

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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Cleveland L. Horton II, Deputy Director
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July 15, 2022

The Honorable Larry Hogan
Governor, State of Maryland
State House, 100 State Circle
Annapolis, Maryland 21401

The Honorable Delores G. Kelley
Chairperson, Senate Finance Committee
Miller Senate Office Building, 3 East
Annapolis, Maryland 21401

The Honorable C.T. Wilson
Chairperson, House Economic Matters Committee
House Office Building, Room 231
Annapolis, Maryland 21401

Governor Hogan, Chairperson Kelley, and Chairperson Wilson:

In accordance with Chapters 738 & 739 of the 2018 Acts of the General Assembly, the Maryland Commission on Civil Rights hereby submits to you the enclosed Executive Summary for the sexual harassment in the workplace disclosure survey. The survey responses were collected for the reporting period covering July 1, 2020, through July 1, 2022.

Sincerely,

Alvin O. Gillard
Executive Director

Enclosure

EXECUTIVE SUMMARY

Sexual Harassment in the Workplace Disclosure Survey

Reporting Period: July 1, 2020 to July 1, 2022

Background

Chapters 738 & 739 of the 2018 Acts of the General Assembly charged the Maryland Commission on Civil Rights (MCCR) with collecting responses to a short survey from Maryland employers with 50 or more employees. The Chapters required the following three (3) questions to be asked from those employers:

1. The number of settlements made by or on behalf of the employer after an allegation of sexual harassment by an employee.
2. The number of times the employer has paid a settlement to resolve a sexual harassment allegation against the same employee over the past 10 years of employment.
3. The number of settlements made after an allegation of sexual harassment that included a provision requiring both parties to keep the terms of the settlement confidential.

The Chapters further required that MCCR “shall include in the survey a space for an employer to report whether the employer took personnel action against an employee who was the subject of a settlement included in the survey under” question 2. In this Executive Summary, this question will be listed as 2a.

Findings

During the reporting period, a total of 368 responses were received by MCCR. Of these 368 responses, all were from employers with 50 or more employees.

The responses MCCR received to the survey questions are as follows:

Question 1: The number of settlements made by or on behalf of the employer after an allegation of sexual harassment by an employee.

- 0 settlements: 350
- 1 settlement: 16
- 2 settlements: 2

Question 2: The number of times the employer has paid a settlement to resolve a sexual harassment allegation against the same employee over the past 10 years of employment*.

- 0 payments: 362
- 1 payment: 6

Question 2a: (**only required if an answer was provided to Question 2*): Whether the employer took personnel action against an employee who was the subject of a settlement.

- Yes: 0
- No: 6

Question 3: The number of settlements made after an allegation of sexual harassment that included a provision requiring both parties to keep the terms of the settlement confidential.

- 0 settlements: 355
- 1 settlement: 11
- 2 settlements: 2

About the Commission

The Maryland Commission on Civil Rights (MCCR) represents the interest of the State to ensure equal opportunity for all through enforcement of Titles 20 of the State Government Article and 19 of the State Procurement & Finance Article, Annotated Code of Maryland. MCCR investigates complaints of unlawful discrimination in employment, housing, public accommodations and the State's commercial non-discrimination policy. The Commission protects against discrimination based on race, color, religion or creed, sex, age, national origin or ancestry, marital status, physical or mental disability, sexual orientation, and gender identity. For employment cases, it is unlawful for an employer to discriminate against an applicant or employee based on that individual's genetic information. In housing cases, discrimination based on familial status and source of income are also unlawful.

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