

State of Maryland

Commission on Civil Rights

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



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March 2, 2021

Senate Bill 911 – Unlawful Employment Practice - Statute of Limitations and Remedies **POSITION: Support**

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

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

Senate Bill 911 removes the caps on compensatory damages that can be awarded to victims of unlawful employment discrimination after the respondent is found guilty by the Office of Administrative Hearings or State court. Complainants may also, under this bill, seek up to 3 years of back pay (current law only permits up to 2 years). Lastly, the bill authorizes a complainant to file a civil action in State or federal court within 3 years after the alleged unlawful employment practice occurred (the current statute of limitations is 2 years).

The Maryland Commission on Civil Rights supports SB911 because the bill grants aggrieved individuals who believe they are victims of unlawful employment discrimination more time to file a private civil action.

Furthermore, MCCR supports repealing the caps on compensatory damages that can be awarded because it would permit the complainant with a legitimate complaint to seek relief in line with the damages they incurred. By repealing the compensatory caps, employers who would willfully violate Maryland’s decades-old law are provided an incentive to become compliant, thereby potentially reducing the instances of discrimination in the workplace.

For these reasons, the Maryland Commission on Civil Rights urges a favorable vote on SB911. Thank you for your time and consideration of the information contained in this letter. The Maryland Commission on Civil Rights looks forward to the continued opportunity to work with you to improve and promote civil rights in Maryland.