

Baltimore City Code:

▪ Article 4. **§ 1-1. Definitions.**

(f) *Discrimination.*

- (1) “Discrimination” means any difference in the treatment of an individual or person because of race, color, religion, national origin, ancestry, sex, marital status, physical or mental disability, sexual orientation, or gender identity or expression.
- (2) “Discrimination” includes segregation.
- (3) However, it is not discrimination for:
- (i) any religious or denominational institution to devote its facilities, exclusively or primarily, to or for members of its own religion or denomination or to give preference to those members or to make any selection as is calculated by the institution to promote the religious principles for which it is established or maintained;
  - (ii) an employer to disqualify a person with a physical or mental disability when the nature or extent of the disability makes the person unfit or unsuited for the job;
  - (iii) an educational institution to restrict its student body and student activities to one sex or the other;
  - (iv) an educational institution to provide special educational or recreational programs for individuals with a physical or mental disability; or
  - (v) any person to provide separate toilet facilities for males and females.
- (4) This definition also applies to the verb “to discriminate” and to the adjective “discriminatory”, as used in this article.

(1-1) *Gender identity or expression.*

“Gender identity or expression” means an individual’s having or being perceived as having a gender-related self- identity, self-image, appearance, expression, or behavior, whether or not those gender-related characteristics differ from those associated with the individual’s assigned sex at birth.

(v) *Restrictive covenant.*

“Restrictive covenant” means any specification limiting the transfer, rental, or lease of any dwelling because of race, color, religion, national origin, ancestry, sex, age, marital status, familial status, physical or mental disability, sexual orientation, or gender identity or expression.

**§ 1-2. Findings; policy.**

(a) *Findings.*

The Mayor and City Council of Baltimore find that:

- (9) Discrimination because of sexual orientation or gender identity or expression produces untold anxieties, mental anguish, and human suffering, not only in the victims of discrimination themselves, but also among their families.

**§ 3-1. Employment.**

Except where a particular occupation or position reasonably requires, as an essential qualification, the employment of a person or persons of a particular race, color, religion, national origin, ancestry, sex, age, marital status, physical or mental capability, sexual orientation, or gender identity or expression and that qualification is not adopted as a means of circumventing the purpose of this article, it is an unlawful employment practice:

exemptions