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November 6, 2009

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BY HAND DELIVERY

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

Re: Brennan A. Gross 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, Brennan A. Gross, against Pikesville Volunteer Fire Company. Please date-stamp the copy of this Charge and return it with our messenger.

Mr. Brennan'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. Brennan A. Gross
(w/ enclosures)

CHARGE OF DISCRIMINATION		AGENCY	CHARGE NUMBER
This form is affected by the Privacy Act of 1974; see Privacy Act Statement on reverse before completing this form.		<input checked="" type="checkbox"/> FEPA	
		<input checked="" type="checkbox"/> EEOC	
MARYLAND COMMISSION ON HUMAN RELATIONS			and EEOC
<i>(State or Local Agency, if Any)</i>			
NAME <i>(Indicate Mr., Ms., or Mrs.)</i>		HOME TELEPHONE NUMBER <i>(include Area Code)</i>	
Brennan A. Gross		443-413-8206	
STREET ADDRESS		CITY, STATE AND ZIP CODE	DATE OF BIRTH
2827 Baneberry Court, Baltimore, MD 21209			01/16/1974
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY, APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME <i>(If more than one list below)</i> .			
NAME	NO. OF EMPLOYEES/MEMBERS	TELEPHONE NUMBER <i>(include Area Code)</i>	
Pikesville Volunteer Fire Co.	Approx. 200	410-486-9834	
STREET ADDRESS		CITY, STATE AND ZIP CODE	COUNTY
40 East Sudbrook Lane, Pikesville, MD 21208			Baltimore
NAME	NO. OF EMPLOYEES/MEMBERS	TELEPHONE NUMBER <i>(include Area Code)</i>	
STREET ADDRESS		CITY, STATE AND ZIP CODE	
CAUSE OF DISCRIMINATION BASED ON <i>(Check appropriate box(es))</i>		DATE DISCRIMINATION TOOK PLACE	
<input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER <i>(Specify)</i>		EARLIEST 02/2009	LATEST 09/30/2009
		<input checked="" type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE <i>(If additional space is needed, attached extra sheet(s))</i>			
See attached statement.			
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.		NOTARY - <i>(When necessary to meet State and Local Requirements)</i>	
I declare under penalty of perjury that the foregoing is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.	
Date	Charging Party <i>(Signature)</i>	SIGNATURE OF COMPLAINANT	
		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE: <i>(Month, day and year)</i>	

2009 NOV -6 A 11:20

RECEIVED
BALTIMORE FIELD OFFICE
U.S. EEOC

Statement of Brennan A. Gross

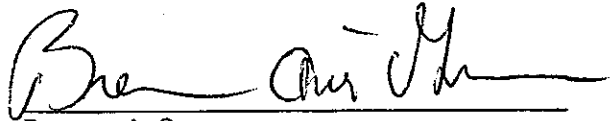
I, Brennan A. Gross, was hired as a medic by Pikesville Volunteer Fire Company ("PVFC") in November 2008. On or around the first week of February 2009, I was informed that I could not ride the medic for PVFC because my beard posed a safety concern. I am a practicing Orthodox Jew and maintain my beard as part of my religious beliefs. Despite maintaining my beard during the interview process, agility test and PVFC company vote, I was informed in February that I could not perform the job because my beard allegedly interferes with a respiratory mask that PVFC says it will be requiring all medics to wear, although no medics have been wearing such masks, and the company has not yet acquired them. I inquired as to the logic behind this decision. On March 14, 2009, John Thomas, Recruit Chairperson at PVFC, informed me that the President and Captain of PVFC were researching all federal and local rules regarding whether medics with beards could ride on emergency vehicles and promised to share those conclusions with me. See attached. To date, I have not received any information on this issue from PVFC, except to be given a Hobson's choice on July 23, 2009 of resigning or assuming a completely non-riding position. As stated above, other PVFC personnel without beards have been permitted to ride as medics even though they do not wear masks.

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 ride as a medic as long as I continue to maintain a beard. Although it is my understanding that all non-bearded medics at PVFC have recently been fit tested with the new masks, PVFC still does not have the new masks. Thus, while I have been prevented from riding as an EMT since February, others who do not hold my religious convictions have been able to ride without masks during this entire time.

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.



Brennan A. Gross

Date: 11/5/09

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


Notary Public

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

My Commission Expires October 8, 2012

From: Thomas, John K. [mailto:jthomas5@bcps.org]
Sent: Saturday, March 14, 2009 10:07 PM
To: Avi Gross, MSW
Cc: texastom32@aol.com; glenn@marbledesignsltd.com; Matthew Whitehead
[whiteheadm@acm.org]; justin.schumer@sprint.com; adamowitz3@aol.com; lavine;
squad322@aol.com; lee@DavidSBrown.com
Subject: RE: probationary status

Mr. Gross,

Sorry for getting back to you so late.

Unfortunately, recruits have never taken "temporary breaks" in the history of the Pikesville Fire Company. I do understand your position and feelings about riding vs. not riding. If someone told me, Hey Snoop, take this class. Do this and do that but oh by the way, you can't go on any calls." That may

bother me as well.

However, what you have to understand is this:

1.

The rules set in place about beards are mandated by the Federal government.

2.

The Captain is looking into the matter and needs till the end of April to research all federal and local documentations to make a final decision not only for you, but for the Company.

3.

The President is in the process putting together a committee to revisit our S.O.P.'s for the company to look into this matter as well as other matters for the Company. But it is our company policy for riding members to not wear facial hair while riding the apparatus.

4.

The Captain has to look out first and foremost for the safety of each and every member of the company on calls and in the station.

Therefore, these are your options:

1. You can remain a member and continue to do your duties as a recruit and give the President and the Captain till the end of April to continue their research. This way, if a positive conclusion is found for First Responders to ride on emergency equipment with beards, you would still be on track to get off probation on time. Either myself, The President or The Captain will talk to you at the end of April.

2. You can resign officially and formally from the company. This way, you would leave in good standings and if a positive conclusion is made about riding members and beards, YOU MAY be eligible to have the time you've already served, the agility and interview exempt if you reapply.

But a "temporary break" is not an option. We can not let the clock of your probationary period continue and you not participate in duties, company functions and activities of the company. That's not how we do things and that would not be fair to the other probationary members.

I'm sure this must be a headache for you. We appreciate your time of service thus far and we would like to see it continue. Thanks for your patience and understanding.

J. Kelvin Thomas

Recruit Chairperson
