

OHIO CIVIL RIGHTS COMMISSION

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FY 2018
**ANNUAL
REPORT**

July 1, 2017 -
June 30, 2018





Leonard Hubert, Chair (*July-March*)
Lori Barreras, Chair (*March-June*)

Juan P. Cespedes, Commissioner
William Patmon, III, Commissioner
Dr. Carolyn Peters, Commissioner
Madhu Singh, Commissioner

G. Michael Payton, Executive Director
John Kasich, Governor

"[People] often hate each other because they fear each other; they fear each other because they don't know each other; they don't know each other because they cannot communicate; they cannot communicate because they are separated."

- Martin Luther King, Jr.



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Commissioners



Leonard Hubert, Chair (Granville)

Commissioner - July 2006 - Jan. 2008
Interim Chair - Jan. 2008 - Feb. 2009
Commissioner - Feb. 2009 - Sept. 2011
Chair - Sept. 2011 - Mar. 2018.



Lori Barreras, Chair (Columbus)

Commissioner - Nov. 2013 - Mar. 2018
Chair - Mar. 2018 - Present
(Term expiring July 2023)



William W. Patmon, III (Gahanna)

Commissioner - Aug. 2012 - expiring
July 2022



Madhu Singh (Akron)

Commissioner - Aug. 2015 - expiring
July 2019



Juan Cespedes (Columbus)

Commissioner - Feb. 2016 - expiring
July 2020



Dr. Carolyn Peters (Dayton)

Commissioner - May 2018 - expiring
July 2021



OHIO CIVIL RIGHTS COMMISSION

Governor John R. Kasich

Commissioners: Lori Barreras, Chair | Juan Cespedes | William Patmon, III | Dr. Carolyn Peters | Madhu Singh
Executive Director G. Michael Payton

June 30, 2018



To Governor Kasich, Members of the 132nd General Assembly, and Citizens of Ohio:

On behalf of our Commissioners and staff, I am pleased to present our Annual Report for state Fiscal Year 2018. After more than 55 years of public service to our state, this report reflects our continuing effort to make a difference and fulfill our statutory mission as the primary educator and enforcer of Ohio's laws against discrimination.

We remain dedicated to executing the powers granted to us under Ohio Revised Code Chapter 4112 and believe Ohio is strongest when its citizens are empowered with employment, a safe place to live, and access to the many diverse cultural and recreational opportunities throughout the state.

We are grateful for your continuing trust and support. We look forward to answering your questions or concerns. Thank you for the opportunity and honor of serving our great state.

Respectfully,

A handwritten signature in blue ink, which appears to read "G. Michael Payton". The signature is fluid and cursive.

G. Michael Payton
Executive Director

Mission & Vision

Our Ohio - Diverse. Strong. Protected.

We are the Ohio Civil Rights Commission, primary educator and enforcer of Ohio's laws against discrimination.

We will be professional, competent and fair to our clients and all Ohio citizens as we educate the public and investigate claims of discrimination. It is our role to be a strong force in promoting positive human relations among our diverse population.

We value our employees for their skills, commitment and creativity. We will provide a work environment based on empowerment, mutual respect and honesty for all employees. We will create a culture where continuous learning is valued and opportunities for training and professional growth are provided to all employees. We will incorporate technological innovations and processes in achieving our mission.

Values

Public Service. We are committed to serving and educating the public in a professional, impartial and efficient manner. Quality service will be accomplished by utilizing skilled and motivated employees who are responsive to our customers' needs.

Dedication. We will demonstrate our commitment to public service by being responsible, dependable and proactive professionals. We will maintain pride and excellence in fulfilling our mission.

Teamwork. We will empower our employees to achieve a quality work product and harmonious workplace through open communication, positive interaction and a spirit of cooperation.

Respect. We respect the diversity, talents and ideas of all OCRC employees, our most valued resource. We honor the right of every employee and the public to contribute, to be heard and to be treated with dignity.

Integrity. We pledge to fulfill our duties and responsibilities in a fair and impartial manner. We will be honest and trustworthy in our relationships with one another and with the public.





Powers & Duties

The general powers and duties of the Commission are to receive, investigate, render formal determinations and conciliate charges of unlawful discrimination in the areas of employment, housing, public accommodations, credit and disability in institutions of higher education. It is the Commission's responsibility to educate constituents and stakeholders about Ohio's Laws Against Discrimination. The Commission's education programs are designed to eliminate prejudice, its harmful effects and its incompatibility with American principles of equality and fair play.

