

OHIO CIVIL RIGHTS COMMISSION



**38TH ANNUAL REPORT
FISCAL YEAR 1997**



George V. Voinovich
Governor

Ohio Civil Rights Commission

June 1997

CENTRAL OFFICE

1111 E. Broad Street, Suite 301
Columbus, OH 43205-1379
(614) 466-2785
TTY (614) 466-9353
FAX (614) 644-8776

AKRON REGIONAL OFFICE

Akron Government Center
161 S. High St., Suite 205
Akron, OH 44308
(330) 643-3100
Voice-TTY
FAX (330) 643-3120

CINCINNATI REGIONAL OFFICE

Holiday Park
801 BW. 8th Street, 2nd Floor
Cincinnati, OH 45203
(513) 852-3344
Voice-TTY
FAX (513) 852-3357

CLEVELAND REGIONAL OFFICE

Frank Lausche Building
615 W. Superior Ave., Suite 885
Cleveland, OH 44113
(216) 787-3150
Voice-TTY
FAX (216) 787-4121

COLUMBUS REGIONAL OFFICE

1111 E. Broad Street, Suite 301
Columbus, OH 43205-1379
(614) 466-5928
Voice-TTY
FAX (614) 466-6250

DAYTON REGIONAL OFFICE

800 Miami Valley Tower
40 W. 4th St.
Dayton, OH 45402
(937) 285-6500
Voice-TTY
FAX (937) 285-6606

TOLEDO REGIONAL OFFICE

One Government Center
Jackson & Erie Sts., Rm. 936
Toledo, OH 43604
(419) 245-2900
Voice-TTY
FAX (419) 245-2668

The Honorable George V. Voinovich
Governor, State of Ohio

The Honorable Richard H. Finan
President of the Ohio Senate

The Honorable Jo Ann Davidson
Speaker of the House of Representatives

Dear Sirs and Madam:

Pursuant to Section 4112.04 (A) (8) of the Ohio Revised Code, the Ohio Civil Rights Commission hereby submits this 38th Annual Report.

Respectfully,

FOR THE COMMISSION

Rev. E. Theophilus Caviness
Chairman

The Ohio Civil Rights Commission
38th Annual Report
Fiscal Year 1997

TABLE OF CONTENTS

LETTER OF TRANSMITTAL

TABLE OF CONTENTS

INTRODUCTION

HISTORY OF OHIO'S LAWS AGAINST DISCRIMINATION

COMMISSIONERS

MESSAGE FROM THE EXECUTIVE DIRECTOR

TABLE OF ORGANIZATION

CENTRAL OFFICE

REGIONAL OFFICES

COMPLAINT PROCEDURE

STATISTICS

ALLEGED BASES OF DISCRIMINATION

ALLEGED ISSUES OF DISCRIMINATION

TYPES OF CHARGES CLOSED

CASE DISPOSITIONS

SUMMARY OF CHARGES FILED WITH REGIONAL OFFICES

MONETARY BENEFITS COLLECTED

FINANCIAL DATA

APPROPRIATIONS AND EXPENDITURES

INTRODUCTION

The Ohio Civil Rights Commission (OCRC) was established July 1959 by the Ohio Legislature. The powers, duties, jurisdiction, practices and procedures of the Commission are specified in Section 4112 of the Ohio Revised Code.—

The primary function of The Ohio Civil Rights Commission is to enforce state and federal laws against discrimination. OCRC receives and investigates charges of discrimination in employment, public accommodations, housing, credit and higher education on the bases of race, color, religion, sex, national origin, disability, age, ancestry or familial status. The Commission has statutory authority to:

- initiate investigations of discriminatory practices
- formulate policies to effectuate the purposes of sections 4112.01 to 4112.11 of the Ohio Revised Code, and make recommendations to agencies and officers of the state or local subdivisions of government to effectuate such policies
- make periodic surveys of the existence and effect of discrimination because of race, color, religion, sex, national origin, handicap, age, ancestry or familial status on the enjoyment of civil rights by persons within the state
- receive progress reports from agencies, instrumentalities, institutions, boards, commissions, and other entities of this state or any of its political subdivisions and their agencies, instrumentalities, institutions, boards, commissions, and other entities regarding affirmative action programs for the employment of persons against whom discrimination is prohibited
- prepare a comprehensive educational program, in cooperation with the Ohio Department of Education, for the students of Ohio's public schools and for all other residents of Ohio that is designed to: eliminate prejudice on the bases of race, color, religion, sex, national origin, handicap, age, ancestry or familial status, further good will amongst those groups and emphasize the origin of prejudice against those groups and its harmful effects

Anyone who lives or works in Ohio and feels he/she has been discriminated against can file a charge with one of OCRC's regional offices located in Akron, Cincinnati, Cleveland, Columbus, Dayton or Toledo; or with OCRC's Middletown, Springfield or Youngstown satellite offices. There is no fee for OCRC's services.

The Commission consists of a five-member board of Commissioners and approximately 210 employees. By contract or established relationship, OCRC has linkages with a variety of private, state and federal organizations or agencies such as the U.S. Equal Employment Opportunity Commission (EEOC) and the U.S. Department of Housing and Urban Development (HUD).

HISTORY OF OHIO'S LAWS AGAINST DISCRIMINATION

JULY 29, 1959

Enactment of Ohio's Fair Employment Practices Law prohibiting discrimination by reason of race, color, religion, national origin or ancestry

The Ohio Civil Rights Commission was established by the Ohio Legislature as the state agency responsible for enforcing the laws against discrimination

OCTOBER 24, 1961

Enactment of law prohibiting discrimination in places of public accommodation

OCTOBER 30, 1965

Enactment of law prohibiting discrimination in housing

NOVEMBER 12, 1969

Housing discrimination law amended and broadened

Enactment of law prohibiting discrimination in burial lots

DECEMBER 19, 1973

Enactment of law prohibiting discrimination by reason of sex

JANUARY 14, 1976

Enactment of law prohibiting discrimination in credit

JULY 23, 1976

Enactment of law prohibiting discrimination by reason of handicap

AUGUST 18, 1976

Enactment of law prohibiting discrimination by reason of age in credit

NOVEMBER 13, 1979

Law prohibiting discrimination by reason of age broadened

JULY 26, 1984

Enactment of law prohibiting discrimination by institutions of higher education by reason of handicap

SEPTEMBER 28, 1987

Housing discrimination law amended and broadened

MAY 31, 1990

Age law amended to read 40 and above

JUNE 30, 1992

Housing law amended to add familial status as a protected class to bring state law into conformity with Title VIII of the Fair Housing Act of 1968; housing law further amended and broadened; state law amended to bring it into conformity with the 1990 Americans With Disabilities Act

COMMISSIONERS



REV. E.T. CAVINESS



LAWRENCE BOLDEN



JOHN H. BURLEW III



GRACE RAMOS



NIRMAL K. SINHA

The five-member board of Commissioners is the final arbiter in the Ohio Civil Rights Commission's internal process. They are appointed to staggered five year terms by the Governor with the advice and consent of the Senate. By law, no more than three Commissioners can be of the same political party. The Governor designates one of the Commissioners to serve as the Chairperson.

Commissioners meet regularly to rule on recommendations from OCRC's six regional offices regarding charges of discrimination. Commissioners also entertain requests for reconsideration of Commission findings. Commissioners are responsible for selecting the Agency's Executive Director, who implements the policies and decisions of the Commission.

Rev. E. Theophilus Caviness of Cleveland is the Commission Chair. Serving as Commissioners and their home cities during fiscal year 1997 were Lawrence Bolden, Columbus; John H. Burlew III, Cincinnati; Grace Ramos, Beavercreek; and Nirmal K. Sinha, Columbus.

MESSAGE FROM THE EXECUTIVE DIRECTOR

The Ohio Civil Rights Commission takes the lead in education, training and efficiency as we move into the 21st Century. Our new "team concept" of management is key to our vision of creating an environment in Ohio where diversity is respected, valued, celebrated and managed. The expertise and dedication of our staff is reflected in the superior work product produced on a daily basis. Our partners have lauded our proactive relationships as we work together to fulfill our mission.

