

## EXECUTIVE ORDER OF OCTOBER 20, 1980

01.01.1980.16

## SEXUAL HARASSMENT

WHEREAS, The State of Maryland, in spirit and in law, is dedicated to a strong policy against discrimination based upon sex; and

WHEREAS, State law and policy require the provision of a working environment conducive to the performance of duties and free from intimidation or coercion in any form; and

WHEREAS, Sexual harassment is an unlawful employment practice for which legal remedies are available under Title VII of the Civil Rights Act of 1964, as amended, and Article 49B of the Annotated Code of Maryland; and

WHEREAS, State Merit System law and regulations prohibit harassment of employees; and

WHEREAS, The Code of Fair Practices, established by Gubernatorial Executive Order 01.01.1970.15, as amended by Executive Order 01.01.1976.15, proscribes, inter alia, employment discrimination on the basis of gender; and

WHEREAS, A recent survey conducted by the Maryland Commission for Women and the Maryland Department of Personnel indicated that sexual harassment may be a significant problem within State government; and

WHEREAS, In accordance with federal EEOC guidelines, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

- 1) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,
- 2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individuals, or
- 3) Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment; and