Our Jurisdiction

The Ohio Civil Rights Act, Ohio Revised Code Chapter 4112, is the governing mandate that provides our agency with the responsibility of investigating discrimination in the areas of:

- Employment (1959) – R.C. 4112.02(A)-(F) & (I)
- Places of Public Accommodations (1961) - R.C. 4112.02(G)
- Housing (1965) – R.C. 4112.02(H)
- Credit (1976) – R.C. 4112.021
- Disability Issues in Higher Education (1984) – RC. 4112.022

The Protected Bases

People can file charges of discrimination with the Ohio Civil Rights Commission if they believe they have been discriminated against (treated differently) because of:

- ◆ Race
- ◆ Religion
- ◆ National Origin
- ◆ Disability
- ◆ Military Status
- ◆ Marital Status (credit only)
- ◆ Retaliation for opposing an illegal discriminatory practice, including participating in anti-discrimination proceedings before the Commission.
- ◆ Color
- ◆ Sex
- ◆ Ancestry
- ◆ Age (does not apply to housing)
- ◆ Familial Status (housing only)

Ohio's Civil Rights History



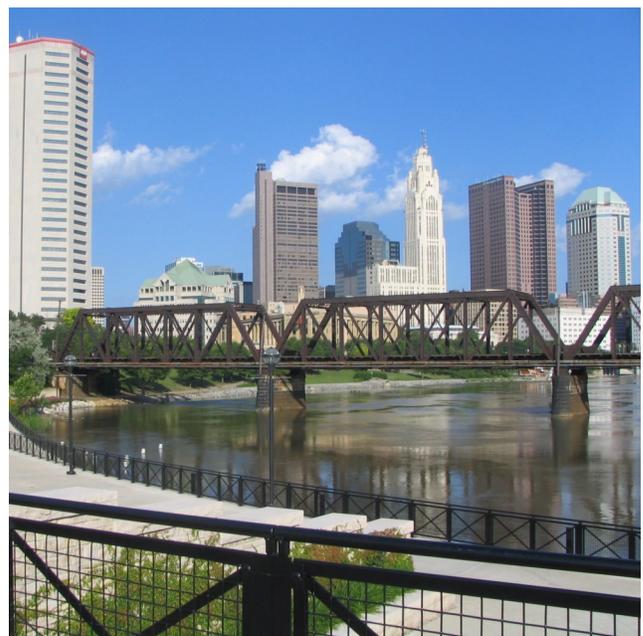
A Historical Perspective of Ohio's Laws Against Discrimination

Ohio has a long history of civil rights enforcement. The Ohio Public Accommodations Law of 1884 was enacted to prohibit discrimination on the basis of race in all public facilities. This law applied to movie theaters, stores and restaurants.

More than 70 years later in 1959, Ohio became the 16th state to ratify legislation prohibiting discrimination in employment on the basis of race, color, religion, national origin and ancestry. Ohio's Fair Employment Practices Law was championed under the leadership of Ohio Governor C.W. O'Neil and was signed into law on July 29, 1959 by Governor Michael V. DiSalle as the Ohio Civil Rights Act of 1959.

The Ohio Civil Rights Act of 1959 established Ohio's Fair Employment Practices Commission, charged with enforcing Ohio's Laws Against Discrimination. In 1961, the Ohio General Assembly renamed the agency the Ohio Civil Rights Commission (OCRC). While primarily concerned with discrimination in employment, the Ohio legislature granted discretionary authority to study, advise and issue statements regarding all civil rights related matters of the state.

OCRC works to enhance cultural awareness and sensitivity in our state through education and outreach activities. In addition to free trainings on Ohio's civil rights law which we regularly provide to individuals and businesses, OCRC often participates in important community education and outreach programs and opportunities around the state. **In FY 2018, OCRC participated in nearly 200 education and outreach events.** These boxes throughout this report are representative highlights of our education and outreach activities for FY 2018.



