

# Annual Statewide Equal Employment Opportunity Report Fiscal Year 2024

Department of Budget & Management

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# Maryland Department of Budget and Management

Office of the Statewide  
Equal Employment Opportunity Coordinator



## Annual Statewide Equal Employment Opportunity Report Fiscal Year 2024

Wes Moore, Governor • Aruna Miller, Lt. Governor • Helene Grady, Secretary

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## EXECUTIVE SUMMARY

The Annual Statewide Equal Employment Opportunity (EEO) report offers an informative overview of the State of Maryland's EEO program within the Executive Branch of the State government. The Annotated Code of Maryland State Personnel and Pensions Article, Title 5, Subtitle 2, charges the Office of the Statewide EEO Coordinator (OSEEOC), which is under the authority of the Secretary of Budget and Management (DBM), with administering and enforcing the State's EEO Program; ensuring compliance with the requirements of State and federal laws governing equal employment opportunity; promoting a work environment free of any unlawful discrimination, harassment and retaliation; and fostering a well-diversified workforce of Maryland State government employees and applicants.

This report was prepared by the OSEEOC and provides an analysis of statistical and demographic data for FY 2024 (July 1, 2023 – June 30, 2024). It also reflects the achievements and measures the progress toward equal opportunity in Maryland State government.

### State Government Workforce Composition

In FY 2024, the Executive Branch of the State workforce was comprised of 53,782 full-time and part-time employees that totaled 44% male, and 56% female, with an additional 183 employees who identified as non-binary. The racial composition of the workforce consisted of 43.44% White, 45.26% African American, 2.89% Asian, 0.10% Native Hawaiian & Pacific Islander, 0.27% American Indian/Alaska Native, 2.14% Hispanic/Latino, 1.23% Multiracial and 4.67% who did not identify their race. Employees age 50-59 made up the largest share of the workforce at 26.45%. The next largest share of the workforce were employees age 40-49 which made up 24.61%.

While women and minorities are well represented in State government, disparities remained between genders and races with respect to their employment responsibilities and salaries. Maryland State government employment is designated into eight job categories. Women were underrepresented in specific job categories and were less likely than men to serve as Technicians (63% male vs. 36% female), Protective Service Workers: Sworn (89% male vs. 11% female), Protective Service Workers: Non-Sworn (61% male vs. 39% female), Skilled Craft Workers (95% male vs. 5% female), and Service Maintenance (63% male vs. 37% female). Women were more likely than men to serve as Officials and Administrators (55% female vs. 44% male), Professionals (68% female vs. 32% male) and Administrative Support (85% female vs. 14% male).

White employees, for example, held 57% of positions classified as Officials and Administrators, 45% classified as Professionals, 59% classified as Technicians, 66% classified as Protective Service Workers-Sworn and 60% classified as Skilled Craft Workers. African Americans, in contrast, held 64% of the Protective Service Workers – Non-Sworn, 55% of the Administrative Support and 74% Service Maintenance positions.

Participation data specific from FY 2019 through FY 2024 reflects that there were fewer White males, White females, and Minority males in State government than the Maryland Civilian Labor Force (CLF). Comparatively, in the same years, from FY 2019 through FY 2024 there were a greater number of Minority females in State government than the CLF.

### Statewide Workforce Average Salaries by Race and Gender

The disparities in job categories contribute to the differences in salaries paid to men and women and whites and minorities. Male employees were paid an average of \$7,553 more than female employees in FY 2024, while Whites were paid an average of \$15,110 more than African Americans. In comparison, in FY 2019, male employees were paid an average of \$6,167 more than female employees, while Whites were paid an average of \$10,082 more than African Americans.

### Statewide Personnel Transactions

Women received promotions at a rate equal to their representation in the overall workforce and were reclassified at a higher rate than their representation in the workforce. Women represented 56% of the workforce, 56% of the promotions, and 58% of the reclassifications. In comparison, Minorities represented 52% of the workforce and accounted for 52% of the promotions and 50% of the reclassifications.

African Americans were overrepresented with respect to the rate of disciplinary terminations 60% in FY 2024, an increase from 55% in FY 2023. The number of suspensions for African Americans has also increased from 55% in FY 2023 to 60% in FY 2024. The percentage of disciplinary demotions for African Americans has also increased from 50% in FY 2023 to 52% in FY 2024.

### Statewide Equal Employment Opportunity Complaints

Complaints of discrimination have increased from 520 in FY 2019, to 531 in FY 2023, to 593 in FY 2024. Of the 593 in FY 2024, 446 were internal complaints and 147

were external complaints. The most common bases for the internal complaints in FY 2024 were Disability, Race and Retaliation, compared to Race and Sex/Gender in FY 2019.

## **Maryland Whistleblower Law Complaints**

Maryland Whistleblower Law complaints declined in FY 2024 in comparison to FY 2023. In FY 2024, 13 whistleblower complaints were filed. This is a reduction from FY 2023 when there were 15 whistleblower complaints filed.

## **Statewide Requests for Reasonable Accommodations**

Reasonable accommodation requests have increased from 667 in FY 2019, to 900 in FY 2023, to 1,375 in FY 2024. Of the 1,375 requests in FY 2024, 1,172 or 85% were granted. In comparison, in FY 2019, 562 or 84% were granted and in FY 2023, 782 or 87% were granted.

## **FY 2024 OSEEOC Highlights**

The Office of the Statewide EEO Coordinator engaged State agencies and the State's EEO professionals in a number of EEO program activities and assisted agencies with guidance and support as requested. The OSEEOC continues to prioritize compliance, training, and outreach, along with taking the initiative to build relationships and restore trust amongst the statewide workforce.

To ensure compliance with State and federal EEO laws, policies and practices, the OSEEOC has continued to conduct ongoing compliance audits to review and monitor the EEO programs in each State agency. The OSEEOC conducted five agency compliance audits in FY 2024 and provided each agency with a closeout letter detailing outstanding compliance concerns, as well as recommendations for improving their EEO programs. Furthermore, the OSEEOC provided ongoing guidance on EEO matters to agency EEO personnel and conducted appeal reviews of agency decisions.

The OSEEOC enhanced training and outreach activities to increase the skills and knowledge of the State's EEO professionals. Specific activities included:

- Providing guidance and technical assistance to agency Fair Practices Officers, EEO Officers, ADA Coordinators and other agency officials and employees.
- Continuation of the EEO Connection Newsletter – a quarterly publication that includes EEO law updates, legislative updates, noteworthy court rulings, a diversity corner, community awareness information and frequently asked questions and answers.
- Updates to the DBM-OSEEOC webpage, "Toolkit for Fair Practices Officers, EEO Officers and ADA Coordinators" to include forms and templates to assist with performing their essential job duties.
- Ongoing guidance and training to Americans with Disabilities Act (ADA) Coordinators.
- Quarterly training on topics specific to EEO laws, diversity and investigative techniques for Fair Practices Officers and EEO Officers.
- Collaboration with the Maryland Commission on Civil Rights (MCCR) to ensure representatives from State agencies receive the necessary sexual harassment training to facilitate and implement the training which all state employees are required to complete.

State government agencies have demonstrated a commitment to equal employment opportunity. Throughout the fiscal year the OSEEOC observed high levels of commitment through action from leadership, management and EEO professionals to ensure compliance with federal and state civil rights laws and State government policies and procedures.

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## INTRODUCTION

Maryland State Government has an Equal Employment Opportunity Program, which is under the authority of the Secretary for the Department of Budget and Management. The purpose of the program is to ensure a system that provides equal employment opportunity for all based on merit and fitness. Eligibility for the program is extended to an employee in any unit of the Executive Branch of the State government including a unit with an independent personnel system. In addition, a job applicant for a position in the skilled service, professional service, or management services of the State Personnel Management System or a comparable position in an independent personnel system in the Executive Branch of State government is eligible for participation in the program.

It is the policy of Maryland State Government to prohibit discrimination in any personnel action concerning any employee or job applicant for employment based on age, ancestry, color, creed, genetic information, gender identity and expression, marital status, military status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex, or sexual orientation. The Maryland State Government is committed to providing a work environment free from discrimination.

The Secretary for the Department of Budget and Management administers the Equal Employment Opportunity Program in compliance with applicable State and federal laws; adopts regulations, policies, and directives to implement the program; evaluates the equal employment efforts in each unit of the program; takes any action necessary and permitted by law to enforce the program requirements; and annually reports on the program to the Governor. Copies of the annual statewide EEO report must be provided to each department and

unit, the General Assembly, and the Maryland Commission on Civil Rights (MCCR).

The Office of the Statewide EEO Coordinator (OSEEOC) is a unit within the Department of Budget and Management led by the Statewide EEO Coordinator, under the authority of the Secretary for the Department of Budget and Management. The Statewide EEO Coordinator is also responsible for enforcing the statewide EEO program.

The Annual Statewide EEO report includes information specific to the Maryland State government Executive branch workforce, specifically statistics and rankings that compare minority group State employees to all State employees in the various job categories; a summary that includes the appointments, promotions, demotions, suspensions, involuntary disciplinary terminations, and rejections on probation by race, sex and age and Maryland Whistleblower Law complaint proceedings. This report also provides trend analyses of key EEO indicators. The information provided can help leadership, management, stakeholders, and statewide EEO professionals with monitoring state governmentwide EEO activity and provide benchmarks for accurately assessing agencies' performance. This report can also be used as a tool to work proactively to anticipate challenges.

Lastly, this report aims to educate readers on the Maryland State government's Equal Employment Opportunity program and promote awareness of the accomplishments, challenges, and work that will be done to enforce compliance, ensure accountability, and continue to prioritize recruiting and retaining a diverse workforce that is inclusive and equitable.

## STATE GOVERNMENT WORKFORCE COMPOSITION

Equal opportunity to participate and advance in the State government workforce is critical to achieving the Maryland State government's priority of becoming a model employer. This section of the report details workforce composition rates in the Executive Branch of the State government, including units with independent personnel systems by gender, race, age, and EEO job category. In addition, there are comparisons of overall participation rates in the eight state government EEO job categories to their availability in the civilian labor force, which provides the opportunity to further evaluate progress toward equal opportunity. While some EEO job categories show improvement with an increase in participation of minorities and females, there is work that must continue to be done to improve the diversity of the workforce overall in comparison to the availability of the civilian labor force.

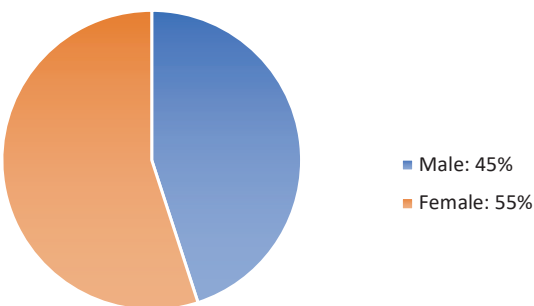
### Participation in the Maryland State government workforce by Gender, Race and Age:

In FY 2024, the Executive Branch of the State workforce was comprised of 53,782 full-time and part-time employees that totaled 44% male, and 56% female. In addition, the State Personnel Management System added the non-binary gender category in April 2023 to increase efforts towards an inclusive work environment. There was a total of 183 employees that identified as non-binary in FY 2024. The workforce composition data from FY 2019 through FY 2024 show that female employment rates maintained the trend of being higher than males.

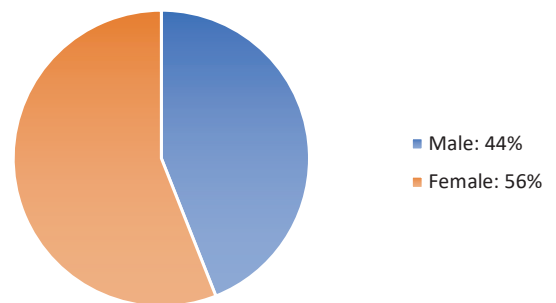
The racial composition of the workforce in FY 2024 consisted of 43.44% White (44.8% in FY 2023), 45.26% African American (44.4% in FY 2023), 2.89% Asian (2.8% in FY 2023), 0.10% Native Hawaiian & Pacific Islander (0.1% in FY 2023), 0.27% American Indian/Alaska Native (0.3% in FY 2023), 2.14% Hispanic/Latino (2.0% in FY 2023), 1.23% Multiracial (5.8% in FY 2023) and 4.67% no race identified in FY 2024. The workforce composition data from FY 2019 through FY 2024 show that White employees participation rates have declined slightly. Next, African American racial composition rates have increased slightly from FY 2019 through FY 2024. Participation data specific to Asian and Native Hawaiian & Pacific Islander employees have remained consistent from FY 2019 through FY 2024. Participation data specific to Hispanic/Latino employees increased in FY 2024 to 2.14% compared to FY19 through FY 2023 when it was 2.0% or less. In past years, employees that did not disclose their race were added to the Multiracial category. In FY 2024, these categories are separated to ensure accuracy (i.e. Multiracial and no race identified).

