

Antioch School of Law Alumni News
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Josh Bowers '86 Wins Big Victory for Victims of Discrimination in the State of Maryland

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Posted by: Max Rodriguez

Congratulations to longtime DC and Maryland employment attorney Josh Bowers, ASL Class of '86 who last week announced a big victory for victims of discrimination in the state of Maryland: pain and suffering awards will no longer be taxed as earned income. Josh has been a leader in the long standing effort to roll back changes initiated years ago through a federal tax law that automatically incorporated each state's tax code.

He wrote, "Today's victory repealing the Maryland income tax on discrimination compensation is part of a national campaign to change the Federal tax law. In 2002, the District of Columbia repealed this cruel tax. The bill was introduced by Maryland Representative Tom Hucker who introduced the bill each year for the past three years. We owe a debt of gratitude to Rep. Hucker. My friend Attorney Tom Gagliardo led the National Employment Lawyers Association lobbying effort. My client Theresa Devine's testimony before the Maryland House and Senate Committees was a key part of this victory. Today we celebrate, re-energized to fight the terrible federal tax law that steals compensation from victims of discrimination."

In 2002, Josh led the National Employment Lawyers (NELA) campaign that resulted in the passage of a bill introduced by the Councilmember, now Former DC Mayor Adrian Fenty, repealing the Washington DC tax on compensation recovered in discrimination cases. In 2010, Maryland Representative Tom Hucker offered to introduce a bill repealing the Maryland tax. Bowers began work on that campaign, and attorney Tom Gagliardo led the three-year effort that resulted in the successful repeal on April 4, 2013 of the Maryland tax. During the three-year long campaign, Bowers and two of his clients testified before the Maryland House Ways and Means Committee.

According to Josh, "The eventual goal is to repeal the terrible federal income tax imposed on pain and suffering compensation recovered in discrimination cases."

Bowers has been active in the ongoing NELA campaign to repeal the federal tax on discrimination compensation. The successful repeal of the Maryland income tax will energize the effort to repeal the wrongful federal taxation of damages in discrimination cases.