

University of Baltimore

II-7.3 Non-Discrimination Policy and Procedures - Complaints of Discrimination Against Non-Students

Approved: August 1, 2019

Policy Prohibiting Discrimination

I. Purpose & Applicability

The University of Baltimore (“UB” or the “University”) is committed to providing a working and learning environment free from all types of discrimination prohibited by State and Federal laws, including on the basis of sex, gender, marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, sexual orientation, gender identity or expression, veteran status, or other legally protected characteristics (hereinafter “Protected Status”). UB values diversity among its students, faculty and staff and believes that interactions with those holding various perspectives, backgrounds, and beliefs contribute to a well-rounded educational experience and promote personal and professional development. The University is committed to providing access to all academic and employment programs, benefits and activities on the basis of demonstrated ability, performance and merit, without regard to personal factors that are irrelevant to the program involved. Therefore, no person, on the basis of their Protected Status, shall be excluded from participation in, be denied the benefits of, or be subjected to unlawful discrimination, harassment or retaliation under any University program or activity, including employment terms and conditions.

UB endeavors to foster a climate free from discrimination based on any individual’s Protected Status through training, education, prevention programs, policies, and procedures that promote prompt reporting, prohibit retaliation, and promote timely, fair and impartial investigation and resolution of discrimination cases in a manner that eliminates any discrimination, prevents its recurrence, and addresses its effects. This Policy specifically applies to claims of discrimination based on sex, gender marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, veteran status, gender, sexual orientation, gender identity, gender expression, or other legally protected characteristics (hereinafter “Prohibited Discrimination”).

All UB Community members are subject to the University of Baltimore Non-Discrimination Policy and Procedures (hereinafter the “Policy”). The UB Community, as defined in Part II, includes all students, faculty, and staff of UB, applicants for employment and/or admission to UB, as well as third Parties, agents, and contractors under UB control. UB has jurisdiction over, and this Policy applies to complaints of Prohibited Discrimination in connection with any UB office or regional center education programs or activities, including, but not limited to, Prohibited Discrimination: (1) in any UB facility or in any UB property or location under UB control; (2) in connection with any UB sponsored, recognized, or approved program, visit or activity, regardless of location; (3) that impedes equal access to any UB education program or activity or adversely impacts the employment of a member of the UB community; or (4) that otherwise threatens the health or safety of anyone in the UB Community. Nothing in this Policy is intended to supersede

or conflict with any State or Federal compliance obligations.

Retaliation for participating in any way with matters falling within this Policy is prohibited. Any retaliatory action or interference with any person participating in any stage of the process (including, but not limited to, engaging or participating in reasonable intervention, reporting, investigating, resolution and appeal) is strictly prohibited and will be subject to appropriate disciplinary action. Making intentionally baseless allegations is prohibited by this policy. This provision, however, should not deter someone from complaining about or otherwise reporting harassment, retaliation, or other forms of discrimination that they believe they have faced or otherwise become aware of. Complaints made in good faith will not be considered baseless, even if they are not ultimately sustained.

II. Definitions

For purposes of this Policy and the Procedures below, the following definitions apply:

- A. Complainant** means an individual who experienced the reported Prohibited Discrimination, regardless of whether that individual made the report, participated in the University's review and investigation, or filed a formal complaint alleging violations of this Policy. If an individual who experienced Prohibited Discrimination chooses not to file a formal complaint, the University may at its discretion initiate an investigation and serve as the Complainant in any proceeding under this Policy and accompanying Procedures.
- B. Discriminatory Harassment.** Discriminatory Harassment is a type of Discrimination that occurs when verbal, physical, electronic, or other conduct based on an individual's Protected Status interferes with that individual's educational or work environment, participation in a University program or activity, or receipt of legitimately requested services and when: (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, evaluation of academic work, or participation in any aspect of a UB program or activity (commonly referred to as "Quid Pro Quo Discriminatory Harassment"); (2) submission to or rejection of such conduct by an individual is used as the basis for academic, employment, or activity or program participation-related decisions affecting an individual (also Quid Pro Quo Discriminatory Harassment); or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e., it is sufficiently severe or pervasive to create a hostile working, academic, residential, or social environment (commonly referred to as "Environmental Discriminatory Harassment").
- C. EEO Officer** is the individual responsible for coordinating UB's efforts to comply with and carry out its responsibilities under the law and this Policy. The EEO Officer shall have training in equal employment opportunity matters, including specifically civil rights investigator training.

