimination and diversity training and outreach initiatives for the federal government and stakeholders. She also previously served as senior attorney advisor in the Agency Oversight Division of the OFO. As a legal advisor to federal agencies, she provided regulatory guidance on anti-discrimination laws and evaluated federal agencies' performance to ensure effective and efficient implementation of EEO and diversity programs.

Dr. Williams served as a social scientist for the U.S. Commission on Civil Rights, Office of Civil Rights Evaluation (OCRE), where he was the principal researcher to examine the link between anti-Asian hate crimes and the U.S. response to the COVID-19 pandemic. Prior to his assignment with OCRE, he was selected to scope and build the new 19-member commission and business plan for the Commission on the Social Status of Black Men and Boys, where he administered the processes to recommend policies; improve current government programs; investigate potential civil rights violations affecting black males; and study the disparities they experience in education, criminal justice, health, employment, fatherhood, mentorship, and violence.

Read the full article: <https://www.eeoc.gov/newsroom/eeoc-announces-two-senior-level-appointments>



EEO SPOTLIGHT

EEOC Announces Registration Now Open for FY 2023 Federal EEO Training Courses

The U.S. Equal Employment Opportunity Commission (EEOC) announced opening of registration for FY 2023 federal sector EEO training courses at <https://www.eeoc.gov/training-institute/eo-federal-courses>. The first of more than 50 classes will begin in Feb. 2023 with virtual and in-person options.

The EEO training catalog includes courses designed to meet the [MD-110 training requirements](#) for federal EEO counselors and investigators, as well as training for special emphasis program managers, attorneys, alternative dispute resolution professionals, anti-harassment program managers, and more.

To request on-site or customized training, federal agencies are invited to contact the EEOC's Outreach Training and Engagement Division at FederalTrainingandOutreach@EEOC.gov.

Read the full article: <https://www.eeoc.gov/newsroom/eeoc-announces-registration-now-open-fy-2023-federal-eeo-training-courses>



Noteworthy Ruling

Rural Office of Community Services Inc. to Pay \$320,000 to Resolve EEOC Sex Discrimination Charge

Rural Office of Community Services Inc., a Wagner, South Dakota-based social services agency, which serves low-income families and individuals across multiple locations in South Dakota, will pay \$320,000 in monetary relief to a class of affected employees to voluntarily resolve an employment discrimination charge filed with the U.S. Equal Employment Opportunity Commission (EEOC).

The agreement resolves a charge filed with the EEOC alleging Rural Office of Community Services Inc. discriminated against employees because of their sex by subjecting them to sexual harassment and retaliated against certain employees who complained by terminating them. The EEOC found that the female employees were harassed by executive director. Despite complaints to management and the board of directors, the EEOC found the harassment continued over several years.

This alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on sex and prohibits retaliating against individuals for complaining about such conduct.

Aside from the monetary relief, Rural Office of Community Services has also agreed to update its policies and practices regarding internal discrimination complaints, reporting to the EEOC, and training for all employees and managers.

Read the full article here: <https://www.eeoc.gov/newsroom/rural-office-community-services-inc-pay-320000-resolve-eeoc-sex-discrimination-charge>



NOTEWORTHY RULINGS

Jerry's Chevrolet and Jerry's Motor Cars will Pay \$62,500 to Settle EEOC Equal Pay and Retaliation Suit

Jerry's Chevrolet Inc., and Jerry's Motor Cars Inc., leading Baltimore County auto dealerships, will pay \$62,500 and furnish other relief to settle a pay discrimination and retaliation lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC) According to the EEOC's lawsuit.

According to the EEOC's suit, a female employee worked as a dispatcher but was paid less than a male dispatcher, both performing equal work. When the female employee complained to human resources about the wage disparity, that department told her that someone would look into the matter. Instead, a week later she was fired. The company claimed that a profanity she had uttered during a break was the reason for her termination, although months earlier, a male employee who had engaged in far more offensive conduct had received only a written warning.

The Equal Pay Act and Title VII of the Civil Rights Act of 1964 prohibit discrimination based on pay and prohibit retaliation against employees who request pay equal to employees of the opposite sex. The EEOC filed its lawsuit in U.S. District Court for the District of Maryland, Baltimore Division (*EEOC v. Jerry's Chevrolet Inc., et al, Civil Action No. 21-cv-02464-JRR*), after first attempting to reach a pre-litigation settlement through its conciliation process.