In FY 2024, employees age 50-59 made up the largest share of the workforce at 26.45%. The next largest share of the workforce were employees age 40-49 which made up 24.61%. Participation rates in all age categories have slightly increased or decreased from FY 2019 through FY 2024.

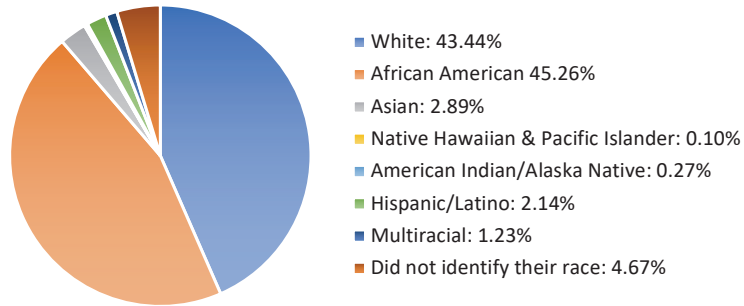
Statewide Workforce by Gender – FY 2019



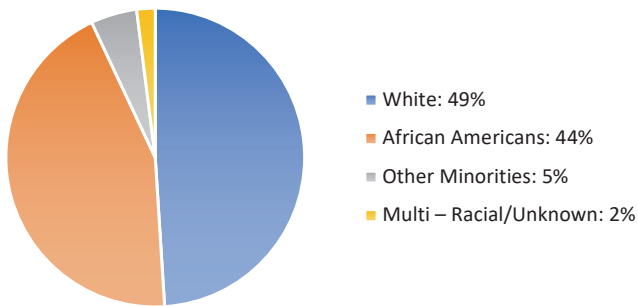
Statewide Workforce by Gender – FY 2024



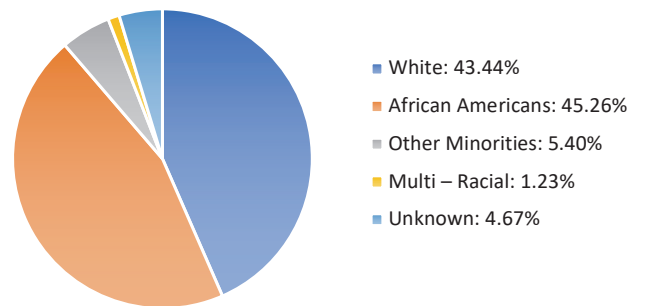
Statewide Workforce by Race – FY 2024



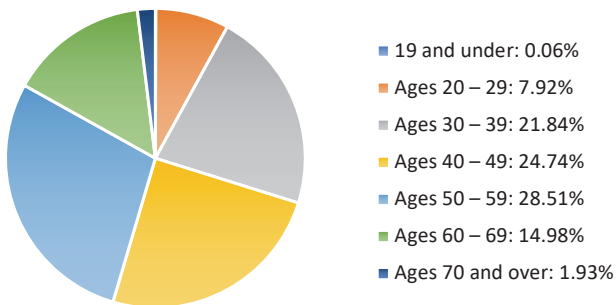
Statewide Workforce by Race – FY 2019



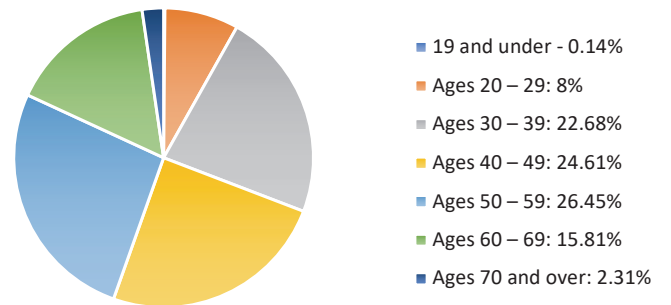
Statewide Workforce by Race – FY 2024



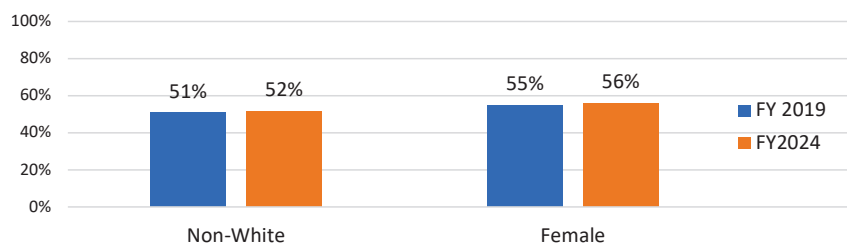
Statewide Workforce by Age – FY 2019



Statewide Workforce by Age – FY 2024



Reflection of Diversity in State Workforce – FY 2019 and FY 2024





## Participation in the Maryland State government workforce by EEO job categories by Race and Gender:

Maryland State government employment is designated into eight job categories: officials and administrators; professionals; technicians; protective service workers-sworn; protective service workers-non-sworn; administrative support; skilled craft workers; and service maintenance. In FY 2024, female employees had higher participation rates in the officials and administrators, professionals, and administrative support categories, while male employees had the highest rates in the remaining categories. African American employees had the highest participation rates in the administrative support, protective service workers: non-sworn and service maintenance job categories. Despite lower participation rates in other job categories, female and African American employees have made progress in other job categories since FY 2019.

The specific racial and gender breakouts for each job category are as follows:

**Officials and Administrators** - make up 12% of the workforce. Males make up 44% of this category, females 55% and non-binary 1%. The racial composition of this category is 57% White, 28% African American, 8% Other Minorities, and 7% Unknown. In FY 2024, females occupied this category at a higher rate when compared to males and non-binary individuals. While White males and females occupied this category at a higher rate in FY 2024 at 56%, this was a decrease when compared to FY 2019 at 67% and FY 2023 at 60%. African Americans were the second largest group in this category at 28%, which is an increase when compared to FY 2019 at 24% and FY 2023 at 26%. There was a slight increase in African American female representation from FY 2023 at 17% to 19% in FY 2024. Asian employees made up the third largest group in this category at 5% in FY 2024, which is a slight increase from 4% in FY 2023 and 3.84% in FY 2019.

**Professionals** - make up 43% of the workforce. Males make up 32% of this category, and females 68%. The racial composition of this category is 45% White, 42% African American, 8% Other Minorities and 5% Unknown. In FY 2024, females occupied this category at a higher rate when compared to males and non-binary individuals. White males and females occupied this category at a higher rate in FY 2024, FY 2023 and FY 2019. African American employees had the second highest rate in FY 2024, FY 2023 and FY 2019. African American females had the highest rate in this category overall at 32% in FY

2024, an increase from 30% in FY 2019 and 31% in FY 2023. Asian employees made up the third largest group in this category at 4% in FY 2024 (4% in FY 2023), an increase from 3.52% in FY 2019. The racial composition of White employees has declined from 52% in FY 2019, 46% in FY 2023, and 45% in FY 2024. The racial composition of African American employees has increased from 40% in FY 2019, 41% in FY 2023, and 42% in FY 2024.

**Technicians** - make up 5% of the workforce. Males make up 63% of this category, females 36% and non-binary 1%. The racial composition of this category is 59% White, 31% African American, 6% Other Minorities and 4% Unknown. White males have dominated this category since FY 2019.

**Protective Service Workers: Sworn** - make up 4% of the workforce. Males make up 89% of this category and females 11%. The racial composition of this category is 66% White, 26% African American, 5% Other Minorities and 3% unknown. White males have dominated this category since FY 2019.

**Protective Service Workers: Non-Sworn** - make up 14% of the workforce. Males make up 61% of this category and females 39%. The racial composition of this category is 29% White, 64% African American, 2% Other Minorities and 5% unknown. African American employees have occupied this category at a rate higher than any other racial group since FY 2019.

**Administrative Support** - makes up 12% of the workforce. Males make up 14% of this category and females 85%. The racial composition of this category is 34% White, 55% African American, 7% Other Minorities and 4% unknown. African American females have occupied this category at a rate higher than any other racial group since FY 2019.

**Skilled Craft Workers** - make up 4% of the workforce. Males make up 95% of this category and females 5%. The racial composition of this category is 60% White, 30% African American, 6% Other Minorities and 4% unknown. White males have occupied this category at a rate higher than any other racial group since FY 2019.

**Service Maintenance** - make up 6% of the workforce. Males make up 63% of this category and females 37%. The racial composition of this category is 17% White, 74% African American, 4% Other Minorities and 5% unknown. African American employees have occupied this category at a rate higher than any other racial group since FY 2019. Overall, males have occupied this category at a rate higher than females since FY 2019.

## Statewide Workforce and Civilian Labor Force Participation Rates

The Maryland State government workforce participation rates for minority females (i.e. African American, Asian and Two or More races) exceeded that of the CLF in FY 2024 (33.7% vs 26.1% in the CLF) and FY 2023 (34.3% vs. 25.6% in the CLF). The participation rates of White males (24% vs. 25.30% in the CLF) for FY 2024 and (23.2% vs. 26.2% in the CLF) for FY 2023 is less than that of the CLF. The participation rates of White females (22.7% vs. 23.40% in the CLF) for FY 2024 and (21.6% vs. 23.4% in the CLF) for FY 2023 is less than that of the CLF. The participation rates for Minority males (19.6% vs. 25.3% in the CLF) for FY 2024 and (20.8% vs. 24.9% in the CLF) for FY 2023 is less than that of the CLF.

The specific state government workforce participation rates in comparison to the CLF for each of the eight job categories are as follows:

**Officials and Administrators** job category reflects an underutilization of African American males (10.2% vs. 10.70% in the CLF) and Other Minority males (2.86% vs. 9.10% in the CLF) and Other Minority females (3.54% vs. 7.90% in the CLF). In addition, White males (31% vs. 31.10% in the CLF) represented slightly less than their availability in the CLF. Participation rates for White and African American females were higher than the CLF.

**Professional** job category reflects an underutilization of African American males (11.1% vs. 11.40% in the CLF) and Other Minority males (2.4% vs. 9.10% in the CLF) and Other Minority females (3.5% vs. 10.10% in the CLF). In addition, White males (18.2% vs. 25.50% in the CLF) represented less than their availability in the CLF. Participation rates for White and African American females were higher than the CLF.

**Technician** job category reflects an underutilization of African American females (17.7% vs. 30.10% in the CLF), Other Minority males (1.7% vs. 5.40% in the CLF) and Other Minority females (1.3% vs. 11% in the CLF). In addition, White females (17.9% vs. 28.70% in the CLF) represented less than their availability in the CLF. Participation rates for White and African American males were higher than the CLF.

**Protective Service Workers: Sworn** job category reflects an underutilization of African American males (23.1%

vs. 30.70% in the CLF), African American females (4.9% vs. 11.10% in the CLF), Other Minority males (1.8% vs. 8.50% in the CLF) and Other Minority females (0.3% vs. 4.30% in the CLF). Participation rates for White males and females were higher than the CLF.

**Protective Service Workers: Non-Sworn** job category reflects an underutilization of Other Minority males (1.1% vs. 8.70% in the CLF) and Other Minority females (0.4% vs. 4.80% in the CLF). In addition, White males (25.3% vs. 26.5% in the CLF) and White females (6% vs. 11.80% in the CLF) represented less than their availability in the CLF. Participation rates for African American males and females were higher than the CLF.

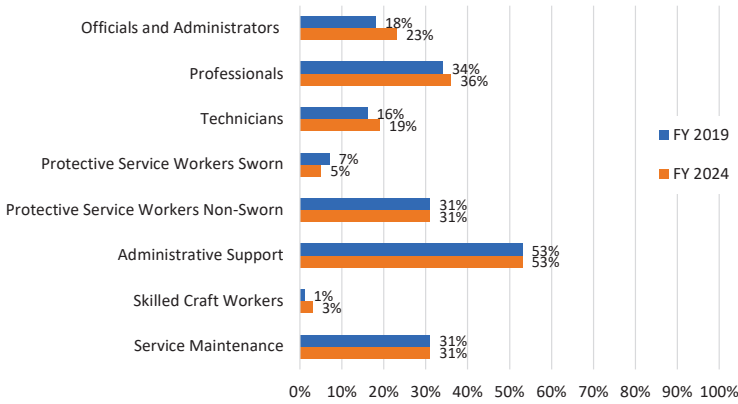
**Administrative Support** job category reflects an underutilization of African American males (8.3% vs. 9.10% in the CLF), Other Minority males (1.0% vs. 5.20% in the CLF), and Other Minority females (2.7% vs. 12.70% in the CLF). In addition, White males (4.9% vs. 11.40% in the CLF) and White females (31.9% vs. 35.60% in the CLF) represented less than their availability in the CLF. Participation rates for African American females were higher than the CLF.

