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November 6, 2009

Gil A. Abramson
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BY HAND DELIVERY

Equal Employment Opportunity Commission
Baltimore District Office
10 South Howard Street
Third Floor
Baltimore, MD 21201

Re: Avrohom Green v. Pikesville Volunteer Fire Company

Dear Sir/Madam:

Enclosed for filing please find an original and one copy of a Charge of Discrimination on behalf of our client, Avrohom Green, against Pikesville Volunteer Fire Company. Please date-stamp the copy of this Charge and return it with our messenger.

Mr. Green's Charge is based on religious discrimination and retaliation and will be cross-filed with the Maryland Commission on Human Relations today, by regular first-class mail.

Should you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



Gil A. Abramson

Enclosures

cc: Mr. Avrohom Green
(w/ enclosures)

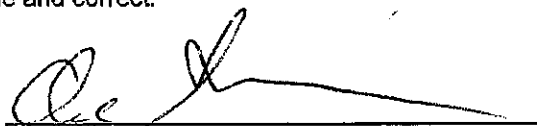
Statement of Avrohom Green

On January 14, 2009, I, Avrohom Green, was denied acceptance as a Pikesville Volunteer Fire Company ("PVFC") medic because I maintain a beard. I am a practicing Orthodox Jew and maintain my beard as part of my religious beliefs. On January 15, 2009, I wrote the President of PVFC a letter inquiring about the no-beard policy. On January 23, 2009, Lee Sachs of PVFC responded to my letter citing the Standard Operating Procedures ("SOPs") for Baltimore County Fire Department as the reason for the no-beard policy. See attached. I do not believe these SOPs support PVFC's no-beard policy with respect to medics but even if they did, these SOPs have been in place since 2002 and have never been enforced until now. To the extent that PVFC contends that the SOPs require medics to wear specialized breathing masks that it claims cannot be worn with beards, PVFC does not currently have those masks. Thus, the company permits medics without my religious convictions to ride without masks, notwithstanding the SOPs. Meanwhile, I have been denied acceptance to PVFC since last January because of my beard. For these reasons, it is my sincere belief that PVFC's no-beard policy is a pretext for religious discrimination and was implemented as a form of retaliation against me because of my involvement in a group of medics comprised predominately of Orthodox Jews, which is perceived by PVFC as a competing rescue service.

In May 2009, I retained counsel to assist me in resolving this dispute with PVFC. Since then my counsel have attended two meetings and written numerous letters to PVFC in an attempt to resolve this dispute. At the most recent in-person meeting with PVFC on September 30, 2009, PVFC confirmed that I could not be hired to ride as a medic as long as I continue to maintain a beard.

I want this charge filed with the EEOC and the State FEPA. I will advise the agencies if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.


I declare under penalty of perjury that the foregoing is true and correct.



Avrohom Green

Date: 11/5/09

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 5th DAY OF NOVEMBER, 2009.



Notary Public

My Commission Expires October 8, 2012

NORMAN R. FRIEDMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires October 8, 2012



Pikesville Volunteer Fire Co., Inc.
40 E. Southern Lane
Pikesville, Maryland 21208

Organized
February 4th, 1997
Business Phone: (410) 480-9854

Member
Baltimore County Volunteer Firemen's Assn.
Baltimore County Volunteer Ambulance Assn.
Maryland State Firemen's Assn.
Maryland State Ambulance and Rescue Assn.

January 23, 2009

Mr. Avi Green
1023 Smoke Tree Road
Baltimore, MD 21208

Dear Mr. Green:

Our President Barrett has asked me to respond to your letter to him dated January 15, 2009.

We are very sensitive to the rights of everyone with whom we have contact, and the demographics of our Company membership reflects that concern, I believe. Your suggestion that our posture with regard to your beard focuses only on the religious issue, and ignores the safety issue which is the basis for our policy.

Pikesville Volunteer Fire Company, Inc. is proud of its membership in the Baltimore County Volunteer Firemen's Association, and its affiliation with the Baltimore County Fire Department. County law provides that the Baltimore County Fire Chief is in charge of the entire fire service in the County, including the volunteer sector.

In recent years there has been increasing attention paid to the injuries and, occasionally, deaths sustained by fire fighters in the course of the performance of their duties. We know, from most gauges, that firefighting is the most dangerous occupation, and has focused on safety, enforced by discipline, as one of the many important ways to minimize our risks. With that in mind, we are committed to following the safety practices prescribed by the County Fire Department, as well as standards imposed by recognized community and/or governmental authority.

We are not responsible for what any other volunteer company in Baltimore County does; we are responsible to evaluate and make the decisions that we believe will help us create and maintain a safe environment, and safe practices, for our members.

Following are three extracts from the Standard Operating Procedures of the Baltimore County Fire Department to which we adhere:

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Members who have a beard or facial hair (more than two day growth) that impairs the sealing surface of the facepiece that could interfere with the operation of the unit, shall not be permitted to use respiratory protection at emergency incidents, or in IDLH or potentially IDLH atmospheres. Under no circumstances will members with facial hair be permitted to take the fit test.

Nothing shall be allowed to enter or pass through the area where the respirator facepiece is designed to seal with the face, regardless of any specific fit test measurement that can be obtained. Members who need eyewear inserts shall be provided them after evaluation at the employee's expense.

Facial Hair (1) shall not interfere with the proper seal of breathing apparatus facepiece. (2) Facial hair shall not be permitted with the exception of mustaches and sideburns as defined by this S.O.P.

"IDLH" is defined as "an atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere." Firefighters, including those who are assigned to ambulance units, are always at risk that an environment to which they are dispatched is, or without notice becomes, an IDLH atmosphere. For that reason, we require that every member who rides any emergency apparatus achieve at least a basic training level in the use of self contained breathing apparatus. That certification cannot be obtained without fit testing, which, incidentally, is, in the S.O.P.'s, extracted from the Code of Federal Regulations.

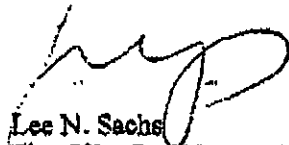
Your letter points out, and we recognize, that there may be members of our Company who can be observed, on any given occasion, with a beard. Any of our members who has a beard, which exceeds the limits specified in the S.O.P.'s, is not permitted to ride. That doesn't mean that he cannot be a member, it means that, so long as he maintains a beard that is in violation, he cannot ride our equipment. We expect all those who join to be riding members to qualify for SCBA eligibility, and fit testing is a prerequisite to that status. If we have a member who has a beard in violation, he cannot ride; when that violation is rectified, his riding status resumes. When we have an applicant who indicates that he will not shave his beard, we will not process his riding membership application, because he cannot qualify to ride.

We are not always aware of the "beard status" of our members, since there is no mandatory inspection schedule. Our officers are mandated to enforce the policy that, if any member comes to the station prepared to ride, and has a violating beard, he is to be advised that he cannot ride. Just as with many other situations, neither the policy nor enforcement of it is always perfect, but we strive to maintain our policies with any much commitment as possible, given all of the attendant circumstances.

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I trust this letter satisfies your request for "a detailed written response". I will be happy to respond to further inquiry.

Very truly yours,



Lee N. Sachs
First Vice President and
Counsel

cc: President Thomas Barrett
Captain Glenn Resnick