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BILL NO.: Senate Bill 455  
TITLE: Employment Discrimination – Time for Filing Complaints  
COMMITTEE: Judicial Proceedings  
DATE: February 9, 2021  
POSITION: SUPPORT

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Senate Bill 455 seeks to extend the time period in which to file a complaint for unlawful employment practices (other than harassment<sup>1</sup>) with the Maryland Commission on Civil Rights from 6 months to 300 days. As operators of a statewide employment law hotline, the WLC frequently receives telephone calls from individuals who are being discriminated against, or refused accommodations, in their workforce but who have no recourse due to the untimeliness of their filing. This bill would change that.

Extending the timeline in which to file a complaint does multiple things. Under federal law, an employee has 300 calendar days to bring a complaint to the EEOC *if a state or local agency enforces a state or local law that prohibits employment discrimination on the same basis*. In Maryland, the Maryland Commission on Civil Rights enforces the Maryland Fair Employment Act; as such, employees in Maryland have 300 days to file a complaint for a violation of federal law. However, for those comparable state laws, potential litigants have only six months to bring a complaint to the MCCR. Thus it makes sense to extend the timeline for complaints in parallel state laws. SB 455 would simply conform our timeline with federal government's filing requirements, eliminating confusion and streamlining the complaint process.

Secondly, it is helpful as timeliness is one of the most frequent issues we see with callers on our Employment Law Hotline; employees are often afraid of reporting, traumatized from the treatment they have received, and late in filing their complaints. Additionally, many workers are intimidated by the legal process and struggle to find an affordable attorney to represent them. The current time frame of six months does not provide enough time to fully navigate that process. This effectively shuts them out of administrative and judicial process entirely, leaving them with no recourse. By extending the time frame, more employees will be able to find representation and bring their claims.

The WLC supports SB 455 for seeking to expand the relief currently available for employees who have been harassed and discriminated against by their employers. For the above reasons, the Women's Law Center of Maryland urges a favorable report for SB 455.

*The Women's Law Center of Maryland is a private, non-profit, legal services organization that serves as a leading voice for justice and fairness for women. It advocates for the rights of women through legal assistance to individuals and strategic initiatives to achieve systemic change, working to ensure physical safety, economic security, and bodily autonomy for women in Maryland.*

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<sup>1</sup>The Workplace Harassment Act of 2019 modified Maryland law so that claims of harassment may be filed with the local human relations commission within 2 years. (SB679/CH222 2019).