**Skilled Craft Workers** job category reflects an underutilization of African American females (1.8% vs. 2.60% in the CLF), Other Minority males (3.9% vs. 29.30% in the CLF) and Other Minority females (0.3% vs. 4.10% in the CLF). In addition, White females (2.1% vs. 3.80% in the CLF) represented less than their availability in the CLF. Participation rates for White and African American males were higher than the CLF.

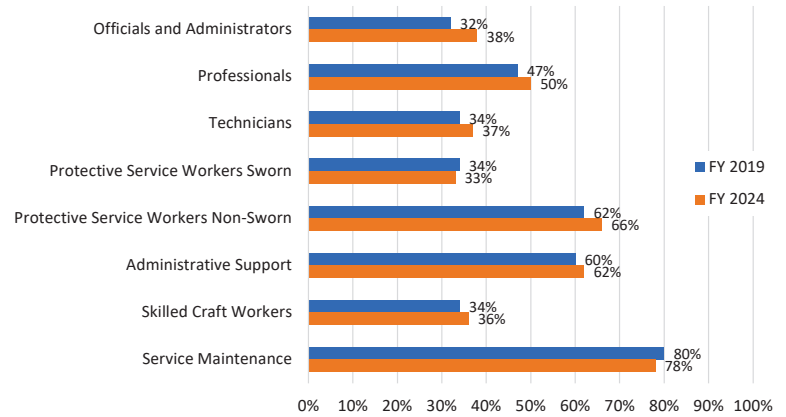
**Service Maintenance** job category reflects an underutilization of Other Minority males (0.9% vs. 12.10% in the CLF) and Other Minority females (0.8% vs. 14.30% in the CLF). In addition, White males (14.3% vs. 20.10% in the CLF) and White females (3.9% vs. 18.90% in the CLF) represented less than their availability in the CLF. Participation rates for African American males and females were higher than the CLF.

Participation data specific to FY 2024 and FY 2019 reflect that White males and females in the State government were less than the CLF. The number of Minority females in State government was higher than the CLF for FY 2024 and FY 2019, and Minority males were less in the State government than the CLF.

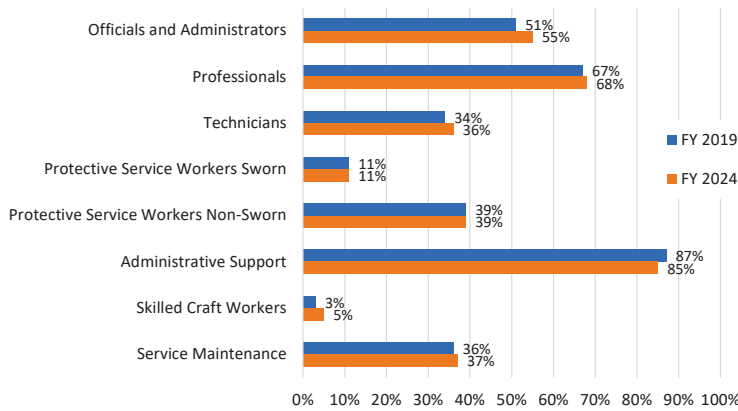
Minority Women by Job Category FY 2019 and FY 2024



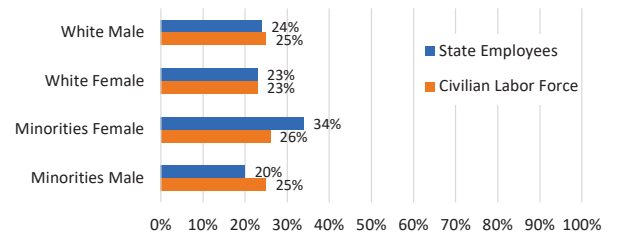
Minority Employees by Job Category FY 2019 and FY 2024



Women by Job Category FY 2019 and FY 2024



Comparison of State Employees/Civilian Labor Force – FY 2024



**STATEWIDE WORKFORCE COMPOSITION ANALYSIS — FISCAL YEAR 2024**

EEO JOB CATEGORY		WHITE						AFRICAN-AMERICAN						OTHER MINORITIES						TOTAL PERMANENT POSITIONS
		MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	
Officials and Administrators	#	1,881		0	1,879		0	614		0	1,254		0	172		0	213		0	6,013
	%	31%	31.10%	0.2%	31.25%	26.80%	4.4%	10.2%	10.70%	-0.5%	20.9%	14.40%	6.5%	2.86%	9.10%	-6.2%	3.54%	7.90%	-4%	
Professionals	#	3,908		0	6,446		0.0%	2,392		0.0%	7,456		0.0%	521		0%	759			21,482
	%	18.2%	25.50%	-7.3%	30.0%	28.50%	1.5%	11.1%	11.40%	-0.3%	34.7%	15.40%	19.3%	2.4%	9.10%	-7%	3.5%	10.10%	-6.6%	
Technicians	#	1,196		0	473		0.0%	423		0.0%	467		0.0%	46		0.00%	35		0.00%	2,640
	%	45.3%	11.70%	34%	17.9%	28.70%	-10.8%	16.0%	13.20%	2.8%	17.7%	30.10%	-12.4%	1.7%	5.40%	-3.66%	1.3%	11.00%	-9.67%	
Protective Service Workers: Sworn	#	1,275		0	114		0.0%	459		0.0%	98		0.0%	36		0.00%	5		0.00%	1,987
	%	64.2%	40.00%	24%	5.7%	5.40%	0.3%	23.1%	30.70%	-7.6%	4.9%	11.10%	-6.2%	1.8%	8.50%	-7%	0.3%	4.30%	-4%	
Protective Service Workers: Non-Sworn	#	1,827		0	413		0.0%	2,472		0.0%	2,391		0.0%	82		0%	31		0.0%	7,216
	%		26.50%	-1.2%	6%	11.80%	-6.1%	34%	33.00%	1.3%	33%	15.10%	14.5%	1.1%	8.70%	-7.6%	0.4%	4.80%	-4.37%	
Administrative Support	#	287		0	1,860		0.0%	481		0.0%	2,980		0.0%	61		0.00%	155		0.0%	5,824
	%	4.9%	11.40%	-6.5%	31.9%	35.60%	-3.7%	8.3%	9.10%	-0.8%	51.2%	26.10%	25.1%	1.0%	5.20%	-4.15%	2.7%	12.70%	-10%	
Skilled Craft Workers	#	1,216		0	41		0.0%	602		0.0%	35		0.0%	47		0.00%	5			1,946
	%	62.5%	44.80%	17.7%	2.1%	3.80%	-1.7%	30.9%	15.50%	15.4%	1.8%	2.60%	-0.8%	3.9%	29.30%	-25.40%	0.3%	4.10%	-3.8%	
Service-Maintenance	#	393		0	108		0.00%	1,343		0.0%	866		0.0%	24		0.00%	22		0.0%	2,756
	%	14.3%	20.10%	-6%	3.9%	18.90%	-14.98%	48.7%	17.60%	31.1%	31.4%	17.00%	14.4%	0.9%	12.10%	-11.23%	0.8%	14.30%	-13.5%	
TOTALS		# 11,983	25.30%	0	11,334	23.40%	-	8,786	13.80%	-	15,547	15.60%	-	989	11.50%	-	1,225	10.50%	-	49,864
		% 24.0%		-1.3%	22.7%		-0.7%	17.6%		3.8%	31.2%		15.6%	2.0%		-9.52%	2.5%		-8.0%	

Non-Binary is not included

Other minorities for State CLF includes Asian and two or more races. Excluded are Hispanic/ Latino (as it is not an race), American Indian& Alaska Native, and Native Hawaiian & Other Pacific Islander

Technicians State CLF calculation is an estimate as the Maryland State Government EEO Job Category of technicians has fewer job classifications within the technicians category than what is calculated nationally by the EEOC

**STATEWIDE WORKFORCE UTILIZATION ANALYSIS — FISCAL YEAR 2019**

EEO JOB CATEGORY		WHITE						AFRICAN-AMERICAN						OTHER MINORITIES						TOTAL PERMANENT POSITIONS
		MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	MALE	State CLF	Index Under	FEMALE	State CLF	Index Under	
Officials and Administrators	#	1,823			1,599			469			790			206			211			5,098
	%	35.8%	39.9%	-4.1%	31.37%	27.0%	4.4%	9.2%	9.5%	-0.3%	15.5%	13.1%	2.4%	4.04%	5.7%	-1.7%	4.14%	4.5%	0%	
Professionals	#	4,059			6,502			2,159			6,222			667			979			20,588
	%	19.7%	30%	-9.8%	31.6%	33.9%	-2.3%	10.5%	8.2%	2.3%	30.2%	14.0%	16.2%	3.2%	7.3%	-4%	4.8%	7.0%	-2.2%	
Technicians	#	1,221			441			378			390			96			44			2,570
	%	47.5%	27%	21%	17.2%	28.3%	-11.1%	14.7%	10.7%	4.0%	15.2%	20.5%	-5.3%	3.7%	7.2%	-3.46%	1.7%	6.7%	-4.99%	
Protective Service Workers: Sworn	#	1,297			107			472			121			102			12			2,111
	%	61.4%	37.7%	24%	5.1%	7.9%	-2.8%	22.4%	30.9%	-8.5%	5.7%	17.6%	-11.9%	4.8%	4.3%	1%	0.6%	1.5%	-1%	
Protective Service Workers: Non-Sworn	#	2,314			496			2,180			2,370			125			59			7,544
	%	30.7%	31.0%	-0.3%	7%	28.5%	-21.9%	29%	14.3%	14.6%	31%	17.8%	14.5%	1.7%	4.3%	-2.6%	0.8%	4.1%	-3.32%	
Administrative Support	#	330			2,253			453			3,223			87			369			6,715
	%	4.9%	20.0%	-15.1%	33.6%	36.4%	-2.8%	6.7%	10.3%	-3.6%	48.0%	21.7%	26.3%	1.3%	4.6%	-3.30%	5.5%	7.2%	-2%	
Skilled Craft Workers	#	1,356			34			604			26			87			8			2,115
	%	64.1%	57.5%	6.6%	1.6%	2.6%	-1.0%	28.6%	17.5%	11.1%	1.2%	1.6%	-0.4%	3.9%	19.8%	-15.90%	0.4%	1.0%	-0.6%	
Service-Maintenance	#	387			115			1,344			859			98			51			2,854
	%	13.6%	24.2%	-11%	4.0%	20.1%	-16.07%	47.1%	18.5%	28.6%	30.1%	15.5%	14.6%	3.4%	11.7%	-8.27%	1.8%	10.0%	-8.2%	
TOTALS		# 12,787	29.8%		11,547	26.9%		8,059	12.8%		14,001	15.6%		1,468	8.2%		1,733	6.7%		49,595
		% 25.8%		-4.0%	23.3%		-3.6%	16.2%		3.4%	28.2%		12.6%	3.0%		-5.24%	3.5%		-3.2%	

## STATEWIDE WORKFORCE AVERAGE SALARIES BY RACE and GENDER

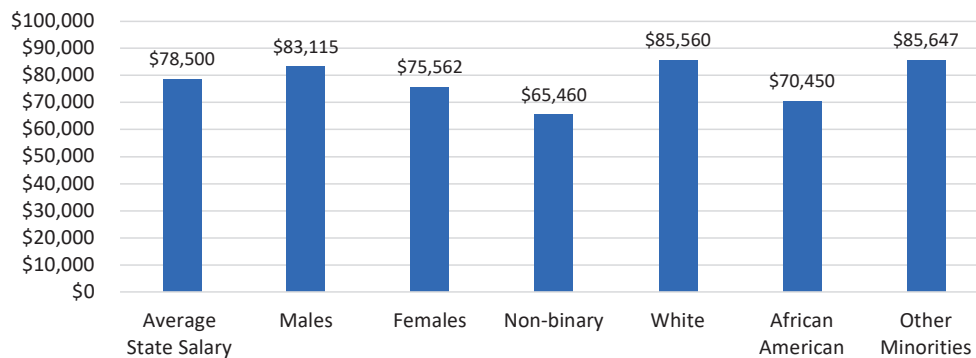
This section compares the average salaries by race and gender for FY 2024 and FY 2019. This data was compiled from the State Personnel Management System (SPMS), where most Executive Branch of Maryland State Government employees belong.

In FY 2024, the average state salary was \$78,500 (\$58,701 in FY 2019). The average salary for men was \$83,115 and women \$75,562 (a difference of \$7,553) which can be attributed to the positions they occupy within State government. The workforce composition data from FY 2019 through FY 2024 show that the average salaries for men has exceeded that of women. In addition, the average salary for non-binary individuals in FY 2024 was \$65,460.

