

(C) COMPLAINT BY EMPLOYEE.

(1) AN EMPLOYEE WHO BELIEVES THAT AN EMPLOYER OR OTHER PERSON HAS DISCHARGED OR OTHERWISE DISCRIMINATED AGAINST THE EMPLOYEE IN VIOLATION OF SUBSECTION (A) OR (B) OF THIS SECTION MAY SUBMIT TO THE COMMISSIONER A WRITTEN COMPLAINT THAT ALLEGES THE DISCRIMINATION AND THAT INCLUDES THE SIGNATURE OF THE EMPLOYEE.

(2) AN EMPLOYEE SHALL FILE A COMPLAINT UNDER THIS SUBSECTION WITHIN 30 DAYS AFTER THE ALLEGED DISCRIMINATION OCCURS.

(D) ACTION BY COMMISSIONER.

(1) ON RECEIPT OF A COMPLAINT UNDER SUBSECTION (C) OF THIS SECTION, THE COMMISSIONER MAY INVESTIGATE.

(2) IF, AFTER INVESTIGATION, THE COMMISSIONER DETERMINES THAT AN EMPLOYER OR OTHER PERSON HAS VIOLATED SUBSECTION (A) OR (B) OF THIS SECTION, THE COMMISSIONER SHALL FILE A COMPLAINT TO ENJOIN THE VIOLATION, TO REINSTATE THE EMPLOYEE TO THE FORMER POSITION WITH BACK PAY, OR FOR OTHER APPROPRIATE RELIEF IN THE CIRCUIT COURT FOR:

(I) THE COUNTY IN WHICH THE ALLEGED VIOLATION OCCURRED;

(II) THE COUNTY IN WHICH THE EMPLOYER HAS ITS PRINCIPAL OFFICE; OR

(III) BALTIMORE CITY.

(3) WITHIN 90 DAYS AFTER THE COMMISSIONER RECEIVES A COMPLAINT, THE COMMISSIONER SHALL NOTIFY THE EMPLOYEE OF THE DETERMINATION UNDER THIS SUBSECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 89, § 43.

In subsection (c)(1) of this section, the reference to a "signature" is substituted for the former reference to an "acknowledg[ment]" for clarity.

In subsection (d)(2) of this section, the former reference to "rehiring" is deleted as unnecessary in light of the word "reinstate".

Defined terms: "Commissioner" § 5-101

"Employee" § 5-101 "Employer" § 5-101

"Person" §§ 1-101 and 5-101