

OHIO CIVIL RIGHTS COMMISSION

WWW.CRC.OHIO.GOV

FY 2020
**ANNUAL
REPORT**

July 1, 2019 -
June 30, 2020



Table of Contents



Commissioners	1
Letter from the Executive Director	2
Mission and Values	3
Powers and Duties	4
Ohio’s Civil Rights History	5
Chronology	6
Regional Offices	7
Regional Office Map	8
Charge Filing Process Chart	9
Investigation and Enforcement	10
<i>Chart 1: Charges Filed by Regional Office — FY 2020</i>	11
Mediation	11
Charges Filed	12
<i>Table 1: Charges Filed by Bases — FY 2020</i>	12
<i>Table 2: Charges Filed by Allegation Issues — FY 2020</i>	12
Closures	13
<i>Chart 2: Types of Charges Closed — FY 2020</i>	13
<i>Table 3: Case Closures by Category — FY 2020</i>	14
Dr. Martin Luther King Jr. Contest	15
Ohio Civil Rights Hall of Fame	16
FY 2020 Financial Data	17



Commissioners



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 2024



Juan Cespedes (Columbus)
Commissioner
Feb. 2016 - resigned July 2020



Dr. Carolyn Peters (Dayton)
Commissioner
May 2018 - expiring July 2021



OHIO CIVIL RIGHTS COMMISSION

Governor Mike DeWine

Commissioners: Lori Barreras, Chair | Juan Cespedes | William Patmon, III | Dr. Carolyn Peters | Madhu Singh
Executive Director Angela Phelps-White

June 30, 2020



It is a person's basic human right to work, to have a safe place to live, and to enjoy public facilities and services free from any form of discrimination

To Governor DeWine, Members of the 133rd 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 2020. After more than 60 years of public service to our state's citizens, this report reflects our continuing efforts to make Ohio a place where all Ohioans enjoy a good quality of life as we fulfill our statutory mission as the primary educator and enforcer of Ohio's laws against discrimination.

SFY 2020 was a momentous year for the Commission. My first day as Executive Director was on March 16th, when the state was transitioning to a work-from-home format due to the Covid-19 pandemic. By March 23rd, the Commission was working safely from home. This required the Commission to pivot to operating under revised procedures to continue its mandate in processing charges of discrimination.

The Commission has an experienced staff, which allowed the Commission to overcome the challenges inherent in working remotely. To remain accessible to our constituents, we converted our face-to-face or in-person interactions or operations to video teleconference. The Commission has revamped its process which allows each case to be thoroughly reviewed and investigated, thereby enabling the Commissioners to render appropriate decisions. The processes will ensure efficient and consistent handling of all cases.

The Ohio Civil Rights Commission remains dedicated to executing the powers granted under the Ohio Revised Code Chapter 4112 and pledges to work with state and community partners to fulfill the Commission's mandate. (*See the Commissioner's statement, page 17 of this report*). The Commission's mandate is to ensure that all Ohioans are treated fairly and equitably in the workplace, in securing a safe place to live, and in accessing public venues throughout the state.

Thank you for the opportunity and the honor to serve our great state.

Respectfully,

Angela Phelps-White
Executive Director

Mission & Values

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.

