

Department of Legislative Services
Maryland General Assembly

FISCAL NOTE

House Bill 1219 (Delegate Finifter. *et al.*)

Commerce and Government Matters

Workplace Religious Freedom Act of 1998

This bill requires employers to make reasonable accommodations for the religious practices, observances, or beliefs of employees or applicants for employment. An employer must make an affirmative and bona fide effort to make the accommodation without causing undue hardship to the business. Factors used to determine if the accommodation would result in undue hardship include: (1) the identifiable cost of the accommodation in relation to the size and operating cost of the employer; (2) the number of individuals who will need the accommodation; (3) the nature and extent of conflict between the accommodation and a collective bargaining agreement; and (4) the nature and extent of the burden that the accommodation places on other employees. It is not considered a reasonable effort if the employee or applicant demonstrates the availability of a less onerous alternative accommodation that will not create an undue hardship and the employer refuses to make the accommodation.

The Maryland Human Relations Commission must monitor the implementation of this Act for the period October 1, 1998 through September 30, 2000. The commission must then submit a report of its findings and recommendations to the Governor and the General Assembly by December 31, 2000.

This bill is to be construed only prospectively.

Fiscal Summary

State Effect: General fund revenues could increase to the extent that additional cases of unlawful employment practices are filed with the Human Relations Commission. While the number of additional cases cannot be reliably projected, any expenditure increase is assumed to be minimal.

Local Effect: None.

Small Business Effect: Potential minimal effect on small businesses. Small business expenditures could increase in order to accommodate religious practices of their employees. However, the bill does not require the accommodation if doing so would create an undue hardship on the business.

Information Source: Department of General Services, Human Relations Commission,
Department of Legislative Services

Fiscal Note History: First Reader - March 4, 1998

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