

# 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 8, 2022

## **House Bill 455 – State Personnel – Implicit Bias Awareness Training - Required POSITION: Letter of Concern**

Dear Chairperson McIntosh, Vice Chairperson Chang, and Members of the House Appropriations 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, health services and state contracts based upon race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, and source of income.

HB 455 requires the Commission to coordinate and implement implicit bias awareness training of all State employees by training designated unit representatives of all units in the executive, judicial, and legislative branches of state government including all units with independent personnel systems. It requires all State employees be trained within 6 months of initial appointment and annually thereafter. The Equal Employment Opportunity Coordinator is charged with enforcing this training requirement.

The Maryland Commission on Civil Rights support the intent of HB 455 to address the existence of implicit bias, also referred to as unconscious bias, within State government that may often contribute to unequal treatment of employees and the Maryland citizens they serve based on "race, ethnicity, gender identity, sexual orientation, age, disability and other characteristics". However, MCCR has identified several challenges to the effective implementation of the training utilizing the procedural structure framed in the bill which is modeled after the State employee's mandatory sexual harassment training requirement.

Maryland State government is one of, if not the largest, employer in the State. MCCR does not currently possess the necessary resources and tools to implement another statewide mandatory training for State government employees. In addition, MCCR, the Statewide EEO Coordinator's Office and state agencies are still challenged in fully implementing the sexual harassment training mandate due to the lack of resources. Many of the designated unit representatives are not trainers and must first be taught how to train as well as the subject matter.

***MCCR's Biennial Civil Rights & Fair Housing Gala Celebration: April 30, 2022***

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MCCR presently has no one on staff who has subject matter expertise in implicit bias to create the appropriate training module necessary to train the designated unit representatives. For such an important training topic, subject matter experts are a necessary resource and having sufficient staffing on all levels is needed to reach the capacity required by HB 455 to train all State employees annually on implicit bias.

HB 455 seeks to address an important issue in our state government workplace and services. MCCR wants to ensure that the appropriate tool is created, the proper resources are provided, and a successful mechanism is designed to successfully reach the statewide training capacity envisioned by the bill. But more importantly, it is imperative to create a proper training module to lead to profound behavioral changes in the State employees as they work with diverse colleagues and provide services to a diverse population of Maryland citizens.

The Maryland Commission on Civil Rights welcomes the opportunity to further discuss this bill to address the agency's concerns. Thank you for your time and consideration of the information contained in this letter. The Commission looks forward to continued opportunity to work with you to improve and promote civil rights in Maryland.