

Know Your Rights: *The Fairness for All Marylanders Act*

What does the *Fairness for All Marylanders Act* mean for transgender Marylanders?

[The Fairness for All Marylanders Act](#) updates Maryland's anti-discrimination law to include the protected categories of gender identity and expression. This means transgender Marylanders cannot be discriminated against in employment, housing, places of public accommodation such as restaurants and movie theaters, or by lenders and many other service providers licensed by the State of Maryland just because of their gender identity. These are the same areas of public life in which it is already illegal statewide to discriminate on the basis of race, religion, national origin, gender, and sexual orientation, among other categories—this legislation adds gender identity to that list.

Additionally, six jurisdictions in Maryland have local laws prohibiting discrimination based on gender identity: Baltimore, Howard and Montgomery Counties, Baltimore City, Hyattsville and College Park. Transgender people in these jurisdictions who are discriminated against can seek legal recourse under the local or state law. In some circumstances, the local law may provide greater protection. **If you have faced discrimination in one of these jurisdictions, please consult Equality Maryland or FreeState Legal Project about the best venue to file a complaint.**

Who does not have to follow the law?

- **Religious institutions** are allowed to choose not to employ people of particular gender identities or expressions. This exemption also applies to discrimination based on sexual orientation and religion.
- **Schools** are not included in the definition of public accommodations; however, state and federal education regulations prohibit discrimination against students based on gender identity, and schools are not allowed to discriminate in employment matters on the basis of gender identity or expression.
- **Private clubs** such as a members-only country club are exempt from the law.
- **Small businesses** that employ fewer than 15 people are exempt from some aspects of the law; however, no employer, regardless of size, can fire someone because of their gender identity.

What does “public accommodation” mean?

- hotel, motel, or other "establishment that provides lodging to transient guests";
- restaurant, cafeteria, bar, or other "facility principally engaged in selling food or alcoholic beverages for consumption on or off the premises";
- movie theater, concert hall, sports arena, or other "place of exhibition or entertainment"; or
- "retail establishment" that offers "goods, services, entertainment, recreation, or transportation"

What to do if you have been discriminated against because of your gender identity

If you have been denied employment, been fired or faced an adverse work experience (such as being denied a promotion), been denied or evicted from housing, service at a restaurant or other public accommodation or denied credit you can file a complaint with the [Maryland Commission on Civil Rights \(MCCR\)](#). Additionally, you can contact Equality Maryland or FreeState Legal Project for advice.

- [Equality Maryland](#) (410) 685-6567 or info@equalitymaryland.org
- [FreeState Legal Project](#) (410) 625-5428 or info@freestatelegal.org