

SB574_AFSCME3_FAV.pdf

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Patrick Moran - President

SB 574 - State Employee Rights and Protections - Personnel Actions and Harassment - Complaints

POSITION: FAVORABLE

AFSCME Council 3 represents nearly 30,000 state employees. We support SB 574. This legislation increases the amount of time a state employee can file a complaint alleging harassment against their employer. For alleged violations of § 20–606(A)(5) of the State Government article, this complaint timeline extends from 30 days to 2 years. For alleged violations of § 5–208 of the State Personnel and Pensions article the complaint time extends from 30 days to 1 year.

This important legislation extends the rights and protections of state employees and applicants. A complaint process already exists if state employees and applicants feel they have been a victim of an unfair personnel action related to unlawful employment practices or the protections guaranteed under the Equal Employee Opportunity Program. Increasing the amount of time that state employees can file complaints offers more time for consideration. It is also not uncommon for employees to learn of their rights to complain after the timeline that is currently in place expires.

HB 574 is a good bill. We urge the committee to provide a favorable report.

Every AFSCME Maryland State and University contract guarantees a right to union representation.
An employee has the right to a union representative if requested by the employee.
800.492.1996

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013 SB574 State Employee Filing Complaint - Health

Uploaded by: Karen Lewis Young

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KAREN LEWIS YOUNG
Legislative District 3
Frederick County

Committee on Education, Energy,
and the Environment



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THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401

March 24, 2023

Support of SB 574/ HB 309 – State Employee Rights and Protections - Personnel Actions and Harassment

The Honorable Ben Barnes, Chair

Appropriations Committee

Maryland Senate

11 Bladen Street, Room 302

Annapolis, MD 21401

Chair Barnes, Vice-Chair Chang, and Esteemed Members of the Appropriations Committee:

SB 574, "State Employee Rights and Protections—Personnel Actions and Harassment—Complaints," aims to promote a healthy workplace environment by giving employees more time to file complaints. SB 574 was unanimously voted for by the Senate Finance Committee this year.

Specific to State employees in, and applicants to be employed by the Executive Branch of State government, most employment and appointment decisions (with limited exceptions for certain special appointments) must be made without regard to the applicant or employee's political affiliation, belief, or opinion. For a general employee, any other non merit factor is also prohibited from being considered; however, this prohibition does not apply for management positions and appointments. An applicant or employee may file, with the head of a principal unit, a written complaint that alleges a violation of this requirement; however, under current law, the complaint must be filed within 30 days after the complainant first knew of or reasonably should have known of the alleged violation that is the basis for the complaint.

With this the aforementioned 30-day time limit for a complainant to file a complaint is increased to *one year* after the complainant first knew, or reasonably should have known of the alleged violation that is the basis for the complaint.

In addition, a State employee in or an applicant to be employed by the Executive Branch of State government, may file with the head of a principal unit a written complaint that alleges harassment by the employer; such a complaint must be filed within *two years* after the alleged violation that is the basis for the complaint.

Many candidates might not be aware of illegal screening criteria until well after the interview. Also, most victims do not report harassment until they feel safe or confident enough to believe that their own experience may prevent someone else from experiencing harm.

Workplace discrimination and harassment are serious and pervasive problems that affect millions of people across the United States. They can cause long-term physical, emotional, and mental health issues, and it often leads to decreased productivity and high turnover rates. This is why it is essential for the State of Maryland to take proactive steps to address unlawful selection criteria harassment and ensure that all employees are protected.

By authorizing this measure, the State of Maryland is sending a clear message that it takes harassment and discrimination seriously and will not tolerate any form of mistreatment or unlawful practices in the workplace.

Sincerely,

A handwritten signature in blue ink that reads "Karen Lewis Young". The signature is written in a cursive style with a large, stylized initial "K".

Senator Karen Lewis Young