The EEO Officer is responsible for, among other things: (1) overseeing UB's response to Prohibited Discrimination reports and complaints, and identifying and addressing any patterns or systemic problems revealed by such reports or complaints; (2) conducting

and/or overseeing Prohibited Discrimination investigations conducted pursuant to this Policy; (3) overseeing, reviewing content, and, in collaboration with other UB offices, conducting training for faculty, supervisors and staff on Prohibited Discrimination issues and this Policy; (4) ensuring that appropriate policies and procedures are in place for responding to complaints of Prohibited Discrimination against students, faculty, and staff; and (5) working with local law enforcement to ensure coordinated responses to Prohibited Discrimination cases, where appropriate.

D. Interim Measures means reasonably available steps that UB may take to protect the Parties while a Prohibited Discrimination investigation is pending. Interim Measures may include, but are not limited to, changing academic arrangements for students, changing office responsibilities or location for employees, and prohibiting contact among the Parties and others pending resolution.

E. Non-Student means UB faculty, staff, and third parties connected to the University.

F. Parties refers to the both the Complainant and the Respondent. Individually, a Complainant or Respondent may be referred to as a “party.”

G. Prohibited Discrimination is defined as the unequal treatment of a person based on Protected Status. It also includes any unlawful distinction, preference, or detriment to an individual as compared to others that is based on an individual’s Protected Status and that is sufficiently serious to unreasonably interfere with or limit:

- An employee’s or employment applicant’s access to employment or conditions and benefits of employment;
- An authorized volunteer’s ability to participate in a volunteer activity; or
- A guest’s or visitor’s ability to participate in, access, or benefit from the University’s programs.

Prohibited Discrimination includes failing to provide reasonable accommodations, consistent with State and Federal law, to a qualified person with a disability or to an individual based on their religious beliefs. It also includes Discriminatory Harassment and Retaliation.

H. Protected Status includes marital status, pregnancy, race, color, ethnicity, national origin, age, disability, genetic information, religion, veteran status, sex, gender, sexual orientation, gender identity, gender expression, or other legally protected characteristics.

I. Respondent means an individual, group, or organization accused of Prohibited Discrimination.

J. Retaliation means taking an adverse action against an employee because the employee engaged in a protected activity. An adverse action may include disciplinary actions, up to and including termination, changes in terms and conditions of employment, or otherwise harassing, intimidating, threatening, restraining, coercing, or discriminating against the employee. Protected activities including making a report,

testifying, assisting, or participating in any manner in an investigation or proceeding related to Prohibited Discrimination, and/or opposing Prohibited Discrimination.

- K. Supervisor** includes any employee who oversees any other employee at the University. Supervisor includes, but is not limited to, the President, and all levels of Vice Presidents, Deans, Executive Directors, Chairs, Directors, and Managers.
- L. UB Community** is broadly defined to include all UB administrators, faculty, staff, students, applicants for admission and/or employment, alumni, volunteers, and third Parties under UB control.
- M. Witness** means anyone who witnesses or provides factual information and/or observations regarding a Prohibited Discrimination matter.

Procedures for Adjudication of Complaints of Prohibited Discrimination Under this Policy

I. Purpose & Scope

These procedures (“Procedures”) provide a process for the prompt and equitable investigation and adjudication of complaints of Prohibited Discrimination against a Non-Student. Any person alleging Prohibited Discrimination against a Non-Student may file a complaint or report against such a Non-Student with the University as set forth herein. Complaints against students shall not proceed under these Procedures, but pursuant to the procedures outlined in the Student Rights and Responsibilities Guide available at: <http://www.ubalt.edu/campus-life/Student%20Rights%20and%20Responsibilities%202017.pdf>.

The University, on its own, may also initiate, investigate, and adjudicate complaints of Prohibited Discrimination against Non-Students under these Procedures.

These Procedures are effective August 1, 2019, and supersede any former University procedures related to complaints or reports of Prohibited Discrimination filed against a Non-Student.