Statistics for fiscal year 1997 evidences that Ohioans continue to feel they are discriminated against on more than one basis and in more than one area. The Commission received a total of 5,320 new charges. Alleged bases of discrimination totaled 8,642 and alleged issues of discrimination reflect a total of 11,029.

Racial discrimination in employment once again leads the type of charges filed. Those charges are inclusive of all employers – public or private sector, trade unions, educational institutions, and not for profit associations as well. The number of discrimination charges filed based upon sex, disability, and age in employment and in OCRC's other jurisdictional areas of *housing, public accommodation, credit and institutions of higher education*, continues to increase.

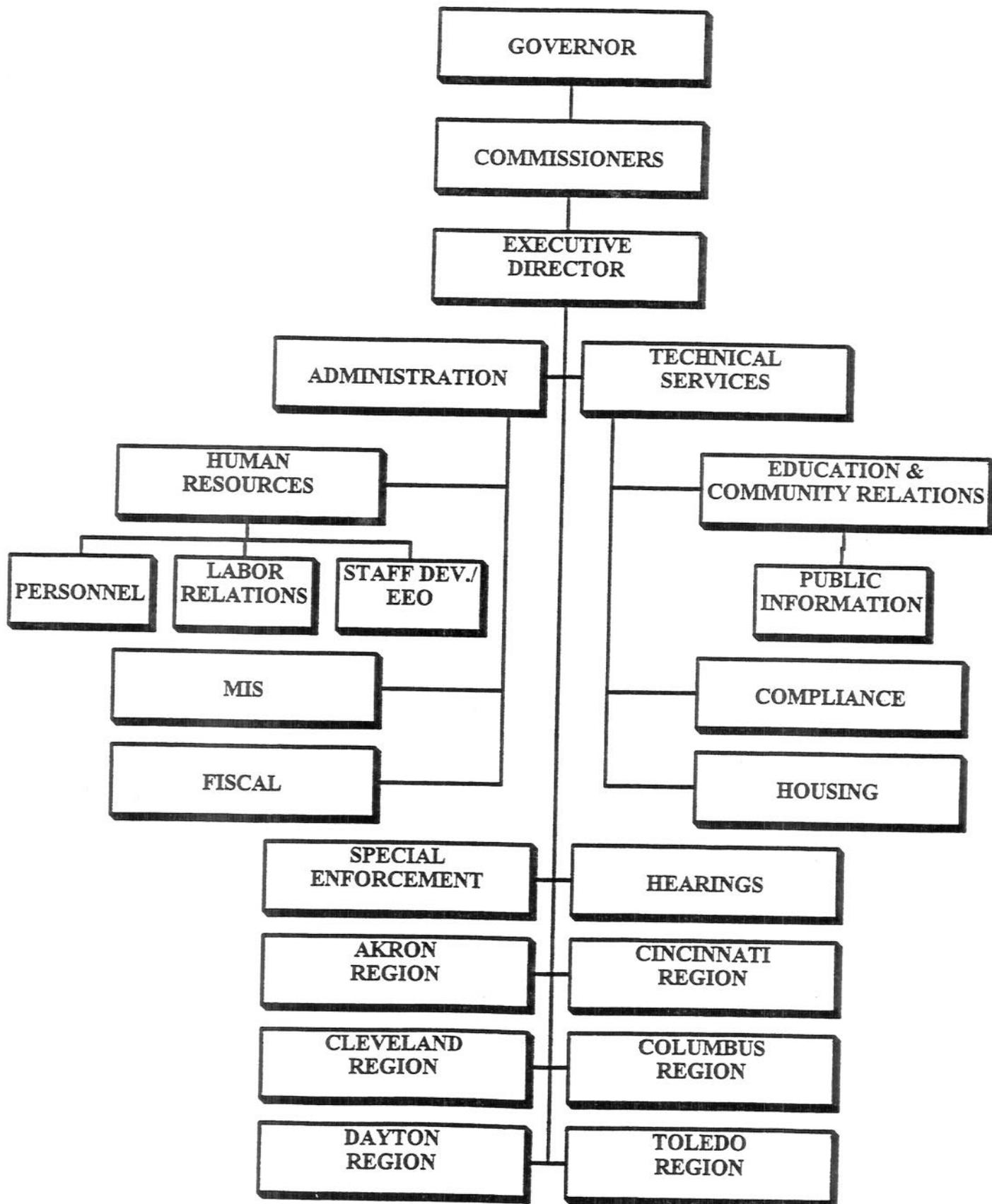
The Civil Rights Commission's responsibility of enforcing the laws prohibiting discrimination has not changed since we were established by the Ohio General Assembly in 1959. Both state and federal administrative or legislative mandates have expanded our responsibilities over the years to meet the needs of a growing and diverse citizenry. Our challenge has been to do what we are directed to do with a total statewide staff of approximately 210 located in six regional offices and three satellite offices and a central administrative office.

This 38th annual report presents information on OCRC, our activities, accomplishments, and number of charges filed, their resolution and monetary benefits recovered.



FRANCIS W. SMITH
Executive Director

OHIO CIVIL RIGHTS COMMISSION
TABLE OF ORGANIZATION



OCRC COMMISSIONERS

As previously noted, the OCRC Commissioners are the final arbiters in OCRC's internal process. The Commissioners are an integral part of the Civil Rights Commission, rendering decisions on the recommendations coming from OCRC's six regional offices. They are a working board of Commissioners, having to be familiar with the cases presented as well as remaining abreast of state and federal civil rights laws. The Commissioners also help set the overall tone and direction of the Agency, in consultation with the Executive Director.

EXECUTIVE DIRECTOR

The Executive Director guides the work of the Agency and is accountable to the Commissioners. He has the responsibility for overseeing the implementation of the policies and decisions of the Commission, submitting the Commission's budget to the Ohio Legislature and giving budget testimony before its committees. Additionally, the Executive Director represents the Commission in special projects or tasks as designated by the Governor or Chair and is frequently called upon for a variety of local, state and national speaking engagements or conference participation.

CENTRAL OFFICE

OCRC's Central Office is located at 1111 E. Broad Street, Suite #301 in Columbus, Ohio. The organizational structure for Central Office is the Executive Director; Administration, consisting of Human Resources (Personnel, Micrographics, Labor Relations and Staff Development/EEO); Management Information Systems (MIS) and Fiscal; and Technical Services, consisting of Education and Community Relations; Compliance; Federal Programs and Housing. OCRC's Chiefs of Administration and Technical Services and the six Regional Office Directors report to the Executive Director, as do the Hearings and Special Enforcement offices.

OHIO COMMISSION ON AFRICAN AMERICAN MALES

The Ohio Commission on African American Males was originally known as the Governor's Commission on Socially Disadvantaged Black Males when it was created by Executive Order in May, 1989. The name was changed during fiscal year 1994. Its purpose is to identify and address the problems and solutions facing Ohio's African American males in employment, health, education and criminal justice. The Ohio Civil Rights Commission was given oversight and coordination responsibilities of the Commission on African American Males in fiscal year 1991.

HEARINGS

The work of the Hearings Unit begins after the Commission issues a Formal Complaint in the disposition of a charge of discrimination. Issuance of a Formal Complaint means the Commission found probable cause (it is likely that an act of discrimination did occur) and conciliation efforts (attempts to reach a workable solution between the two parties) failed. The next step in the process is the holding of a public hearing, which is a quasi-judicial forum conducted by a Hearing Examiner. The Hearings Unit schedules the hearing; rules on pre-trial motions; holds pre-trial hearing conferences; notifies the parties regarding the status of the complaint; secures appropriate facilities in which to conduct the hearing; and maintains as well as preserves the files, case evidence and the hearing record.