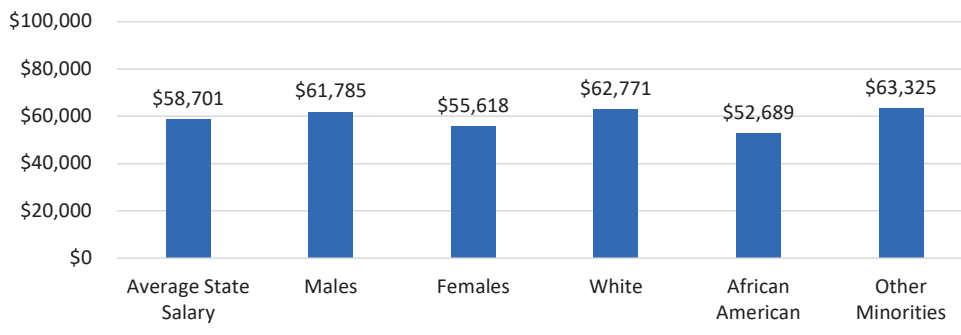
There was an average pay difference between White (\$85,560) and African American (\$70,450) employees in FY 2024, which was \$15,110, and can be attributed to the positions they occupy within State government. White employees make up 57% of higher paying Officials and Administrator positions, as opposed to African Americans with 28%. In comparison, African American employees make up 74% of the Service Maintenance category, which tends to have lower salaries.

Other Minorities average salary (\$85,647) exceeded both White and African American employees in FY 2024, which can also be attributed to their high representation in the Officials and Administrators (8%) and Professionals (8%) job categories.<sup>1</sup>

Average Salaries (SPMS Only) by Gender and Race FY 2024

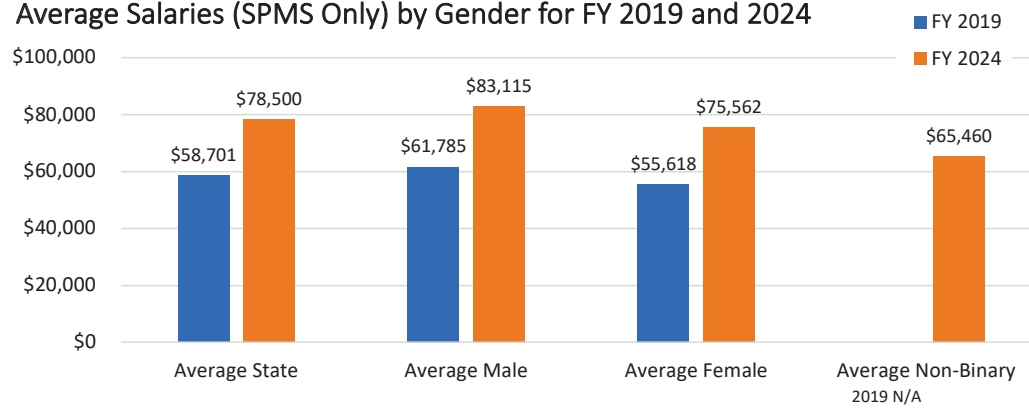


Average Salaries (SPMS Only) by Gender and Race FY 2019



<sup>1</sup> The average salary information reported in the FY 2023 Annual Statewide EEO Report was incorrect. In FY 2023, the average state salary originally reported was \$73,548, with the average salary for men being \$77,524 and women \$70,116 (a difference of \$7,408). The average pay difference between White (\$72,560) and African American (\$64,809) employees originally reported in FY 2023 was \$7,751. Other Minorities average salary originally reported was \$76,334. The corrections now reflect that in FY 2023, the average state salary was \$73,699, with the average salary for men being \$78,313 and women being \$70,633 (a difference of \$7,680). The average pay difference between White (\$79,817) and African American (\$66,507) employees in FY 2023 was \$13,310. Other Minorities average salary was \$73,297 in FY 2023.

Average Salaries (SPMS Only) by Gender for FY 2019 and 2024





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## STATEWIDE PERSONNEL TRANSACTIONS

This section summarizes statewide personnel transaction activity for FY 2024 and FY 2019. This information also reflects the type of transaction by race and gender. This data was compiled from units within the Executive Branch of the State government, including units with independent personnel systems.

The Code of Maryland Regulations (COMAR) defines a personnel action as an appointment, promotion, disciplinary or corrective action, acting capacity, reassignment, reclassification, reinstatement, performance appraisal, decision affecting compensation, benefits, training, or any other matter which significantly affects an individual's compensation terms, conditions, or privileges of employment.

**Appointments** make up (5,295) of personnel transactions in FY 2024, of which 42% were male, 56% female and 2% non-binary. The racial composition of this category is 29% White, 52% African American, 7% Other Minorities, and 12% unknown. In comparison, in FY 2019, appointments made up 25% (4,029) of personnel transactions and 4,668 in FY 2023. In FY 2019 and FY 2024 African Americans were appointed to positions at a higher rate than any other racial group. In FY 2019 and FY 2024, women were appointed at a rate higher than males and non-binary individuals.

**Reinstatements** make up (572) of personnel transactions in FY 2024, of which 38% were male, 61% female and 1% non-binary. The racial composition of this category is 25% White, 59% African American, 8% Other Minorities, and 8% unknown. In comparison, in FY 2019, reinstatements made up 2% (387) of personnel transactions. In FY 2019 and FY 2024 African Americans were reinstated to positions at a higher rate than any other racial group. Whites were the second highest racial group to be reinstated. In FY 2019 and FY 2024, women were reinstated at a rate higher than males and non-binary individuals.<sup>2</sup>

**Promotions** make up (2,582) of personnel transactions in FY 2024, of which 43% male, 56% female and 1% non-binary. The racial composition of this category is 44% White, 44% African American, 8% Other Minorities and 4% unknown. In comparison, in FY 2019, promotions made up 14% (2,223) of personnel transactions. In FY 2019 Whites were promoted to positions at a higher rate than any other racial group. In FY 2024 Whites and African Americans were promoted to positions at an equivalent rate. In FY 2019 and FY 2024, women were promoted at a higher rate than males and non-binary individuals.

**Reclassifications** make up (4,995) of personnel transactions in FY 2024, of which 42% male and 58% female. The racial composition of this category is 47% White, 42% African American, 8% Other Minorities and 3% unknown. In comparison, in FY 2019, reclassifications made up 23% (3,675) of personnel transactions and 4,506 in FY 2023. In FY 2019 and FY 2024 Whites were reclassified at a higher rate than any other racial group. African Americans were the second highest racial group to be reclassified in FY 2019 and FY 2024. In FY 2019 and FY 2024, women were reclassified at a higher rate than males and non-binary individuals.

**Demotions** make up (396) of personnel transactions in FY 2024, of which 38% male and 62% female. The racial composition of this category is 39% White, 52% African American, 5% Other Minorities and 4% unknown. In comparison, in FY 2019 demotions made up 2% (319) of personnel transactions and 511 in FY 2023. In FY 2019 and FY 2024 African Americans were demoted at a higher rate than any other racial group. In FY 2019 and FY 2024 women were demoted at a higher rate than males and non-binary individuals.

**Suspensions** make up (622) of personnel transactions in FY 2024, of which 54% male and 46% female. The racial composition of this category is 33% White, 60% African American, 5% Other Minorities and 2% unknown. In comparison, in FY 2019 suspensions made up 2% (352) of personnel transactions and 470 in FY 2023. In FY 2019 and FY 2024 African Americans were suspended at a higher rate than any other racial group. In FY 2019 females were suspended at a rate higher than males. In FY 2024 males were suspended at a rate higher than females and non-binary individuals.

**Resignations** make up (2,526) of personnel transactions in FY 2024, of which 41% male, 58% female and 1% non-binary. The racial composition of this category is 39% White, 46% African American, 7% Other Minorities and 8% unknown. In comparison, in FY 2019 resignations made up 17% (2,754) of personnel transactions and 2,915 in FY 2023. In FY 2019 and FY 2024 African Americans resigned at a higher rate than any other racial group. In FY 2019 and FY 2024 females resigned at a rate higher than males and non-binary individuals.

**Rejections on Probation** make up (199) of personnel transactions in FY 2024, of which 60% male, 38% female and 2% non-binary. The racial composition of this category is 21% White, 63% African American, 3% Other Minorities and 13% unknown. In comparison, in FY 2019

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<sup>2</sup> The reinstatement information originally reported in the FY 2023 Annual Statewide EEO Report was incorrect "1,002". The correct employee reinstatement information for FY 2023 is 613.

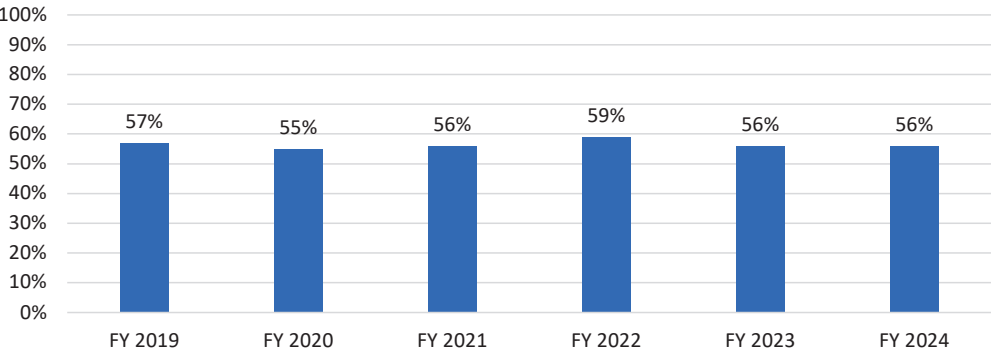
rejections on probation made up less than 1% (148) of personnel transactions and 154 in FY 2023. In FY 2019 and FY 2024 African Americans were rejected at a higher rate than any other racial group. In FY 2019 females were rejected on probation at a higher rate than males and non-binary individuals. In FY 2024 males were rejected on probation at a higher rate than females and non-binary individuals

**Retirements** make up (1,355) of personnel transactions in FY 2024, of which 46% male and 54% female. The racial composition of this category is 56% White, 40% African American and 4% Other Minorities. In comparison, in FY 2019 retirements made up 10% (1,667) of personnel transactions and 1358 in FY 2023. In FY 2019 and

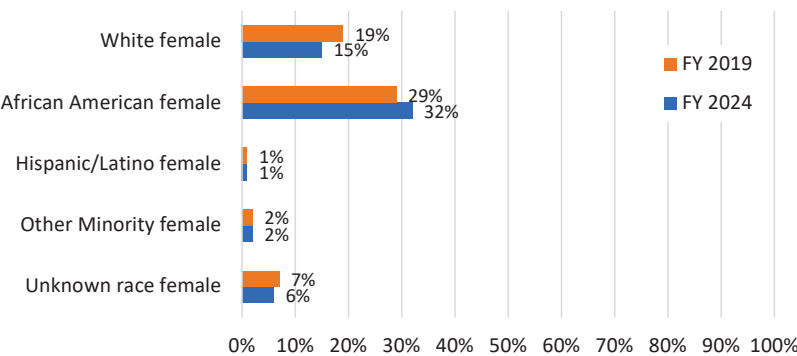
FY 2024 Whites retired at a higher rate than any other racial group. In FY2019 and FY2024 females retired at a higher rate than men and non-binary individuals.

**Terminations** make up (437) of personnel transactions in FY 2024, of which 53% male and 47% female. The racial composition of this category is 28% White, 60% African American, 6% Other Minorities and 6% unknown. In comparison, in FY 2019 terminations made up 2% (387) personnel transactions and 397 in FY 2023. In FY 2019 and FY 2024 African Americans were terminated at a higher rate than any other racial group. In FY 2019 females were terminated at a higher rate than men and non-binary individuals. In FY 2024 men were terminated at a higher rate than females and non-binary individuals.