II. Complaints and Reporting

A. Reporting to UB

Complaints of Prohibited Discrimination against Non-Students should be made to the EEO Officer. The contact information for the EEO Officer is listed below:

Sally Reed
Associate Vice President and Chief Human Resources Officer
1420 N. Charles Street, Academic Center, Room 337
410.837.4088
sreed@ubalt.edu

There are several ways to report to the EEO Officer:

- i. Leave a private voice message for the EEO Officer;
- ii. File a complaint or report on the Intake Form, which is also available on the following: <http://www.ubalt.edu/about-ub/offices-and-services/human-resources/employee-and-labor-relations/index.cfm>
- iii. Send a private email to the EEO Officer at sreed@ubalt.edu .
- iv. Mail a letter to the EEO Officer; or

- v. Visit the EEO Officer (it is best to make an appointment first to ensure availability).

If the complaint is about the EEO Officer the complaint must be made to the President of the University via phone, in person, email, or mail. The President will appoint another trained individual to take the place of the EEO Officer for purposes of processing the complaint. The President's contact information is:

Kurt L. Schmoke
President
Office of the President
1420 N. Charles Street, Academic Center, Room 332
410.837.4866
president@ubalt.edu

Alternatively, individuals may make a report to a Supervisor. All Supervisors must report all complaints of Prohibited Discrimination (both written and oral) to the EEO Officer.

Additionally, any Supervisor who witnesses behavior that they reasonably believe may be Prohibited Discrimination must promptly report the conduct to the EEO Officer, even if the Supervisor has not received a complaint.

All Supervisors shall report complaints and/or information about Prohibited Discrimination within five (5) calendar days after receiving the complaint or learning of the information. Supervisors can be subject to discipline if they do not, promptly inform the EEO officer of Prohibited Discrimination complaints or potential Prohibited Discrimination of which they are aware.

B. Timeframe for the Complainant to Submit a Complaint

Complaints shall be reported as promptly as possible after the alleged Prohibited Discrimination occurs, and generally not more than 180 days from when the alleged violation occurred.

C. Jurisdiction and Role of the EEO Officer

1. EEO Officer's Jurisdiction

The EEO Officer has jurisdiction to investigate and resolve complaints alleging Prohibited Discrimination against Non-Students. If any individual reports allegations against a third-party who is not affiliated with the University community, under UB control, or subject to University Policies, the EEO Officer, if possible, will convey the allegations to the proper external authority, address the Prohibited Discrimination and limit its discriminatory effects at UB.

2. EEO Officer's Role

The EEO Officer is charged with coordinating the University's compliance with applicable Federal, State and local civil rights regulations, policies and laws, and is not an advocate for any party. Upon receipt of a complaint or report, the EEO Officer will ensure that the Complainant is provided a copy of the relevant UB policies and procedures.

The EEO Officer will provide the following information to the Parties:

- a. The informal and formal resolution options;
- b. The availability of the EEO Officer to coordinate with other campus officials, when appropriate and to the extent possible, to implement interim measures such as no-contact orders, rearrangement of working arrangements, or academic accommodations. (Commentary: The EEO officer will involve the Complainant in all actions affecting the terms and/or conditions of their employment to the greatest extent possible);
- c. The process of a fair and impartial investigation, and the rights of the Parties to have similar and timely access to information the EEO Officer will consider during the adjudication process;
- d. The fact that UB is committed to maintaining the confidentiality of complaints and investigations to the fullest extent possible, but that confidentiality cannot be guaranteed due to the need to conduct a thorough investigation and meet UB's obligations under other laws, rules, regulations, or policies;
- e. The right to have an advisor present during any stage of the process;
- f. Retaliation for reporting Prohibited Discrimination or participating in an investigation of Prohibited Discrimination is strictly prohibited and any Retaliation should be immediately reported to the EEO Officer to be promptly addressed;
- g. Where applicable, if an individual does not want to pursue a complaint, the EEO Officer will inform the individual that the University may be limited in the actions it can take without the individual's cooperation. However, the University may have a right and/or legal obligation to investigate the complaint in some cases, even if the Complainant does not choose to pursue it, if such an investigation is necessary to protect the UB Community; and
- h. If the University determines that Prohibited Discrimination occurred, it will take immediate and appropriate corrective action.

D. Notice To the Parties

Within five (5) business days of receiving a complaint, the EEO Officer will provide written notice to the Respondent(s) and Complainant(s) that they will be initiating an investigation. The notice to the Respondent shall provide the Respondent with any written

complaint, including the Intake Form, provided by a Complainant. If no written complaint is provided by the Complainant, or, if in the discretion of the EEO Officer, information on the written complaint or Intake Form is not relevant to a particular Respondent, the EEO Officer shall provide a summary of the allegations against the Respondent. The notice to the Respondent shall also describe the range of possible sanctions, if the Respondent is found to have violated this Policy. Both Parties' notices shall identify the relevant deadlines and, if the EEO Officer believes appropriate, the option to seek informal resolution of the matter, if both Parties agree.

