Maryland
DEPARTMENT OF JUVENILE SERVICES

POLICY

SUBJECT: Sexual Harassment/Employment Discrimination Policy
NUMBER: MGT-03-26
APPLICABLE TO: All DJS Staff

APPROVED: _____
Betsy Fox Tolentino, Secretary

DATE: 09/15/2026

I. POLICY

The Department of Juvenile Services (DJS or Department) prohibits the sexual harassment or employment discrimination of its staff.

It is DJS policy that DJS staff shall:

A. Act in accordance with state and federal law, and the Maryland Code of Fair Employment Practices (Executive Order, 01.01.2007.16) which prohibit discrimination, including sexual harassment, in the work place;
B. Honor and respect the value and dignity of every employee of the Department;
C. Ensure an environment that is free from any type of discrimination or harassment on any basis;
D. Adhere to the Maryland and DJS policy of zero tolerance for sexual harassment; and
E. Comply with all state and federal anti-discrimination laws.

II. AUTHORITY

A. Md. Code, Human Services Article, §9-203 and §9-204
B. Md. Code, State Government Article, Title 20, Human Relations.
C. Md. Code, State Personnel and Pensions Article, § 2-203.1, § 2-302 and § 5-201 to § 5-215
D. Maryland Code of Fair Employment Practices (Executive Order, 01.01.2007.16.)
E. State of Maryland Sexual Harassment Policy and Procedures, Revised October 1, 2024
F. Title VII of the Civil Rights Act of 1964, as amended
G. American Correctional Association (ACA) Standard, 5-JCF-7D-06

III. DIRECTIVES/POLICIES RESCINDED

Sexual Harassment/Employment discrimination Policy, MGT-03-18

IV. FAILURE TO COMPLY

Failure to comply with the Department's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed and are attached to this policy.

VI. TRAINING

The Department of Juvenile Services (DJS) is committed to maintaining a workplace free from discrimination, harassment, and retaliation through ongoing education and training.

A. All DJS staff shall complete sexual harassment prevention training in accordance with State law and the State of Maryland Sexual Harassment Policy and Procedures.

B. Employees shall successfully complete the required initial training within six (6) months of appointment and complete refresher training every two (2) years thereafter.

VII. MEASURABLE OUTCOMES

N/A

VIII. AUDIT TOOL

N/A

IX. UNION NEGOTIATED POLICY

Yes

X. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
New policy issued.	1/5/12

Revised policy issued to reflect additions made to existing law, new training section C to include: • Sec. III(A)6 – added requirement that DJS shall designate a representative to work with the Commission on Civil Rights to implement new training requirements. • Sec. III(C) – New section added to outline new training requirements for all state employees. • Contractors and volunteers shall receive training on sexual harassment and discrimination. • All training records shall be maintained by the designated authorities.	8/1/18
Updated Policy Number Revised Procedures: ● Rescinded MGT-03-18 ● Authority Updated: ● Standard Operating Procedures language updated to reflect new template.Heading Sections added: ● Procedures Revised to reflect new state guidelines and realignment of practices within the HR Department. ● Appendices Revised	September 15, 2026

Maryland
DEPARTMENT OF JUVENILE SERVICES

PROCEDURES

SUBJECT: Sexual Harassment/Employment Discrimination
Policy NUMBER: MGT-03-26
APPLICABLE TO: All DJS Staff

APPROVED: _____,
Betsy Fox Tolentino, Secretary

DATE: 09/15/2026

I. PURPOSE

The purpose of this policy is to establish a workplace free of sexual harassment and other forms of discrimination, by requiring all staff to act in accordance with state and federal law and policy concerning the prohibition of discrimination, and educating and training all DJS employees on Maryland's and DJS' policy prohibiting sexual harassment and employment discrimination.

II. DEFINITIONS

A. *Accused* means the person against whom a complaint is alleged, who may be of any gender and does not have to be of a different gender than the victim. The accused may be an employee's direct supervisor, a supervisor in another division, a co-worker, or a non-employee.

B. *Discrimination* means the unfair treatment or denial of normal privileges to persons because of age, ancestry, color, creed, genetic information, gender identity and expression, marital status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex, or sexual orientation.

