

Office of the County Auditor
Auditor's Analysis

REVISED - Council Bill No. 3-2024

Introduced: January 2, 2024

Auditors: Diane Zagorski-Kelly

Fiscal Impact:

We are unable to determine a fiscal impact to this legislation as we cannot predict the potential damages that may be awarded through a decision and order of the County's Human Rights Commission to future complainants.

The Deputy Administrator of the Office of Human Resources (Deputy) has stated that there have been no damage awards paid, either through decision and orders issued by the Human Rights Commission or judgements made by the Circuit Court, to complainants employed by Howard County Government in Fiscal Years 2021 through 2024.

However, we have been informed of a case involving a former Howard County employee that was awarded damages through the Circuit Court of approximately \$960,000. The damages were capped at the State's limit, for an employer with over 500 employees, of a maximum of \$300,000. The Deputy informed us that this case is currently the only case where damages have been awarded. It is currently being appealed, and no payout has yet to occur.

According to the Office of Human Rights and Equity Administrator (Administrator), no additional staff members, materials, or equipment would be required as a result of this legislation.

Purpose:

Council Bill 3-2024 proposes to place a limit on the amount of damages that may be granted through a decision and order of the County's Human Rights Commission to a complainant for unlawful employment practices as follows:

- \$50,000 for employers with 15 to 100 employees
- \$100,000 for employers with 101 to 200 employees
- \$200,000 for employers with 201 to 500 employees
- \$300,000 for employers with over 500 employees

Other Comments:

None.