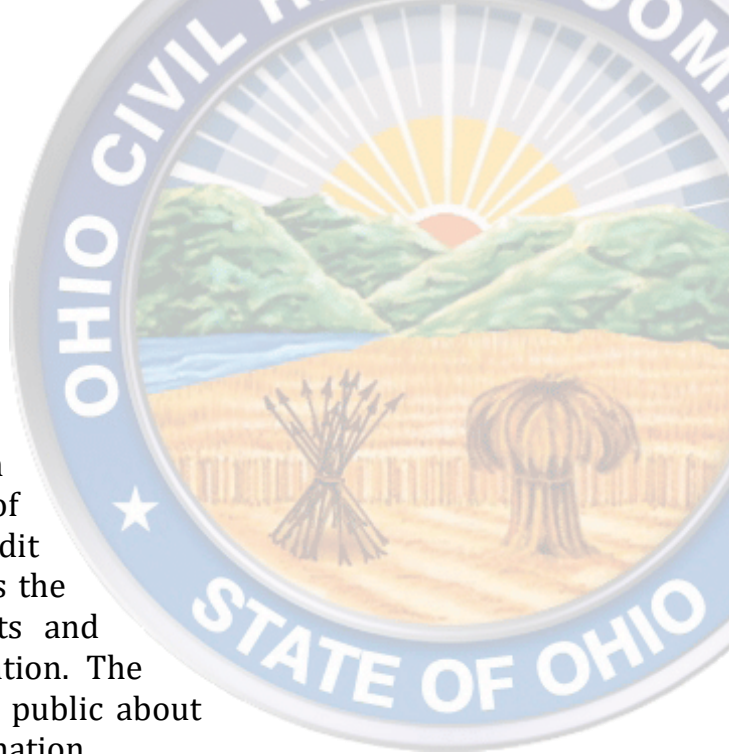
Teamwork. We will empower our employees to achieve a quality work product and harmonious workplace through open communication, positive interaction, and a spirit of cooperation.

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 preliminary findings, conciliate, mediate, and hold hearings on 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 programs are designed to educate the public about these laws and the consequences of unlawful discrimination.

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)
- ◆ Places of Public Accommodations (1961) - R.C. 4112.02(G)
- ◆ Housing (1965) – R.C. 4112.02(H)
- ◆ Credit (1976) – R.C. 4112.021
- ◆ Disability 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 impacted or treated disparately, discriminated against, or harassed on the basis of:

- ◆ Race
- ◆ Religion
- ◆ National Origin
- ◆ Disability
- ◆ Military Status
- ◆ Marital Status (credit only)
- ◆ Retaliation for opposing an illegal discriminatory practice, or 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

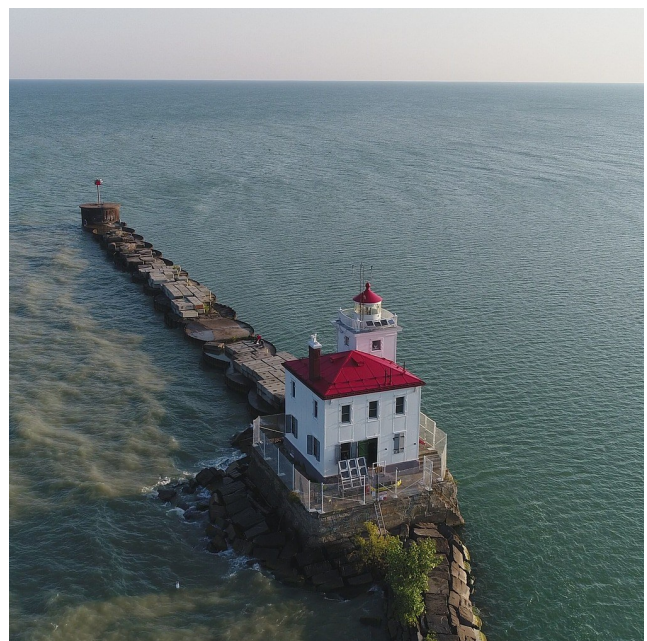
A Historical Perspective of Ohio's Laws Against Discrimination

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 understanding of Ohio's anti-discrimination laws through education and outreach activities. In addition to free trainings on Ohio's civil rights law, which are regularly provided to individuals and businesses, OCRC often participates in important community programs and events around the state. In spite of unprecedented challenges due to the COVID-19 pandemic in the second half of the fiscal year, **OCRC participated in nearly 160 education and outreach events.** The boxes throughout this report are representative highlights of our education and outreach activities in FY 2020.



