

Maryland Environmental Service External Non- Discrimination Policy



MARYLAND ENVIRONMENTAL SERVICE
259 NAJOLAS ROAD | MILLERSVILLE, MARYLAND 21108

May 2, 2025

Maryland Environmental Service External Non-Discrimination Policy

It is the policy of Maryland Environmental Service (MES) to ensure full compliance with federal non-discrimination laws in all programs and activities. MES does not discriminate on the basis of race, color, national origin, sex, age, disability, or any other protected status, in violation of Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, Title 40 Code of Federal Regulations Part 5 and Part 7, and Section 13 of the Federal Water Pollution Control Act Amendments of 1972.

As a recipient of federal funding, MES is required to comply with federal nondiscrimination laws. MES's compliance extends to federal regulations, including:

Environmental Protection Agency: Title 40 CFR [Part 5](#) and [Part 7](#)

MES's Nondiscrimination Coordinator can be reached as follows:

Pamela B McGee
Office of Equal Employment Opportunity
Maryland Environmental Service
259 Najoles Road, Millersville, MD 21108
Phone: (410) 729-8319
Email: pmcgee@menv.com

Any person who believes they have, individually or as a member of any specific class of persons, been subjected to discrimination has the right to file a formal complaint. Any such complaint must be in writing and submitted within 180 days following the date of the alleged occurrence to:

COMPLAINTS MAY BE FILED WITH:

MES: Maryland Environmental Service
Office of Equal Employment Opportunity
Pamela B. McGee
259 Najoles Road, Millersville, MD 21108
Email: pmcgee@menv.com

Complaint Procedures

The following options are available for people who have concerns or complaints about services provided by MES or MES practices.

Informal Complaints (non-employee)

MES encourages anyone with concerns about potential failure to provide services or discrimination in providing services to first discuss the matter with MES's Nondiscrimination Coordinator. Individuals are not required to pursue the informal process first and may engage in the formal complaint (grievance) process as their first step if preferred. The informal complaint process aims to make a good-faith effort to resolve the issue quickly and efficiently. However, the individual may ask to implement the formal process at any time during the informal resolution. If you have concerns about services provided by MES or MES practices, or if you would like to relay your experiences to MES without making a formal complaint, please contact the MES Office of Equal Employment Opportunity as follows:

Pamela B McGee, (410) 729-8319; e-mail: pmcgee@menv.com

Formal Complaints with MES (non-employee)

If you believe that MES has failed to provide services or discriminated in another way based on race, color, national origin (including language), disability, sex, or age, you can file a grievance. See below for information about the MES grievance or complaint procedures for non-employees and to make a formal complaint.

- **Who Can File a Discrimination Complaint?** Anyone who believes that they or a class of persons have been discriminated against may file a complaint with MES. The person or organization filing the complaint need not be a victim of the alleged discrimination but may complain on behalf of another person or group. A complainant filing on behalf of or pertaining to another person(s) is responsible for securing any necessary written consent from that individual. Complaints shall be in writing and signed by the complainant or the complainant's representative and shall include contact information for the complainant or their representative.
- **Filing of Complaint:** A person (or the authorized representative of a person) who believes that they or a class of persons has been discriminated against may file a complaint with the MES. The complaint should:

- be in writing;
- be filed within 60 days of an alleged violation (except as otherwise indicated in the following paragraph);
- describe with specificity the action(s) by MES that allegedly resulted in discrimination in violation of 40 C.F.R. Parts 5 and 7;
- describe with as much detail as possible the discrimination that allegedly has occurred or will occur as the result of such action(s); and
- identify the parties impacted or potentially impacted by the alleged discrimination.
- MES may request additional information from the complainant, if this information is needed to meet the complaint requirements described above. MES may waive requirement two (2) in its discretion, to address allegations of potential discrimination caused by pending actions at the earliest appropriate and feasible juncture; or, for good cause, to address complaints filed more than 60 days after an alleged violation. If individuals need language services, appropriate assistance will be provided.
- Complaints may be submitted by mailing or emailing the above information to the Non-Discrimination Coordinator. The MES Non-Discrimination Coordinator can be contacted as follows:

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Maryland Environmental Service
259 Najoles Road, Millersville, MD 21108
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- Receipt of Complaint: Within 10 days of receiving a written complaint, MES will provide the complainant with written notice of receipt. MES may request any additional information needed to meet the complaint requirements above. Within 10 days of receiving any additional information, MES will create a case file containing all information about the complaint and will provide the complainant with written notice that the complaint is complete.
- Determination of Jurisdiction and Investigative Merit: MES, based on information in the complaint and other information available, will determine if it has jurisdiction to pursue the matter and whether the complaint has sufficient merit to warrant an investigation. A complaint shall be regarded as meriting investigation unless:

- It clearly appears on its face to be frivolous or trivial;
 - Within the time allotted for determining jurisdiction and investigative merit, MES voluntarily concedes noncompliance and agrees to take appropriate remedial action or reaches an informal resolution with the complainant;
 - Within the time allotted for determining jurisdiction and investigative merit, the complainant withdraws the complaint; or
 - It is not timely, and good cause does not exist for waiving the timing requirement.
- If the Non-Discrimination Coordinator determines the complaint submittal warrants further investigation, the Non-Discrimination Coordinator shall review the alleged facts to determine the course of the investigation. The investigation may include interviews of MES employees, other relevant witnesses, or others named in the complaint. Relevant MES employees shall make themselves available as necessary.
 - Disposition of Complaints: Within 120 days of accepting a written complaint, MES will respond in writing to the complainant with resolution including whether discrimination is found and a description of the investigation process. During the investigation, MES will consider information that is credible and convincing. MES intends to periodically review this grievance procedure on an annual basis to ensure prompt and fair resolution of discrimination complaints. In evaluating the effectiveness of the procedure and the need for additional measures, MES will assess the feedback from agency staff and the public.
 - Retaliation: MES is committed to fostering an environment where individuals can invoke these grievance procedures without fear of retaliation or reprisal. MES explicitly prohibits retaliation against any individual for any purpose, including for the purpose of interfering with any right or privilege guaranteed under any state or federal statutes or regulations because that individual has filed a complaint or has testified, assisted, or participated in any way in an investigation, proceeding, or hearing of any kind or has opposed any practice made unlawful under any state or federal statutes or regulations. Prohibited retaliatory acts include intimidation, threats, coercion, or discrimination against any such individual or group. Any concern regarding retaliation should be reported to the Non-Discrimination Coordinator and will be handled promptly and fairly pursuant to MES's Grievance Procedure.