Carroll County
CHAMBER
of Commerce

Date: February 12, 2025

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

Re: HB1261 – Employment Discrimination - Intent - **Oppose**

Dear Delegate Wilson:

HB1261 will prohibit employment discrimination regardless of intent. Current federal and state discrimination laws consider both intent and the effect of policies on protected groups, and therefore this bill is unnecessary and duplicative of current law.

The Equal Employment Opportunity Commission (EEOC) and courts consider employment decisions that disproportionately impact a protected group to be discriminatory, even if the intent was not discriminatory. This is called Disparate Impact.

Additionally, there is Supreme Court precedent. The Court has ruled Title VII regulations prohibit practices that have a discriminatory effect on protected groups, even if the actions were not intentionally discriminatory.

Maryland laws also prohibit such actions. Specifically, § 20-606. Unlawful employment practices states, in part:

(2) limit, segregate, or classify its employees or applicants for employment *in any way* that would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect the individual's status as an employee because of:

(I) the individual's race, color, religion, sex, age, national origin, marital status, sexual orientation, gender identity, genetic information, military status, or disability unrelated in nature and extent so as to reasonably preclude the performance of the employment

The Carroll County Chamber of Commerce, a business advocacy organization of nearly 700 members, opposes this bill. We therefore request that you give this bill an unfavorable report.

Sincerely,

Mike McMullin

Mike McMullin
President
Carroll County Chamber of Commerce

CC: Delegate Chris Tomlinson
Senator Justin Ready