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 by 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 the federal Fair Housing Act by adding "familial status" to the protected classes and requiring 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 those who have advanced the goals of equality and inclusion

As part of OCRC's education mission, staff in FY 2020 reached out to many students and learning institutions. The Commission provided presentations for students at **University of Akron, Case Western Reserve University and Kent State University**. In addition to higher education institutions, staff visited local schools such as **Rhodes High School (Cleveland) and Reynoldsburg's eSTEM Academy** to share information about the Commission's work.

Regional Offices



Central Office

Darlene Sweeny-Newbern,
Director of Regional Operations

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



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



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



Dayton Regional Office

Deborah Heater, Regional Director

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



Toledo Regional Office

Inder LeVesque, Regional Director

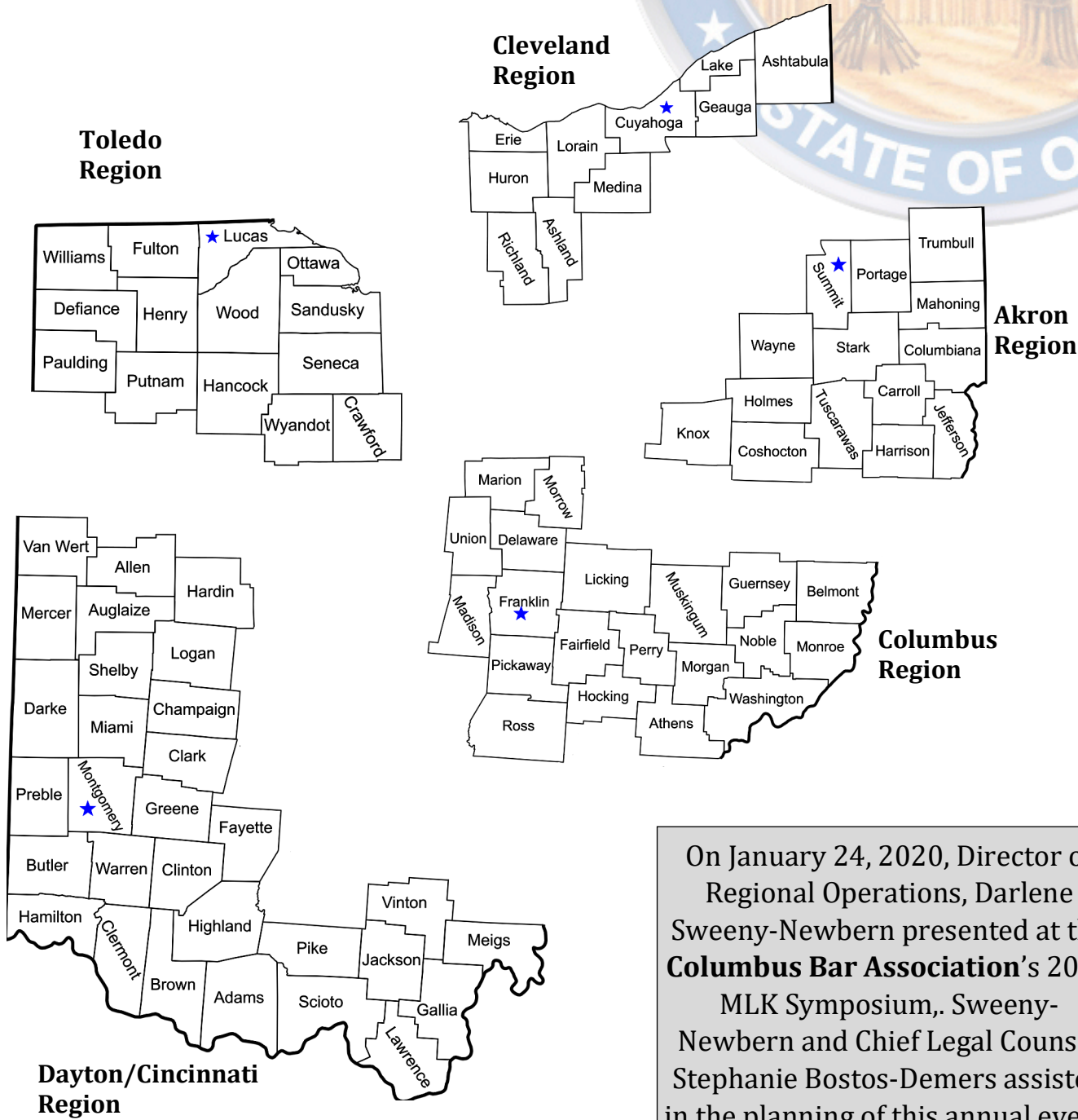
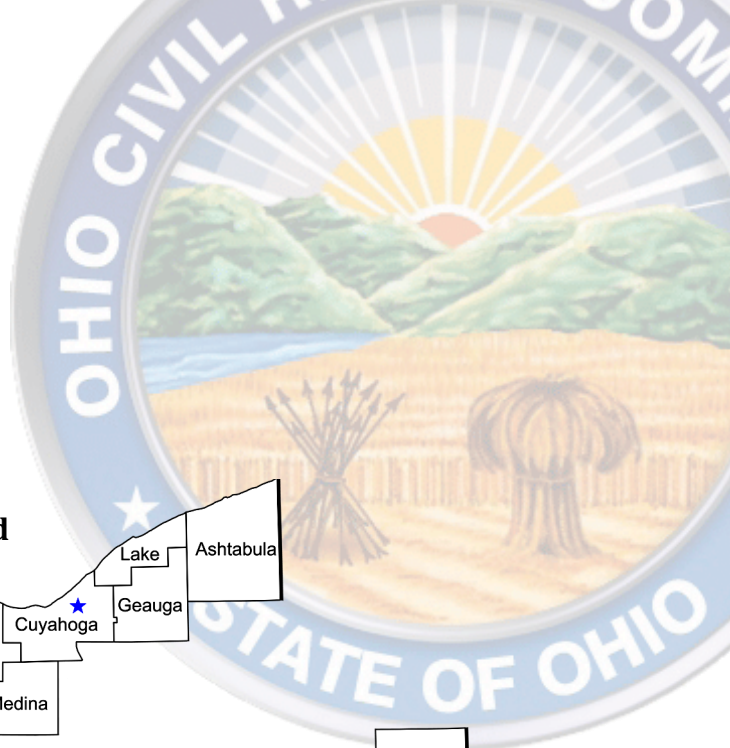
One Government Center
640 Jackson Street, Suite 936
Toledo, Ohio 43604
Telephone: (419) 245-2900
Fax: (419) 245-2668

