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**House Bill 536 – Employment Discrimination - Reasonable Accommodations -
Disabilities Due to Childbirth, Menopause, and Related Medical Conditions**
Position: Support with Amendments

Dear Chairperson Smith, Vice Chairperson Waldstreicher, and Members of the Senate Judicial Proceedings Committee:

The Maryland Commission on Civil Rights (“MCCR”; “The Commission”) is the State agency responsible for enforcing Maryland’s laws prohibiting discrimination in employment, housing, public accommodations, state contracts, commercial leasing, and health services based on race, color, religion, sex, age, national origin, marital status, familial status, sexual orientation, gender identity, genetic information, physical and mental disability, source of income, and military status.

House Bill 536 adds “menopause” and “related medical condition” to existing protections for employees that experience temporary disabilities due to pregnancy or childbirth. Under the bill, “related medical condition” is defined as including (1) lactation or the need to express breast milk for a nursing child; and (2) the need to manage the effects of vasomotor symptoms related to menopause.

These protections are critical for women who continue to experience severe discrimination in the workplace. According to MCCR’s Annual Reports, the Commission received 14 complaints (in FY2024) and 11 complaints (in FY2025) alleging unlawful employment discrimination based on pregnancy. At the same time, disability was the third most identified protected class in employment discrimination complaints in both FY2024 and FY2025. Finally, complaints alleging unlawful employment discrimination based on sex-female were 71% in FY2024, and rose to 85% in FY2025. HB536 fills a gap within existing employment anti-discrimination laws for a constituency that is in dire need of protections.

By way of amendments, when HB536 was on second reader in the House of Delegates, the bill was amended¹ to authorize an employer to consider operational impacts when determining if an employee’s reasonable accommodation request to transfer locations would create an undue burden on the employer. **Respectfully, MCCR asks for this amendment to be removed from the bill.** First, the

¹ Amendment HB0536/223427/1:

https://mgaleg.maryland.gov/2026RS/amds/bil_0006/HB0536_22342701.pdf

“Our vision is to have a State that is free from any trace of unlawful discrimination.”

amendment is not necessary because the added language has been existing statutory² and case law, including in MCCR's regulations³, for decades.

Second, MCCR is concerned that the added language within this one subsection of disabilities protections could create confusion for both employers and employees. Because any reasonable accommodation request to transfer work locations may be denied if an employer can establish that it creates an undue burden, the added language may suggest to employers and employees both that you can only request a transfer if it is connected to a temporary disability caused or contributed to by pregnancy, childbirth, menopause, or a related medical condition.

For these reasons, the Maryland Commission on Civil Rights urges a favorable with amendment vote on HB536. Thank you for your time and consideration of the information contained in this letter. MCCR looks forward to the continued opportunity to work with you to promote and improve civil rights in Maryland.

² See Md. Code Ann. State Gov. Art. § 20-603(2) – “This subtitle does not require an employer to reasonably accommodate an employee's religion or disability, or an applicant for employment's disability, if the accommodation would cause undue hardship on the conduct of the employer's business.” (*emphasis added*)

³ See COMAR 14.03.02.05.B(5) – “Examples of a reasonable accommodation include, but are not limited to: Reassigning or transferring an employee to a vacant position, light duty job, different work location, or other alternative employment opportunity which is available under the employer's existing policies or practices”. (*emphasis added*)