Percentage of Women as New Hires FY 2019 – FY 2024

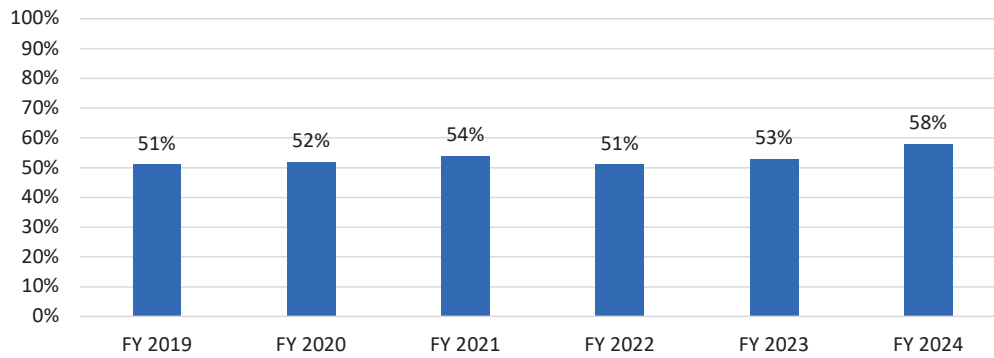


Percentage of Women as New Hires by Race FY 2019 and FY 2024

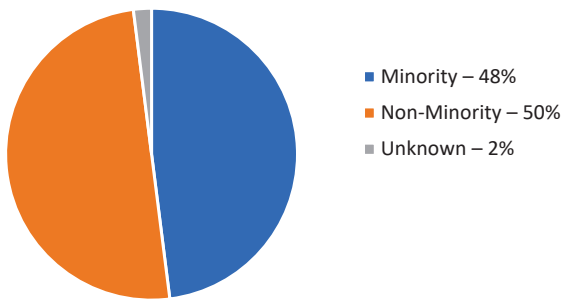




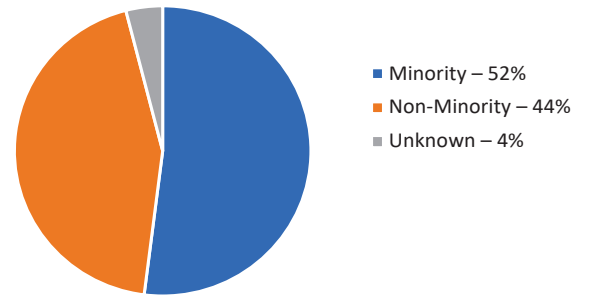
Percentage of Minorities as New Hires FY 2019 – FY 2024



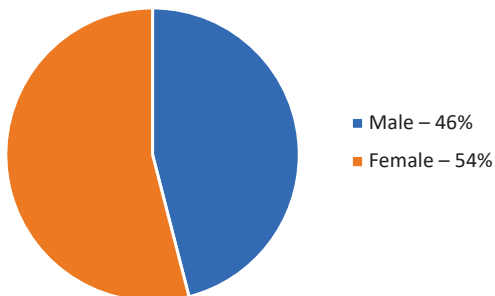
Non-Minority and Minority Promotions FY 2019



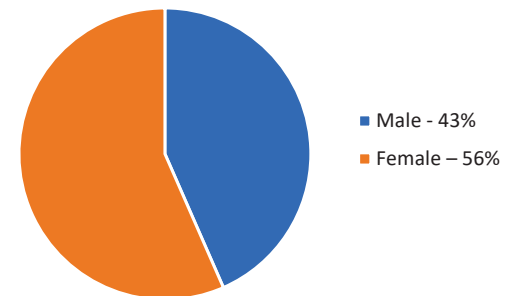
Non-Minority and Minority Promotions FY 2024



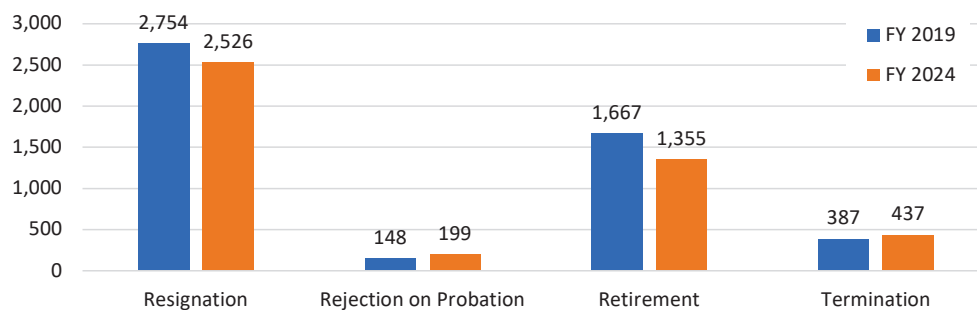
Promotions by Gender for FY 2019



Promotions by Gender for FY 2024



Statewide Separations and Terminations FY 2019 and FY 2024



STATEWIDE PERSONNEL TRANSACTION ANALYSIS - FY 2019 and FY 2024																	
TYPE OF TRANSACTION	YEAR	WHITE			AFRICAN-AMERICAN			OTHER MINORITIES			UNKNOWN			TOTAL			Grand Total
		Male	Female	Non-Binar	Male	Female	Non-Binar	Male	Female	Non-Binar	Male	Female	Non-Binar	Male	Female	Non-Binar	
Appointments	2019	729 18%	745 18%	0 0%	651 16%	1,152 29%	0 0%	357 9%	395 10%	0 0%	0 1%	0 0%	0 0%	1,737 43%	2,292 57%	0 0%	4,029
	2024	769 15%	785 15%	4 0%	1052 20%	1,671 32%	1 0%	147 3%	201 4%	1 0%	250 5%	331 6%	83 2%	2,218 42%	2,988 56%	89 2%	5,295
Reinstatements	2019	71 18%	78 20%	0 0%	43 11%	150 39%	0 0%	22 6%	23 6%	0 0%	0 0%	0 0%	0 0%	136 35%	251 65%	0 0%	387
	2024	67 12%	74 13%	1 0%	110 19%	225 39%	1 0%	18 3%	25 4%	0 0%	23 4%	27 5%	1 0%	218 38%	351 61%	3 1%	572
Promotions	2019	652 29%	468 21%	0 0%	278 13%	631 28%	0 0%	90 4%	104 5%	0 0%	0 0%	0 0%	0 0%	1,020 46%	1,203 54%	0 0%	2,223
	2024	629 24%	502 19%	1 0%	360 14%	775 30%	0 0%	96 4%	122 5%	1 0%	37 1%	53 2%	6 0%	1,122 43%	1,452 56%	8 0%	2,582
Reclassifications	2019	860 23%	886 24%	0 0%	465 13%	1,059 29%	0 0%	132 4%	146 4%	0 0%	58 2%	69 2%	0 0%	1,515 41%	2,160 59%	0 0%	3,675
	2024	1,102 22%	1,237 25%	2 0%	685 14%	1,436 29%	1 0%	165 3%	204 4%	20 0%	126 3%	17 0%	0 0%	2,078 42%	2,894 58%	23 0%	4,995
Demotions	2019	56 18%	87 27%	0 0%	33 10%	119 37%	0 0%	10 3%	8 3%	0 0%	2 1%	4 1%	0 0%	101 32%	218 68%	0 0%	319
	2024	70 18%	85 21%	0 0%	66 17%	139 35%	0 0%	6 2%	13 3%	0 0%	9 2%	8 2%	0 0%	151 38%	245 62%	0 0%	396
Suspensions	2019	80 23%	49 14%	0 0%	85 24%	119 34%	0 0%	6 2%	9 3%	0 0%	0 0%	3 1%	1 0%	171 49%	180 51%	1 0%	352
	2024	144 23%	62 10%	0 0%	168 27%	208 33%	0 0%	19 3%	11 2%	0 0%	6 1%	4 1%	0 0%	337 54%	285 46%	0 0%	622
Resignations	2019	562 20%	609 22%	0 0%	391 14%	856 31%	0 0%	77 3%	114 4%	0 0%	0 0%	58 2%	87 3%	1,030 37%	1,637 59%	87 3%	2,754
	2024	456 18%	502 20%	12 0%	415 16%	746 30%	0 0%	90 4%	96 4%	0 0%	85 3%	121 5%	3 0%	1,046 41%	1,465 58%	15 1%	2,526
Terminations	2019	46 12%	69 18%	0 0%	66 17%	131 34%	0 0%	9 2%	11 3%	0 0%	27 7%	28 7%	0 0%	148 38%	239 62%	0 0%	387
	2024	79 18%	45 10%	0 0%	124 28%	136 31%	0 0%	12 3%	14 3%	0 0%	18 4%	8 2%	1 0%	233 53%	203 46%	1 0%	437

STATEWIDE PERSONNEL TRANSACTION ANALYSIS - FY 2019 and FY 2024																	
TYPE OF TRANSACTION	YEAR	WHITE			AFRICAN-AMERICAN			OTHER MINORITIES			UNKNOWN			TOTAL			Grand Total
		Male	Female	Non-Binar	Male	Female	Non-Binar	Male	Female	Non-Binar	Male	Female	Non-Binar	Male	Female	Non-Binar	
Rejections on Probation	2019	13	21	0	29	59	0	5	4	0	9	8		56	92	0	148
		9%	14%	0%	20%	40%	0%	3%	3%	0%	6%	5%	0%	38%	62%	0%	
	2024	30	13	0	74	52	0	3	2	0	13	9	3	120	76	3	199
15%		7%	0%	37%	26%	0%	2%	1%	0%	7%	5%	2%	60%	38%	2%		
Retired	2019	491	508	0	221	385	0	29	26	0	5	2		746	921	0	1,667
		29%	30%	0%	13%	23%	0%	2%	2%	0%	0%	0%	0%	45%	55%	0%	
	2024	396	369	0	210	330	0	22	25	0	1	2	0	629	726	0	1,355
29%		27%	0%	15%	24%	0%	2%	2%	0%	0%	0%	0%	46%	54%	0%		

## STATEWIDE EQUAL EMPLOYMENT OPPORTUNITY COMPLAINTS

This section summarizes statewide internal and external EEO complaint activity for FY 2024. This data was compiled from units within the Executive Branch of the State government, including units with independent personnel systems.

It is the policy of Maryland State Government to prohibit discrimination in any personnel action concerning any employee or job applicant for employment based on age, ancestry, color, creed, genetic information, gender identity and expression, marital status, military status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex, or sexual orientation. It is also prohibited to retaliate against a job applicant or employee for participating in EEO protected activity in opposition to unlawful discrimination. An employee in the skilled service, professional service, or management service of the State Personnel Management System may elect to pursue an allegation of employment discrimination under the complaint procedures or the grievance procedures in State Personnel and Pensions Article Title 12.

An employee of the University System of Maryland who is eligible may elect to pursue an allegation of employment discrimination under the complaint procedures in State Personnel and Pensions Article Title 5-211 or a grievance under State Personnel and Pensions Article Title 13 of the Education Article.

An employee of Morgan State University who is eligible may elect to pursue an allegation of employment discrimination under the complaint procedures in State Personnel and Pensions Article Title 5-211 or a grievance under State Personnel and Pensions Article Title 14 of the Education Article.

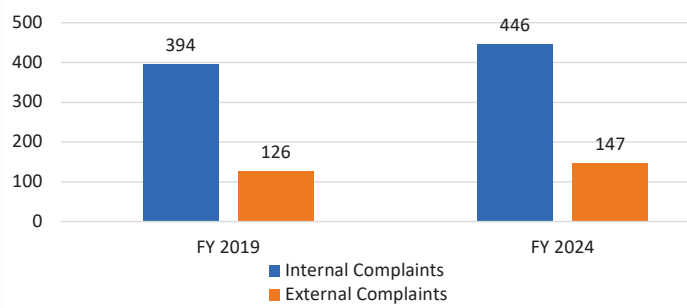
The EEO complaint process is confidential and encompasses the following stages:

- SPP 5-211. Filing of complaint: A job applicant or employee may file a written complaint that alleges an EEO violation with the head of their principal unit, within 1 year after the complainant knew, or reasonably should have known, of the alleged violation. Complaints pertaining to harassment must be filed within 2 years after the alleged violation.

- SPP 5-212. Actions on complaint: Under the direction of the principal unit's Fair Practices Officer, the Equal Employment Opportunity Officer shall investigate the complaint and recommend a proposed decision to the head of the principal unit within 60 calendar days of receipt. The head of the principal unit shall issue a written decision to the complainant and may grant any appropriate relief.
- SPP 5-213. Appeals: Upon receiving a decision, the complainant has within 10 days to file an appeal in writing to the Secretary for the Department of Budget and Management or designee (Statewide EEO Coordinator). Within 30 days the Statewide EEO Coordinator shall review the complaint and the decision being appealed; conduct any additional investigation as needed and shall recommend to the Secretary for the Department of Budget and Management a finding of whether a violation occurred or not. The Statewide EEO Coordinator shall issue the complainant a written decision that includes notice of any remedial action taken and their rights to file with an external regulatory agency (Maryland Commission on Civil Rights or the U.S. Equal

Employment Opportunity Commission). If the Statewide EEO Coordinator determines that a violation has not occurred, the complaint shall be dismissed. The decision of the Secretary for the Department of Budget and Management or Statewide EEO Coordinator is final.