Chronology

July 29, 1959: Ohio Fair Employment Practices Commission established

1961: Agency name changed to Ohio Civil Rights Commission (OCRC)

1961: Ohio's Laws Against Discrimination amended to include protections against religious discrimination

1965: Ohio's Laws Against Discrimination amended to include protections against discrimination in housing

1976: Ohio's Laws Against Discrimination amended to include protections against discrimination in the issuance of credit

1978: OCRC and the United States Equal Employment Opportunity Commission (EEOC) enter into a Work Sharing Agreement which provides dual filing for employment charges

1984: Ohio's Laws Against Discrimination amended to include protections against discrimination of people with disabilities in institutions of higher education

1988: OCRC and United States Department of Housing & Urban Development (HUD) enter into a Work Sharing Agreement to investigate and eradicate housing discrimination

1992: Ohio's fair housing statute brought into conformity with federal fair housing legislation by adding "familial status" to the protected classes and a one year filing period for housing discrimination charges

1998: Introduction of an Alternative Dispute Resolution (a.k.a. mediation) program. During the first year the Commission successfully mediated 73% of all charges in which the parties voluntarily elected to participate in the program

1999: Alternative Dispute Resolution program recognized by the United States Department of Housing and Urban Development with a national "Best Practices" award

2008: Ohio's Laws Against Discrimination amended to include protections against discrimination on the basis of military status

2009: Ohio Civil Rights Hall of Fame established, acknowledging outstanding Ohioans who are pioneers in human and civil rights and who have advanced the goals of equality and inclusion

As part of OCRC's education mission, staff in FY 2018 reached out to many students and learning institutions. The Commission held a regular meeting at **Wright State University** in March 2018. Staff members also provided presentations or trainings for students of the **University of Akron, Case Western University, Kent State University, and The Ohio State University**. Staff also presented to several K-12 groups over the year.

Regional Offices

Central Office

Rhodes State Office Tower
30 East Broad Street, 5th Floor
Columbus, Ohio 43215
Telephone: (614) 466-2785
Fax: (614) 644-8776
TTY: (614) 752-2391
Toll Free: (888) 278-7101
www.crc.ohio.gov



Akron Regional Office

Bradley S. S. Dunn, Regional Director

Akron Government Building
161 S. High Street, Suite 205
Akron Ohio 44308
Telephone: (330) 643-3100
Fax: (330) 643-3120



Cleveland Regional Office

Vera Boggs, Regional Director

Lausche State Office Building
615 W. Superior Avenue, Suite 885
Cleveland, Ohio 44113
Telephone: (216) 787-3150
Fax: (216) 787-4121



Cincinnati Satellite Office

Duffy Jamieson, Regional Director

Mid-Pointe Towers
7162 Reading Road, Ste. 1005
Cincinnati, Ohio 45237
Telephone: (513) 351-2541
Fax: (513) 351-2616

Dayton Regional Office

Duffy Jamieson, Regional Director

Point West III
3055 Kettering Blvd, Suite 111
Dayton, Ohio 45439
Telephone: (937) 285-6500



Columbus Regional Office

Aman Mehra, Regional Director

Rhodes State Office Tower
30 East Broad Street, 4th Floor
Columbus, Ohio 43215
Telephone: (614) 466-5928
Fax: (614) 466-6250

