
TESTIMONY IN SUPPORT OF BILL HB 602

Employment Discrimination – Sexual Orientation

Economic Matters Committee

February 21, 2024

Social Work Advocates for Social Change strongly supports HB 602, which expands the State’s Equal Pay for Equal Work law by prohibiting employment discrimination on the basis of sexual orientation. Providing protections for LGBTQ+ persons align with the social work values of social justice and dignity and worth of a person. HB 602 will alleviate concerns about the state’s Supreme Court’s ruling on employer benefits, and embraces fairness and equity in the workplace in spite of religious exemption laws.

HB 602 will expand the State’s Equal Pay for Equal Work law. The bill will add sexual orientation to the list of existing prohibitions against workplace discrimination under the Equal Pay for Equal Work. Employers will not discriminate between employees in any occupation by providing less compensation to employees based on sexual orientation. There will be no financial impact for employers, local governments, or the state.

HB 602 would address concerns about the state Supreme Court’s ruling on employer benefits, correcting a loophole that allows discrimination within the State’s Equal Pay for Equal Work law. The ruling stated that “The Supreme Court of Maryland held that the prohibition against sex discrimination in the Maryland Equal Pay for Equal Work Act, does not include a prohibition against sexual orientation discrimination.” The bill would specifically prohibit workplace discrimination based on sexual orientation in statute, such that an employee in Maryland can no longer be denied any benefits – including health benefits – because of their sexual orientation. This bill is consistent with previous State actions to protect the rights of LGBTQ+ persons.

HB 602 embraces fairness and equity in the workplace for LGBTQ+ persons in spite of religious exemption laws. In the midst of recent historic anti-LGBTQ+ legislation, this bill will increase Maryland’s Movement Advancement Project score by interrogating “religious exemption” loopholes in employment policy. The state

Maryland Department of Labor. Maryland equal pay for equal work. (Revised 02/22).

<https://www.dllr.state.md.us/forms/equalpay.pdf>

Equal pay for equal work - Maryland department of labor. (Revised 02/22).

<https://www.labor.maryland.gov/forms/essequalpaybrochure.pdf>

Williams, J.-J. (2023, August 18). LGBTQ community members voice concern about state supreme court ruling on employer benefits.

The Baltimore Banner. <https://www.thebaltimorebanner.com/politics-power/state-government/sexual-orientation-discrimination-supreme-court-VAXVBVLXFFBIFKDHAKZU44IXRI/>

Yourcaba, J. (2023, December 17). From drag bans to sports restrictions, 75 anti-LGBTQ bills have become law in 2023.

NBCNews.com. <https://www.nbcnews.com/nbc-out/out-politics-and-policy/75-anti-lgbtq-bills-become-law-2023-rcna124250>

Movement Advancement Project. 20 24. “State Equality Profile: Maryland.”

https://www.lgbtmap.org/equality_maps/profile_state/MD. Accessed February 19, 2024.

The Supreme Court of Maryland. United States District Court for the District of Maryland. (2023, June 2). John Doe v. Catholic Relief Services. https://images.law.com/contrib/content/uploads/documents/292/152777/2022_IC3ElderFraudReport.pdf



For more information, please contact

Albert Ivory
umswasc@gmail.com

currently has a 75% rate in LGBTQ+ protections on the Movement Advancement Project's State Profile and passing this bill would strengthen the state's status as a place for LGBTQ+ persons to thrive.

This bill will provide relief for LGBTQ+ employees, and give support to the legal service providers with LGBTQ+ clients that have to confront employment discrimination. **Social Work Advocates for Social Change urges a favorable report on HB 602.**

Social Work Advocates for Social Change is a coalition of MSW students at the University of Maryland School of Social Work that seeks to promote equity and justice through public policy, and to engage the communities impacted by public policy in the policymaking process.

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