Cincinnati Satellite Office

Deborah Heater, Regional Director

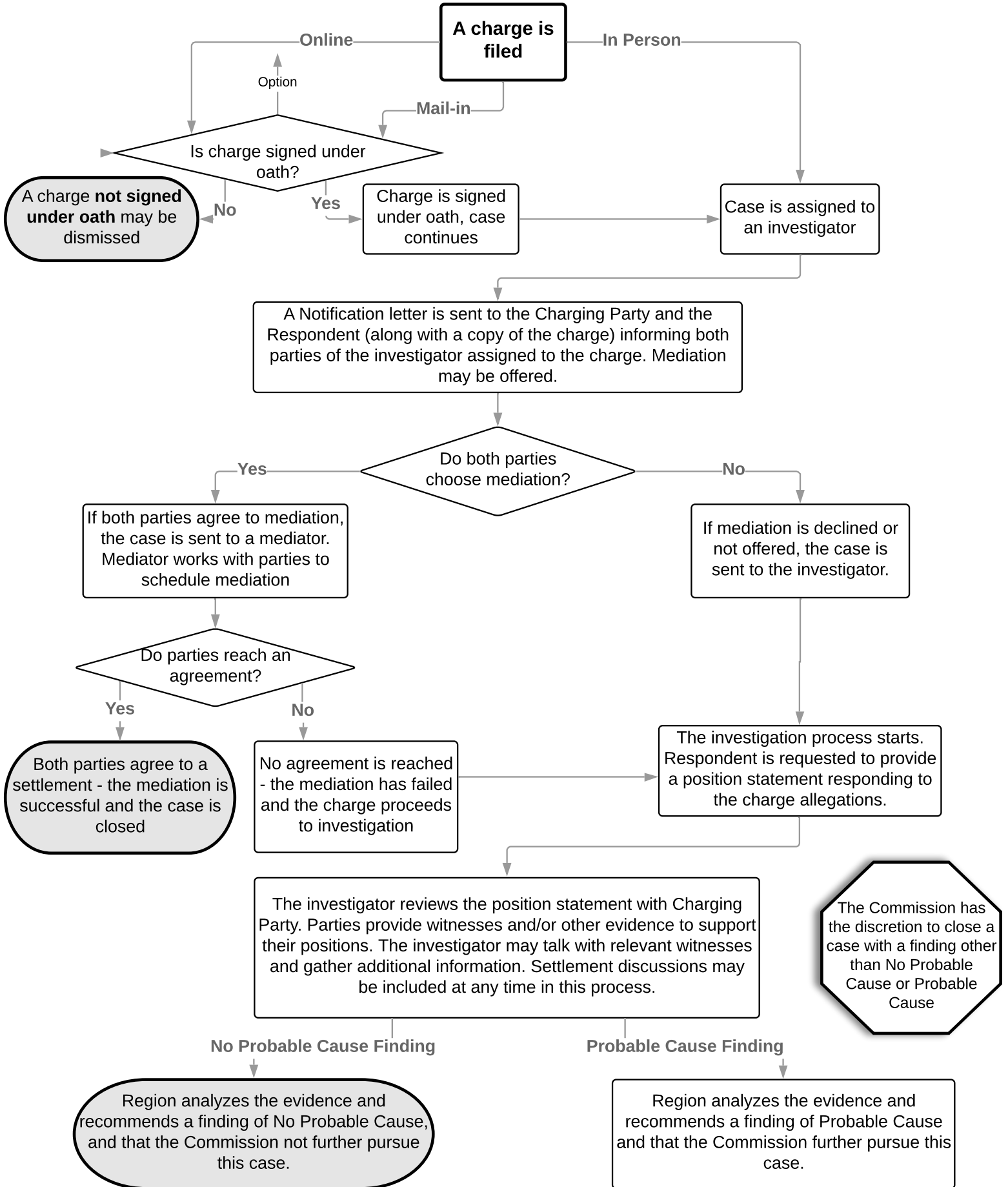
Mid-Pointe Towers
7162 Reading Road, Ste. 1005
Cincinnati, Ohio 45237
Telephone: (513) 351-2541
Fax: (513) 351-2616

Regional Office Map



On January 24, 2020, Director of Regional Operations, Darlene Sweeny-Newbern presented at the **Columbus Bar Association's 2020 MLK Symposium**. Sweeny-Newbern and Chief Legal Counsel Stephanie Bostos-Demers assisted in the planning of this annual event. The theme of the 2020 MLK symposium was "Can We See Clearly Now?"

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, by mail, by phone, or through our website's online charge filing process (crc.ohio.gov/FilingCharge/ChargeFilingProcedure.aspx).** OCRC also has the power to self-initiate an investigation in the areas of employment and housing.

Complaints must be based on the belief the discriminatory act occurred because of the person's protected class or in retaliation for opposing discriminatory acts or having participated in a protected activity (such as having filed a previous charge of discrimination or complaining of a discriminatory act).

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 issue a formal complaint.