**Internal Statewide EEO Complaints and External EEO Complaints for FY 2019 and FY 2024**



## Summary Highlights

- The total number of internal and external EEO complaints statewide for FY 2024 was 593. Of these, 446 were internal complaints and 147 external complaints.
- The most common bases for the internal complaints were Disability, Race and Retaliation in FY 2024, in comparison to Race and Sex/Gender in FY 2019.
- The number of statewide discrimination complaints has increased from 520 in FY 2019 to 593 in FY 2024.
- The number of internal EEO complaints filed with the principal unit's EEO Offices has increased to 446 (75%) for FY 2024, compared to 394 (76%) for FY 2019. This is a positive indication of employee's willingness to participate in the internal EEO process to resolve matters at the lowest level.
- The number of external EEO complaints filed with agencies such as the Maryland Commission on Civil Rights and U.S. Equal Employment Opportunity Commission has increased slightly from 126 in FY 2019 to 147 in FY 2024.
- In FY 2024, the Office of the Statewide EEO Coordinator processed a total of 25 EEO appeals, which was 6% of the statewide internal EEO complaints (446). Of this amount, 17 concluded that there were no findings of violations, 6 were withdrawn at the request of the complainant and 2 were administratively closed. In comparison, in FY 2019, 23 EEO appeals were filed which was 6% of the statewide internal EEO complaints (394).

## MARYLAND WHISTLEBLOWER LAW COMPLAINTS

This section summarizes Maryland Whistleblower Law complaints filed statewide for FY 2024. This data was compiled from the Office of the Statewide EEO Coordinator (OSEEOC).

The Maryland Whistleblower Law, as stated in the State Personnel and Pensions, Article Title 5-301 – 5-314, applies to all employees and job applicants for positions in the Executive Branch of State government, including a unit with an independent personnel system. This law requires that a supervisor, appointing authority, or the head of a principal unit not take or refuse to take any personnel action as a reprisal against an employee who discloses information that they reasonably believe evidence: an abuse of authority, gross mismanagement, or gross waste of money; a substantial and specific danger to public health or safety; or a violation of the law.

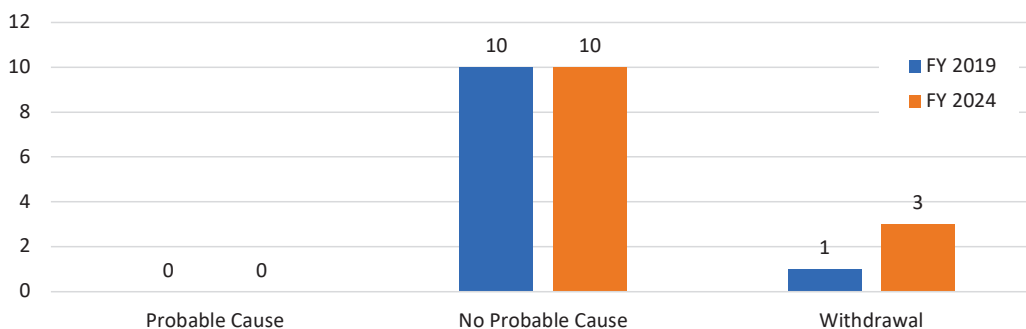
An employee and job applicant eligible to file a Maryland Whistleblower Law complaint must do so within 6 months after they first knew of or reasonably should have known of the violation. The OSEEOC is responsible for enforcing this law. The OSEEOC is responsible for conducting investigations within 60 days after a complaint is received to determine whether a violation of SPP 5-305 occurred. Once the investigation is concluded, the Department of Budget and Management Secretary or designee (OSEEOC) will issue the complainant and the head of the principal unit a written decision that includes any remedial action taken. If it is determined that no violation has occurred, the Secretary or designee shall dismiss the complaint.

A complainant may appeal to the Office of Administrative Hearings within 10 days after receiving a decision under SPP 5-309 or when a decision is not issued within 60 days after the complaint is filed and the complainant requests a hearing.

### Summary Highlights

- In FY 2024, 13 Maryland Whistleblower Law complaints were filed. Of this amount, 10 were investigated, and concluded that there were no findings of violations. The remaining 3 complaints were withdrawn at the request of the complainant. This is a reduction from FY 2023 when there were 15 complaints filed.
- In comparison, in FY 2019, 11 complaints were filed. Of this amount, 10 concluded that there were no findings of violations. In addition, the 1 remaining complaint was administratively closed.
- In FY 2024, the OSEEOC continued to host “Maryland Whistleblower Law in the Executive Branch of State Government Overview” sessions. The purpose of the 90-minute overview is to educate professionals on the purpose of the law, who it protects, what it protects against, how to file a complaint, the investigative process and how to file an appeal if the complainant is not satisfied with the outcome.
- In FY 2024, the OSEEOC continued to enforce its auditing process which includes measures that evaluate whether principal units comply with providing written notice to employees regarding the protections and remedies provided by the Maryland Whistleblower Law proceedings.

Maryland Whistleblower Law Complaints FY 2019 and FY 2024



## STATEWIDE REQUESTS FOR REASONABLE ACCOMMODATIONS

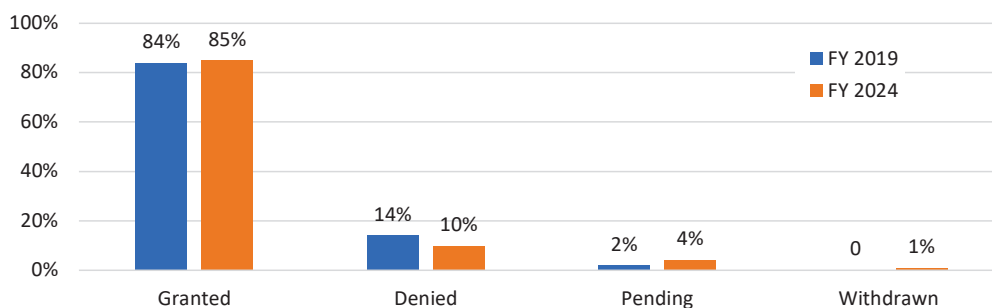
This section summarizes statewide reasonable accommodation requests activity for FY 2024. This data was compiled from units within the Executive Branch of the State government, including units with independent personnel systems.

It is the policy of Maryland State Government to dedicate full compliance to the Americans with Disabilities Act and the reasonable accommodation process. Therefore, no job applicant or employee shall be retaliated against for seeking reasonable accommodation(s) for their disabilities. To ensure compliance with federal and state disability laws, each agency is required to appoint a designated ADA Coordinator who is responsible for the following:

- ensuring that meetings and conference rooms, lunchrooms, and employment tests are accessible;
- providing training to managers, supervisors and employees on the disability laws and reasonable accommodation process;
- ensuring that all agency accessibility requirements are compliant; and
- managing reasonable accommodation requests and administering the interactive process.

A job applicant or employee request for reasonable accommodation can be made verbally or in writing. Once received, the ADA Coordinator is responsible for initiating the interactive process. The interactive process requires the ADA Coordinator to communicate directly with the job applicant and hiring manager or the employee and their supervisor to discuss the request in detail. The decision to approve or deny an accommodation must be provided to the job applicant or employee in writing. When an agency denies a requested accommodation but offers an alternative instead, the agency notice must explain both the reasons for the denial of the requested accommodation and the reasons that it believes that the chosen accommodation will be effective. Also, all agency denial notifications must include the individual's right to file a complaint with their principal unit's EEO Officer and with the Maryland Commission on Civil Rights (MCCR) and the Equal Employment Opportunity Commission (EEOC).

Reasonable Accommodation Requests FY 2019 and FY 2024



## Summary Highlights

- In FY 2024, there were a total of 1,375 requests for reasonable accommodations from State employees and job applicants for State employment. Of this amount, 1,172 or (85%) of the requests were granted. There was a total of 61 agencies that reported data on reasonable accommodation requests, with the Maryland Department of Transportation (207), Maryland Department of Human Services (197), Maryland Department of Health (186) and Maryland Department of Correctional Services (190) accounting for 780 or 57% of the total requests reported.
- In comparison, in FY 2019, there were 667 requests for reasonable accommodations from State employees and job applicants for State employment. Of this amount, 562 or 84% were granted. There was a total of 34 agencies that reported data on reasonable accommodation requests, with the Maryland Department of Human Services (114), Maryland Department of Transportation (127) and Maryland Department of Health accounting (120) for 361 or 54% of the total requests reported).
- In FY 2024 and FY 2023, reasonable accommodations to telework full-time or by way of a hybrid work schedule were high.
- The increase in reasonable accommodation requests may be attributed to individuals being newly diagnosed with disabilities and pre-existing conditions being exacerbated, which warranted the need for accommodations to perform the essential functions of their job. In addition, the increase in requests could be a response to return-to-work policies post pandemic and employees need for accommodations to return to the office.

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## HIGHER EDUCATION INSTITUTIONS

This section summarizes the FY 2024 workforce composition, personnel transaction analysis, and separation and termination activity for the University System of Maryland, Baltimore City Community College, Morgan State University, and St. Mary's College of Maryland. This data was provided by the University System of Maryland's Office of Human Resources, the Baltimore City Community College, Morgan State University, and St. Mary's College of Maryland's Offices of Human Resources and Equal Employment Opportunity.

The Equal Employment Opportunity Program in the Executive Branch of State Government, State Personnel and Pensions, Article Title 5-201 -214, applies to employees and job applicants for employment in State government. It also states that an employee in any unit

of the Executive Branch of the State government, including a unit with an independent personnel system, must comply with the law. Baltimore City Community College, Morgan State University and St. Mary's College of Maryland are independent institutions with an independent personnel system that must comply with SPP 5-201-214. Next, SPP 5-205 (5) (d) states that notwithstanding any other provision of the subtitle, the University System of Maryland may satisfy any reporting requirement required by the subtitle or by regulations adopted under the subtitle by submitting to the Secretary an annual report on the System's equal employment opportunity policies and procedures. As a result, an overview of each institution is provided along with summary highlights regarding their workforce.

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### Baltimore City Community College

#### Overview

Baltimore City Community College (BCCC) is a state-sponsored, degree-granting community college in Baltimore, Maryland. It is accredited by the Middle States Commission on Higher Education. The community college offers associate degree programs and certifications in high demand fields such as nursing, business and more. Each year, the College educates over 7,500 students from Baltimore City, the State of Maryland, and around the world.

#### Summary Highlights

- In FY 2024, there were 610 full-time and part-time employees in the BCCC workforce.
- 398 or 65% were African American.
- 342 or 56% were female employees.
- 65 or 11% of BCCC employees were represented in the "Officers and Administrators" EEO job category.
- In FY 2024, 37 or 57% of African American employees were represented in the "Officers and Administrators" EEO job category, compared to 47 or 56% in FY 2023.
- 466 or 76% of BCCC employees were represented in the "Professionals" EEO job category.
- 290 or 62% of African American employees were represented in the "Professionals" EEO job category which is in line with their representation of the BCCC workforce.

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### Morgan State University

#### Overview

Morgan State University (MSU) is a Carnegie-classified high research (R2) institution that provides instruction to a multiethnic, multiracial, multinational student body and offering more than 140 academic programs that lead students to degrees from the baccalaureate to the doctorate. MSU is Maryland's Preeminent Public Urban Research University.

#### Summary Highlights

- In FY 2024, there were 1746 full-time and part-time employees in the MSU workforce.
- 1308 or 75% were African American.
- 870 or 50% were female employees.
- In FY 2024, 1002 or 57% of MSU employees were represented in the "Professionals" EEO job category, compared to 1032 or 61% in FY 2023.
- 649 or 65% of African American employees were represented in the "Professionals" EEO job category.
- In FY 2024, 336 or 19% of MSU employees were represented in the "Officers and Administrators" EEO job category, compared to 269 or 16% reported in FY 2023.



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## St. Mary's College of Maryland

### Overview

St. Mary's College of Maryland is a national public honors college that offers four-year baccalaureate degrees. St. Mary's College of Maryland popular degree programs are psychology, biology, English, environmental studies, political science, and economics. St. Mary's College offers a small-college experience like those found at exceptional private colleges.

### Summary Highlights

- In FY 2024, there were 316 full-time and part-time employees in the St. Mary's College of Maryland workforce.
- 220 or 70% were White.
- 62 or 20% were African American.
- 34 or 11% were Other Minorities.
- 179 or 57% were female employees.

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## University System of Maryland

### Overview

The University System of Maryland (USM) is the state's public higher education system. USM consist of 12 institutions: Bowie State University, Coppin State University, Frostburg State University, Salisbury University, Towson University, University of Baltimore, University of Maryland, Baltimore, University of Maryland Baltimore County, University of Maryland Center for Environmental Science, University of Maryland College Park, University of Maryland Eastern Shore, and University of Maryland Global Campus.

