



OFFICE OF HUMAN RIGHTS

Marc Elrich
County Executive

James Stowe
Director

EEOC Charge Number 531-2020-00159	MCGHRO Case Number E-06846
Complainant Wolanyo Bansah 80B Bureau Drive Apartment 425 Gaithersburg, MD 20878 EM: essiefaith@outlook.com	Counsel for Complainant Robert McGarrah, Esq. Maryland Legal Aid Bureau 600 Jefferson Plaza, Suite 430 Rockville, MD 20852 EM: rmcgarrah@mdlab.org
	Counsel for Complainant David Wachtel, Esq. Trister, Ross, Schadler & Gold 1666 Connecticut Ave., NW Washington, DC 20009 EM: dwachtel@tristerross.com
v.	
Respondent Sam's East / Walmart 610 North Frederick Avenue Gaithersburg, MD 20878	Counsel for Respondent G. Bethany Ingle, Esq. Littler Mendelson, PC 2301 McGee Street, Suite 800 Kansas City, MO 64108 EM: GIngle@littler.com
Cc: Hearing Examiner Office of Zoning & Admin Hearings Council Office Building, Suite 200 Rockville, Maryland 20850 EM: OZAH@montgomerycountymd.gov	

**CERTIFICATION TO THE
HUMAN RIGHTS COMMISSION
AND REFERRAL FOR HEARING**

21 Maryland Avenue, Suite 330 • Rockville, Maryland 20850 • 240-777-8450 • 240-777-8460 FAX
Email: Human-rightsadministration@montgomerycountymd.gov
Webpage: www.montgomerycountymd.gov/humanrights



montgomerycountymd.gov/311

Maryland Relay 711

The Human Rights Office issued a Determination in the captioned matter, finding that reasonable grounds were presented to believe unlawful employment discrimination had occurred. The Determination and Chapter 27 of the County's regulations were sent to parties and counsel on August 26, 2024 (and on September 3, 2024, with additional counsel for Complainant). The Determination included an invitation for parties/counsel to participate in a conciliation session, pursuant to Montgomery County Code (MCC) Chapter 27, Article I, Sections 27-2 through 27-8.

The Respondent, through counsel, submitted a request for reconsideration, and the Complainant, through counsel, submitted an opposition to the request for reconsideration. MCC Chapter 27 does not provide a procedure for reconsideration of the agency's Determination. The step following a cause-finding Determination is conciliation. If the parties decline conciliation, or if it fails to settle the issues, the next step is certification of the case to the Human Rights Commission and referral for a public hearing.

Consistent with MCC Chapter 27, Article I, Section 27-2 and corresponding Regulations, the Director hereby certifies the captioned case to the Commission on Human Rights for referral to a Case Review Board and Hearing Examiner for public hearing. Hearing proceedings shall be conducted in accordance with the Montgomery County Code and corresponding COMCOR regulations.

James L. Stowe
James L. Stowe, Director */s/ JLS*

Dated: January 15, 2025



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ORDER AND REFERRAL FOR PUBLIC HEARING

Before Case Review Board Members:
Janice Freeman, Dr. Rahul M. Jindal, Stephanie Mason

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Maryland Relay 711

The Human Rights Office issued a Determination regarding the merits of the captioned complaint. The agency found reasonable grounds to believe unlawful discrimination in employment occurred. The Determination and Chapter 27 regulations were sent to the parties and counsel, with an invitation to participate in conciliation efforts toward an amicable settlement.

Filing a request for reconsideration, through counsel, Respondent effectively declined the invitation to a conciliation session under the auspices of the Human Rights Office. Consequently, this matter is deemed to be a failed conciliation under Montgomery County Code (MCC) Chapter 27, Article I, Section 27-2 and corresponding Regulations.

In accordance with MCC Section 27-2(b), the Director certified the case to the Human Rights Commission for referral to a Case Review Board and to a Hearing Examiner for a public hearing.

Pursuant to the MCC Section 27-2, it is hereby directed that the Montgomery County Government's Office of Zoning and Administrative Hearings be designated as the hearing examiner for the captioned case. A request is made that the OZAH arrange for a public hearing in which all outstanding issues shall be litigated. The hearing shall be conducted in accordance with the provisions of the Montgomery County Code Chapter 27 and Chapter 2A, and the applicable Montgomery County Regulations.

Upon completion of its proceeding, the Hearing Examiner shall submit a written report and recommendation to the Human Rights Commission, Case Review Board. A copy of the Hearing Examiner's report and recommendation shall be sent to the Parties, their counsel, the Case Review Board, and the Human Rights Office.

Complainant and Respondent are hereby reminded that voluntary settlement of the case is encouraged. If the parties wish to engage in any additional negotiations through the Human Rights Office, please contact, Loretta Garcia, Enforcement Manager, MCG Office of Human Rights, 21 Maryland Avenue, Suite 330, Rockville, Maryland 20850 (240) 777-8450, loretta.garcia@montgomerycountymd.gov.

SO ORDERED on behalf of the Case Review Board,

Jan. 16, 2025
Date

Rahul Jindal
Dr. Rahul Jindal, Case Review Board Member

JFN17'25 RCVD

* These documents were sent by electronic mail and US Postal Service First Class Mail on the date indicated below.

SENT