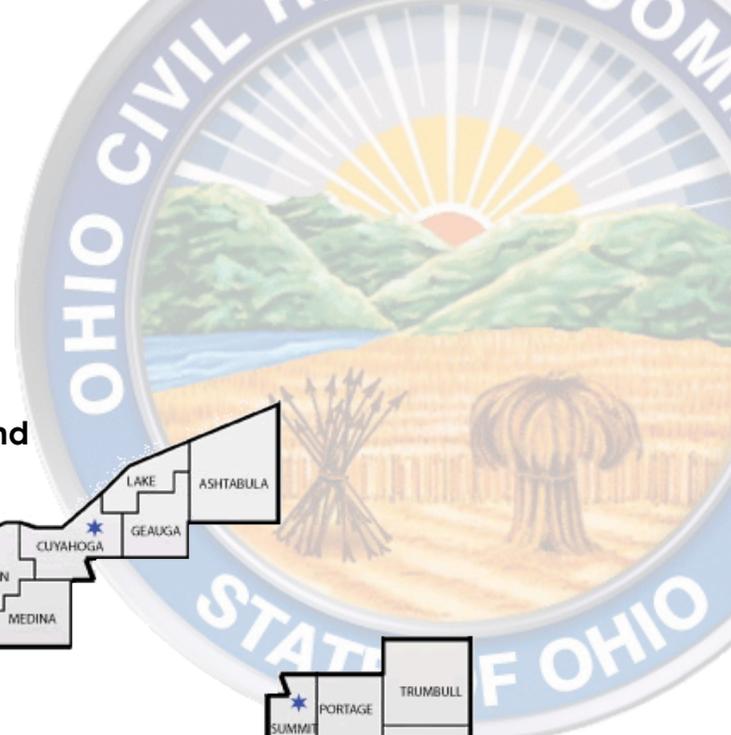


Toledo Regional Office

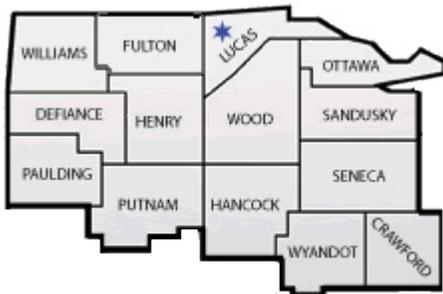
Darlene Sweeney-Newbern, Regional Director

One Government Center
640 Jackson Street, Suite 936
Toledo, Ohio 43604
Telephone: (419) 245-2900
Fax: (419) 245-2668

