

Error: Stylistic error in Article 41, § 18-313(d).

Occurred: Ch. 106, Acts of 1997. Correction by the Michie Company in the 1997 Supplement to the 1997 Replacement Volume is validated by this Act.

Article 49B - Human Relations Commission

11.

(e) If upon all the evidence, the hearing examiner finds that the respondent has engaged in any discriminatory act within the scope of any of these subtitles, the hearing examiner shall so state the findings. The hearing examiner shall issue and cause to be served upon the respondent an order requiring the respondent to cease and desist from the discriminatory acts and to take affirmative action to effectuate the purposes of the particular subtitle. If the respondent is found to have engaged in or to be engaging in an unlawful employment practice charged in the complaint, the remedy may include, but is not limited to, reinstatement or hiring of employees, with or without back pay (payable by the employer, employment agency, or labor organization, as the case may be, responsible for the unlawful employment practice), or any other equitable relief that is deemed appropriate. The award of monetary relief shall be limited to a 36-month period. The complainant may not be awarded monetary relief for losses incurred between the time of the Commission's final determination and the final determination by the circuit court or higher appellate court, as the case may be. Interim earning or amounts earnable with reasonable diligence by the person or persons discriminated against shall operate to reduce the monetary relief otherwise allowable. In cases of discrimination other than those involving employment, in addition to the award of civil penalties as specifically provided in this article, nonmonetary relief may be granted to the complainant, except that in no event shall an order be issued that substantially affects the cost, level, or type of any transportation services. In cases involving transportation services which are supported fully or partially with funds from the Maryland Department of Transportation, no order may be issued which would require costs, level, or type of transportation services different from or in excess of those required to meet U.S. Department of Transportation regulations adopted pursuant to Section 504 of the [Rehabilitation Act of 1974] REHABILITATION ACT OF 1973, codified as [49 C.F.R. 27 (1984)] 29 U.S.C. § 794, nor would any such order be enforceable under Section 12(a) of this subtitle.

DRAFTER'S NOTE:

Error: Incorrect cross-references in Article 49B, § 11(e).

Occurred: Ch. 741, Acts of 1986.

36.

(c) The Commission shall adopt regulations requiring local agencies and commissions that are certified as substantially equivalent by the U.S. Department of