

# MARYLAND RETAILERS ASSOCIATION

*The Voice of Retailing in Maryland*



## **HB312 – Discrimination in Employment – Reasonable Accommodations for Applicants With Disabilities** **Economic Matters Committee** **February 11, 2020**

### **Position: Oppose**

**Background:** HB312 would require business owners to make “reasonable accommodations” for the known disability of qualified applicants for employment.

**Comments:** The Maryland Retailers Association, while agreeing with the spirit of HB312 and acknowledging the requirements that have been previously set forth by the Americans with Disabilities Act (ADA), has concerns about the requirements and expectations that would be set for employers by this legislation, specifically with regard to location and the item on page 3, line 13 of the bill, which would require businesses to provide an alternative interview location for applicants with mobility impairments.

Given Maryland’s rich history, it comes as no surprise that many businesses in the state are located in designated historic districts. Such districts often have very strict requirements for any renovations or alterations to the exterior of historic structures, and have been known to block construction plans such as exterior ramps that would make buildings compliant with the ADA. Through no fault of their own, some businesses located in designated historic buildings may be unable to employ individuals with mobility impairments due to their inability to reasonably accommodate for these disabilities, let alone to make special accommodations such that they may partake in the application and interview process. If a potential employer is already aware that they would be incapable of making modifications to their place of business to accommodate an employee with disabilities, they should not be penalized for not making accommodations to allow such an individual to proceed through the interview process.

Thank you for your consideration.



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