Regional Office Map



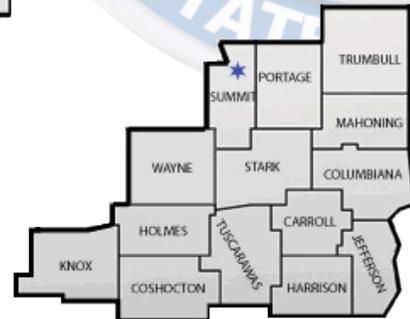
Toledo Region



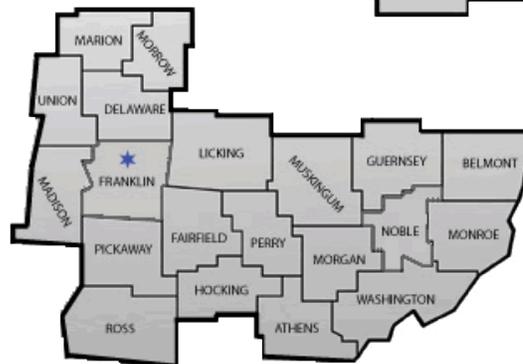
Cleveland Region



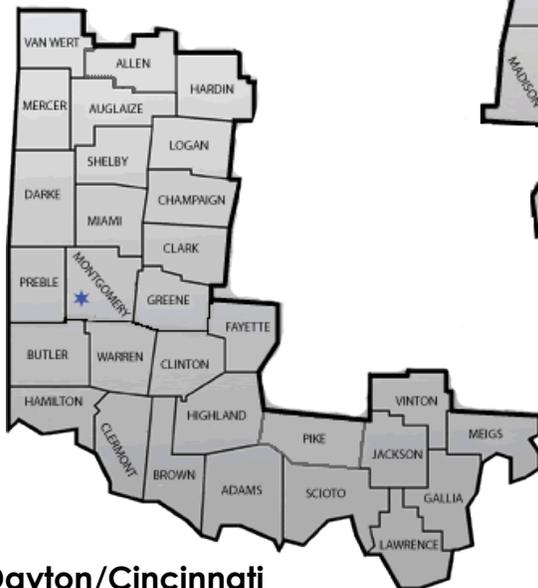
Akron Region



Columbus Region

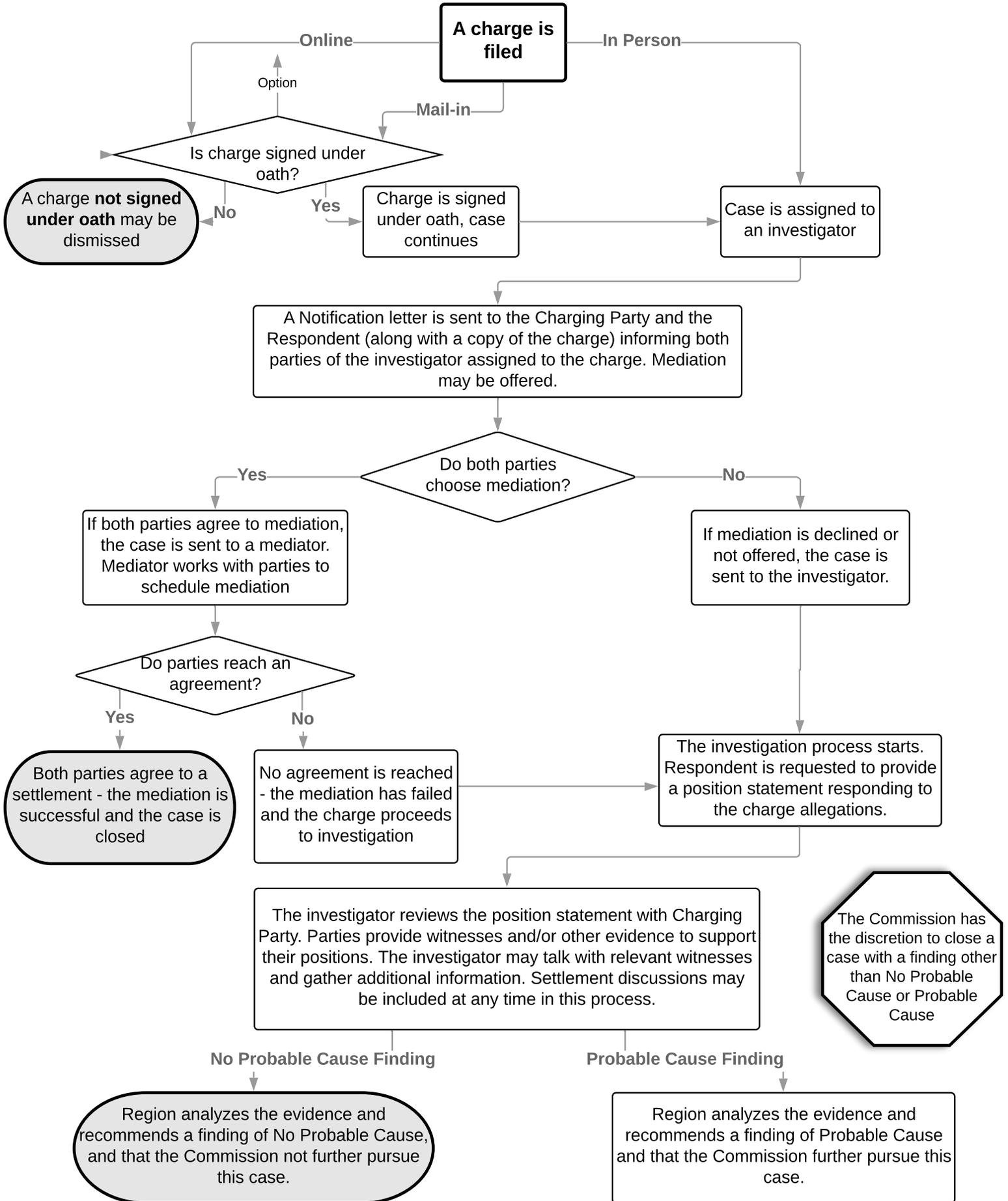


Dayton/Cincinnati Region



In April 2018, Executive Director G. Michael Payton moderated a panel on diversity and building success at the **Ohio Department of Transportation's** 2nd Annual Civil Rights Transportation Symposium. The panel featured Youngstown State University President **Jim Tressel**, President & CEO of Columbus Urban League **Stephanie Hightower**, and President & CEO of Excenture Business Solutions **John Wooldridge**.

A General Overview of the Ohio Civil Rights Commission Charge Filing Process



Investigation & Enforcement



Any person who believes they have been subjected to unlawful discrimination may file a charge of discrimination with the Ohio Civil Rights Commission. Our regional offices are located in Akron, Cleveland, Columbus, Dayton and Toledo. OCRC also has a satellite office in Cincinnati. **All services are free of charge and complaints can be filed at any OCRC Office or through our website's online charge filing process.** OCRC also has the power to self-initiate an investigation in employment and housing.

Complaints must be based on the belief the discriminatory act occurred because of the person's race, color, sex, disability, age, religion, national origin, ancestry, familial status, military status or in retaliation for having participated in a protected activity (such as having filed a previous charge of discrimination or complaining of a discriminatory act) or opposed discriminatory acts.

Complaints must be filed within six months (or one year for housing complaints) of the alleged act of discrimination. OCRC has one year from the date on which the charge of discrimination was filed to complete the investigation.