C. *Hostile Work Environment* means unwelcomed sexual advances, request for sexual favors, and other unwelcomed verbal or physical conduct of a sexual nature that constitute "hostile work environment" sexual harassment when a reasonable person would find:

- Such conduct is based on the complainant's gender;
- Such conduct is sufficiently severe or pervasive to alter the conditions of the complainant's employment and has the effect of unreasonably interfering with an individual's work performance; or
- Such conduct creates an intimidating hostile or offensive working environment which is perceived by the victim to be abusive or hostile.

D. *Sexual Harassment* means conduct which need not be severe or pervasive, that consists of unwelcome sexual advances, requests for sexual favors, or other conduct of a sexual nature when (1) submission to the conduct is made either explicitly or implicitly a term or condition of employment of an individual; (2) submission to or rejection of the conduct is used as a basis for employment decisions affecting the individual; or (3) based on the totality of the circumstances, the conduct unreasonably creates a working environment that a reasonable person would perceive to be abusive or hostile (also known as a hostile work environment).

E. *Staff* means, for purposes of this policy, DJS employees, contractors, vendors, volunteers, and interns.

F. *Victim* means, for purposes of this policy, the person filing a sexual harassment or discrimination complaint who may be of any gender; the victim does not have to be of the opposite gender of the accused. The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.

III. PROCEDURES

DJS shall comply with state and federal law, and this policy and procedures to establish and maintain a work environment free of discrimination and sexual harassment.

A. Management Responsibilities

1. DJS managers and supervisors shall lead by example in their behavior and treatment of employees to create and maintain a discrimination-free workplace.
2. DJS managers and supervisors shall ensure that reporting and or cooperating employees are protected against retaliation for filing or aiding an investigation of a discrimination complaint.
3. DJS shall provide education, training, and mediation of dispute, and the investigation of sexual harassment allegations.
4. DJS shall apply appropriate disciplinary actions against each employee found to be in violation of the law or policy.
5. DJS will thoroughly investigate and issue a written decision within sixty (60) days of receiving a report or allegation of sexual harassment.
6. DJS shall designate a representative to coordinate with the Commission on Civil Rights to implement the required sexual harassment trainings.
7. DJS shall prominently display posters at each DJS office and facility to inform employees about the Maryland's prohibition against sexual harassment and other acts of employee discrimination in the workplace.
8. DJS will inform the victim of their right to pursue an allegation of sexual harassment with the Maryland Commission on Human Relations or the U.S. Equal Employment Opportunity Commission.
9. Staff may contact the Director of the Office of Fair Practices/Equal Employment Opportunity at (410)-230-3187 for additional information, or to inquire about issues of sexual harassment.

B. **Employee Responsibilities**

1. If an employee feels they are the victim of sexual harassment or employment discrimination, they may file a **Discrimination Complaint Form (Appendix 1**) in accordance with *Equal Employment Opportunity,* MGT-05-12 policy.
    a. For cases alleging a hostile work environment, the victim must also complete the **Hostile Work Environment Questionnaire (Appendix 2)**.
    b. Employees filing a complaint must also complete the **Complaint Procedure Acknowledgement Form (Appendix 3)**, which acknowledges receipt of the **Complaint Procedures (Appendix 4)**.
2. All DJS employees shall cooperate with the Office of Fair Practices/Equal Employment Opportunity in the investigation of allegations of sexual harassment or any complaint of employment discrimination.
3. If an employee wishes to report an incident of sexual harassment, the employee should report the incident to their unit supervisor, to another management person, or to the DJS Office of Fair Practices.
4. If an employee wishes to report an incident of sexual harassment and the immediate supervisor is the alleged harasser, an employee should report the incident to another management person or the DJS Office of Fair Practices/Equal Opportunity at (410) 230-3187.

C. **Training**

1. All DJS employees are required to complete two (2) hours of in-person or virtual, interactive training on sexual harassment prevention, in accordance with State law and the State of Maryland Sexual Harassment Policy and Procedures.
2. Training shall be provided by the Office of Fair Practices, in coordination with the Professional Training and Education Unit (PTEU).
3. Training must be completed within six (6) months of each employee's date of hire. DJS employees are required to complete refresher training every two (2) years during their employment with the state.
    a. Employees shall successfully complete the required training by achieving a score of eighty percent (80%) or higher on the post-training assessment.
    b. Employees who do not achieve a passing score shall retake the assessment or complete additional training as directed by the Department.
    c. Even if an employee passes the training, if the department deems it necessary, an employee may be required to retake part or all of the required training upon request.
4. Additional training will be provided to supervisors and managers regarding their responsibilities for:
    a. Recognizing, responding to, and reporting allegations of discrimination and sexual harassment;

b. Preventing further abuse and/or retaliation; and
c. Creating a workplace culture where sexual harassment is not tolerated.

