

36TH ANNUAL REPORT
OF
THE OHIO CIVIL RIGHTS COMMISSION



FISCAL YEAR 1995



George V. Voinovich
Governor

Ohio Civil Rights Commission

June 1995

The Honorable George V. Voinovich
Governor, State of Ohio

The Honorable Stanley J. Aronoff
President of the Ohio Senate

The Honorable Jo Ann Davidson
Speaker of the Ohio House of Representatives

Dear Sirs and Madame:

Pursuant to Section 4112.04 (A) (8) of the Ohio Revised Code, The Ohio Civil Rights Commission respectfully submits this 36th Annual Report.

Respectfully,

FOR THE COMMISSION

Rev. E. Theophilus Caviness
Chairman

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THE OHIO CIVIL RIGHTS COMMISSION
36TH ANNUAL REPORT
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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 further amended and broadened

MAY 31, 1990

Discrimination by reason of age limit from ages 40 to 70 changed to 40 and above

JUNE 30, 1992

Familial status added as a protected class in housing discrimination; housing discrimination law amended to bring state law into conformity with Title VIII of the Fair Housing Act of 1968, as amended

State law brought into conformity with federal 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 hear appeals from parties to charge(s) of discrimination who ask 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 1995 were Lawrence Bolden, Columbus; John H. Burlew III, Cincinnati; Grace Ramos, Beavercreek; and Nirmal K. Sinha, Columbus.

MESSAGE FROM THE EXECUTIVE DIRECTOR

This sixth annual report published during my appointment as OCRC's Executive Director reflects the same trends previously discussed: discrimination based upon race in employment still leads the number and type of charges filed while charges of discrimination based upon sex, age and disability, and housing discrimination charges, continue their steady climb upward. Ohioans once again felt they were discriminated against for more than one reason - the 5,773 new charges of discrimination filed with the Commission last year alleged 7,054 basis.



JOSEPH T. CARMICHAEL

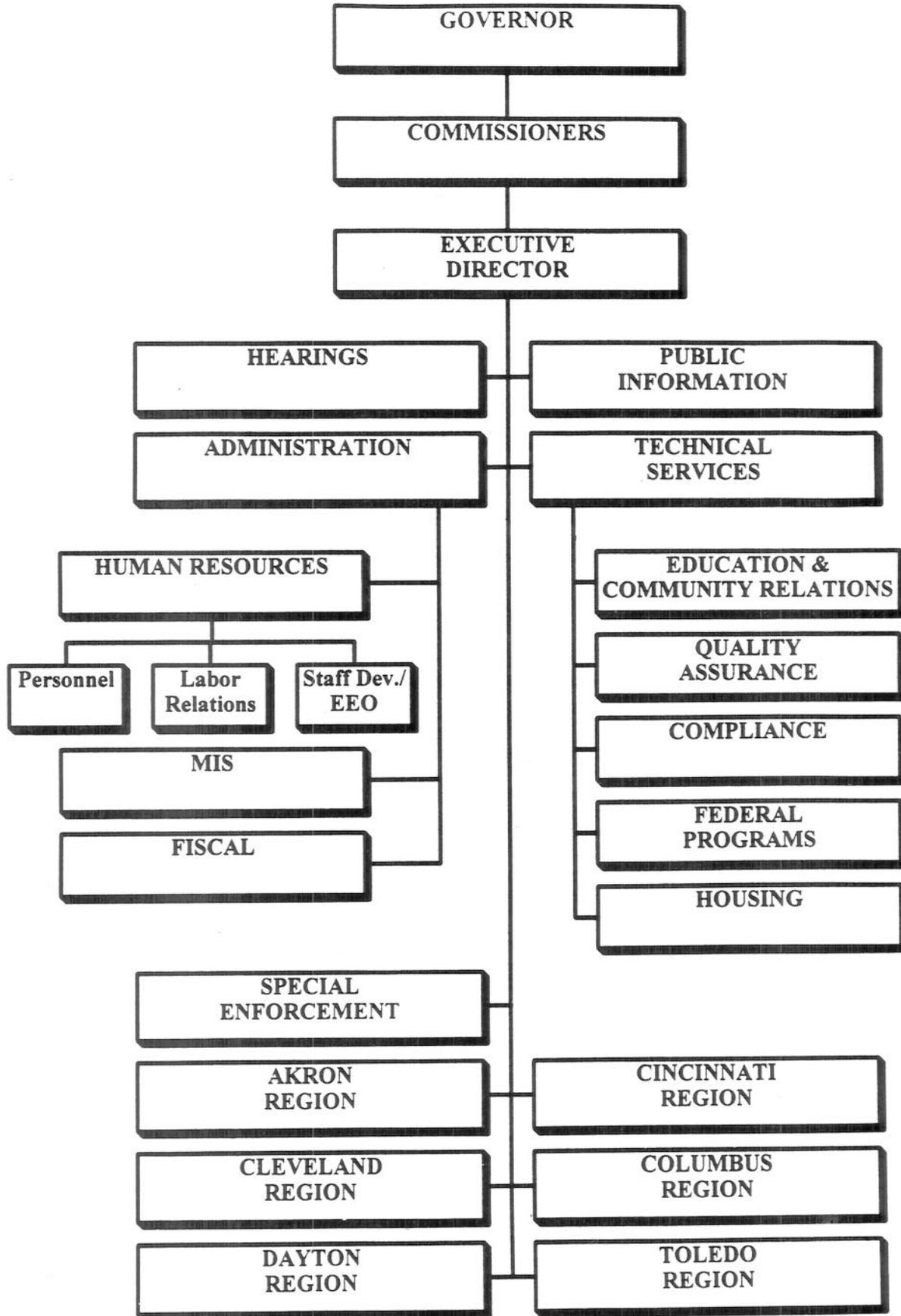
Data shows that discriminatory practices are not limited to any one type of governmental agency, business, industry, profession, non-profit organization, educational institution or trade association. Nor is discrimination limited to the employment arena - OCRC's jurisdictional duties also include *enforcing the laws prohibiting discrimination in public accommodation, housing, credit and higher education, in addition to employment, on the basis of race, color, sex, religion, national origin, age, ancestry, disability or familial status.* We do receive charges in each category and on each basis annually.