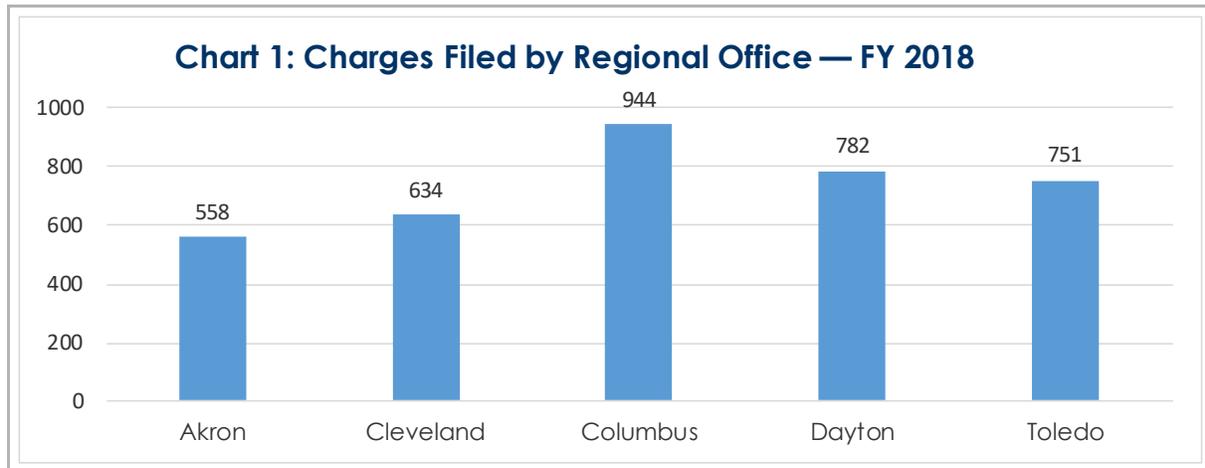
Once the charge of discrimination is received, the case is assigned to an OCRC investigator who notifies the person filing the charge (Charging Party) and the company or person against whom the charge was filed (Respondent). Through a series of steps which may include witness interviews, document requests, and on-site visits, OCRC will determine whether or not discrimination has occurred.

On March 7, 2018, OCRC partnered with the **Columbus Metropolitan Club** to welcome author and fair housing scholar **Richard Rothstein** to discuss "The Truth About Segregation" at the Boat House at Confluence Park in Columbus, OH.



Investigation & Enforcement

Chart 1 illustrates the total number of new charges filed with OCRC's in State Fiscal Year (FY) 2018, by regional office. **A total of 3,669 new charges were filed in FY 2018.**



Reconsideration is the internal appeals process created by Ohio Administrative Code Section 4112-3-4 and is available to any party disagreeing with the initial determination of the Commission. Approximately 5% of the Commission's decisions are appealed through the reconsideration process.

Benefits and Enforcement: Approximately 25% of people who file charges with the agency receive some monetary or non-monetary benefit. The Ohio Civil Rights Commission has authority to enforce Conciliation Agreements and Consent Orders (CACOs) when it is a party to the agreement.

Mediation

OCRC began a voluntary mediation program in 1998 and employs trained mediators in each of its regional offices.

Mediation requires both parties voluntarily agreeing to participate in the process. The purpose of the mediation is to resolve the issues in a manner that is mutually satisfactory to the parties. Mediation is not the forum to determine the merits of a case. If mediation is successful, the case is closed and no further administrative action will be taken. If mediation is not successful or if one party declines participation, an investigation will commence. The mediation process must conclude within 45 days. In State Fiscal Year 2018, **OCRC's mediation program had a success rate of approximately 83%, with an average processing time of approximately 35 days.**

Charges Filed

Table 1: Charges Filed by Basis,* FY 2018	
Race or Color	1,570
Retaliation	1,428
Disability	1,127
Sex/Pregnancy	953
Age	508
National Origin or Ancestry	229
Religion	171
Familial Status	89
Military Status	23
Total	6,098

* A single charge may include multiple bases

OCRC partnered with the **Ohio Arts Council** to host the second annual youth photograph exhibition produced through the **Cleveland Print Room's** Project Snapshot and Cincinnati's **Manifest Gallery's** Envision Project. On June 1, 2018, OCRC welcomed approximately 75 youths and adults to a reception in OCRC's Central Office to open the exhibit and celebrate the artwork.

