

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
Third Reader

House Bill 400

(Prince George's County Delegation and Montgomery
County Delegation)

Environment and Transportation

Finance

**Washington Suburban Sanitary Commission - Hiring and Promotion Preferences
- Veterans and Their Spouses
PG/MC 106-22**

This bill authorizes the Washington Suburban Sanitary Commission (WSSC) to grant a hiring and promotion preference to an eligible veteran, the spouse of an eligible veteran who has a service-connected disability, or the surviving spouse of a deceased eligible veteran. An eligible veteran is a veteran of any branch of the U.S. Armed Forces who has received an honorable discharge or a certificate of satisfactory completion of military service, including the National Guard, the military reserves, the Commissioned Corps of the Public Health Service, and the Commissioned Corps of the National Oceanic and Atmospheric Administration. The bill establishes that granting this preference does not violate any State or local Equal Employment Opportunity law. The bill also repeals the requirement that certain honorably discharged veterans must receive a specified credit in competitive selection processes for appointment.

Fiscal Summary

State Effect: None.

Local Effect: None. WSSC can implement and enforce the bill with existing resources.

Small Business Effect: None.

Analysis

Current Law: State law generally prohibits an employer with at least 15 employees from discharging, failing or refusing to hire, or otherwise discriminating against any individual with respect to the individual's compensation, terms, conditions, or privileges of employment because of race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, genetic information, or disability. The State and local governments are considered employers.

The federal Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, or genetic information. It is also illegal to discriminate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit. Most employers with at least 15 employees are covered by EEOC laws (20 employees in age discrimination cases). Most labor unions and employment agencies are also covered.

Antidiscrimination laws apply to all types of work situations, including hiring, firing, promotions, harassment, training, wages, and benefits. EEOC has the authority to investigate charges of discrimination against employers who are covered by the law. If EEOC finds that discrimination has occurred, it tries to settle the charge. If not successful, EEOC has the authority to file a lawsuit to protect the rights of individuals and the interests of the public but does not, however, file lawsuits in all cases in which there was a finding of discrimination.

Regarding State employees, a former prisoner of war, an eligible veteran, the spouse of an eligible veteran who has a service-connected disability, or the surviving spouse of a deceased eligible veteran receives a hiring preference for a position within the State Personnel Management System requiring a selection test.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Department of Budget and Management; Maryland Commission on Civil Rights; Prince George's County; Washington Suburban Sanitary Commission; Department of Legislative Services

Fiscal Note History: First Reader - February 9, 2022
fnu2/tso Third Reader - March 10, 2022

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