SPECIAL ENFORCEMENT UNIT (SEU)

The Special Enforcement Unit investigates systemic charges of discrimination that are initiated by the Commission and conducts special audits or inquiries as requested by the Commission or Executive Director. The unit also conducts periodic compliance reviews to monitor the implementation progress of conciliation agreements. The unit investigates, monitors and makes recommendations on Bona Fide Occupational Qualifications (BFOQ). SEU complements the work of the regional offices by conducting investigations requiring specialized training and by providing case processing assistance.

HUMAN RESOURCES

Human Resources' primary responsibility is to process all employment related documents for the Commission. Specific duties include processing and maintaining payroll records; providing information on personnel rules, regulations and adherence to civil service law; updating all benefits information for union and exempt employees and disseminating Commission and other state agencies' employment opportunities information. Micrographics is responsible for microfilming Regional and Central Office files.

LABOR RELATIONS

Labor Relations assists management in the interpretation of collective bargaining agreements; trains staff in the administration of labor contracts; oversees agency policies and procedures; and maintains and coordinates labor management committees. Labor Relations also handles union grievances and represents the Commission in grievance hearings.

STAFF DEVELOPMENT/EEO

This office coordinates in-service and external training programs for staff including new employee orientation, management training and specialized training for Commission investigators. The EEO function of this office is to monitor the Commission's own EEO practices, policies and procedures, investigate employee complaints, and conduct accessibility reviews.

MANAGEMENT INFORMATION SYSTEMS (MIS)

MIS maintains and stores Commission statistics and case data information, prepares statistical analysis and disseminates reports to the regions and to other governmental agencies. MIS is also responsible for spearheading the automation of the Commission's regions and offices statewide and the implementation of a computerized information network system.

FISCAL

Fiscal prepares, reviews and administers the Commission budget; administers fiscal matters as regulated by the State of Ohio's Office of Budget and Management and oversees the work of Distribution and Central Office's copying services. Distribution receives, stores and maintains inventories of Commission equipment and supplies in addition to maintaining mail services.

TECHNICAL SERVICES

EDUCATION AND COMMUNITY RELATIONS

Education and Community Relations conducts ongoing education programs to keep Ohio's communities informed and aware of civil rights laws, the Commission, its work, responsibilities and procedures and the process for filing discrimination charges. This office also coordinates logistics and programs for Commission meetings held around the state; special events; displays; speaking engagements; educational programs for school students and distribution of Commission publications. Within Education and Community Relations is the Commission's Public Information unit. **Public Information's** responsibility includes media relations, responding to requests for information from the public, and producing publications such as annual reports and newsletters.

COMPLIANCE

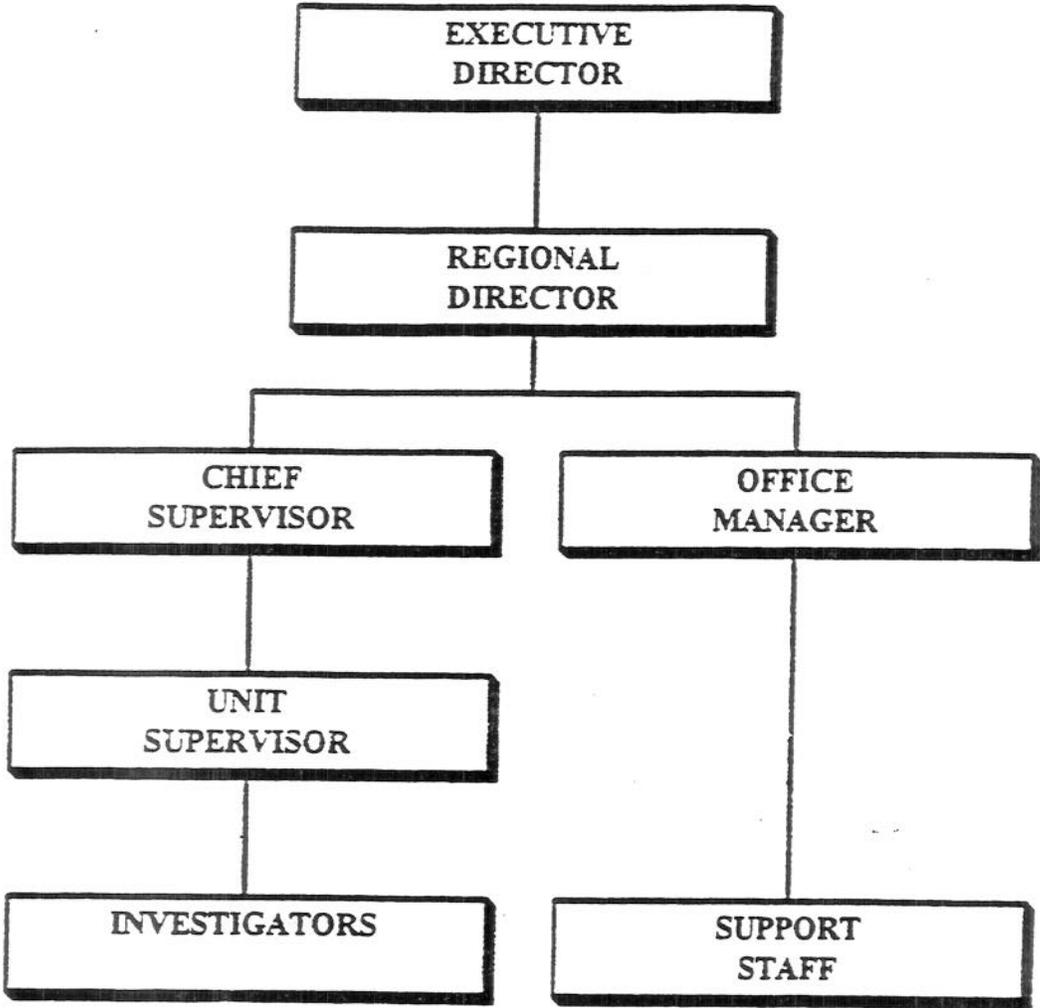
Compliance performs case reviews and assessments, completes notification to all parties of Commission findings and performs selected quality control assessments in case submissions. Compliance also reviews block grant project requests for civil rights complaint activity. Within Compliance are the Commission's Affirmative Action unit, Quality Assurance unit and Federal Programs. **Affirmative Action** receives affirmative action plans and progress reports from agencies, instrumentalities, institutions, boards, commissions and other entities of the state or any of its political subdivisions and submits a summary report to the General Assembly. This unit also provides technical assistance upon request for the development of affirmative action plans. **Quality Assurance** prepares the case agenda for the Commission meetings and receives all cases to be placed on the agenda. The unit is responsible for making sure the cases filed with the Commission have been properly submitted and follow designated format. Such technical monitoring is instrumental in improving and maintaining Commission case quality and productivity. **Federal Programs** administers and monitors the Commission's contracts with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development. The Commission maintains work-sharing agreements with both federal agencies that defer charges of discrimination filed with them to OCRC for processing and investigation.

HOUSING

This office's activities include monitoring the investigation of housing charges to make sure it is in compliance with federal fair housing law and Section 4112 of the Ohio Revised Code; serves as the liaison to the U.S. Department of Housing and Urban Development, local, state and national fair housing advocacy groups, realtors, lending institutions and community organizations; coordinates the Commission's Fair Housing Conferences and facilitates fair housing and related training programs.

There were many accomplishments for Commission housing staff in 1997. The Department of Housing and Urban Development, several nationally acclaimed authorities and various experts with the state of Ohio conducted training sessions on assessing damages and remedies in housing cases; insurance redlining mediation; new construction/accessibility and unique disability issues.

During the HUD Tri-Regional Conference held in Kansas City in July, the Commission was awarded a plaque for the "Most Improved" Fair Housing Assistance Program Agency in the Midwest Region. In August, the Commission's Central Office and its six- (6) regional offices received an on-site inspection from HUD.