OCRC's proactive approach of education, training and dissemination of Commission publications, posters and brochures is an effective strategy to counteracting discrimination. We make these services and publications available to any requesting individual, organization, business, etc. at no cost. Our Valuing Diversity: Learning and Living Together course of study for Ohio's public school students in grades K-12 provides a learning experience to better equip our children to live and work successfully in the even more multi-cultural society of the 21st century.

The Commission's 210 person staff - interspersed in regional offices in Akron, Cincinnati, Cleveland, Columbus, Dayton and Toledo, and satellite offices in Middletown, Springfield and Youngstown, work hard at protecting the civil rights of all of Ohio's citizenry. Despite the complexities of discrimination in the 1990s, budgetary restrictions and limited staff resources, the Commissioners, staff and myself remain committed to our responsibilities.

This 36th annual report for state fiscal year 1995 presents information on the Ohio Civil Rights Commission, its activities, accomplishments, number of charges filed, their resolution and monetary benefits recovered.

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 220 Parsons Avenue 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; Quality Assurance; 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, Special Enforcement and Public Information offices.

OHIO COMMISSION ON AFRICAN AMERICAN MALES

Housed within Central Office is the Commission on Socially Disadvantaged Black Males, whose name was changed to the Ohio Commission on African American Males during fiscal year 1994. OCRC has had oversight and coordination responsibilities for the Commission since fiscal year 1991. The focus of this Commission is on how state government and the private sector can address the needs of Ohio's African American males in employment, health, education and criminal justice.

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 hearings; rules on pre-trial motions; holds pre-trial hearing conferences; notifies the parties regarding the status of the complaints; secures appropriate facilities in which to conduct the hearings and maintains as well as preserves the files, case evidence and the case record.

SPECIAL ENFORCEMENT UNIT (SEU)

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

PUBLIC INFORMATION

Public Information is responsible for designing and implementing a multi-faceted statewide program that includes media relations, responding to requests for information from the various publics the Commission serves, special projects and producing Agency publications such as annual reports, newsletters and brochures. This office also works closely with Education and Community Relations in addition to providing technical assistance to OCRC's Regional Offices.

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.

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.

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.

QUALITY ASSURANCE

Quality Assurance prepares the case agenda for Commission meetings and receives all cases to be placed on the agenda. They are responsible for making sure the cases filed with the Commission have been properly submitted and follow designated format. Their technical level of monitoring is instrumental in improving and maintaining Commission case quality and productivity.

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 is the Commission's Affirmative Action Unit, which 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.

FEDERAL PROGRAMS

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 of these agencies which defer charges of discrimination filed with them to OCRC for processing and investigation.

HOUSING

This office was created during state fiscal year 1994. Its primary responsibility is to spearhead the Commission's housing efforts statewide. Activities include monitoring the investigation of housing charges to make sure it is in accordance with federal fair housing law and Section 4112 of the Ohio Revised Code; serve as the liaison to HUD, local, state and national fair housing advocacy groups, realtors, lending institutions and community organizations; coordinate the Commission's Fair Housing Conferences and facilitate fair housing and related training programs.

SATELLITE OFFICES

MIDDLETOWN
1 City Center Plaza
2nd Floor
Middletown, Ohio 45042
513/425-7845

Managed by the Cincinnati Regional Office

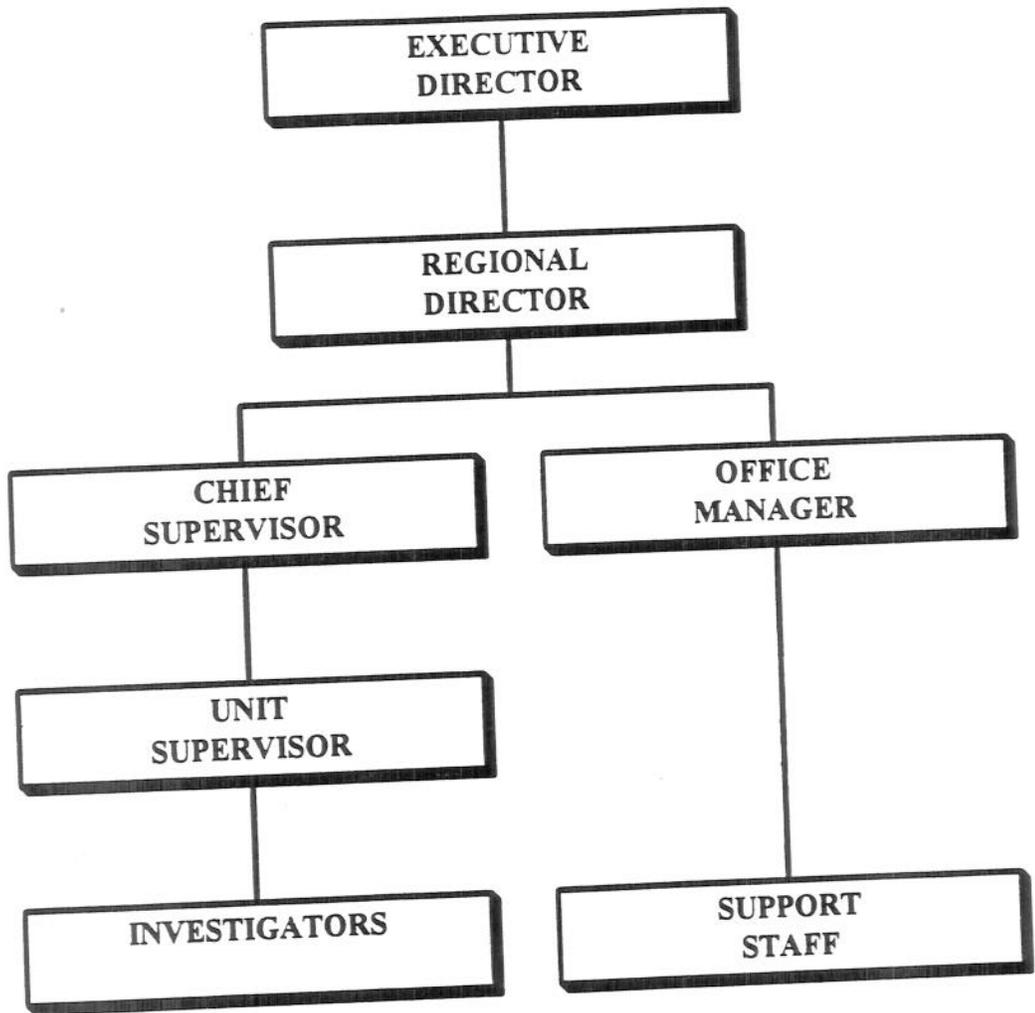
SPRINGFIELD
76 East High Street
2nd Floor
Springfield, Ohio 45502
513/324-7380