In addition to providing \$62,500 in monetary relief to the lower-paid female, the two-year consent decree resolving the suit enjoins the company from sex-based pay discrimination and retaliation against employees seeking equal pay in the future. Jerry's Chevrolet and Jerry's Motorcars will adopt a policy which creates channels for employees to report unequal pay and procedures for handling those complaints. The company will train its managers and supervisory employees on preventing sex-based wage discrimination arising under Title VII and the Equal Pay Act and those statutes' retaliation prohibitions, with particular emphasis on retaliation against those who request equal pay. The company will also report to the EEOC on how it handles any pay discrimination complaints.

Read the full article here: <https://www.eeoc.gov/newsroom/jerrys-chevrolet-and-jerrys-motor-cars-will-pay-62500-settle-eeoc-equal-pay-and>



NOTEWORTHY RULINGS

EEOC Sues Children's Healthcare of Atlanta for Religious Discrimination

Children's Healthcare of Atlanta (CHOA), a pediatric healthcare system in Georgia, violated federal law when it fired a maintenance assistant for requesting a religious exemption to its influenza vaccination policy, the U.S. Equal Employment Opportunity Commission (EEOC).

According to the EEOC's suit, the maintenance employee, in accordance with CHOA's procedures, requested a religious exemption to CHOA's flu vaccination requirements based on sincerely held religious beliefs. CHOA had previously granted the employee a religious exemption in 2017 and 2018. In 2019, however, CHOA denied the employee's request for a religious accommodation and fired him, despite the employee's extremely limited interaction with the public or staff.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits firing an employee because of his religion and requires that sincerely held religious beliefs be accommodated by employers. The EEOC filed suit (Civil Action No. 1:22-CV-4953 MLB RDC) in U.S. District Court for the Northern District of Georgia, Atlanta Division, after first attempting to reach a pre-litigation settlement via its conciliation process. The EEOC is seeking back pay, front pay, compensatory damages and punitive damages for the employee, as well as injunctive relief to prevent future discrimination.

Read the full article here: <https://www.eeoc.gov/newsroom/eeoc-sues-childrens-healthcare-atlanta-religious-discrimination>



Children'sSM
Healthcare of Atlanta

5 Hiring tips every company (and job seeker) should know



Nithya Vaduganathan, a talent strategy expert, shares five essential tips that every hiring manager (and job seeker) should be aware of to foster an inclusive workplace culture, increase productivity, and uncover talent within an organization.

To view Ted Talk click below:

https://www.ted.com/talks/nithya_vaduganathan_5_hiring_tips_every_company_and_job_seeker_should_know

Reinventing Diversity & Inclusion in the Workplace



In this 16-minute TED Talk, Sofie van der Meulen shares her personal experiences , which have shaped her perspective on diversity and inclusion. Sofie talks about how to create a work environment that is more diverse and inclusive by way of promoting a life-enriching and human-friendly approach.

To view Ted Talk click below:

https://www.ted.com/talks/sofie_van_der_meulen_reinventing_diversity_inclusion_in_the_workplace_apr_2022

ADA CORNER

Circle K to Pay \$8 Million to Resolve EEOC Disability, Pregnancy, and Retaliation Charges

Circle K Stores Inc. has entered into a nationwide agreement with the U.S. Equal Employment Opportunity Commission (EEOC) to resolve disability, pregnancy and retaliation discrimination charges.

This resolution resolves multiple charges of discrimination filed against Circle K and related entities, ending an investigation in which the EEOC determined it had reasonable cause to believe Circle K denied reasonable accommodations to pregnant employees and those with disabilities, subjecting them to actions such as involuntary unpaid leave, retaliation, requiring employees be 100% healed to return to work, or terminations.

These actions violate the Americans with Disabilities Act of 1990, Title VII of the Civil Rights Act of 1964, and the Pregnancy Discrimination Act. Circle K will pay \$8 million to resolve this matter, which includes a class fund to compensate aggrieved individuals and will cover impacted individuals employed at Circle K between July 10, 2009, to September 26, 2022.

In addition, the company has agreed to update its policies, as needed; appoint a coordinator to provide oversight on pregnancy-related disability policies, requests for reasonable accommodations, and maintenance of records; conduct climate surveys and exit interviews with specific attention to their accommodation process; conduct anti-discrimination training to all employees, including management; and require performance evaluation of managers include consideration of compliance with EEO laws. This settlement is in effect for four years.

