

## *Employee's Rights in Maryland.*

In general, Maryland follows the "at will" employment doctrine; that is the employer has a right to hire and fire employees at will. Although Maryland is an "at will" employment State, a variety of federal, state and county laws exist to protect you from employer discrimination on the basis of race, sex, religion, national origin, ancestry, alienage, age and disability. Also, you may have common law rights or "causes of action" to seek redress for harm or loss caused by the employer.

*Time deadlines for filing your claim.* Generally, you must file a claim or complaint with the appropriate Court or other governmental agency within a set period of time after the alleged discrimination in order to preserve your claim. This is known as the "period of limitations". If you miss the filing deadline, the right to sue the employer may be lost. *If you feel that you may have a legitimate complaint, seek the advice of counsel and/or research the time deadlines for the relevant discrimination statutes and filing procedures as soon as possible.*

*Proof and relief available.* In most cases, the employee has the burden of proving the case. Good notes and other documentation that might support your case are always helpful. Remember to be mindful/respectful of any employment policies regarding the use/misuse of documentation the employer deems proprietary. If at all possible, it is a good idea to obtain a complete copy of your personnel file. Under certain statutes, there is a limit or "cap" on certain damages an employee may receive from the employer if he/she is successful in proving employer wrongdoing. Under Title VII, for example, a court can award the employee lost back pay and fringe benefits, compensation for future economic losses stemming from the discrimination, medical bills, and emotional distress damages. Also in certain cases where it can be proven that an employer's actions are malicious, a court/jury may award punitive damages to punish the wrongdoer and deter it from future bad conduct. If successful in proving discrimination under Title VII, a court can also award the employee reasonable attorney's fees.

Statutes and case law are subject to legislative revision and court interpretation. Also every case has unique facts and circumstances. *Early contact with an employment attorney can help you:* marshal the facts of your case; understand how the law applies to your case; review the costs/benefits of suit/trial; review the possibilities of settling your case without filing suit through informal negotiation, alternative dispute resolution, mediation or case evaluation; understand the filing time deadlines.

*Hicks & Weintraub has the experience to serve you.*