Managed by the Dayton Regional Office

YOUNGSTOWN
2123 Belmont Avenue
Youngstown, Ohio 44504
216/746-3240

Managed by the Akron Regional Office

Satellite offices exist as an extension of the particular regional office under whose authority they fall. The offices were established to provide Ohioans with easier access to OCRC.



The primary functions of OCRC's six regional offices are to (1) receive and investigate charges of discrimination and submit recommendations of finding to the Commission and (2) conduct community outreach services to the specific geographical areas they serve.

AKRON REGIONAL OFFICE
Oliver R. Ocasek Government Center
161 S. High Street, Suite 205
Akron, Ohio 44308
(216) 643-3100 (VOICE/TTY)
(216) 643-3120 (FAX)

Harold D. Ware/Joyce W. Giffin
Regional Director



The **Akron Regional Office** services eight (8) counties with its staff of 26 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 1,328 new charges filed during fiscal year 1995 and the Akron office continued to experience an increase in the number of sexual harassment and disability accommodation discrimination charges and in housing discrimination based upon familial status (persons with children). The Akron office recovered \$112,447 in monetary awards for aggrieved individuals and has noted that there is an increasing trend for respondents to agree to receive training and educational workshops as part of the resolution of the charges filed against them.

Akron staff conducted workshops or seminars for a variety of schools and universities in addition to public and private sector employers. Joyce W. Giffin was appointed acting Akron Regional Director during state fiscal year 1995, replacing the late Harold D. Ware who passed during that same year.

CINCINNATI REGIONAL OFFICE

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

Margaret Moran/Roger Larison
Regional Director



★ Indicates the County location of Regional Office.

The Cincinnati Regional Office services five (5) counties with a staff that averaged 21 persons. Cincinnati also has responsibility for the Middletown satellite office. Hamilton County generates the majority of charges filed with this region. The office received 685 new charges of discrimination during fiscal year 1995 and recovered \$487,343 in monetary awards.

Outreach activities for the Cincinnati staff included training programs, workshops and speaking engagements. Roger Larison was appointed Cincinnati Regional Director, replacing Margaret L. Moran, who retired in 1995.

CLEVELAND REGIONAL OFFICE

Frank J. Lausche 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



The **Cleveland Regional Office** has jurisdiction over five (5) counties and has a staff of 28 persons. Cuyahoga and Lorain Counties generate the most charges for this region. The office received 860 new charges of discrimination and recovered \$197,087 in monetary awards.

Cleveland staff's outreach activities included Cleveland Metro Strategy Meeting; Cleveland Employers Association; Cleveland Bar Association; Professional Secretaries International; American Home Nursing, Inc.; Cleveland Roundtable; Ohio Commission on Racial Fairness; Ohio State Bar Association Conference; After Care Residential Services, Inc.; Progressive Plastics, Inc. and Oliver Hazard Perry Elementary School.

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220 Parsons Avenue
Columbus, Ohio 43215-5385
(614) 466-5928 (VOICE/TTY)
(614) 466-6250 (FAX)

Beleta R. Ebron
Regional Director



★ Indicates the County location of Regional Office.

The **Columbus Regional Office** has jurisdiction over 35 counties and has a staff of 32 employees. Franklin and Licking Counties generated the most charges filed. There were 1,102 new charges filed with this office. Monetary awards recovered by the Columbus Office were \$145,142.

Columbus lists amongst its outreach activities conducting training programs or seminars for Stone Center; Franklin County Sheriff's Department; the OSU School of Journalism; Ohio College, University Personnel Association; and the Ohio AFL-CIO.