OCRC's six regional offices (1) receive, investigate and make recommendations of finding on charges of discrimination to the Commission and (2) conduct community outreach services in the specific geographical areas they serve.

AKRON REGIONAL OFFICE

Oliver R. Ocasek Government Center

161 S. High Street, Suite 205

Akron, Ohio 44308

(330) 643-3100 (VOICE/TTY)

(330) 643-3120 (FAX)

Keith P. McNeil, Regional Director

Satellite Office - Youngstown

2123 Belmont Avenue

Youngstown, Ohio 44504

(330) 746-3240



★ Indicates the County location of Regional Office.

The Akron Regional Office services eight (8) counties with its staff of 38 persons. Akron is also responsible for the Youngstown satellite office. Summit and Mahoning counties provide the bulk of charges filed with this office. There were 1,025 new charges filed during fiscal year 1997. The Akron office recovered \$81,417.36 in monetary awards for aggrieved individuals. Akron's most notable settlement agreement involved a \$57,500.00 award. There is a noted increase in housing cases. Opting to donate monetary settlements to nonprofit organizations is an unusual trend now developing among the region's charging parties.

Outreach activities for the Akron staff includes presentations to Barberton Skilled Nursing Home, University of Akron-School of Communication, Trumbull County Engineers Office, Ohio Adult Parole Authority, Black Barristers, Black Out Production and Simone Richardson-Cable TV.

CINCINNATI REGIONAL OFFICE

Holiday Office Park
801-B West 8th Street, 2nd Floor
— Cincinnati, Ohio 45203
(513) 852-3344 (VOICE/TTY)
(513) 852-3357(FAX)

Roger D. Larison, Regional Director

Satellite Office - Middletown

1 City Center Plaza-2nd Floor
Middletown, Ohio 45042
(513) 425-7845



★ Indicates the County location of Regional Office.

The **Cincinnati Regional Office** services five (5) counties and has a staff of 25 employees, which includes interns. Cincinnati also has responsibility for the Middletown satellite office. Hamilton County generates the majority of charges filed with this regional office. The office received 744 new charges of discrimination during fiscal year 1997 and recovered \$582,958.39 in monetary awards. Employment followed by housing discrimination charges were the greatest number of charges received by the Cincinnati office; race, sex and disability respectively, were the most frequently cited bases in charges filed.

During fiscal year 1997, Cincinnati staff facilitated workshops for Housing Opportunities Made Equal (H.O.M.E.), Equal Employment Opportunity Commission (EEOC), Black Family Reunion, Sysco Food Services and numerous other outreaches and partnering functions.

Cleveland Regional Office

Frank J. Lauche State Office Building

615 W. Superior Avenue, Suite 885

Cleveland, Ohio 44113

(216) 787-3150(VOICE/TTY)

(216) 787-4121(FAX)

Iris M. Choi, Regional Director



★ Indicates the County location of Regional Office.

*The **Cleveland Regional Office** has jurisdiction over five (5) counties with a staff of 24 persons. Cuyahoga and Lorain counties generate the most charges in this region. The regional office received 759 new charges of discrimination and recovered \$209,203.03 in monetary awards.*

Cleveland staff provided outreach programs to the City of Cleveland, Cleveland Roundtable (including the Cleveland Residential Credit Mortgage Project), Cleveland Consortiums, Cuyahoga County Juvenile Court, Cuyahoga County Department of Fair Housing, Lorain county Department of Human Services, Kent State University, NAACP, the Technology and Humanity Summit at the University of Akron, Heartland Home Finance, and the North Coast HIV/AIDS Coalition.

Columbus Regional Office
1111 E. Broad Street, Suite #301
Columbus, Ohio 43205-1379
(614) 466-2785 (VOICE/TTY)
(614) 466-6250 (FAX)
Beleta R. Ebron, Regional Director



The Columbus Regional Office has jurisdiction over 35 counties and has a staff of 30 employees. Franklin county generated the most charges filed. There were 1,103 new charges filed with this office. Columbus recovered \$325,699.62 in monetary awards.

The Columbus regional outreach activities include participation in the Adopt-a-School program, DAS/EEO Officers Council, Department of Rehabilitation and Corrections, and the Columbus Urban League. Columbus has successfully negotiated several major settlements this past year including a \$40,000 settlement. This office is also involved in helping create an Alternative Dispute Resolution Unit for the Commission.

Dayton Regional Office

800 Miami Valley Tower
40 W. 4th Street, Suite 800
Dayton, Ohio 45402
(937) 285-6500 (VOICE/TTY)
(937) 285-6606 (FAX)

Marguerite T. Walker, Regional Director



★ Indicates the County location of Regional Office.

Satellite Office-Springfield

76 East High Street-2nd Floor
Springfield, Ohio 45502
(937) 324-7380

The Dayton Regional Office services nine (9) counties with its staff of 16. Dayton also manages the Springfield satellite office, which has received 313 complaints of discrimination since its opening. Montgomery County generated most of the 482 charges received. Dayton staff recovered \$336,960.40 in monetary awards.

Dayton's outreach efforts include the Regional Director serving on the National Urban League's Executive Exchange Program, Wilberforce University Leadership Conference, and Central State University's College of Arts & Science Advisory Board; National Association of Business and Professional Women. Staff provided training to Lawnview Industries, Urbana; the Department of Corrections Pre Release Center; Dayton Chapter of the American Red Cross Diversity Committee; Senior Citizens of Greater Dayton; Dayton Board of Education, the City of Xenia; and the Dayton Bar Association. Staff provided six sessions of training on sexual harassment to the personnel of Green County Board of County Commissioners. In addition, staff participated in Downtown Dayton Day activities providing general information to the community at-large. Staff participated with Montgomery County Fair Housing in several training programs, i.e. radio call-in talk shows and a host of other media programs highlighting the efforts of the Commission in the areas of Fair Housing and Employment. Staff was involved in providing a variety of training opportunities focusing on sexual harassment and the ADA.

Dayton had 100% staff participation in contributions to United Way. They have adopted two local charities (Melissa Bess Day Care Center and St. Vincent DePaul Homeless Shelter)

Toledo Regional Office

Michael V. DiSalle Government Center

One Government Center

Jackson & Erie Streets, Suite 936

Toledo, Ohio 43604

(419) 245-2900 (VOICE/TTY)

