

“religion”; to remove certain obsolete language; and to otherwise generally conform the State Fair Employment Practices Law to the 1972 amendments of Title VII, Federal Civil Rights Act of 1964.

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Sections 18, 19 and 20 of Article 49B of the Annotated Code of Maryland (1972 Replacement Volume and 1972 Supplement), title “Human Relations Commission,” subtitle “Discrimination in Employment,” be and they are hereby repealed and re-enacted, with amendments, to read as follows:

18.

For the purposes of this subtitle:

(a) The term “person” includes one or more individuals, labor unions, partnerships, associations, corporations, legal representatives, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, or receivers:

(b) The term “employer” means a person engaged in an industry or business who has ~~twenty-five~~ **FIFTEEN** or more employees for each working day in each of twenty or more calendar weeks in the current or preceding calendar year; and any agent of such a person, such term does include the State of Maryland to the extent as may be provided in this article but such term does not include a bona fide private membership club (other than a labor organization) which is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954.

(c) The term “employment agency” means any person regularly undertaking with or without compensation to procure employees for an employer or to procure for employees opportunities to work for an employer and includes an agent or such a person; but shall not include an agency of the United States or an agency of the State of Maryland or political subdivision thereof, except such term shall include the United States Employment Service and the system of State and local employment services receiving federal assistance.

(d) The term “labor organization” means a labor organization engaged in an industry and any agent of such an organization, and includes any organization of any kind, any agency, or employee representation committee, group, association, or plan so engaged in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment, and any conference, general committee, joint or system board, or joint council so engaged which is subordinate to a national or international labor organization.

(E) THE TERM “EMPLOYEE” MEANS AN INDIVIDUAL EMPLOYED BY AN EMPLOYER, EXCEPT THAT “EMPLOYEE” DOES NOT INCLUDE ANY PERSON ELECTED TO PUBLIC OFFICE OR ANY PERSON CHOSEN BY THE OFFICER TO BE ON THE OFFICER’S PERSONNEL STAFF, OR AN APPOINTEE IN THE POLICY MAKING LEVEL OR AN IMMEDIATE ADVISOR WITH RESPECT TO THE EXERCISE OF THE CONSTITUTIONAL OR LEGAL POWERS OF THE OFFICE. THE EXCEPTION SET FORTH IN THE PRECEDING SENTENCE DOES NOT INCLUDE EMPLOYEES SUBJECT TO THE STATE OR LOCAL CIVIL SERVICE LAWS.

(F) THE TERM “RELIGION” INCLUDES ALL ASPECTS OF RELIGIOUS OBSERVANCES AND PRACTICE, AS WELL AS BELIEF, UNLESS AN EMPLOYER DEMONSTRATES THAT HE IS UNABLE REASONABLY TO ACCOMMODATE TO AN EMPLOYEE’S OR