DAYTON REGIONAL OFFICE

800 Miami Valley Tower

40 W. 4th Street, Suite 800

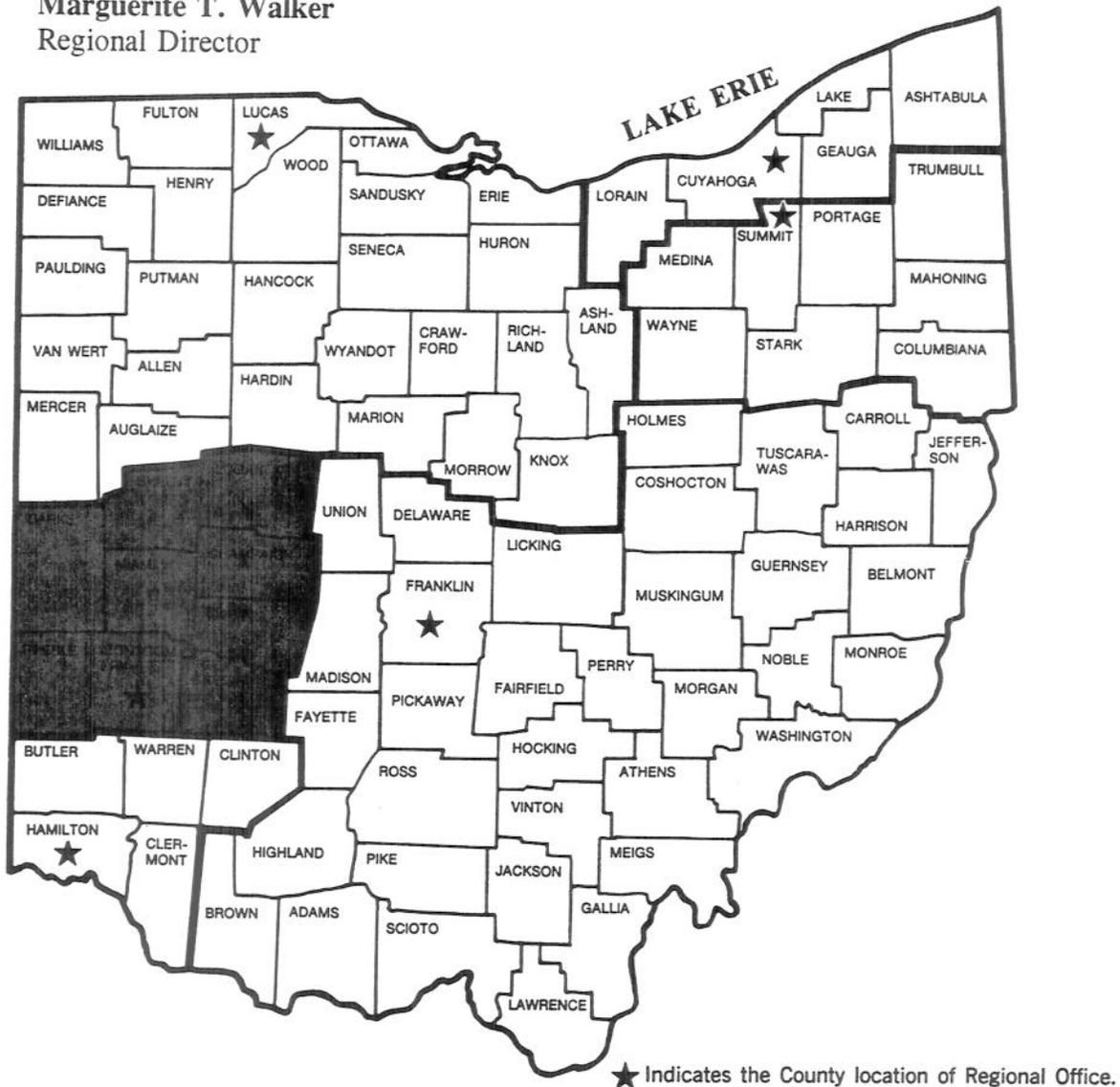
Dayton, Ohio 45402

(513) 285-6500 (VOICE/TTY)

(513) 285-6606 (FAX)

Marguerite T. Walker

Regional Director



The Dayton Regional Office services nine (9) counties with its staff of 16. Dayton also manages the Springfield satellite office, which has investigated and closed 213 complaints of discrimination since its 1992 opening. Montgomery County generates the most charges for the Dayton office. There were 521 new charges filed with this region during fiscal year 1995, and \$498,843 recovered in monetary awards.

Dayton staff developed a "service program audit" which allows charging parties and respondents to evaluate service delivery. Dayton has also been involved with community based volunteerism, adopting St. Vincent's DePaul Homeless Shelter and Melissa Bess Day Care Center. Staff averages \$1,000 per year to both in monetary donations. The Dayton staff serves on advisory boards of United Cerebral Palsy; Girl Scouts; Girls & Boys Club; American Red Cross; Dayton Board of Education Mentoring Program; and the City of Dayton Community Network.