E. Resolution

There are two (2) processes for resolution of an allegation of Prohibited Discrimination: informal and formal resolution. The EEO Officer is available to answer any questions the Parties may have about the informal and formal resolution procedures.

1. Informal Process and Resolution

The Parties may proceed through the informal process and resolution only if: (1) the EEO Officer determines that the complaint may be resolved appropriately through informal resolution; and (2) all Parties agree to informal resolution. If either of these conditions are not met, the EEO Officer will not proceed with the informal resolution process, and will notify the Parties in writing of their intention to proceed with formal resolution. If both conditions are met, the EEO Officer will notify the Parties in writing of their decision to proceed through the informal resolution process. At any time during the informal process, either party has the right to notify the EEO Officer that they wish to end the informal process and begin the formal process. Upon receiving such notice, the EEO Officer will notify the Parties in writing of their intention to proceed with the formal resolution process. Through the informal process, the Parties will either resolve the complaint by agreement of the Parties and approval of the EEO Officer, or the formal complaint process will be initiated.

2. Formal Process

a. Timeline & Confidentiality

The EEO Officer shall begin an investigation into the claims by appointing one or more trained investigators from the EEO Officer's staff, or, if appropriate, any other internal or external investigator. During the investigation, the investigator is not permitted to discuss the investigation with anyone except as circumstances warrant on a need-to-know basis. For example, the investigator will communicate, as necessary with University administrators. Generally, the investigation will include interviews with the Complainant, the Respondent, and Witnesses; a review of any pertinent documents and material evidence; and any other actions deemed appropriate by the investigator. The investigator shall make every effort to keep the investigation confidential, although confidentiality cannot be guaranteed. While discretion is important, the Parties are not restricted from discussing and sharing information related to the complaint and investigation with others that may support or assist them in presenting their claims, or as

permitted by applicable laws.

The investigator generally shall endeavor to complete the investigation within sixty (60) calendar days of receiving the Complaint. If the investigation cannot be completed within that timeframe, the reasons for delay will be noted in writing for the file and copied to the Complainant and the Respondent.

Requests for extensions: In the event that an extenuating circumstance may warrant an extension to any of the deadlines set forth below, including those in the Appeal section, a request for an extension must be submitted to the investigator or, if applicable, Appeals Officer, in writing no later than the original deadline. Such requests will be evaluated on a case-by-case basis.

b. Standard of Proof and Evidence

In determining whether the alleged conduct constitutes Prohibited Discrimination, the EEO Officer and/or investigator will examine the totality of the circumstances of the complaint, including, but not limited to, the nature of the behavior, the particular facts of the case, the nature of the relationship and interactions between the Parties and the context in which the alleged conduct occurred. The EEO Officer and/or investigator will view the facts from the perspective of “a reasonable person within the University Community.” UB applies a “preponderance of the evidence” (i.e. more likely than not) standard under these Procedures.

c. Investigation and Decision

During the investigation, the Parties will have an equal opportunity to present relevant witnesses and other evidence and equal access to information that the investigator considers, consistent with applicable State and Federal law. Applicable law may prevent the investigator from sharing certain confidential counseling, medical, or education records with the other party. The Parties will also have the same opportunity to review proposed written findings and provide written comments to the investigator regarding such findings prior to the issuance of the final decision.

Upon completion of the investigation, the investigator shall issue a preliminary report to the Parties to review. The Parties will have ten (10) calendar days after the preliminary report is emailed to them to provide written comments to the investigator.

All information submitted by the Parties in response to the preliminary report will be carefully reviewed by the investigator. The investigator will evaluate this information for relevance and determine whether it is necessary to investigate further and/or modify the preliminary report.

Within fifteen (15) days of the conclusion of the investigation, the EEO Officer or investigator shall issue a written decision (hereinafter “Outcome”) setting forth: (1) case summary; (2) summary of investigative steps; (3) summary of relevant evidence; (4) findings of fact; (5) the Parties’ responses to the proposed findings, if applicable; (6) determination; (7) sanction(s), if applicable; and (8) notification of right to appeal. The

University will endeavor to maintain confidentiality throughout the investigation and resultant findings, but cannot guarantee confidentiality due to the need to conduct a thorough investigation and meet the University's obligations under other laws, rules, regulations, or policies.