### Summary Highlights

- In FY 2024, there were 41,950 full-time and part-time employees in the USM workforce.
- 20,388 or 49% were White.
- 8,556 or 20% were African American.
- 6,351 or 15% were Other Minorities.
- 6,655 or 16% did not disclose their race.
- 23,169 or 55% were female employees.
- In FY 2024, 14,378 or 34% of USM's workforce were represented in the "Faculty/Instructors" EEO job category, and 8,584 or 60% were White.

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## CONCLUSION

Maryland State government must continue to work strategically to remedy the causes of underrepresented participation rates in various EEO job categories and salary disparities. The information in this report can be utilized to strategically plan for initiatives pertaining to recruitment and retention, classification and salary, human resource information systems, employee, and labor relations, as well as diversity, equity, and inclusion.

The Office of the Statewide EEO Coordinator staff is committed to providing assistance and guidance to

State government leadership, management, and staff to ensure that we enforce our mission to the following:

- Administer and enforce State and federal equal employment opportunity laws and policies;
- Promote a work environment free of any unlawful discrimination, harassment, and retaliation; and
- Assist in building a well-diversified workforce for Maryland State government employees and job applicants.

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## Appendix A

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### GLOSSARY

**APPOINTMENT:** An employee who was hired for the first time or rehired after a break in service for permanent full-time or part-time employment. This does not include a reassignment.

**CAREER REINVESTMENT PROGRAM:** The program created by the Office of Personnel Services and Benefits to facilitate the movement of laid-off or separated employees and employees with disabilities into other skill areas.

**CIVILIAN LABOR FORCE:** The number of persons 16 years of age and over, (except those in the armed forces), who are employed or who are unemployed and seeking employment in the geographic area from which an employer would recruit. (United States Census Bureau)

**COORDINATOR:** The Statewide Equal Employment Opportunity Coordinator (Annotated Code of Maryland, State Personnel and Pensions Article, § 5-206).

**DEMOTION:** A change from one class to another class with a lower maximum rate of compensation.

**DESIGNATED POLITICAL SPECIAL APPOINTMENT:** Those job functions that satisfy the political appointment criteria as stated in the law. These include:

1. Administrative support work for an Executive Service official or agency head.
2. Special Assistant to an Executive Service official or agency head.
3. Legislative Liaison or Director of Government Affairs.
4. Public Information Officer or Director of Communications.
5. Chief of Staff or Primary Executive Administrator for an agency; and
6. Certain positions in the Office of the Attorney General, as provided in § 6-105 of the State Government Article.

**DISABILITY:** With respect to an individual –

1. a physical or mental impairment that substantially limits one or more of the major life activities of such individual;
2. a record of such an impairment; or
3. being regarded as having such an impairment. (Americans with Disabilities Act, Title I, vol. 42, United States Code § 12102, et seq. 1990).

### EXECUTIVE SERVICE:

(a) **Executive Branch** – Except as otherwise provided by law, the following positions in the Executive Branch of State government are in the executive service:

- (1) the chief administrator of a principal unit or a comparable position that is not excluded from the State Personnel Management System under § 6-301 of this title as a constitutional or elected office; and
- (2) a deputy secretary or assistant secretary of a principal unit or a position that the Secretary determines has similar stature.

(b) **Other positions** –The executive service includes any other position that is determined by the Secretary to be in the executive service. (Annotated Code of Maryland, State Personnel and Pensions Article, § 6-404).

**EXTERNAL COMPLAINT:** A complaint filed with the Maryland Commission on Civil Rights, Department of Justice, Courts, and/or Equal Employment Opportunity Commission.

**INTERNAL COMPLAINT:** A complaint received at the originating agency and/or appealed to the Office of the Statewide Equal Employment Opportunity Coordinator.

### MANAGEMENT SERVICE:

(a) **Executive Branch** – Except as otherwise provided by law, a position in the Executive Branch of State government is in the management service if the position:

- (1) primarily involves direct responsibility for the oversight and management of personnel and financial resources;
- (2) requires the exercise of discretion and independent judgment; and
- (3) is not in the executive service.

(b) **Other positions** –The management service includes any other position that is determined by the Secretary to be in the management service. (Annotated Code of Maryland, State Personnel and Pensions Article, § 6-403).

**NON-BINARY:** A gender identity that does not fit into the male or female binary.

**PERMANENT PART-TIME EMPLOYEE:** An employee who works an average of 50% or more but less than 100% of the regular workweek. (Annotated Code of Maryland, State Personnel and Pensions Article, § 7-701).

**PRINCIPAL UNIT:** A principal department or other principal independent unit of State government.

### **PROFESSIONAL SERVICE:**

**(a) Executive Branch** – Except as otherwise provided by law, a position in the Executive Branch of State government is in the professional service if the position:

- (1) requires knowledge of an advanced type in a field of science or learning customarily acquired by a course of specialized intellectual instruction and study; and
- (2) normally requires a professional license, advanced degree, or both.

**(b) Other positions** – The professional service includes any other position that is determined by the Secretary to be in the professional service. (Annotated Code of Maryland, State Personnel and Pensions Article, § 6-402).

**PROGRAM:** Equal Employment Opportunity Program established under the Annotated Code of Maryland, State Personnel and Pensions Article, Title 5.

**PROMOTION:** A change from one class to another class with a higher maximum rate of compensation.

**PROMOTIONAL CANDIDATE:** An employee in a non-temporary position in the skilled or professional services who is not a special appointment.

**PROTECTED GROUP:** A group that is specifically protected by Maryland law from discrimination.

### **SKILLED SERVICE:**

**(a) Executive Branch** – Except as provided in this title or otherwise provided by law, all positions in the Executive Branch of State government that are included in the State Personnel Management System are in the skilled service;

**(b) Judicial Branch** – Except as otherwise provided by law, the following positions in the Judicial Branch of State government are in the skilled service:

- (1) clerical and administrative positions in the District Court of Maryland; and

- (2) full-time constables in the District Court of Maryland.

**(c) Other positions** – The skilled service includes any other position that is specified by law to be in the service. (Annotated Code of Maryland, State Personnel and Pensions, Article § 6-401).

**SPECIAL APPOINTEES:** Except as otherwise provided by law, individuals in the following positions in the skilled service, professional service, management service, or executive service are considered special appointments:

- (1) a position to which an individual is directly appointed by the Governor by an appointment that is not provided by the Maryland Constitution;
- (2) a position to which an individual is directly appointed by the Board of Public Works;
- (3) as determined by the Secretary, a position which performs a significant policy role or provides direct support to a member of the executive service;
- (4) a position that is assigned to the Government House;
- (5) a position that is assigned to the Governor's Office; and
- (6) any other position that is specified by law to be a special appointment.

(Annotated Code of Maryland, State Personnel and Pensions Article, § 6-405).

**TERMINATION:** The act of ending an employee's employment for a disciplinary reason.

**UNDER-UTILIZATION:** Having a lower number of protected group employees in the overall work force and within categories than would reasonably be expected by their availability in the relevant Civilian Labor Force.

**UNIFORM POLICE:** Used exclusively for uniformed police positions at the Maryland State Police – Not used for other police positions.

**UTILIZATION ANALYSIS:** A statistical comparison of an agency's workforce in various job categories with the relevant Civilian Labor Force.

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## Racial/Ethnic Categories

- **American Indian or Alaska Native (not Hispanic or Latino):** A person having origins in any of the original peoples of North and South America, including Central America, and who maintains cultural identification through tribal affiliation or community recognition.
- **Asian (not Hispanic or Latino):** A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- **Black or African American (not Hispanic or Latino):** A person having origins in any of the black racial groups of Africa.
- **Hispanic or Latino:** A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
- **Multiracial:** Two or More Races
- **Native Hawaiian or Other Pacific Islander (not Hispanic or Latino):** A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- **Unknown or Decline to State**
- **White (not Hispanic or Latino):** A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

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## Description of Job Categories

**Officials and Administrators:** Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. Includes: department heads, bureau chiefs, division, and fire chief and inspectors, examiners (bank, hearing, motor vehicle, warehouse), inspectors (construction, building, safety, rent-and-housing, fire, A.B.C. Board, license, dairy, livestock, transportation), assessors, tax appraisers and investigators, coroners, farm managers, and kindred workers.

**Professionals:** Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: personnel and labor relations workers, social workers, doctors, psychologists, registered nurses, economists, dieticians, lawyers, system analysts, accountants, engineers, employment and vocational rehabilitation counselors, teachers or instructors, police and fire captains and lieutenants, librarians, management analysts, airplane pilots and navigators, surveyors and mapping scientists, and kindred workers.

**Protective Service Workers:** Occupations in which workers are entrusted with public safety, security, and protection from destructive forces. Includes: police patrol officers, fire fighters, guards, deputy sheriffs, bailiffs, correctional officers, detectives, marshals, harbor patrol officers, game and fish wardens, park rangers (except maintenance), and kindred workers.

**Sworn Police Officer:** means a law enforcement officer who in an official capacity is authorized by law to make arrests; and is within the Secretary's salary setting authority.

**Administrative Support:** Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes:

bookkeepers, messengers, clerk-typists, stenographers, court transcribers, hearing reporters, statistical clerks, dispatchers, license distributors, payroll clerks, office machine and computer operators, telephone operators, legal assistants, sales workers, cashiers, toll collectors, and kindred workers.

**Service-Maintenance:** Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene, or safety of the general public or which contribute to the upkeep and care of buildings, facilities, or grounds of public property. Workers in this group may operate machinery. Includes: chauffeurs, laundry and dry-cleaning operatives, truck drivers, bus drivers, garage laborers, custodial employees, gardeners, and grounds keepers, refuse collectors, construction laborers, park rangers, (maintenance), farm workers (except managers), craft apprentices/trainees/helpers, and kindred workers.

**Skilled Craft Workers:** Occupations in which workers perform jobs, which require special manual skill, and a thorough and comprehensive knowledge of the processes involved in the work, which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: mechanics and repairers, electricians, heavy equipment operators, stationary engineers, skilled machining occupations, carpenters, compositors and typesetters, power plant operators, water and sewage treatment plant operators, kindred workers.

**Technicians:** Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: computer programmers, drafters, survey, and mapping technicians, licensed practical nurses, photographers, radio operators, technical illustrators, highway technicians, technicians (medical, dental, electronic, physical sciences), police and fire sergeants, inspectors (production or processing inspectors, testers, and weighers), and kindred workers.

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## Appendix B

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### EXECUTIVE ORDER

01.01.2007.16

### Code of Fair Employment Practices

(Rescinds Executive Order 01.01.2007.09)

**WHEREAS**, The State of Maryland recognizes and honors the value and dignity of every employee and understands the importance of providing its employees with a fair opportunity to pursue their careers in an environment free of discrimination or any form of prohibited harassment;

**WHEREAS**, Title 5, Subtitle 2 of the State Personnel and Pensions Article of the Annotated Code of Maryland establishes an Equal Employment Opportunity (EEO) program to ensure that employment decisions are based only on merit and fitness;

**WHEREAS**, The State is committed to providing a work environment free from discrimination on the basis of age, ancestry, color, creed, gender identity and expression, genetic information, marital status, mental or physical disability, national origin, religious affiliation, belief or opinion, race, sex, sexual orientation, or any other non-merit factor;

**WHEREAS**, All Executive Branch appointing authorities and managers are expected to assume personal responsibility and leadership in ensuring that fair employment practices are adhered to and that equal employment opportunity is a reality in Maryland State government; and

**WHEREAS**, There is a need to update prior Executive Orders to emphasize the State of Maryland's commitment to fair employment practices, to reaffirm the responsibilities of State agencies to uphold these important principles and to reflect existing law.

**NOW, THEREFORE**, I, MARTIN O'MALLEY, GOVERNOR OF THE STATE OF MARYLAND, BY VIRTUE OF THE AUTHORITY VESTED IN ME BY THE CONSTITUTION AND LAWS OF MARYLAND, DO HEREBY RESCIND EXECUTIVE ORDER .01.01.2007.09 AND PROCLAIM THE FOLLOWING EXECUTIVE ORDER EFFECTIVE IMMEDIATELY.

### ARTICLE I - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM IN STATE GOVERNMENT

- A. All personnel actions concerning any employee or applicant for employment in the Executive Branch will be taken on the basis of merit and fitness, and without regard to:
1. Age;
  2. Ancestry;
  3. Color;
  4. Creed;
  5. Gender identity and expression;
  6. Genetic information;
  7. Marital status;
  8. Mental or physical disability;
  9. National origin;
  10. Race;
  11. Religious affiliation, belief or opinion;
  12. Sex; or
  13. Sexual orientation.
- B. All personnel actions concerning any skilled, professional or management service employee and any special appointee designated by the Secretary of Budget and Management, or any applicant for employment in those services or in comparable positions in an independent personnel system in the Executive Branch, shall be without regard to political affiliation, belief, or opinion.
- C. Discrimination against or harassment of employees on the basis of any reason prohibited by law is not permitted.
- D. Retaliation against any employee who opposes discrimination or participates in an EEO investigation is not permitted.