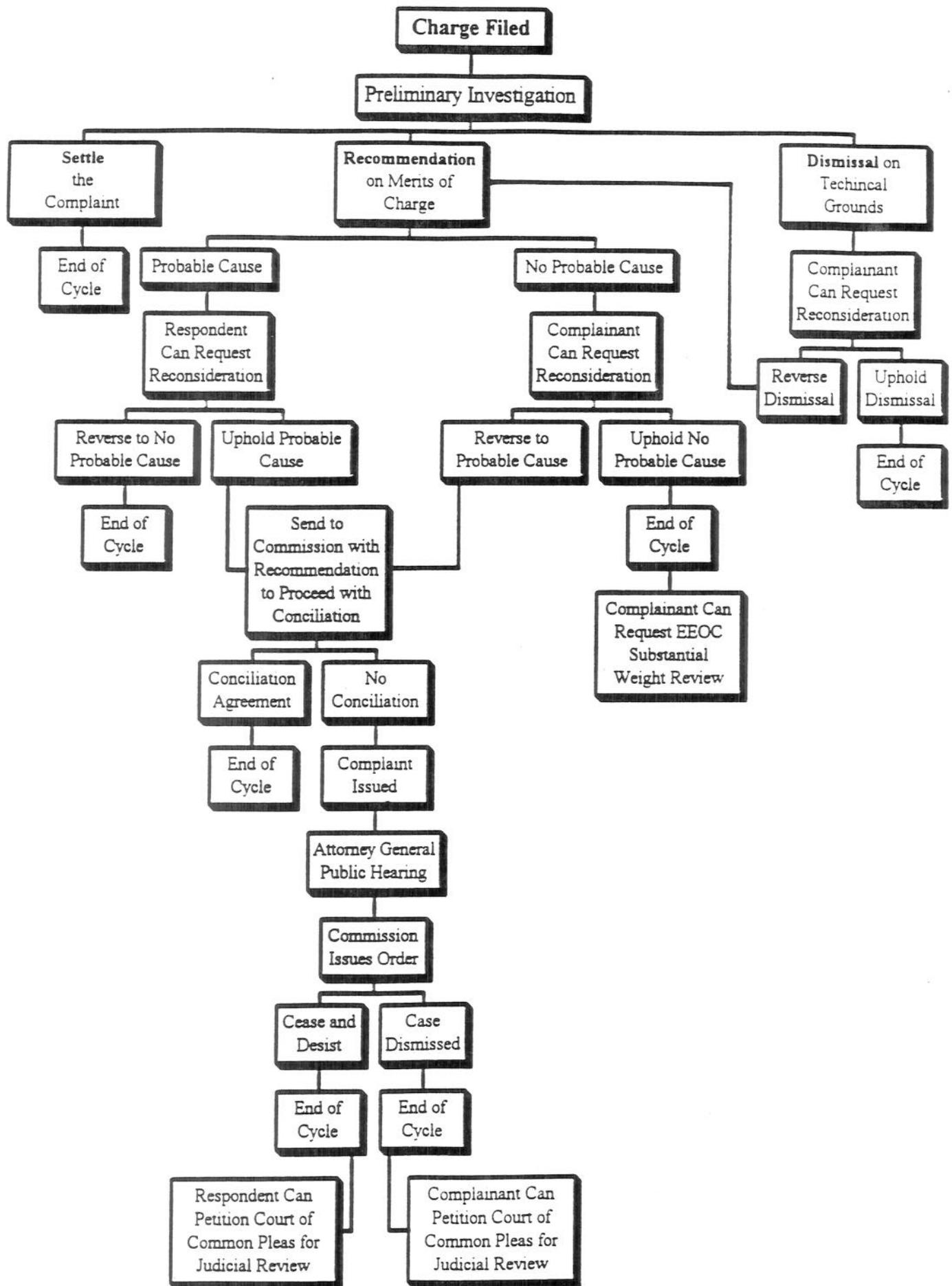
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 Toledo, Ohio 43604
 (419) 245-2900 (VOICE/TTY)
 (419) 245-2668 (FAX)
Ronald G. Pettaway
 Regional Director



★ Indicates the County location of Regional Office.

The Toledo Regional Office services 26 counties with its staff of 35. Lucas and Allen Counties generated the most charges filed. The Toledo office received 1,277 new charges of discrimination in fiscal year 1995. Toledo recovered \$482,326 in monetary awards.

Toledo staff provided outreach activities to Owens Community College; Ohio Jobs Service Employer Committee; Area Office on Aging of Northwestern Ohio, Inc.; National Association of Human Rights Workers, Ohio Chapter; Lucas County Children Services Board; A. Phillip Randolph Institute; Youth Builders of Toledo; Bowling Green State University; and the Toledo District Office of the Ohio Department of Human Services.



THE CHARGE

An individual (Charging Party) who feels he or she has been discriminated against in employment, public accommodations, 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 to them, a staff member (Investigator) discusses the complaint and determines if the allegations fall within the Commission's jurisdiction. The Investigator 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 that it is probable discrimination occurred, staff 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 offered by 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 to 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 accommodations, 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 who live with a parent or guardian having legal custody of that person, or who live with the designee of the parent or guardian having legal custody of that person, or (2) any 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.

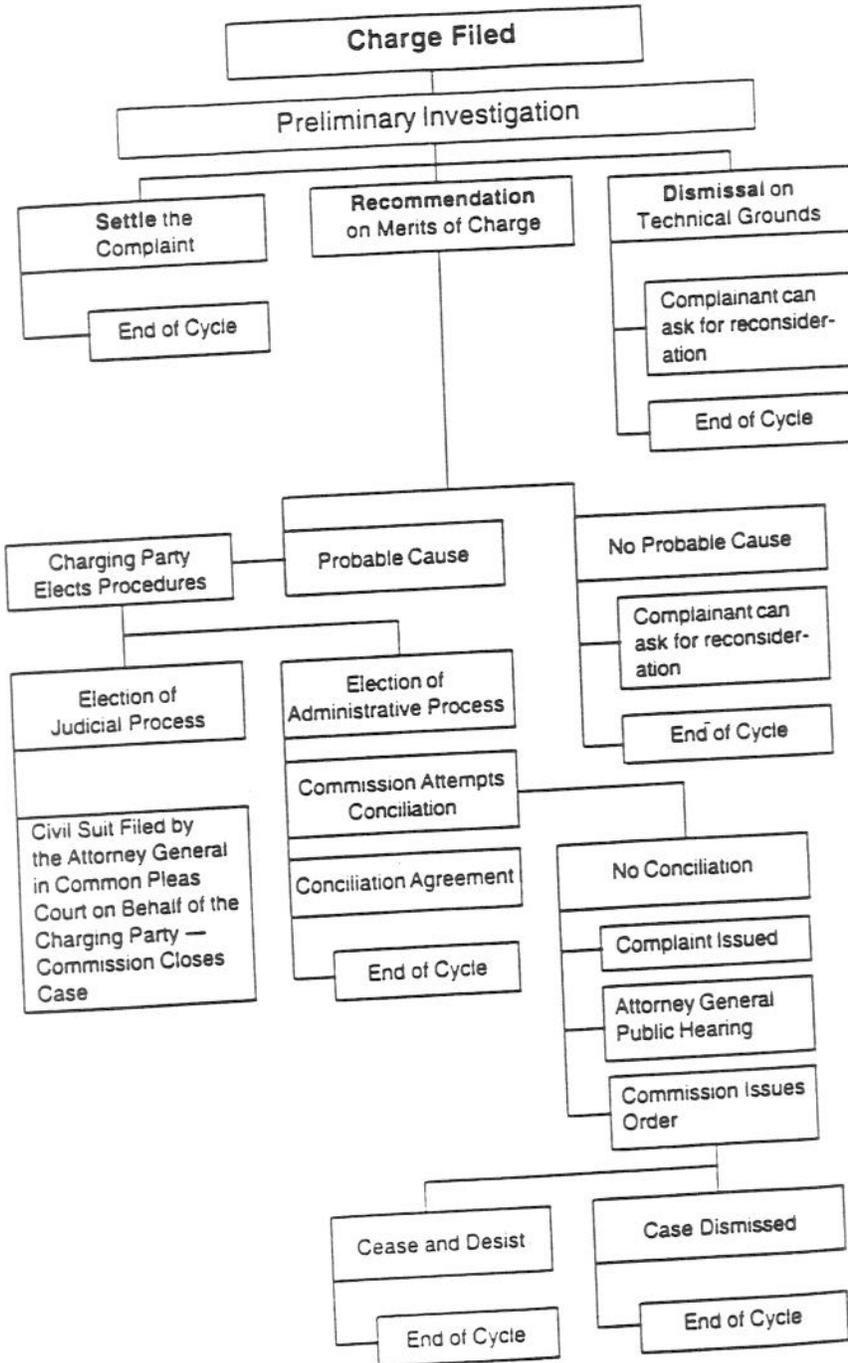
The Commission must complete its investigation of the charge of discrimination within one hundred (100) days. During that time, the Commission will either negotiate a settlement of the charge or make a finding as to whether or not the evidence substantiates that the law has been violated. If the evidence 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.