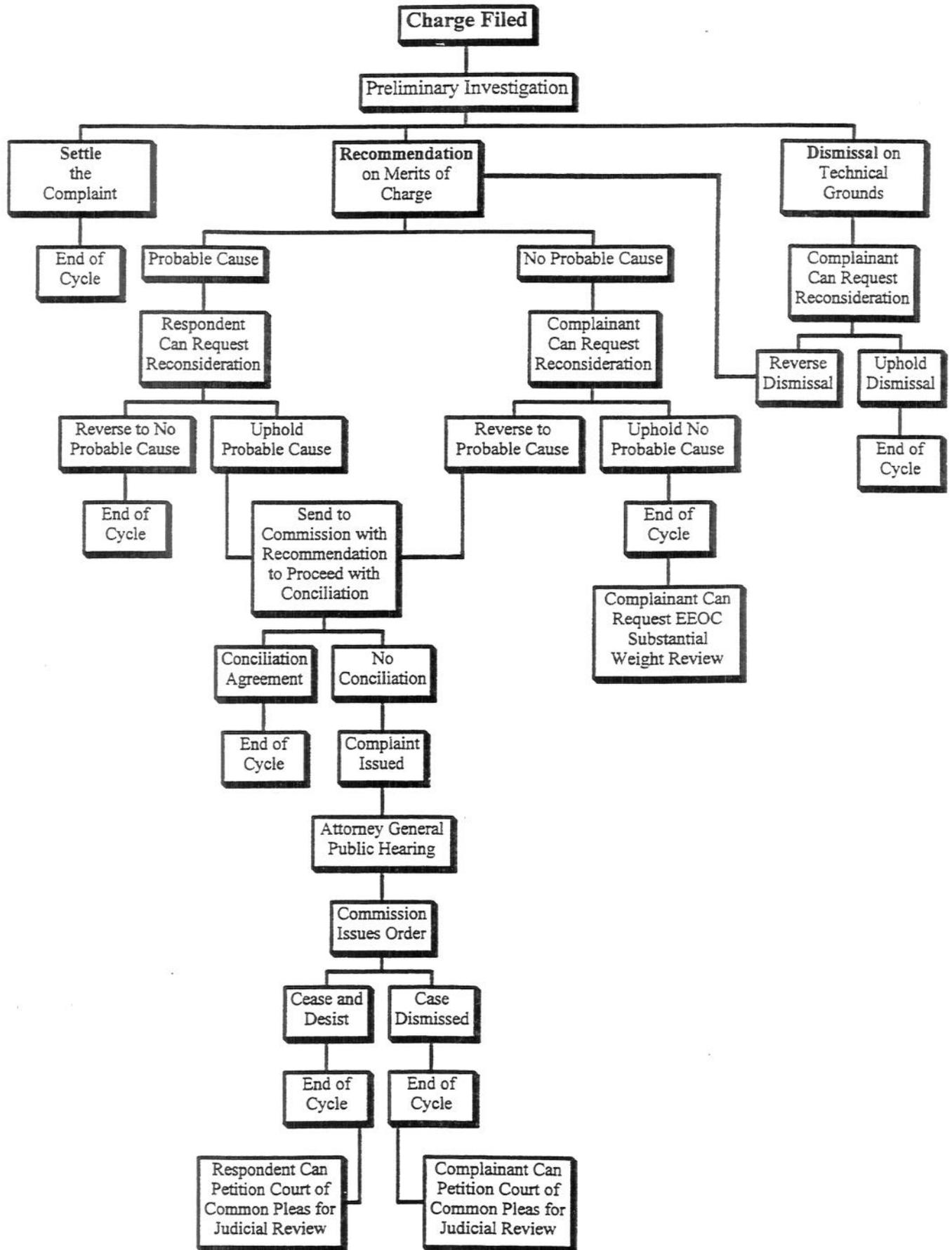
(419) 245-2668 (FAX)

Ronald G. Pettaway, Regional Director

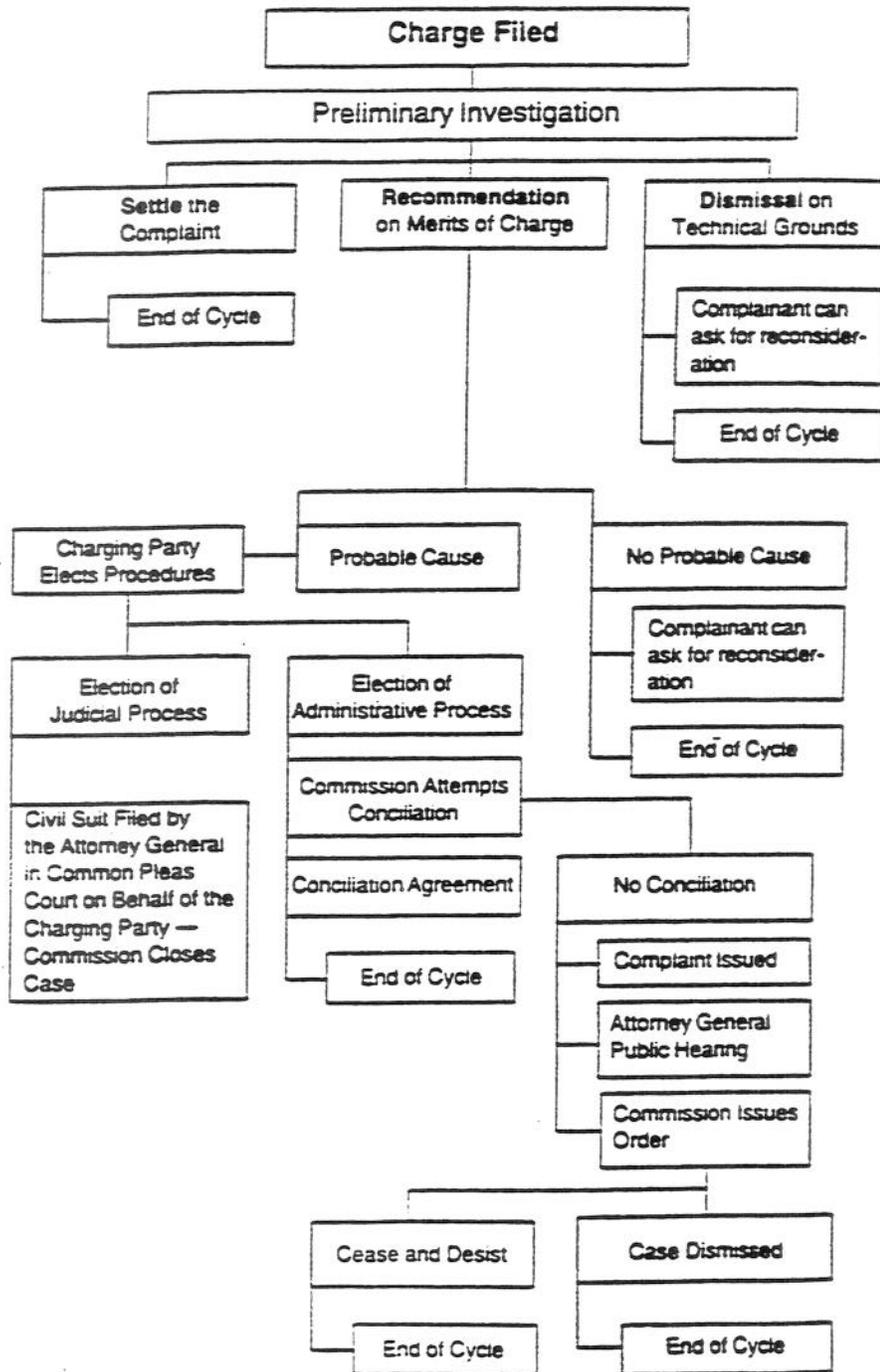


*The **Toledo Regional Office** services 26 counties with its staff of 38. Lucas and Allen counties generated the most charges filed. The Toledo office received 1,207 new charges of discrimination in fiscal year 1997. Toledo recovered \$1,054,462.47 in monetary awards. Nearly 15% of the cases received were resolved by settlements.*

Outreach efforts for Toledo staff include Owens Community College, Lourdes College, Maumee Youth Camp, Robinson Junior High School, Sandusky County Human Resource Management Association, Bowling Green State University, Richland County Child Support Enforcement Agency, and J.W. Hickey & Associates, Inc. The Toledo staff adopted several families through the Aurora House, a local shelter facility geared toward helping women and their children who are recovering from some type of problem. Food, household items, clothing and holiday gifts were some of the contributions made.



HOUSING COMPLAINT PROCEDURE



COMPLAINT PROCEDURE

THE CHARGE

An individual (Charging Party) who feels he or she has been discriminated against in employment, public accommodation, credit or higher education must file a charge of discrimination with OCRC within **six (6) months** of the alleged act of discrimination. Upon contacting the Commission's regional office located nearest them, a staff member (Investigator) discusses the complaint and determines if the allegations fall within the Commission's jurisdiction. The Charge Taker helps the individual draft the wording of the Charge Affidavit, and prepares it in legal form for the individual to review, approve and sign under oath.

THE INVESTIGATION

The responsibility for investigating a charge or charges is assigned to a Civil Rights Field Representative (Investigator). During the investigation, the Investigator contacts the Respondent (the person(s) or company/entity responsible for the alleged act of discrimination). The Investigator also contacts the Charging Party and any identified witnesses to discuss the allegations in detail. The Investigator determines if there is sufficient evidence to conclude that it is probable Ohio's Laws Against Discrimination have been violated. The Investigator will attempt to negotiate a voluntary settlement prior to making any determination on the merits of the charge(s).

