

HOUSE BILL 26

Unofficial Copy
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HB 881/98 - ECM

1999 Regular Session
9lr0427

(PRE-FILED)

By: **Delegate Hixson**

Requested: November 4, 1998

Introduced and read first time: January 13, 1999

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Sexual Harassment - Education and Training in the Workplace**

3 FOR the purpose of requiring employers to provide their employees with certain
4 information concerning sexual harassment; specifying the formats to be used
5 when presenting certain information; specifying the information to be
6 presented; specifying the literary standards to be used when presenting certain
7 information; requiring the Human Relations Commission to provide certain
8 employers upon request with certain materials presenting certain information
9 at a certain price; permitting the reproduction of certain materials presenting
10 certain information; specifying when certain information must be provided;
11 specifying the manner in which certain information must be presented;
12 requiring employers to conduct certain types of education and training programs
13 for certain employees under certain circumstances; specifying when such
14 education and training programs must be conducted; defining certain terms;
15 and generally relating to the education and training of employees concerning
16 sexual harassment in the workplace.

17 BY adding to
18 Article 49B - Human Relations Commission
19 Section 15(h) and 16A
20 Annotated Code of Maryland
21 (1998 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, That the Laws of Maryland read as follows:

Article 49B - Human Relations Commission

15.

For the purposes of this subtitle:

(H) THE TERM "SEXUAL HARASSMENT" MEANS ANY UNWELCOME SEXUAL ADVANCES, REQUESTS FOR SEXUAL FAVORS, AND OTHER VERBAL OR PHYSICAL CONTACT OF A SEXUAL NATURE WHEN:

(1) SUBMISSION TO SUCH CONDUCT IS MADE EITHER EXPLICITLY OR IMPLICITLY A TERM OR CONDITION OF AN INDIVIDUAL'S EMPLOYMENT;

(2) SUBMISSION TO OR REJECTION OF SUCH CONDUCT BY AN INDIVIDUAL IS USED AS A BASIS FOR EMPLOYMENT DECISIONS AFFECTING SUCH INDIVIDUAL; OR

(3) SUCH CONDUCT HAS THE PURPOSE OR EFFECT OF UNREASONABLY INTERFERING WITH AN INDIVIDUAL'S WORK PERFORMANCE OR CREATING AN INTIMIDATING, HOSTILE, OR OFFENSIVE WORKING ENVIRONMENT.

16A.

(A) (1) ALL EMPLOYERS MUST ACT TO ENSURE A WORKPLACE FREE OF SEXUAL HARASSMENT BY:

(I) POSTING, IN A PROMINENT AND ACCESSIBLE LOCATION IN THE WORKPLACE, A POSTER THAT DETAILS:

- 1. THE ILLEGALITY OF SEXUAL HARASSMENT;
- 2. EXAMPLES OF SEXUAL HARASSMENT;
- 3. THE COMPLAINT PROCESS AVAILABLE THROUGH THE COMMISSION; AND
- 4. DIRECTIONS ON HOW TO CONTACT THE COMMISSION;

(II) PROVIDING ALL EMPLOYEES WITH ANNUAL WRITTEN NOTICE THAT DETAILS:

- 1. THE ILLEGALITY OF SEXUAL HARASSMENT;
- 2. THE DEFINITION OF SEXUAL HARASSMENT UNDER STATE LAW;
- 3. EXAMPLES OF SEXUAL HARASSMENT;
- 4. THE INTERNAL COMPLAINT PROCESS AVAILABLE TO THE EMPLOYEE;

