



OHIO CIVIL RIGHTS COMMISSION

Sexual Harassment

What is Sexual Harassment?

Sexual harassment is any unwanted attention of a sexual nature that creates discomfort and/or interferes with the job. Sexual harassment can occur in several ways including verbal abuse (e.g., suggestive comments or demands), or physical conduct of a sexual nature (e.g., touching, pinching, and patting) or nonverbal actions (e.g. unwelcomed sexual gestures or staring).

Sexual harassment in the workplace is illegal under both state and federal law and can present itself in various ways:

- **Quid Pro Quo harassment**, where submission to the sexual demands becomes the basis for an employment decision. For example, a supervisor stating or implying to an employee that his/her job depends on meeting sexual demands.
- **A Hostile Working Environment**, where the sexual harassment creates an intimidating and offensive working environment for any employee. For example, co-workers who make unwanted sexual advances or comments or treating a person like a sexual object.

Sexual Harassment is Illegal

Victims of sexual harassment often encounter harassing behavior from fellow employees, supervisors, co-workers, clients or customers. The majority of sexual harassment victims are women; however, the victim and harasser do not have to be members of the opposite sex. Victims can face harassment from employees, supervisors, co-workers, clients or customers of the same or opposite sex.

Unwelcome sexual advances constitute harassment when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonable interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

An employer can help elimi-

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nate sexual harassment by taking precautionary measures:

- Affirmatively raising the subject with all employees.
- Expressing strong disapproval of sexual harassment.
- Developing appropriate sanctions for violators.
- Informing employees of their rights and developing methods to sensitize employees about sexual harassment in the workplace.
- Keep a record of the behaviors in case an investigation is later conducted.
- Find out your company's policy. Talk to the personnel office and find out what steps the company will take to ensure the harassment stops.
- If harassment continues after you inform the harasser to stop, submit a complaint with a request for action to your supervisor, officer, or your harasser's supervisor.

Take Action — Report it!

Victims of sexual harassment should respond promptly and directly to the harasser. Below are some helpful steps for how a victim may choose to proceed with a sexual harassment claim.

- Confront the harasser. Clearly inform the harasser you feel offended by the behavior and want it to stop immediately.
- Talk with other co-workers about the behavior.
- Take legal action-file a complaint with the Ohio Civil Rights Commission, the federal Equal Employment Opportunity Commission or a private attorney. Ohio law prohibits retaliatory action against any person filing a sexual harassment complaint with the Ohio Civil Rights Commission.

Complaint Process

Any person who feels that they are a victim of discrimination because of their race, color, sex, age, ancestry, national origin, disability, military status or religion may file a formal complaint with the OCRC. Both parties to the complaint will be provided with the option to participate in mediation.

If the mediation process is unsuccessful or if one party does not wish to participate in mediation, the case will be referred to the investigative unit. Through a series of steps including witness interviews, document requests and site visits, the Commission will determine whether or not discrimination has occurred.

All services are free of charge and complaints can be filed at your local OCRC office, by telephone or on our website.