5. Contractors, vendors, and volunteers shall receive training in Sexual Harassment and Discrimination as part of their orientation and must be advised that they are subject to disciplinary action, including dismissal and termination of contracts and/or services, if found guilty of sexual harassment charges. The training shall include:
   a. Information on current federal and state laws regarding sexual harassment prevention; and
   b. Best practices in prevention and correction of sexual harassment, abusive conduct and retaliation; and
   c. Remedies and procedures available for victims of sexual harassment in the workplace.
6. The training records for DJS employees shall be maintained by the Professional Training and Education Unit (PTEU). Training records for contractors and/or vendors shall be verified by the contract monitor or designee.

IV. RESPONSIBILITY

Administrators are responsible for implementation and compliance with this procedure.

V. INTERPRETATION

The Director of the Office of Fair Practices with the concurrence of the Secretary, shall be responsible for interpreting and granting any exceptions to these procedures, consistent with the requirements of applicable State laws, regulations, and guidelines.

VI. LOCAL OPERATING PROCEDURES REQUIRED

No

VII. FACILITY OPERATING PROCEDURES OR POST ORDERS REQUIRED

No

VIII. DIRECTIVES/POLICIES REFERENCED

Equal Employment Opportunity, MGT-05-12

IX. APPENDICES

1. **Discrimination Complaint Form**
2. **Hostile Work Environment Questionnaire**
3. **Complaint Procedure Acknowledgement Form**
4. **Complaint Filing Procedure**

Maryland
DEPARTMENT OF
JUVENILE SERVICES

DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review and Understanding

SUBJECT: **Sexual Harassment/Employment Discrimination Policy**
NUMBER: **MGT-03-26**
APPLICABLE TO: **All DJS Employees, Contractors and Volunteers**
REVISION DATE: **9/15/2026**

I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five (5) working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

_____ _____
SIGNATURE PRINT FULL NAME

_____ _____
DATE WORK LOCATION

PLEASE SEND COPIES OF THE SIGNED ACKNOWLEDGMENT FORM TO YOUR SUPERVISOR AND TO THE OFFICE OF HUMAN RESOURCES, FOR PLACEMENT IN YOUR PERSONNEL FILE

DO NOT WRITE IN THIS SPACE

FOR USE BY EEO OFFICE

_____v. _____

CASE NO. _____

DATE FILED: _____

DISCRIMINATION COMPLAINT FORM

Please print the following information:

Last Name: _____ First: _____ MI: _____

Date of Birth: _____

Home Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone: ( ) _____ Cell Phone: ( ) _____

Title: _____ Unit/Location: _____

Office Telephone: ( ) _____ Supervisor/Manager's Name: _____

Name(s) of individual(s) you believe discriminated against you (Respondent):

_____

Address: _____

City: _____ State: _____ Zip Code: _____

What is the basis of the alleged discrimination?

(Circle only those that apply to your complaint).

- ☐ Age
- ☐ Color
- ☐ Sexual Orientation
- ☐ Marital Status
- ☐ Race
- ☐ Sex (gender)
- ☐ Retaliation
- ☐ Ancestry
- ☐ Creed
- ☐ Gender Identity and Expression
- ☐ Mental or Physical Disability
- ☐ Genetic Information
- ☐ Religion
- ☐ National Origin

What issues are associated with your complaint?

- ☐ Recruitment
- ☐ Demotion
- ☐ Transfer
- ☐ Other _____
- ☐ Failure to Hire
- ☐ Discharge
- ☐ Promotion
- ☐ Performance Evaluation
- ☐ Sexual Harassment
- ☐ Working Conditions

When did the alleged discrimination occur?

Date: _____

Where did the alleged discrimination occur? Location:

_____

_____

Describe what happened. (Please use additional pages if necessary)

Were there any witnesses to the alleged discrimination? Yes ☐ No ☐

If yes, please provide witnesses names and contact number.

What corrective action do you believe would address your complaint?

Have you filed a previous complaint of alleged discrimination? Yes ☐ No ☐

If so, please describe the incident and when it occurred.

