

Article - State Personnel and Pensions

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§2-302.

(a) The State recognizes and honors the value and dignity of every person and understands the importance of providing employees and applicants for employment with a fair opportunity to pursue their careers in an environment free of discrimination or harassment prohibited by law.

(b) (1) Except as provided in paragraph (2) of this subsection or by other law, all personnel actions concerning a State employee or applicant for employment in State government shall be made without regard to:

- (i) age;
- (ii) ancestry;
- (iii) color;
- (iv) creed;
- (v) gender identity;
- (vi) marital status;
- (vii) mental or physical disability;
- (viii) national origin;
- (ix) race;
- (x) religious affiliation, belief, or opinion;
- (xi) sex; or
- (xii) sexual orientation.

(2) A personnel action may be taken with regard to age, sex, or disability to the extent that age, sex, or physical or mental qualification is required by law or is a bona fide occupational qualification.

(c) (1) Each State employee is expected to assume personal responsibility and leadership in ensuring fair employment practices and equal employment opportunity in Maryland State government.

(2) Employment discrimination and harassment by State managers, supervisors, or other employees is prohibited.

(3) A State employee who violates this subtitle is subject to disciplinary action by the employee's appointing authority, including the termination of State employment.

(d) The Equal Employment Opportunity Program in Title 5, Subtitle 2 of this article governs all employees of any unit in the Executive Branch of State government, including a unit with an independent personnel system.

(e) (1) At least annually, the Secretary shall report on the Equal Employment Opportunity Program established in § 5–202 of this article to the Joint Committee on Fair Practices and State Personnel Oversight.

(2) The head of a personnel system in the Legislative and Judicial branches may report periodically on equal employment opportunity programs and policies in effect in that personnel system to the Joint Committee on Fair Practices and State Personnel Oversight.

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