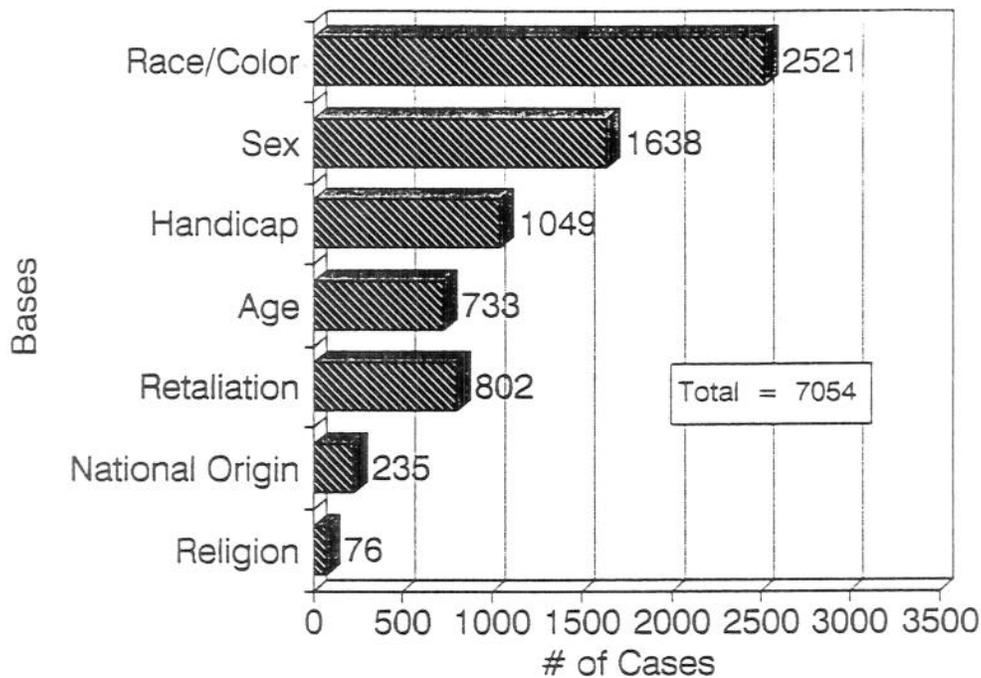
If the Charging Party selects the Commission's administrative procedures, the charge process follows the same steps as all other charges. The Commission will attempt to reach a conciliation agreement. If conciliation is not successful, the Commission issues a **FORMAL COMPLAINT** and the charge is referred to the Attorney General who holds 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.