Any Outcomes, including sanctions, must be consistent with applicable law and USM and UB policies. Disciplinary employment action will be addressed on a case-by-case basis dependent on the facts of each situation, the extent of harm to the individual(s) involved, the obligations of the University, and whether and to what extent the Respondent has a history of previous wrongdoing. Depending on the nature and severity of the findings, the possible sanctions include, but are not limited to, a letter of reprimand, censure, service to the University, counseling, retraining, demotion or suspension, or termination of employment. These sanctions may be imposed even after a first offense, under appropriate circumstances. Sanctioning may take into account any previous violation(s) of University Policy and/or the Respondent's current disciplinary status with the University.

When a tenured or tenure-track faculty member is found responsible for Prohibited Discrimination, or when further University action is required prior to implementing any discipline for any employee, per applicable policies or agreements, any Outcome should indicate that UB will take necessary steps to proceed with the recommended sanction. At that point, UB will take steps pursuant to the USM and UB Appointment, Rank & Tenure Policies, applicable MOU, or other applicable separate procedures to seek implementation of the sanctions.

The EEO Officer will issue the Outcome to the Complainant and Respondent, as appropriate, and shall copy the Assistant Vice President of Human Resources and the Respondent's direct supervisors, when appropriate. The EEO Officer will notify the Appeals Officer when an Outcome has been rendered.

If either party disagrees with the Outcome, they may file an appeal pursuant to the "Appeals Procedures" section below. If neither party appeals, the Outcome becomes final on the day immediately following the expiration of the time for filing an appeal.

F. Appeal Procedures

1. Authority of the Appeal Officer

A representative from the Office of Government and Public Affairs ("Appeal Officer" or "AO") has the authority to review appeals of either party relating to the Outcome in a Prohibited Discrimination matter where a Non-Student is a Respondent.

Office of Government and Public Affairs
1420 N. Charles Street, Academic Center, Room 114
410-837-4533; ogpa@ubalt.edu

2. Appeal Request

Any party who wishes to appeal must file their appeal with the AO specified in the Outcome within five (5) calendar days of when the EEO Officer e-mailed the Outcome to the Parties. The non-appealing Party will also receive prompt and appropriate notice of the appeal. Appeals submitted after five (5) calendar days without an approved extension will be denied, unless good cause is found.

The appeal must be in writing and must describe the Appellant's desired outcome, as well as specific grounds for the appeal. Mere dissatisfaction with the Outcome is not a valid basis for appeal. Grounds for appeal are limited to the following:

- (a) specified procedural errors or errors in interpretation of University policies were so substantial as to deny a Complainant or Respondent notice or a fair opportunity to be heard;
- (b) new or significant information that became available and could not have been discovered by a properly diligent party before or during the investigation or adjudication;
- (c) a violation of substantive due process occurred (i.e., the decision was based on an illegal or constitutionally impermissible consideration such as race or exercise of First Amendment freedoms, etc.); or
- (d) the sanctions imposed are substantially disproportionate to the severity of the violations.

3. Standard of Review

The AO shall review the EEO Officer's findings and sanctions on the narrow bases above. The burden of proof lies with the appealing party. The AO may affirm, overturn, send the matter back to the EEO Officer for further consideration, or modify the determination and/or sanctions if they find that a proper and supported appeal basis exists.

4. Response by Non-Appealing Party

The AO shall e-mail a non-appealing party a copy of the appeal within five (5) calendar days of receipt by the AO. The non-appealing party may submit a response to the appeal to the AO for consideration within five (5) calendar days of the date the AO e-mailed the appeal.

5. The Appeal Decision

Generally, within ten (10) business days of the submission of a response by the non-appealing party, or the deadline for a submission of a response, where none is filed, the AO will submit a decision in writing to the appropriate Parties and the EEO. This decision shall be the final decision of the University regarding the Prohibited

Discrimination.

6. Further Employee Rights

Employees may have further rights to challenge sanctions issued for findings of Prohibited Discrimination, pursuant to USM and UB Appointment, Rank & Tenure Policies, applicable MOUs, and/or other applicable separate procedures giving employees a right to challenge implementation of or further appeal a disciplinary action.

