

What YOU should know *about* age discrimination

STATE OF MARYLAND COMMISSION ON HUMAN RELATIONS

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Article 49B, Annotated Code of Maryland protects individuals from age discrimination in employment and public accommodations. Unlike Federal law, Article 49B does not specify a minimum age requirement for protection under State law.

AGE DISCRIMINATION & EMPLOYMENT

Discrimination based on age is prohibited in the areas of public and private employment. The law protects workers from age discrimination in advertising, recruitment, referral, hiring, discharge, pay, promotion, training, fringe benefits, forced early retirement and other aspects of employment.

Some examples of employment practices that are unlawful are:

- Making reductions in force based on age rather than on objective work-related criteria;
- Treating employees differently because of their age, or publishing advertisements that indicate a discriminatory age preference, such as “recent college grads” or “one to two years out of college;”
- Providing preferential treatment to younger employees in employment decisions, including initial employment, additional training or promotions;
- Telling job applicants they are overqualified;
- Assuming that an individual would not work for less salary than was earned before;
- Accommodating the preference of co-workers, clients or customers for younger workers.

Who Must Comply

Employers of 15 or more workers are subject to this law, as well as state and local governments, employment agencies, and labor organizations, including those that operate a hiring hall.

It is unlawful for an owner or operator of a place of public accommodation or an agent or employee of the owner or operator, because of age, to refuse, withhold from or deny to such person any of the accommodations, advantages, facilities and privileges of such place or public accommodation.

AGE DISCRIMINATION & PUBLIC ACCOMMODATIONS

Individuals are protected from discrimination in public accommodations on the basis of age. Some examples of unlawful Public Accommodations and public service practices are:

- Denying admission privileges or equal use of facilities in places made available to the public, based on age;
- Subjecting a patron to unequal treatment, based on age.
- Senior citizen discounts are lawful in the State of Maryland and do not violate Article 49B.

Who Must Comply

“Public Accommodations” includes any inn, hotel, motel or other establishment providing lodging; any restaurant, cafeteria, lunchroom or other facility engaged in selling food or alcoholic beverages; any motion picture house, theater, concert hall, sports arena, stadium, or other retail establishment offering goods, services, entertainment, recreation or transportation.

FILING A CHARGE

Employment Discrimination: A charge must be filed within six (6) months of the alleged violation. The MCHR strongly encourages that you file your complaint as soon as possible in order to preserve your rights.

Public Accommodation Discrimination: A charge must be filed within six (6) months of the alleged act of discrimination.

Confidentiality & Retaliation: All investigations are confidential. Article 49B protects persons who file complaints against retaliation.