Who did you file this complaint with: EEOC ☐ MCCR ☐ Office of Fair Practices ☐ ☐Other _____

Please notify the DJS Office of Fair Practices of any changes of address and/or telephone number during the period of this investigation.

AFFIRMATION

I affirm that I have read the above charge(s) and that it is true to the best of my knowledge, information and belief.

Signature _____ Date _____

NOTICE OF YOUR RIGHT TO FILE A COMPLAINT WITH AN EXTERNAL CIVIL RIGHTS ENFORCEMENT AGENCY

Any employee or applicant for employment who believes that they have experienced discrimination, has a right to file a formal complaint with State or Federal agencies listed below. ***A person does not give up this right when they file a complaint with the Office of Fair Practices.*** The following State and Federal agencies enforce laws related to ***discrimination:***

- Maryland Commission on Civil Rights (MCCR)
  6 St. Paul Street,
  9th Floor
  Baltimore, Maryland 21201
  Phone: 410-767-8600

- United States Equal Employment Opportunity Commission (EEOC)
  10 South Howard Street,
  3rd Floor
  Baltimore, Maryland 21201
  Phone: 410-962-3932

STATUTORY TIME PERIODS FOR THE TIMELY FILING OF CHARGES OF DISCRIMINATION (MEASURE FROM THE OCCURRENCE OF DISCRIMINATORY ACTION):

1. State Fair Practices Offices - within 365 days after first knowledge or reasonably knowing (SPPA§5-211 (b))
2. Maryland Commission on Civil Rights - 300 days (State Government Article Title 20, Annotated Code of Maryland)
3. United States Equal Employment Opportunity Commission - 300 days, unless a proceeding involving same acts is instituted first before the Maryland Commission on Civil Rights

Confidentiality - Information obtained as part of an investigation conducted under this SPPA§5-214 is confidential within the meaning of Title 10, Subtitle 6 of the State Government Article.

AFFIRMATION

I affirm that I have read the above notice concerning my rights to file a complaint with a local, state, and federal civil rights enforcement agency at any time before or after I file an internal complaint with the DJS Office of Fair Practices and am aware of my filing deadlines for those agencies.

_____ _____

Complainant's Signature Date

_____ _____

Director, Office of Fair Practices or designee Date

A copy of this form will be sent to you for your records.

Aruna Miller
Lt. Governor

Wes Moore
Governor

Elizabeth Fox Tolentino
Secretary

OFFICE OF FAIR PRACTICES/EQUAL EMPLOYMENT OPPORTUNITY
Sherrie T. Howell, Director – (410) 230-3187
Confidential Fax – (410) 333-4183

HOSTILE WORK ENVIRONMENT QUESTIONNAIRE

_____ _____
NAME DATE

If you are alleging the creation of a hostile workplace, this questionnaire must be answered, signed and must accompany your complaint.

Under Federal and State employment guidelines and court decision, specific criteria, not necessarily all, must be reviewed in order to support your allegation of a hostile work environment. Your answers will assist this unit in resolving workplace issues which may or may not be a hostile work environment.

If you need an explanation or assistance with any of the questions, please ask.

1. Does the hostile behavior you are alleging happen on a frequent basis? If so, explain.

_____
_____
_____
_____
_____
_____
_____

2. Is the hostile behavior severe? If so, explain.

_____
_____
_____
_____

3. Is the hostile behavior physically threatening or humiliating? If so, explain. Provide dates, other employees present, if known.

4. Does the hostile conduct unreasonably interfere with your ability to perform your job duties, or affect a term, condition, or privilege of employment? If so, explain.

5. Do you believe there is a relationship between the hostile behavior and your membership in a protected class? A protected class member is one protected by race, sex/gender, age, disability (mental/physical), marital status, religion, sexual orientation.

6. Did your supervisor know, or have reason to know, about the hostile behavior? If so, explain. If your supervisor is creating a hostile workplace, explain.

DEPARTMENT OF JUVENILE SERVICES

OFFICE OF FAIR PRACTICES/EQUAL EMPLOYMENT OPPORTUNITY (EEO)

COMPLAINT PROCEDURE ACKNOWLEDGEMENT FORM

The Office of Fair Practices must inform you of your right to file a complaint of employment discrimination with the State, Maryland Commission on Civil Rights and/or Federal Equal Employment Opportunity Commission. The State and Federal Commissions enforce employment discrimination laws.