HOUSING COMPLAINT PROCEDURE



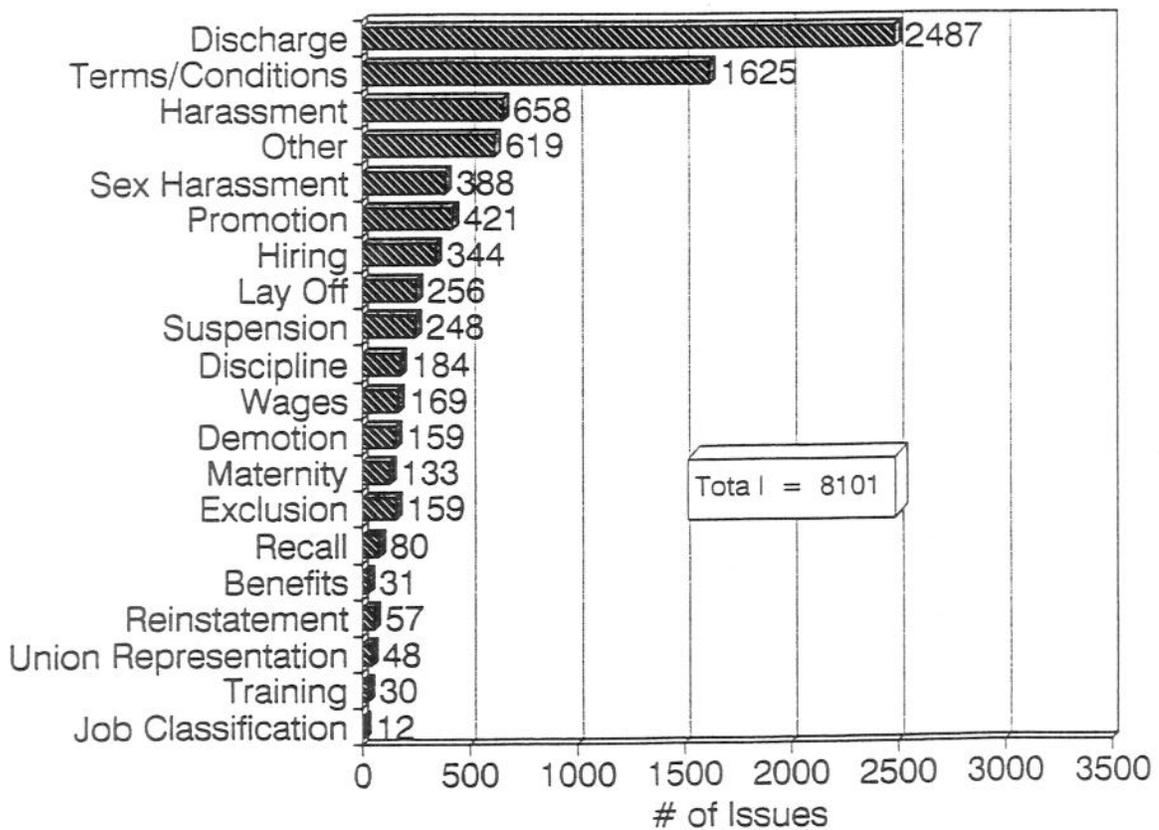
Alleged Bases of Discrimination

July 1, 1994 - June 30, 1995



Alleged Issues of Discrimination

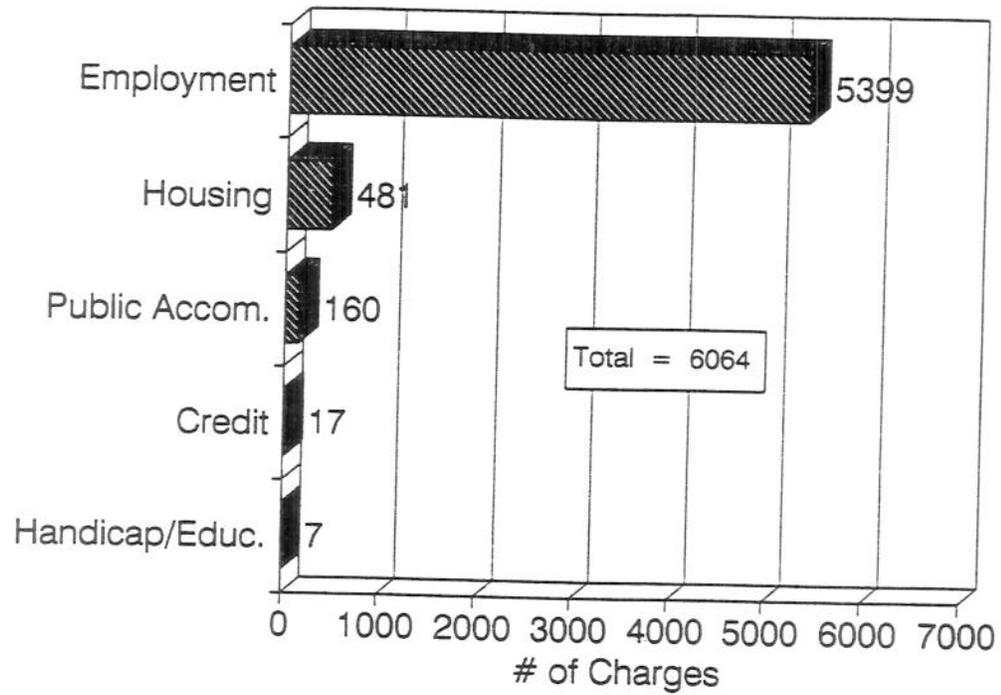
July 1, 1994 - June 30, 1995



NOTE: Individual charges can be filed alleging multiple bases/issues of discrimination