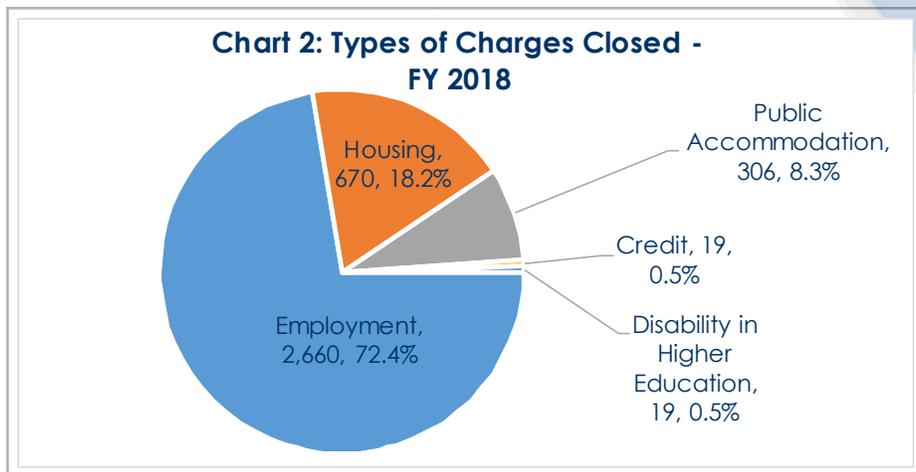
Table 2: Alleged Issues* of Charges Filed, FY 2018	
Discharge	1,166
Terms & Conditions	1,030
Harassment	786
Discipline	525
Reasonable Accommodation	519
Constructive Discharge	196
Intimidation	195
Sexual Harassment	168
Promotion	145
Hiring	129
Demotion	81
Exclusion	77
Suspension	75
Layoff	61
Wages	52
Union Representation	30
Advertising	23
Training	14
Benefits	10
Maternity	6
Job Classification	6
Assignment	3
Other	12
Total	5,309

* A single charge may include multiple alleged issues



Closures

OCRC closed 3,674 cases in State Fiscal Year 2018. Approximately OCRC's investigative staff completed an average caseload of 94 cases per investigator/mediator in State Fiscal Year 2018.



Types of Closure

Settlements and Withdrawal of Charges with Settlement are instances in which the parties agree to a satisfactory resolution of the charge. If the Commission is satisfied with the resolution, it will allow the case to be closed. Settlements can be reached at any time after a charge of discrimination has been filed. Parties are also offered the opportunity to voluntarily resolve their dispute through OCRC's mediation services. Both the Charging Party and Respondent must agree to the settlement (for more information, see the "Mediation" section of this report).

Successful Conciliations are settlements reached after a preliminary finding of probable cause.

Probable Cause findings are issued after a full investigation reveals that there is sufficient evidence to conclude it is probable that a discriminatory act in violation of Ohio law occurred. OCRC initially attempts to conciliate these charges and reach a settlement. When conciliation attempts fail, the charge is referred to the office of the Attorney General and, if necessary, a public hearing on the merits (administrative adjudication) is held.

Closures

No Probable Cause findings are issued after an investigation concludes that evidence failed to show an unlawful discriminatory act occurred.

Withdrawal of Charges Without Benefits closures are those in which a Charging Party simply withdraws during the course of an investigation.

No Jurisdiction closures occur when it is determined that the allegations are not within the Commission's authority to review under state law.

Issued a Notice of Right to Sue closures are those in which a Charging Party withdraws the charge from OCRC's process in order to file a private legal action in federal court.

Administrative Closures and Closures by Legal Unit include cases in which the Commission identified a technical or legal reason why the Commission should not proceed with the investigation or litigation of a case.

Hearing Closures occur when the Commission's Administrative Law Judge concludes the recommendation of a case that has gone through the Commission's hearing (administrative adjudication) process.

If **Charging Party fails to cooperate or return a notarized charge** it may be necessary to dismiss the case.



Category	Count
Settlements	188
Withdrawal of Charges with Benefits	486
Successful Conciliation	26
Probable Cause	61
No Probable Cause	2,181
Withdrawal of Charges Without Benefits	72
No Jurisdiction	97
Issued a Notice of Right to Sue	65
Administrative Closures	67
Closed by Legal Unit	4
Hearing Closures	3
Charging Party Failed to Cooperate	4
Charging Party Failed to Return Notarized Charge	420
Total Closures	3,674

* Closure categories are defined by the Federal Equal Employment Opportunity Commission

Dr. Martin Luther King, Jr. Art, Essay & Multimedia Contest

The 2018 Theme of our MLK Contest was, “Be the Change: What things have you done to drive out hate when you witnessed hatred and intolerance?”