Please check with either commission about timely filing. Addresses and phone numbers are publicly listed or can be acquired from the Office of Fair Practices.

I, _____ , hereby acknowledge that I was informed of my rights to file my complaint of discrimination against this department with the Maryland Commission on Civil Rights (MCCR) or the Equal Employment Opportunity Commission (EEOC). The State and Federal Commission accept employment complaints based on race, age, color, sex, including pregnancy and sexual harassment, marital status, religion, national origin, physical and mental disability.

The State Personnel and Pensions Act, Title 5: Employee Rights and Protections, provides for the investigation and submission of a recommendation(s) to the head of the principal unit. Title 5 states that this is to be accomplished within sixty (60) days of filing. Complaints alleging sexual harassment are to be investigated within twenty (20) days of filing. The Office of Fair Practices may request additional time from you to investigate and to submit conclusions and recommendations about your complaint.

Under the State's Fair Employment Practices Policy, you have to right to appeal a "No Probable Cause" decision to the Employee Relations Division of the Department of Budget and Management within ten (10) working days of receipt of a written report of findings by your Department's Office of Fair Practices.

Phone: 410-663-7724 Toll Free: 1-888-639-7499 TDD: 1-800-735-2258

Appeals may be filed by writing to the:

Department of Budget and Management
Office of the Statewide Equal Employment Opportunity Coordinator
Room 608
301 West Preston Street
Baltimore, Maryland 21201

_____
Director, Office of Fair Practices

_____
Name (Print)

_____
Signature

_____
Date

Aruna Miller
Lt. Governor

Wes Moore
Governor

Elizabeth Fox Tolentino
Secretary

Complaint Filing Procedure

1. For a **DISCRIMINATION** complaint, complete a Discrimination Complaint Form. The complaint must be based on one or more of the following bases, **age, ancestry, color, creed, genetic information, gender identity and expression, marital status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex (gender), or sexual orientation.**

2. For the Creation of a Hostile Work Environment complaint based on **UNFAIR MANAGEMENT PRACTICES, HARASSMENT**, and or **SEXUAL HARASSMENT**, complete an Unfair Management Practices/Harassment Form and a Hostile Work Environment Questionnaire.

3. Review, sign, and date the Acknowledgment Form, which advises a Complainant of their right to file a complaint with an external commission, such as the Maryland Commission on Civil Rights (MCCR) or the Equal Employment Opportunity Commission (EEOC).

    a. Complaints based on discrimination also ***can*** be filed with the Maryland Commission on Civil Rights (MCCR) or the U.S. Equal Employment Opportunity Commission (EEOC); both external agencies investigate discrimination complaints based on **age, ancestry, color, creed, genetic information, marital status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex, or sexual orientation.** The EEOC does **not** accept discrimination complaints based on **gender identity and expression**; however, the MCCR will accept this type of complaint.
    b. Complaints based on unfair management practices, harassment, or the creation of a hostile work environment **cannot** be filed with the Maryland Commission on Civil Rights (MCCR) or the U.S. Equal Employment Opportunity Commission (EEOC); neither external agency investigates complaints based on **unfair management practices, harassment, or the creation of a hostile work environment.**

4. Complete all forms in their entirety. Be sure to include specifics, such as, dates, times, locations, details of the actual event, witnesses and documentation. Include additional pages as needed.

Phone: 410-663-7724 Toll Free: 1-888-639-7499 TDD: 1-800-735-2258

5. To qualify for appeal rights with the Department of Budget and Management, the complaint must be filed with the DJS Office of Fair Practices within one year from the time the alleged act of discrimination took place or one year from the time the complainant had knowledge of the alleged act.

6. All complaints must contain the following:
    a. The full name, address and telephone number of the complainant;
    b. The full name and address of the Department and if applicable, the full name and address of the person (s) against whom the complaint is made;
    c. A clear and concise statement of the facts constituting the alleged act(s), including when the alleged behavior took place; (for **discrimination** complaints, include a statement of how **age, ancestry, color, creed, genetic information, marital status, mental or physical disability, national origin, race, religious affiliation, belief or opinion, sex, or sexual orientation** is believed to be the basis for the alleged discrimination);
    d. The signature of the complainant and the date the complaint was filed.

If you have additional questions related to filing a complaint, please contact Sherrie T. Howell, Director, Office of Fair Practices, at 410-230-3187.