G. Conflict of Interest and Training

All University officials who are involved in the discrimination grievance process, including the EEO Officer, designated investigators and AO, will have adequate training. Training will address, but is not limited to, recognizing and appropriately responding to allegations of discrimination, harassment, including hostile environment harassment and Retaliation, conducting investigations, and protecting confidentiality.

The names of the investigator and the individual who will serve as AO for a particular matter will be readily accessible. These individuals must promptly disclose any potential conflict of interest they might have in a particular case. In the rare situation in which an actual or perceived conflict of interest arises from the involvement of an investigator or AO, that conflict must be disclosed to all Parties and how any potential or actual conflict will be appropriately addressed.

In addition to other sanctions, the EEO Officer may consider providing immediate training:

- to the offending employee if a complaint of Prohibited Discrimination is substantiated; and
- to supervisory personnel who have failed to meet their duty to report or investigate claims of Prohibited Discrimination.

H. Outside Agency

Any person who believes they have been discriminated, retaliated against or harassed may file an external complaint with any of the organizations below. For information regarding requirements, including time limitations, for filing complaints contact the appropriate agency as set forth below.

- Equal Employment Opportunity Commission (EEOC), 131 M Street, N.E., Fourth Floor, Suite 4NW02F, Washington, DC 20507; 800-669-4000; TTY 800-669-6820; <http://www.eeoc.gov>
- Equal Employment Opportunity Commission (EEOC) Baltimore Field Office, GH Fallon Federal Building, 31 Hopkins Plaza, Suite 1432, Baltimore, Maryland 21201; 800-669-4000; TTY 800-669-6820 <http://www.eeoc.gov>
- Maryland Commission on Civil Rights, William Donald Schaefer Tower, 6 Saint Paul Street, Suite 900, Baltimore, Maryland 21202 800-637-6247; Maryland Relay 7-1-1; mccr@maryland.gov

- United States Department of Education, Office for Civil Rights, The Wannamaker Building, 100 Penn Square Street East, Suite 515, Philadelphia, Pennsylvania 19107-3322; 215-656-8541; <http://www2.ed.gov/about/offices/list/ocr/index.html>

I. Alternative Internal Complaint Mechanisms

While the University has adopted this Policy and Procedures as a mechanism to adequately and fairly adjudicate complaints of Prohibited Discrimination, UB Community members do have alternative internal complaint procedures available (please note the external complaint mechanisms set forth above are always available to UB Community members, in addition to the internal complaint procedures at the University). In all instances, an employee must pick only one internal complaint procedure and generally, the outcome from the internal complaint procedure chosen by the employee is final with respect to any internal complaints filed with the University. However, the University may need to take actions under this Policy even when the complainant chooses an alternative complaint procedure where the University has obligations to do so pursuant to law, rule, regulation or policy. In addition to this Policy and Procedures the following alternative internal procedures exist:

- Certain non-exempt employees can utilize the USM’s Policy on Grievances to pursue a complaint of discrimination. USM BOR VII-8.00 can be found at: <https://www.usmd.edu/regents/bylaws/SectionVII/VII800.pdf> .
- Employees in the FOP or AFSCME bargaining units have grievance procedures outlined in their MOUs. The FOP MOU can be found at: <http://www.ubalt.edu/about-ub/offices-and-services/human-resources/employee-and-labor-relations/downloads/FOPMOU2017.pdf> and the AFSCME MOU can be found at: <http://www.ubalt.edu/about-ub/offices-and-services/human-resources/employee-and-labor-relations/downloads/NEXMOU.pdf> .
- All applicants and employees are covered by the state Equal Employment Opportunity Program (“EEO Program”), which includes complaint procedures found at Title 5-201 et seq. of the State Personnel and Pensions Article of the Maryland Code. Applicants and Employees can locate the code at: [https://govt.westlaw.com/mdc/index?_lrTS=20190403161602310&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/mdc/index?_lrTS=20190403161602310&transitionType=Default&contextData=(sc.Default)).
- The EEO Program provides that a Complainant must file a complaint within 30 days after the Complainant first knew or reasonably should have known of the alleged violation that is the basis of the complaint. The EEO Officer shall investigate the complaint and provide a proposed decision to the head of the principal unit within 30 days. Within 10 days of receiving the written decision, a Complainant may file an appeal to the Department of Budget and Management.