Once enough evidence to support a recommendation has been accumulated, the Investigator discusses the recommendation with the Charging Party, and answers any questions. Generally speaking the recommendation will be either **NO PROBABLE CAUSE** or **PROBABLE CAUSE**. The recommendation is then submitted in written form to the Investigator's supervisor, then to the Regional Director and finally to the Commissioners, who must approve the report before it becomes the official finding of the Commission.

If the preponderance of evidence is insufficient to substantiate charge(s) of discrimination, the Commissioners must make a finding that it is **NOT PROBABLE** a violation of the law has occurred and dismiss the charge(s) with a finding of **NO PROBABLE CAUSE**.

If the preponderance of evidence is sufficient to substantiate that discrimination has occurred, the Commissioners make a finding that it is **PROBABLE** a violation of the law has occurred, and issue a **PROBABLE CAUSE** finding.

REQUEST FOR RECONSIDERATION

After a formal **LETTER OF DETERMINATION** concerning a charge has been issued, each side (Charging Party and Respondent) has the right to ask the Commissioners to reconsider their decision. The **LETTER OF DETERMINATION** contains a form explaining the method for making such a request. As per OCRC rules, the request for reconsideration must be submitted within fifteen (15) days of the date on the **LETTER OF DETERMINATION**. No one has the authority to extend this deadline, or to grant any party an exception to this rule.

If the request for reconsideration is received within the time limit, Commissioners review the request and the case file to decide whether to grant the request. If the Commissioners decide to grant the request, the case is returned to the regional office where the charge was filed for further investigation. Once the investigation is completed, the original recommendation could be upheld or a new recommendation submitted to the Commission. If the Commissioners vote to deny the request, no further action is taken.

Each side to a charge of discrimination is entitled to only one request for reconsideration.

CONCILIATION

If the investigation of the charge(s) reveals it is probable discrimination occurred, investigators must attempt to negotiate a settlement between the parties. The types of remedies available through OCRC are explained to the Charging Party. When settlement is possible, the terms solicited from the Respondent are discussed with the Charging Party and he/she must agree to them before they can be accepted. The Charging Party is asked to sign an agreement showing acceptance of the offer and understanding that the matter has been settled to his/her satisfaction.

If settlement is not possible, the Commissioners are informed that conciliation efforts failed and are asked to issue a **FORMAL COMPLAINT AND NOTICE OF PUBLIC HEARING**.

PUBLIC HEARING

The charge(s) and evidence supporting the charge(s) are presented at the public hearing (a quasi-judicial forum) before a Hearing Examiner. The Ohio Attorney General's Office represents OCRC, and presents its case in favor of the decision. The Respondent presents its defense. Witnesses are called to testify under oath, documents and other written evidence are presented, and the attorneys for both sides offer legal arguments to the Hearing Examiner. After the hearing has been concluded, the Hearing Examiner issues **FINDINGS OF FACT, CONCLUSIONS OF**

LAW, and **RECOMMENDATIONS** to the Commission. Both sides have opportunity to file written objections to these.

The Commissioners review the **FINDINGS OF FACT**, **CONCLUSIONS OF LAW**, and **RECOMMENDATIONS**, any objections filed by the parties, and issue a **FINAL ORDER** in the case. This may be an **ORDER OF DISMISSAL**, which means that evidence does not substantiate that discrimination has occurred, or a **CEASE AND DESIST ORDER**, which means that discrimination has been substantiated. At that time, the Commission orders the Respondent to take certain remedial steps. Should the Respondent fail to comply with the **FINAL ORDER**, the Commission can seek the enforcement of the order through the Court of Common Pleas.

JUDICIAL REVIEW

The Charging Party or the Respondent can appeal the **FINAL ORDER** of the Commission by petitioning the Court of Common Pleas for a judicial review. The petition must be filed in the county where the act of discrimination occurred or in the county where the Respondent resides or transacts business. Either party can pursue appeals through the civil court system, up to and including the U.S. Supreme Court.

HOUSING DISCRIMINATION COMPLAINT PROCEDURE

There are several distinctions between the processing of housing discrimination charges and charges of discrimination in employment, public accommodation, credit and higher education.

As of June 1992, discrimination in housing on the basis of familial status was added as a protected class under OCRC's jurisdiction. Familial status means either (1) one or more individuals who are under eighteen years of age and lives with a parent or guardian having legal custody of that person, or lives with the designee of the parent or guardian having legal custody of that person, or (2) a person who is pregnant, or in the process of securing legal custody of any individual who is under eighteen years of age.

The familial status provision, with limited exceptions, prohibits a housing provider from denying housing to families with children; however, protection is not applicable if housing is intended for and to be occupied only by persons 62 years or older; or at least one person 55 years or older resides in each unit.

The federal Fair Housing Act of 1968, as amended, also prohibits discrimination in housing on the basis of race, color, religion, sex, national origin, ancestry or disability.

An individual who feels he or she has been discriminated against in housing must file a charge of discrimination with OCRC within **one (1) year** of the alleged act of discrimination.

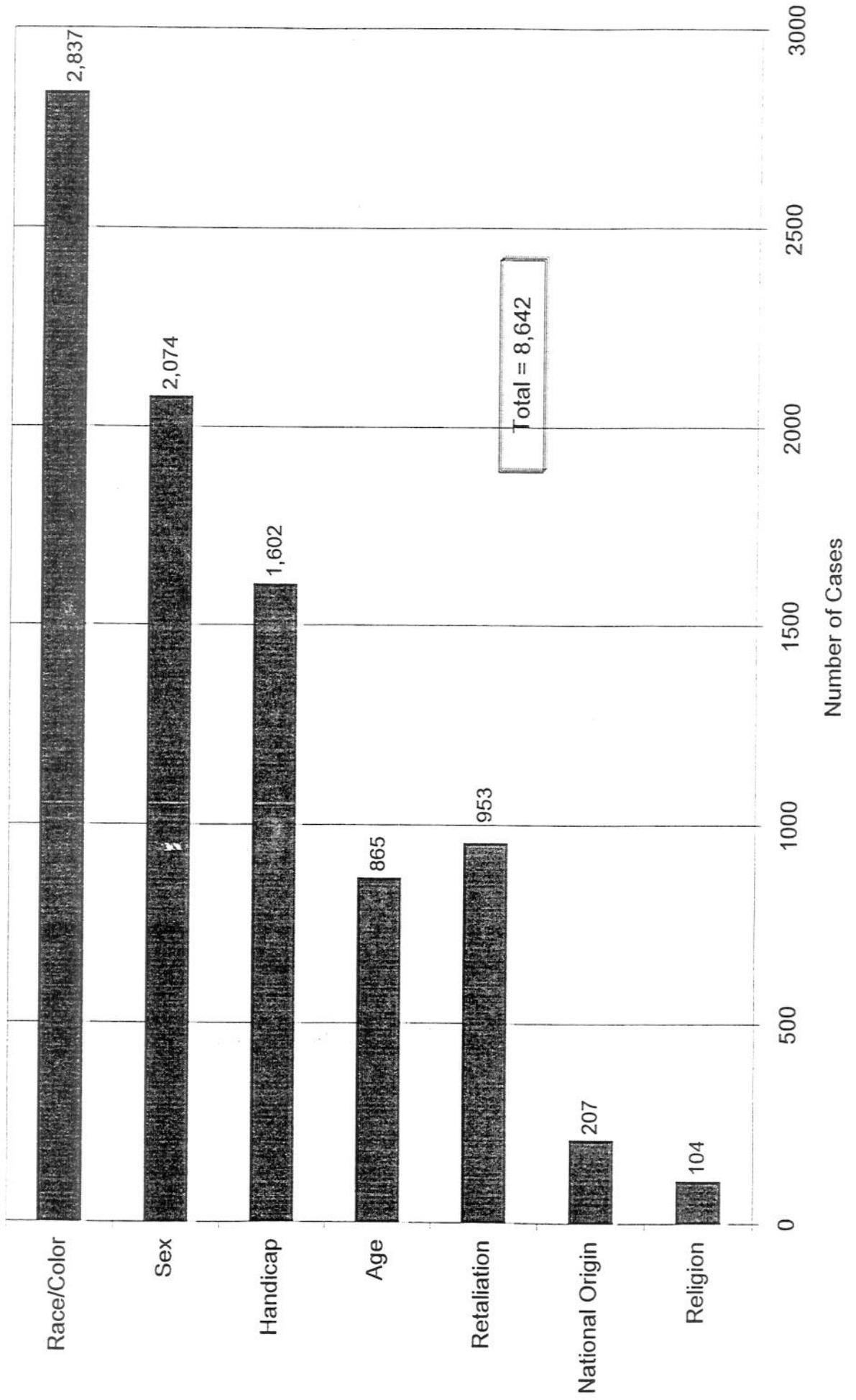
The Commission must complete its investigation of the charge of discrimination within one hundred (100) days. During that time, the Commission will either negotiate a settlement of the charge or make a finding as to whether or not the evidence substantiates that the law has been violated. If the evidence is insufficient to meet the legal standards of proof to show a violation of the law, the Commission will **DISMISS** the charge. If the evidence is sufficient to determine that a violation of Section 4112.02 (H) of the Ohio Revised Code has occurred, or is about to occur, the Commission **REFERS** the matter to the office of the Ohio Attorney General to obtain a temporary or permanent injunction, or a temporary restraining order, from a Court of Common Pleas and then proceeds with its investigation.