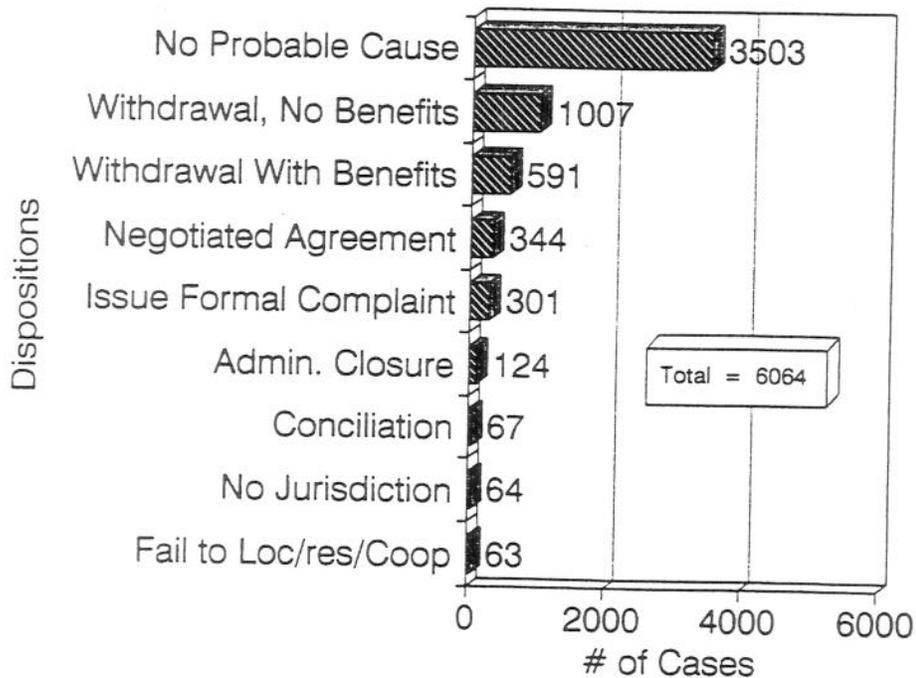
Types of Charges Closed

July 1, 1994 - June 30, 1995



Case Dispositions

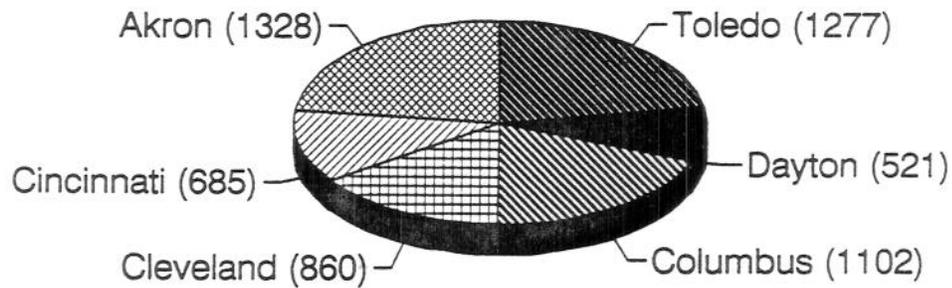
July 1, 1994 - June 30, 1995



Loc = Locate Res = Respond Coop = Cooperate

Charges Filed by Region

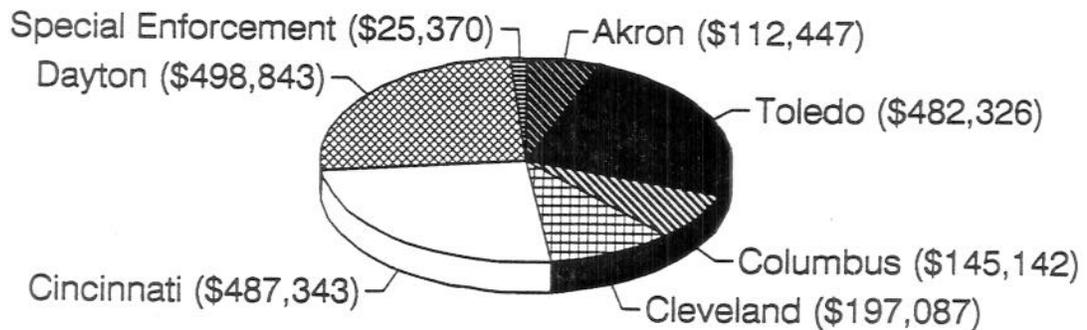
July 1, 1994 - June 30, 1995



Total # of Charges Filed = 5,773

Monetary Benefits Collected

July 1, 1994 - June 30, 1995



Total Benefits = \$1,948,558

NOTE: Monetary settlement agreements reached independent of OCRC are confidential and are not reported to the Commission and are not included in the total benefits figure.

OCRC's Special Enforcement Unit settles cases and recovers benefits but does not receive charges of discrimination.

APPROPRIATIONS AND EXPENDITURES

GENERAL REVENUE FUND (GRF)

The General Revenue Fund are monies appropriated to the Ohio Civil Rights Commission by the Ohio General Assembly.

Budget Appropriation	\$8,909,175.00	
Ohio Civil Rights Commission	7,779,951.00	
Ohio Commission On African American Males (CAAM)	574,224.00	
CAAM/State Rotary Fund	555,000.00	
TOTAL GRF APPROPRIATIONS		\$8,909,175.00

EXPENDITURES

Salaries and Wages	\$6,773,709.00	
Purchased Personal Services	746,054.00	
Supplies and Materials	92,536.00	
Motor Vehicle	33,118.00	
Travel	47,521.00	
Communications	216,891.00	
Utilities	1,655.00	
Equipment Maintenance	93,559.00	
Rentals	514,715.00	
Printing	28,729.00	
General Expenses	76,354.00	
Equipment	35,865.00	
Encumbrances	248,469.00	
TOTAL EXPENDITURES		\$8,909,175.00

FUND 334

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

EEOC/HUD Total Revenue	\$2,169,300.00
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EXPENDITURES

Salaries and Wages	\$1,582,848.00
Purchased Personal Services	71,802.00
Supplies and Materials	26,660.00
Motor Vehicle	8,520.00
Travel	15,483.00
Communications	76,908.00
Equipment Maintenance	18,604.00
Rentals	73,620.00
Printing	16,008.00
General Expenses	185,223.00
Equipment	69,016.00
Encumbrances	24,608.00
Encumbrances	24,608.00

TOTAL FUND 334 EXPENDITURES	\$2,169,300.00
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**THE OHIO CIVIL RIGHTS COMMISSION
220 PARSONS AVENUE
COLUMBUS, OHIO 43266-0543
614/466-2785
614/466-9353 VOICE/TTY**

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CHAIRMAN
CLEVELAND**

**COMMISSIONER LAWRENCE BOLDEN
COLUMBUS**

**COMMISSIONER JOHN H. BURLEW III
CINCINNATI**

**COMMISSIONER GRACE RAMOS
BEAVERCREEK**

**COMMISSIONER NIRMAL K. SINHA
COLUMBUS**

**JOSEPH T. CARMICHAEL
EXECUTIVE DIRECTOR**