Read the full article here: <https://www.eeoc.gov/newsroom/circle-k-pay-8-million-resolve-eeoc-disability-pregnancy-and-retaliation-charges>



ADA CORNER

ISS Facility Services to Pay \$47,500 to Settle Disability

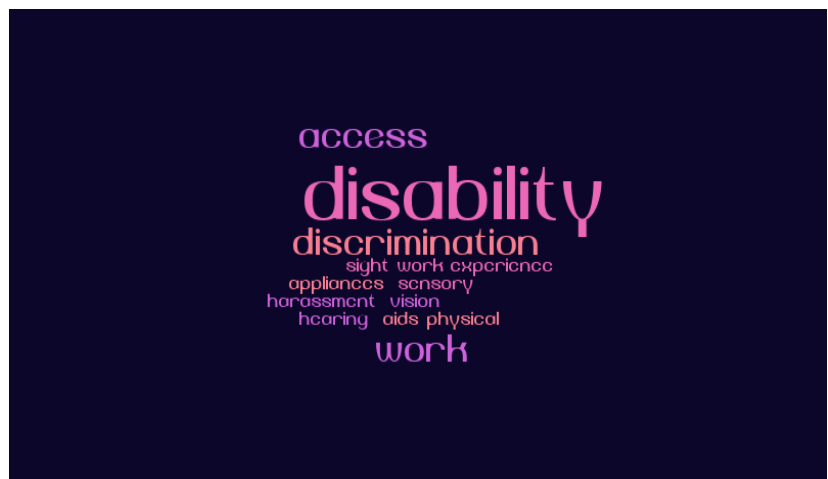
ISS Facility Services, Inc. (ISS), a workplace experience and facility management company, will pay \$47,500 and provide other relief to settle a disability discrimination and retaliation lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency.

According to the EEOC's suit, Ronisha Moncrief worked for ISS as a health and safety manager. From March 2020 through June 2020, ISS required its employees to work remotely four days per week because of the COVID-19 pandemic. In June 2020, when ISS asked workers to return to the site full time, Moncrief requested an accommodation to work remotely two days per week and be allowed frequent breaks while working on-site, due to her pulmonary condition which placed her at a greater risk of contracting COVID-19. Although ISS allowed other employees in Moncrief's position to work from home, it denied Moncrief's request and soon after terminated her employment.

Such alleged conduct violates the Americans with Disabilities Act (ADA), as amended, which requires disabilities be accommodated if the accommodation would cause no undue hardship and prohibits firing an employee because of a disability. The EEOC filed suit (*Civil Action No. 1:21-cv-03708-SCJ-RDC*) in U.S. District Court for the Northern District of Georgia, Atlanta Division, after first trying to reach a pre-litigation settlement via its conciliation process.

Under the two-year consent decree resolving the lawsuit, ISS will pay \$47,500 in monetary damages to Moncrief; train its employees on the ADA; make changes to its employment policies; and allow the EEOC to monitor how it handles future requests for accommodation.

Read the full article: <https://www.eeoc.gov/newsroom/iss-facility-services-pay-47500-settle-disability-discrimination-lawsuit>



ADA CORNER

Outokumpu Stainless USA, LLC to Pay \$49,000 to Settle

Outokumpu Stainless USA, LLC agreed to pay \$49,000 to settle a disability discrimination lawsuit filed by the Equal Employment Opportunity Commission (EEOC), the federal agency.

Outokumpu, a global stainless-steel producer, employs more than 900 persons at its Calvert, Alabama facility. According to the EEOC's lawsuit, Outokumpu offered a qualified applicant a position as an entry operator in its melt shop contingent on the applicant passing a physical examination and drug screening by Occupational Health Center (OHC), a third-party company that conducts pre-employment health screenings. According to the EEOC, the OHC examiner identified possible side effects of a prescription anxiety medication the applicant sometimes took, and then Outokumpu withdrew the applicant's job offer.

The Americans with Disabilities Act (ADA) prohibits employers from discriminating against job applicants based on a disability, including practices that screen out or tend to screen out individuals with disabilities from employment. The EEOC filed suit (EEOC v. Outokumpu Stainless USA, LLC, Case No. 1:20-cv-00521, S.D. Ala.) in federal court in U.S. District Court for the Southern District of Alabama after its Birmingham District Office completed an investigation and after first attempting to reach a pre-litigation settlement during its voluntary conciliation process.

Under the two-year consent decree settling the suit, Outokumpu will pay \$49,000 to the applicant it rejected, develop or revise policies and procedures to prevent disability discrimination, and train its management and human resources employees on these policies and the ADA.