ELECTION OF PROCEDURES

Once the Commission has made a **PROBABLE CAUSE** finding in housing cases, the Charging Party must choose between the administrative procedures of the Ohio Civil Rights Commission or having the Ohio Attorney General file a private civil suit in the Court of Common Pleas on their behalf.

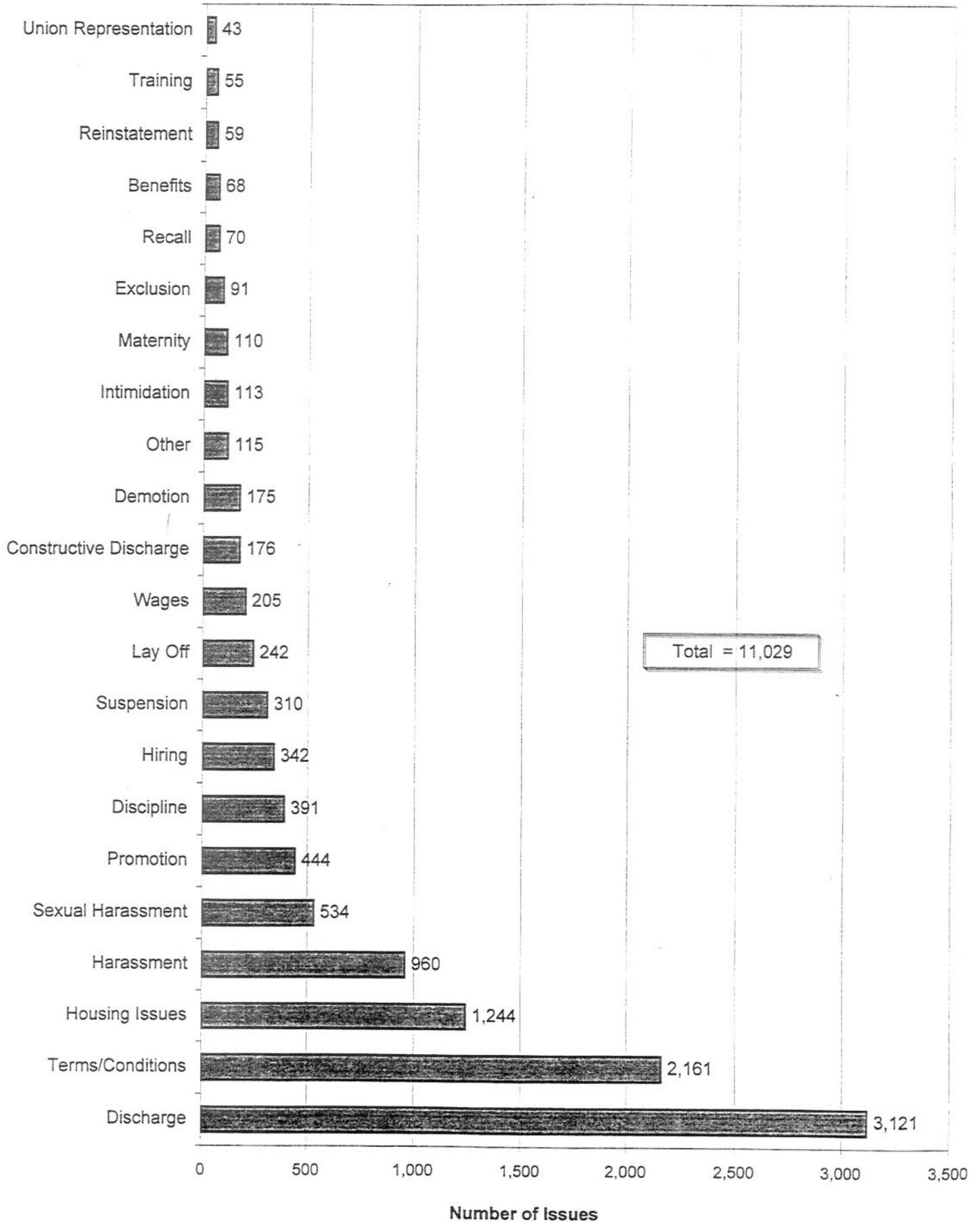
If the Charging Party selects the Commission's administrative procedures, the charge process follows the same steps as all other charges. The Commission will attempt to reach a conciliation agreement. If conciliation is not successful, the Commission issues a **FORMAL COMPLAINT** and the charge is referred to the Attorney General who proceeds to a **PUBLIC HEARING**. After the Commissioners have reviewed the Hearing Examiner's report a **FINAL ORDER** will be issued, which can be an **ORDER OF DISMISSAL** or a **CEASE AND DESIST ORDER**. At that time the Commission can order the Respondent to pay actual damages, reasonable attorney's fees and punitive damages up to fifty thousand dollars.

