

State of Maryland

Commission on Civil Rights

"Our vision is to have a State that is free from any trace of unlawful discrimination."



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February 11, 2020

House Bill 312 - Discrimination in Employment - Reasonable Accommodations for Applicants with Disabilities Letter of Information

Dear Chairperson Davis, Vice Chairperson Dumais, and Members of the House Economic Matters Committee:

The Maryland Commission on Civil Rights ("MCCR"; "The Commission") is the State agency responsible for the enforcement of laws prohibiting discrimination in employment, housing, public accommodations, and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, and physical and mental disability.

House Bill 312 amends Maryland's employment anti-discrimination law to prohibit an employer from discriminating against a qualified applicant for employment, including the failure or refusal to provide a reasonable accommodation requested by the applicant.

The Maryland Commission on Civil Rights asserts that the provisions of this bill are current law, and believe this bill is duplicative. Title 20 of the State Government Article already protects applicants and employees from unlawful discrimination, and the law already requires the employer to make reasonable accommodations to both applicants and employees. COMAR 14.03.02.05 further reinforces these protections, and even lists examples of reasonable accommodations for employers to consider during the interactive process.

With regard to the examples of reasonable accommodations listed on page 3, lines 7 through 14 of the bill, MCCR is amendable to exploring amending agency regulations to include these in COMAR 14.03.02.05.

Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.