Read the full article: <https://www.eeoc.gov/newsroom/outokumpu-stainless-usa-llc-pay-49000-settle-eeoc-disability-discrimination-lawsuit>



MEETINGS & TRAININGS

EEO Group Meeting - Virtual Session

Hosted by: Office of the Statewide EEO Coordinator (OSEEOC)

January 19, 2023

10:00 a.m.—12:00 pm

To register click:

https://docs.google.com/forms/d/e/1FAIpQLSfvW8IKuzTeU20Smue9G79PHAQ2oW1GvHSq6CARYcPXpbL_4g/viewform?usp=pp_url

Investigative Techniques and Legal Theory Training - In person

Hosted by: Glendora Hughes, General Counsel

Location: 7201 Corporate Center Drive, TSO Conference Room - Harry Hughes, Suite 1 & 2, Hanover, Maryland 21076

January 24 & January 25, 2023

9:00 a.m. — 1:00 p. m.

(Newly appointed Fair Practices Officers and EEO Officers Only)

To register click:

https://docs.google.com/forms/d/e/1FAIpQLSeQUEw5urAXOTn_9viLnnY8A6eIUIVFkthiYMir4dmxEeQm1w/viewform?usp=pp_url

EEO Training for New Investigators - Virtual Session

Hosted by: Equal Employment Opportunity Commission (EEOC)

February 6 - February 10, 2023

8:30 a.m. - 5:00 p.m. (Daily)

Cost: \$1200/pp

Price includes comprehensive manual and certificate

To register:

https://www.research.net/r/2023_EEOTrainingNewInvestigators_020623-021023

Office of the Statewide EEO Coordinator Overview - Virtual Session

Hosted by: Office of the Statewide EEO Coordinator (OSEEOC)

February 8, 2023

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

To register click:

https://docs.google.com/forms/d/e/1FAIpQLSem9K9vBW7hb5OmoaNCF544VVkte_pPEo36BVA4iSMIIIHzw/viewform?usp=pp_url

MEETINGS & TRAININGS

Recruitment and Examination Division Overview - Virtual Session

Hosted by: Office of the Statewide EEO Coordinator (OSEEOC)

February 22, 2023

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

To register click:

https://docs.google.com/forms/d/e/1FAIpQLSdsconuPzhMLzcDf8jpFwwk2KRzGFqMiT6OSd7I_kwNWKiFWg/viewform?usp=pp_url

Employment Law and Compliance Conference

Hosted by: Society for Human Resource Management (SHRM)

In person (Washington DC) or Virtual

February 26 - February 28, 2023

To register click link:

https://store.shrm.org/SHRM-Employment-Law-Compliance-Conference-2023?_ga=2.253738185.1138894515.1672151825-1820749058.1656013836

ADA Coordinator Training w/Keyonna Baker - Virtual Session

Hosted by: Access Maryland

March 21, 2023

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

To register click:

https://docs.google.com/forms/d/e/1FAIpQLSePWQSnIQMEnUKIImRYFybpNluaqWIDinB5skdg-UEkSt35g/viewform?usp=pp_url

Employee and Labor Relations Overview - Virtual Session

Hosted by: Office of the Statewide EEO Coordinator (OSEEOC)

March 29, 2023

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

To register click:

https://docs.google.com/forms/d/e/1FAIpQLSe7sP9Fnmws8Ypbr07WVv_XxkC34fGK_54UF-DB4RUU8xYHtQ/viewform?usp=pp_url

RESOURCES FOR EEO PROFESSIONALS

Division of Rehabilitation Services (DORS)

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

Department of Labor

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

Employee Assistance Program (EAP)

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

Equal Employment Opportunity Commission (EEOC)

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

Job Accommodation Network (JAN)

<https://askjan.org/>

Maryland Commission on Civil Rights (MCCR)

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

Society for Human Resource Management (SHRM)

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

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>

2023 DIVERSITY CALENDAR

January 2023

1/1 - New Years Day
1/16 - Dr. Martin Luther King Jr. Birthday
1/22 - Lunar New Year

February 2023

Black History Month
2/2 - National Groundhog Day
2/3 - National Wear Red Day (Women's Heart Health)
2/20 - President's Day

March 2023

Women's History Month
3/3 - Employee Appreciation Day
3/12 - Daylight Savings Time Begins
3/25 - Maryland Day

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