Alleged Bases of Discrimination July 1, 1996 - June 30, 1997

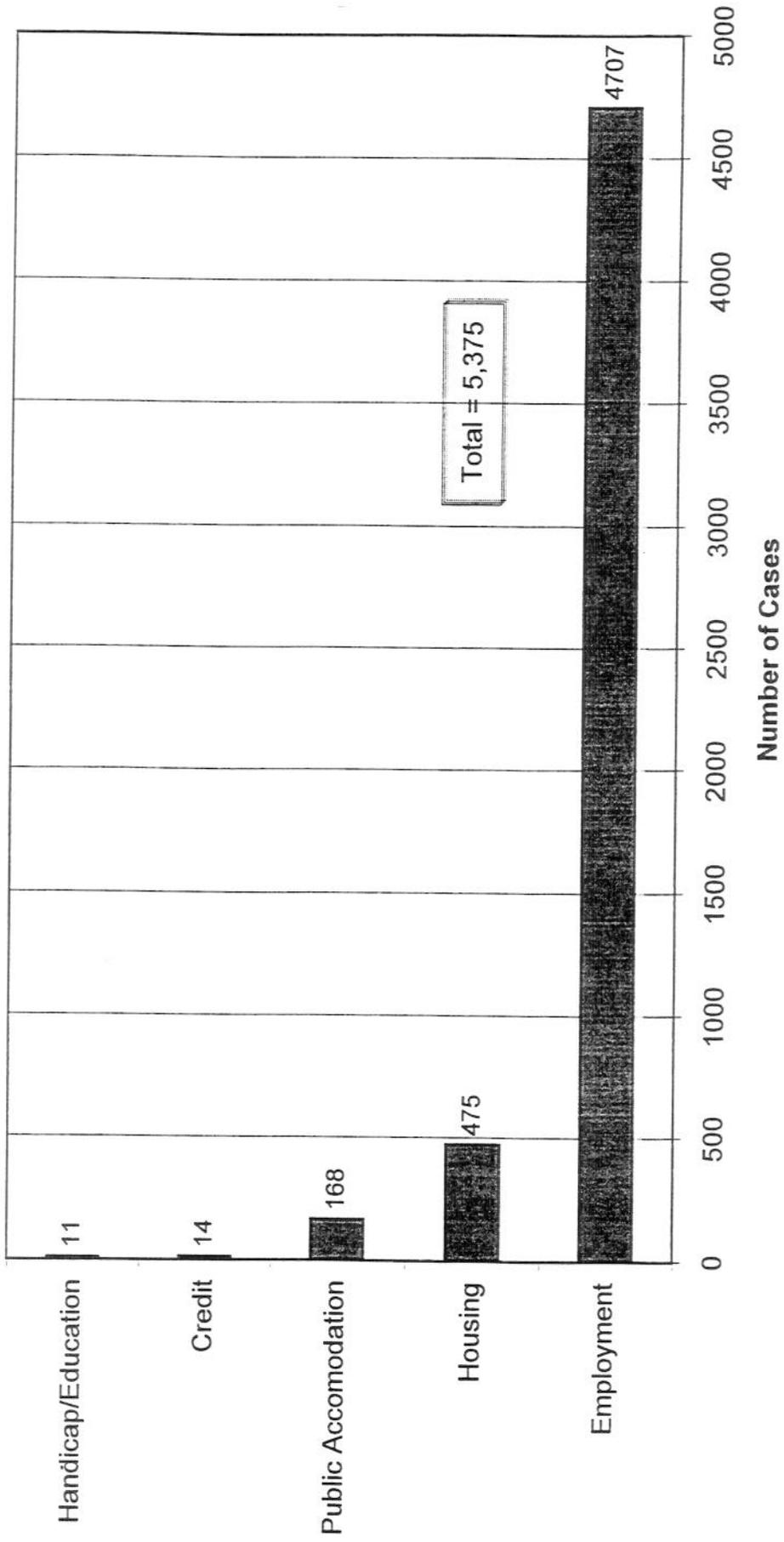


Alleged Issues of Discrimination

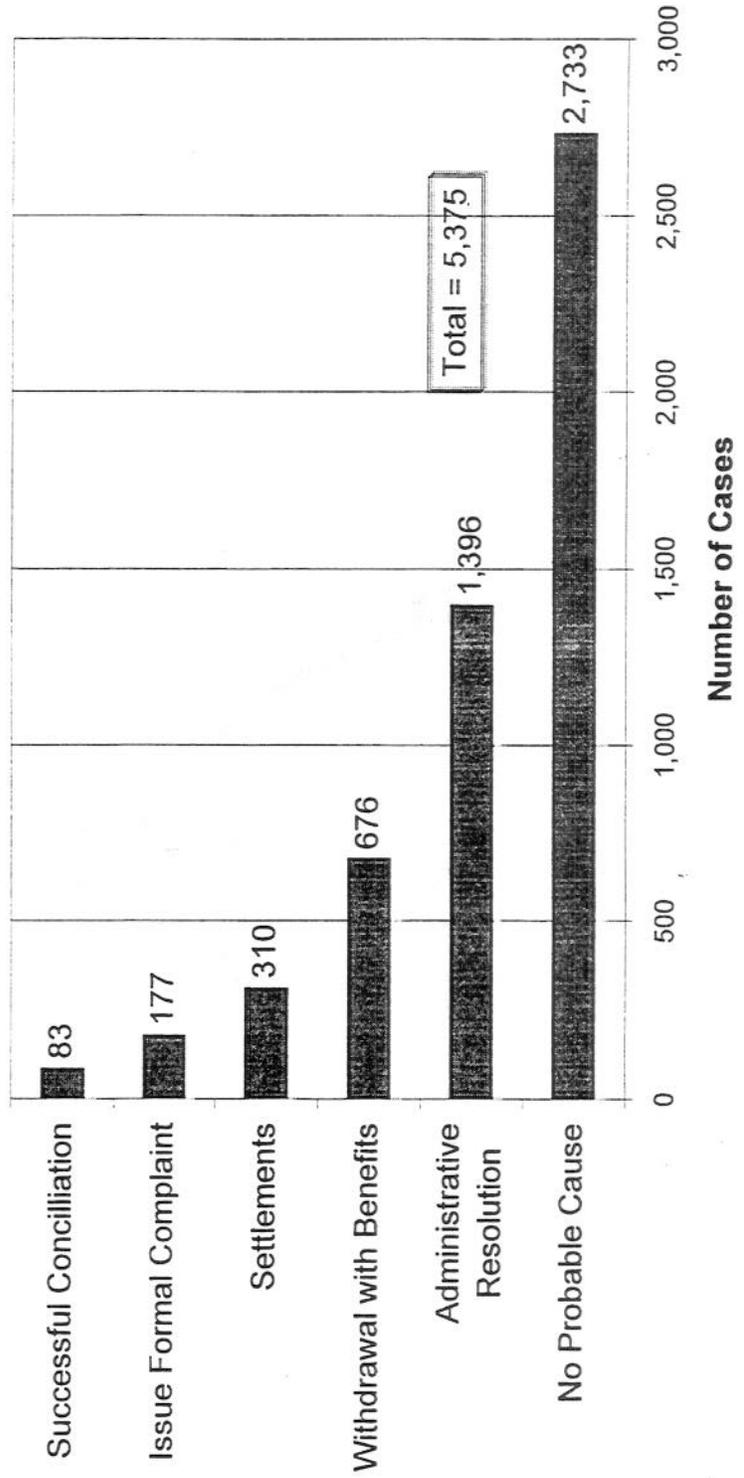
July 1, 1996 - June 30, 1997



Types of Charges Closed July 1, 1996 - June 30, 1997



Case Dispositions July 1, 1996 - June 30, 1997



APPROPRIATIONS AND EXPENDITURES**FEDERAL OPERATING ROTARY FUND 334**

Fund 334 represents spending authority as a result of work sharing agreements with the U. S. Equal Employment Opportunity Commission (EEOC), the U. S. Department of Housing and Urban Development (HUD) and the Ohio Civil Rights Commission (OCRC). These agencies defer charges of discrimination filed with them to the Ohio Civil Rights Commission for investigation and processing.

EEOC/HUD TOTAL REVENUE **\$2,851,579**

EXPENDITURES

Salaries and Wages	\$ 1,847,269
Purchased Personal Services	132,158
Supplies and Materials	23,966
Motor Vehicle	9,653
Travel	11,158
Communications	144,384
Equipment Maintenance	6,137
Rentals	142,532
Printing	7,002
General Expenses	359,807
Equipment	75,760
Encumbrances	91,753

TOTAL EXPENDITURES **\$2,851,579**

APPROPRIATIONS AND EXPENDITURES**GENERAL REVENUE FUND (GRF)**

The General Revenue Funds are appropriated to OCRC by the Ohio General Assembly.

Budget Appropriation	\$10,191,537
Ohio Civil Rights Commission	9,151,605
Commission on African American	
Males (CAAM)	664,203
CAAM/State Rotary Fund	375,729

TOTAL GRF APPROPRIATIONS **\$10,191,537**

EXEPENDITURES

Salaries and Wages	\$ 7,648,486
Purchases Personal Services	776,946
Supplies and Materials	82,796
Motor Vehicle	47,146
Travel	45,916
Communications	166,744
Equipment Maintenance	90,792
Rentals	559,631
Printing	21,752
General Expenses	117,776
Equipment	111,886
Encumbrances	521,666

TOTAL EXPENDITURES **\$10,191,537**