- E. Retaliation against an individual because of their refusal to submit to a genetic test or make available the results of a genetic test is not permitted.
- F. The Secretary of Budget and Management shall:
  - (1) Recommend the appointment of a Statewide Equal Employment Opportunity Coordinator who shall administer the program and coordinate the activities of the agency Fair Practices Officers, EEO Officers, and Americans with Disabilities Act Officers;
  - (2) Establish an Equal Employment Opportunity Unit which will report directly to the Equal Employment Opportunity Coordinator to oversee the administration of an equal employment practices program consistent with the requirements of applicable federal and State law governing equal employment opportunity, the State Personnel and Pensions Article, and this Executive Order;
  - (3) Upon an appropriate showing by an agency, and consistent with State and federal law, permit any bona fide occupational qualification; and
  - (4) Take any action, not consistent with federal or State law, to resolve employee complaints of unfair employment practices.
- G. The head of each department or other independent unit in the Executive Branch shall, consistent with guidelines and regulations promulgated by the Secretary of Budget and Management:
  - (1) Appoint a Fair Practices Officer, and any Equal Employment Opportunity Officers, as required, for the appropriate implementation of the Equal Employment Opportunity Program in the department or unit;
  - (2) Ensure that the personnel practices in the department or unit are not discriminatory;
  - (3) Review disciplinary actions initiated against employees, employee grievances and complaints of discrimination to ensure the fair and equitable treatment of employees in their department or unit;
  - (4) Develop and implement policies that promote equal employment opportunity and work force diversification reflective of the availability of women, minorities, and persons with disabilities in the relevant labor market;
  - (5) Provide leadership and training to managers, supervisors, and other employees in fair employment practices;
  - (6) Ensure that designated Fair Practices and Equal Employment Opportunity Officers are known to all employees in their respective agencies and that these Officers have appropriate decision-making authority consistent with relevant federal and State law, this Executive Order, and personnel regulations;
  - (7) Consult and cooperate fully with the Secretary of Budget and Management and the Statewide EEO Coordinator or their designees in investigating and resolving expeditiously complaints of discrimination or unfair employment practices;
  - (8) Provide statistical and other information requested by the Secretary of Budget and Management regarding efforts to implement the departments or unit's Equal Employment Opportunity Program;
  - (9) Develop and implement programs, activities, and events to acknowledge and educate about diversity and cultural differences; and
  - (10) Implement any decision of the Secretary of Budget and Management not inconsistent with the spirit or requirements of this Executive Order and federal or State law.
- H. Cabinet officials and other heads of departments or units are expected to lead by example in promoting fair employment practices and this Administration's policy of zero tolerance for employment discrimination.



## **ARTICLE II - COMPLAINTS OF DISCRIMINATION AND UNFAIR EMPLOYMENT PRACTICES**

- A. It is the policy of this Administration that all complaints of discrimination or other unfair employment practices be thoroughly investigated and promptly resolved, as appropriate.
- B. The Statewide EEO Coordinator shall monitor the compliance and effectiveness of each agency's EEO program and make recommendations for improvement.
- C. The Secretary of Budget and Management shall develop and promulgate rules, regulations, and guidelines for the investigation and resolution of complaints of discrimination or other unfair employment practices which shall include, at a minimum:
  - (1) Provisions for resolving complaints informally whenever possible;
  - (2) Provisions for employees to file complaints with the Fair Practices or Equal Employment Opportunity Officer for the department or unit;
  - (3) Provisions for the review and resolution of any employment grievance, complaint involving discrimination or other unfair employment practices by the Secretary of Budget and Management prior to any appeal to the Office of Administrative Hearings;
  - (4) Guidelines for cooperation with the investigation of any complaint of discrimination filed with the Maryland Commission on Civil Rights (formerly the Maryland Commission on Human Relations), the United States Equal Employment Opportunity Commission or any other agency authorized by law to conduct such investigations; and
  - (5) Training programs for managers and supervisors in identifying and resolving complaints of discrimination or other unfair employment practices.
- D. No employee shall be harassed or otherwise retaliated against for filing a complaint of discrimination or other unfair employment practice, providing information in support of any such complaint or testifying, assisting, or participating in any phase of an investigation of any unfair employment practice, or on the basis of his or her refusal to submit to a genetic test or make available the results of a genetic test.

- E. Discrimination or retaliation complaints by Fair Practices Officers, Equal Employment Opportunity Officers, or EEO Office Directors shall be filed with the head of the unit or their designee and may be appealed to the Statewide EEO Coordinator's Office.

## **ARTICLE III - COOPERATION WITH THE MARYLAND COMMISSION ON CIVIL RIGHTS (FORMERLY THE MARYLAND COMMISSION ON HUMAN RELATIONS) AND THE UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

- A. In accordance with the requirements of applicable federal and State law governing equal employment opportunity, the State Personnel and Pensions Article, and this Executive Order, all heads of departments and units in the Executive Branch shall cooperate fully with the Maryland Commission on Civil Rights (formerly the Maryland Commission on Human Relations), the United States Equal Employment Opportunity Commission and any other federal or State agency investigating discrimination and duly comply with any validly adopted rules, regulations, and orders for effectuating the State's policies against discrimination and resolving complaints of discrimination.
- B. Every attempt shall be made to resolve complaints of discrimination within a department or unit; however, employees who file complaints of discrimination with agency Fair Practices Officers or Equal Employment Opportunity Officers shall be advised of their right to file a complaint with the Maryland Commission on Civil Rights (formerly the Maryland Commission on Human Relations) and the United States Equal Employment Opportunity Commission.
- C. The Secretary of Budget and Management shall establish guidelines which provide for agency participation in mediation or arbitration of employee complaints of discriminatory or unfair employment practices.
- D. If an employee of the Maryland Commission on Civil Rights (formerly the Maryland Commission on Human Relations) files a complaint of discrimination against a State agency, the Governor shall appoint an individual to perform the functions usually performed by the Commission.

## **ARTICLE IV- STATE ACTION**

- A. Any employee of the State who violates the laws of this State pertaining to equal employment opportunity, this Executive Order or guidelines, rules, and regulations promulgated pursuant thereto, will be subject to disciplinary action, up to and including dismissal from employment with the State.
- B. In performing services to the public, employees of this State will not discriminate against the public or individuals for any reason prohibited by law, nor shall they authorize the use of State facilities in the furtherance of any unlawfully discriminatory purpose or by any organization which unlawfully discriminates in its membership or policies.

## **ARTICLE V - ACCOMMODATIONS**

- A. Reasonable accommodation shall be provided for all qualified applicants for employment and State employees with disabilities, consistent with the requirements of federal and State law.
- B. Meetings, hearings, and employment tests shall be conducted in an accessible manner and location, as required by federal and State law.
- C. No employee shall be retaliated against for seeking a reasonable accommodation for a disability.
- D. Managers and Supervisors shall receive training concerning reasonable accommodations for disabilities.

## **ARTICLE VI - ANNUAL REPORTS**

- A. The head of each principal department or unit in the Executive Branch shall, by October 15 of each year, or as otherwise requested, submit to the

Secretary of Budget and Management an annual report of activities taken in the previous fiscal year to effectuate this Code of Fair Employment Practices. The report shall contain the information required by the Secretary of Budget and Management in a form consistent with the guidelines issued by the Secretary of Budget and Management.

- B. The Secretary of Budget and Management shall, by January 1 of each year, submit to the Governor an annual report on statewide equal employment opportunity practices. The Secretary of Budget and Management shall provide copies of the report to each department and unit, the General Assembly, and the Maryland Commission on Civil Rights (formerly the Maryland Commission on Human Relations).

## **ARTICLE VII - NOTICE TO EMPLOYEES**

- A. The Secretary of Budget and Management shall publish the policies of this State with regard to its fair employment practices and make copies of the publication available to all agencies.
- B. Consistent with the requirements of federal and State law, the Secretary shall authorize an appropriate notice of State fair employment practices and the manner in which the notice is to be posted.
- C. The heads of departments and units shall procure the publication and notice required by this Executive Order, furnish copies of the publication to all managers and supervisors and make it available to employees, and post the notice in the locations and manner required by the Secretary of Budget and Management.

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## Appendix C

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### Statewide Equal Employment Organizational Responsibilities

#### **Governor**

On the 19th day of January 2023 Governor Wes Moore issued a new Standards of Conduct for Executive Branch Employees 01.01.2023.01. Governor Moore maintains integrity as the highest standard in Government of all state employees and expects every person who serves in the Executive Branch to be treated with dignity and respect and shall not be discriminated against on the basis of race, color, creed, religion, ancestry, national origin, sex, age, marital status, sexual orientation, gender identity or expression, disability or genetic information.

#### **The Joint Committee on Fair Practices and State Personnel Oversight**

The Joint Committee on Fair Practices and State Personnel Oversight was established in 2011 to replace the Legislative Joint Committee on Fair Practices which was originally created by the State Personnel Management System Reform Act of 1996. The Joint Committee is comprised of eight members; four members of the State Senate and four members of the House of Delegates. The Joint Committee has oversight over employment policies and personnel systems in the Executive Branch of State Government, equal employment opportunity policies and practices, and certain procurement practices.

#### **Secretary of the Department of Budget and Management**

In accordance with Section 5-204 of the State Personnel and Pensions Article, the Secretary oversees the Equal Employment Opportunity Program for Executive Branch agencies including agencies with independent personnel systems. This law specifically requires that the Secretary shall: administer the EEO Program in compliance with all State and federal laws governing equal employment opportunity; adopt regulations, policies, and directives to implement the Program; ensure that equal employment opportunity efforts are considered in evaluating the work performance of supervisors, managers, and directors of the Department; evaluate the equal employment efforts in each unit; enforce the provisions of the Code of Fair Employment Practices; and develop and submit to the Governor an annual report of the State's EEO Program.

#### **Statewide Equal Employment Opportunity Coordinator**

As provided in Section 5-206 of the State Personnel and Pensions Article, the Statewide Equal Employment Opportunity Coordinator administers and enforces the State's EEO Program. The Coordinator performs under the direction and supervision of the Secretary of the Department of Budget and Management. In complying with this mandate, the Coordinator is appointed to implement EEO laws, policies, and procedures, as well as serve as the State's point of contact regarding EEO related concerns.

The Coordinator also: reviews and investigates appeals of EEO findings and determinations by Executive and independent agencies; investigates appeals of EEO findings and alleged violations of the Code of Fair Employment Practices and the State Whistleblower statute; works with agency Fair Practices, EEO and ADA Officers to ensure they establish and maintain a diverse, non-discriminatory and accessible work place that is free of harassment and retaliation; plans and provides EEO-related training and education; and prepares the annual Statewide EEO report.

#### **Secretaries and Heads of State Agencies**

In accordance with Executive Order 01.01.2007.16, each Secretary and agency head is responsible for ensuring compliance with the State's EEO Program within his or her respective Executive Branch agency. This includes Secretaries and agency heads with independent personnel systems. These responsibilities include: appointing a Fair Practices Officer and an Equal Employment Opportunity Officer; ensuring that the personnel practices in the department or unit are not discriminatory; reviewing disciplinary actions initiated against employees to ensure fair and equitable treatment; developing and implementing policies that promote equal employment opportunity and workforce diversification; and providing leadership and training to managers, supervisors and other employees in fair employment practices.

### **Fair Practices Officer**

In accordance with State law, the Fair Practices Officer shall: implement the EEO Program within the unit; investigate and, as appropriate, resolve complaints of alleged discrimination or unfair employment practices; and coordinate the activities of the equal employment opportunity offices in the unit. The Fair Practices Officer must report to the head of the agency and be an assistant secretary or an employee of the unit with stature similar to that of an assistant secretary.

### **Equal Employment Opportunity Officer**

State law mandates that the Equal Employment Opportunity Officers: enforce the State's EEO Program and monitor compliance with State and federal EEO laws; investigate and resolve all internal agency employee discrimination and unfair employment complaints;

monitor personnel actions adopted by the unit and ensure implementation is in compliance with all State and federal EEO laws; respond to plans and direct various programs, including equal employment opportunity, contract compliance, training and community relations; respond to complaints and requests for information from external adjudications and enforcement agencies; assist in developing EEO goals; and monitor personnel actions.

### **Americans with Disabilities Act (ADA) Officers**

The ADA Officers are responsible for advising employees and managers on issues relating to Title 1 of the Americans with Disabilities Act. This includes making determinations regarding an employee's eligibility under the ADA, recommending and implementing reasonable accommodations, and ensuring an accessible workplace.



**Maryland Department of Budget and Management**

**Office of the Statewide  
Equal Employment Opportunity Coordinator**