The Ohio Civil Rights Commission was honored to recognize 18 students from around the state at the 2018 MLK Contest Awards Ceremony on February 2, 2018. The event was held at The Ohio State University Urban Arts Space and Dwight Smith, CEO and President of Sophisticated Systems, provided a keynote address.

The 2018 Dr. Martin Luther King Art, Essay & Multimedia Awards Ceremony also featured the presentation of the second annual Excellence in Teaching Diversity Award. The 2018 recipient was Mr. Damien Johnson of MC² Stem High School in Cleveland, OH.

For more information, visit our website <http://crc.ohio.gov/PublicAffairs/MLKContest.aspx>.



Ohio Civil Rights Hall of Fame



The Ohio Civil Rights Hall of Fame seeks to acknowledge the citizens who have left their mark in the State of Ohio through their tireless efforts in furthering civil and human rights in their communities. Through their exemplary leadership, inductees have helped to foster cultural awareness and eliminate barriers to equal opportunity in Ohio. Every year, the Commission hosts a formal ceremony and lunch reception to honor the inductees. Both the ceremony and reception are free and open to the public. At our October 2017 event, more than 400 guests attended our ninth annual ceremony. The Civil Rights Hall of Fame ceremony and reception are funded entirely by private donations from PNC, Honda of America Manufacturing, Inc. and Wright State University. United Way of Central Ohio served as the fiscal agent for the event. The National Underground Railroad Freedom Center acted as exhibit partner to the Civil Rights Hall of Fame in 2017.

In 2017, Chief Lawrence Harper (Mansfield), Lt. Col. Gilbert H. Jones (Columbus), the Marching Mothers and Children of the 1954 Hillsboro Fight for Integration (Hillsboro), and Moses Fleetwood Walker (Mt. Pleasant), were inducted into the Ohio Civil Rights Hall of Fame. Chairman and CEO of L Brands, Leslie H. Wexner provided the keynote address and Mike Jackson, news anchor for NBC4i news, served as Master of Ceremonies. Guests also enjoyed a performance by the Urban Strings of Columbus.

For more information, visit <http://crc.ohio.gov/PublicAffairs/CivilRightsHallofFame.aspx>.



Financial Data for FY 2018

FEDERAL OPERATING ROTARY FUND 334 EEOC/HUD APPROPRIATIONS

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 OCRC for processing and investigation.

Funds 3340/2170 Appropriations*	\$	3,818,340
EXPENDITURES		
Salaries and Wages	\$	1,876,713
Purchased Personal Services	\$	115,729
Supplies and Materials	\$	52,160
Vehicles (parking fees)	\$	1,750
Travel	\$	28,565
Communications	\$	47,396
Equipment Maintenance	\$	1,475
Rentals & Inter-Agency Expenditures	\$	920,350
Printing	\$	1,345
General Expenses	\$	2,304
Equipment	\$	2,131
TOTAL EXPENDITURES	\$	3,049,918
Encumbrances	\$	207,810
Unused Federal Appropriations	\$	560,613

* Includes FY 2017 Encumbrances of \$232,691.09 paid out in FY 2018

GENERAL REVENUE FUND (GRF)

The General Revenue Fund is money appropriated to the Ohio Civil Rights Commission by the Ohio General Assembly.

Fund GRF Appropriations	\$	5,039,347
EXPENDITURES		
Salaries and Wages	\$	5,039,347
TOTAL EXPENDITURES	\$	5,039,347
Unused State GRF Appropriations	\$	12

**PLEASE VISIT OUR WEBSITE
WWW.CRC.OHIO.GOV**

FOR MORE INFORMATION, PLEASE CALL 1-888-278-7101



THE OHIO CIVIL RIGHTS COMMISSION

“Where, after all, do universal human rights begin? In small places, close to home - so close and so small that they cannot be seen on any map of the world. Yet they are the world of the individual person: the neighborhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity, without discrimination. Unless these rights have meaning there, they have little meaning anywhere.”

- Eleanor Roosevelt