



ANTI-DISCRIMINATION, ANTI-HARASSMENT AND ANTI-RETALIATION REPORTING POLICY AND PROCEDURES

Eff. Date: November 13, 2014

Revised: February 13, 2020

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Purpose

The Ohio Civil Rights Commission (OCRC) is a diverse, inclusive and equal opportunity employer. This Policy is consistent with the objective and practices of the State of Ohio and is in compliance with applicable federal and state laws and regulations, as well as [Executive Order of the Governor](#). This Policy will be posted on the OCRC's internal and external websites and on employee bulletin boards in all Regional and Central offices. It will be disseminated to all employees and will be included in new employee orientation materials. The OCRC will ensure employees review the Policy on an annual basis.

The purpose of this Policy is first to notify all concerned that discrimination, harassment and retaliation against employees and job applicants due to race, color, religion, national origin, ancestry, military status (past, present or future), disability, age (40 years or older), status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child (up to the age of 9), status as a foster parent, genetic information, gender, gender identity or expression, or sexual orientation will not be tolerated. Second, this Policy outlines the procedures and process for reporting conduct, which may violate this Policy. Third, this Policy is intended as notification to employees, who engage in such conduct, that they will be subject to discipline, up to and including termination.

Applicability

This Policy applies to all OCRC Commissioners, employees and applicants.

Policy

It is the Policy of the Ohio Civil Rights Commission to ensure that employees and applicants are not discriminated against or harassed due to race, color, religion, gender, gender identity or expression, national origin (ancestry), military status (past, present or future), disability, age (40 years or older), status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, status as a foster parent, genetic information, or sexual orientation.

It is further the Policy of the OCRC that retaliation against an employee or applicant for engaging in protected activity that the employee or applicant reasonably believes in good faith to be unlawful conduct under this Policy, Executive Order of the Governor and/or federal or state law, or by participating in an EEO complaint, investigation, hearing or other proceeding, is also strictly prohibited. Employees engaging in retaliatory behaviors will be subject to discipline, up to and including termination.

Employees are responsible for maintaining a workplace free from discrimination and harassment. Employees are strongly encouraged to speak up if they witness or hear of conduct that might violate this Policy. Managers, supervisors and directors have an affirmative obligation to immediately report conduct they witness or hear of to the EEO Officer/Human Resource Department and/or to the Director of Operations or Chief Legal Counsel.

Procedures for Filing an Internal Complaint

Any person, who feels he or she is the subject of conduct prohibited by this Policy is strongly encouraged to report the behavior immediately. Any non-supervisory employee, who witnesses inappropriate behavior that may be a violation of this Policy is similarly strongly encouraged to report such incidents immediately. A supervisor, manager or director, who witnesses conduct that may be a violation of this Policy, shall immediately report the conduct. In all circumstances, official complaints must be filed within 30 days of the most recent incident of alleged discriminatory conduct.

Reports of alleged discrimination, harassment due to protected status as outlined in this Policy or retaliation for engaging in protected activity may be made to any one or more of the following individuals:

- A Supervisor or Regional Director
- The Director of Operations
- The Chief Legal Counsel
- The EEO Officer/Human Resources Department @
30 E. Broad Street, 5th Floor, Columbus, Ohio 43215
Scott.Marshall@civ.ohio.gov or 614-466-6287 (phone) or 614-728-3199 (fax)

Reports of alleged Policy violations may be made in person; in writing via mail, email or fax; or by telephone.

All allegations of discrimination, harassment and/or retaliation will be reviewed. When appropriate, all efforts will be made to resolve complaints internally. Complaints will be investigated promptly and thoroughly. The complaining party will be notified in writing of the findings of the investigation.

Although reports cannot be kept strictly confidential, information contained therein will be managed discretely and communicated to others only to the extent necessary to investigate the allegations or to take other appropriate action. It is expected that persons participating in internal investigations will use equal discretion throughout the process.

Any complaining party, who is not satisfied with the agency's decision and/or resolution may request a final review of the decision from the State of Ohio's EEO Coordinator (DAS/EOD) within 30 days of the decision. The procedures for filing an appeal may be found by visiting:

www.das.ohio.gov/Divisions/EqualOpportunity. See also, Ohio Admin. Code Chapter 123:1-49.

Filing an External Complaint

Though employees and applicants are strongly encouraged to report the conduct internally, all are hereby notified that complaints of discrimination, harassment and retaliation may also be filed with any or all of the following enforcement agencies:

- **The Ohio Department of Administrative Services Equal Opportunity Division (EOD).** Complaints must be filed within 30 days of the most recent incident of alleged discrimination or harassment. To file a discrimination complaint, contact the Equal Opportunity Division by mail at

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4200 Surface Road, Columbus, Ohio 43228; by phone at 614-466-8380, by fax 614-728-5628; or by email at das-eod@das.ohio.gov

- **The Ohio Civil Rights Commission (OCRC).** Complaints must be filed within six months of the date of the most recent alleged incident. To file a complaint, contact or visit OCRC at one of the agency's five regional offices <https://www.crc.ohio.gov/AboutUs/RegionalOffices.aspx> or visit www.crc.ohio.gov for information on how to file a charge on line. See, <https://www.crc.ohio.gov/FilingaCharge/ChargeFilingProcedure.aspx>.
**OCRC employees note: Due to the potential for conflict, complaints will usually be transferred to the EEOC or in some cases, to another regional office for investigation.*

- **The Equal Employment Opportunity Commission (EEOC).** Complaints must be filed within 300 days from the date of the most recent alleged incident. To file a complaint, call 800-669-4000 (TTY 800-669-6820); visit www.eeoc.gov; or visit one of the EEOC's local offices in **Cleveland** (Anthony J. Celebrezze Federal Building, 1240 East 9th Street, Ste. 3001, Cleveland, Ohio 44199), **Cincinnati** (John W. Peck Federal Office Building, 550 Main Street, 10th Floor, Cincinnati, Ohio 45202) or **Detroit** (Patrick V. McNamara Building, 477 Michigan Ave., Ste. 865, Detroit, Michigan 48226).

Consequences of Policy Violations

If the OCRC's internal investigation reveals that harassment or discrimination has occurred, a rapid determination will be made of what, if any corrective, action is warranted. Persons engaging in behaviors prohibited by this policy are subject to discipline, up to an including termination.

Supervisors, managers and directors who engage in or fail to report any incident or report of alleged discrimination, harassment or retaliation are subject to discipline, up to an including termination. Managerial level employees may be subject to personal liability for intentional acts of discrimination, harassment, or retaliation. OCRC is not obligated to provide legal representation to supervisors and managers sued in their individual capacity.

Any person who knowingly and willfully files a false or misleading complaint of discrimination, harassment or retaliation or who knowingly and willfully provides false or misleading information during an investigation may be subject to discipline. Any employee, who is contacted to provide information during an internal investigation is expected to cooperate. Employees who knowingly refuse to cooperate during an internal investigation may be subject to discipline.

I have received a copy of this updated Policy. I acknowledge that I have read and that I understand this Policy and its related Procedures.

Name (Printed)

Signature

Date