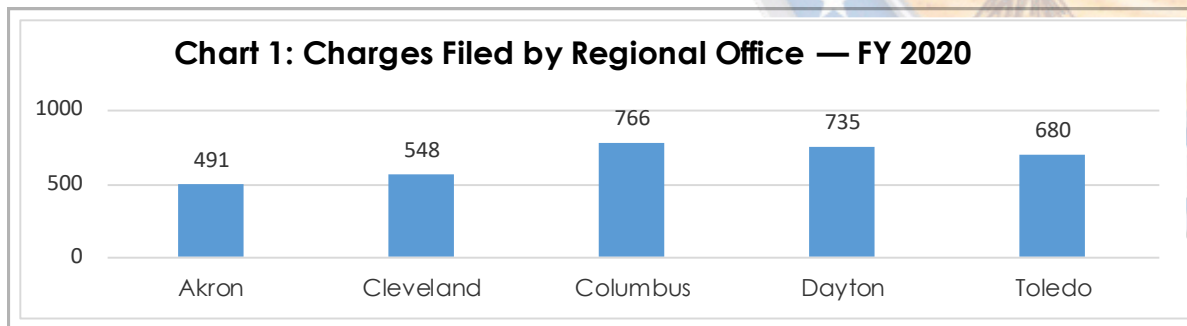
Once the charge of discrimination is received, the case is assigned to an OCRC investigator who notifies the person filing the charge (Charging Party) and the company or person against whom the charge was filed (Respondent). Through a series of steps which will include witness interviews, document requests, and on-site visits, OCRC will determine whether there is probable cause that illegal discrimination has occurred.

On June 18, 2020, Director of Housing Enforcement Ronnell Tomlinson participated in a virtual panel on Creating Equitable Housing Opportunities for Women hosted by the **City of Columbus Department of Neighborhoods**. Other panelists included representatives from YWCA Columbus, the Columbus Women's Commission and a scholar from The Ohio State University Kirwan Institute.



Investigation & Enforcement

Chart 1 illustrates the total number of new charges filed with OCRC's in State Fiscal Year (FY) 2020, by regional office. **A total of 3,220 new charges were filed in FY 2020.**



Reconsideration is the internal appeals process created by Ohio Administrative Code Section 4112-3-04 and is available to any party disagreeing with the initial determination of the Commission. Approximately 7% of the Commission's decisions were appealed through the reconsideration process in FY 2020.

Benefits and Enforcement: Approximately 11% of people who filed charges that closed in FY 2020 received some economic and noneconomic benefits. In FY 2020, Charging Parties received monetary benefits totaling more than \$3.1 million. The Ohio Civil Rights Commission has authority to enforce Conciliation Agreements and Consent Orders (CACOs) because the agency 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 to voluntarily agree to participate in the process. The purpose of 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. As a result, it saves the parties the expense of litigation. If mediation is not successful or if one party declines participation, an investigation will commence. OCRC's mediation program has a success rate of roughly 85%.

Charges Filed

Table 1: Charges Filed by Bases,* FY 2020	
Retaliation	1,208
Race or Color	1,295
Disability	1,080
Sex/Pregnancy	644
Age	394
National Origin or Ancestry	140
Religion	100
Familial Status	75
Military Status	1
Other	46
Total	4,983

* A single charge may include multiple bases

Table 2: Charges Filed by Allegation Issues*, FY 2020	
Discharge	994
Harassment	853
Terms & Conditions	818
Reasonable Accommodation	601
Discipline	500
Constructive Discharge	167
Intimidation	156
Promotion	153
Hiring	142
Demotion	83
Layoff	74
Sexual Harassment	61
Wages	34
Union Representation	23
Training	13
Exclusion	11
Suspension	7
Advertising	5
Reinstatement	3
Other	4
Total	4,702

* A single charge may include multiple alleged issues

OCRC partnered again with the **Ohio Arts Council** on a youth photograph project with the **Cleveland Print Room's** Project Snapshot and Cincinnati's **Manifest Gallery's** Envision Project. While the pandemic disrupted the project's progress, on June 16, Cleveland Regional Director Vera Boggs participated in virtual discussion of racism and photography hosted by the Cleveland Print Room.

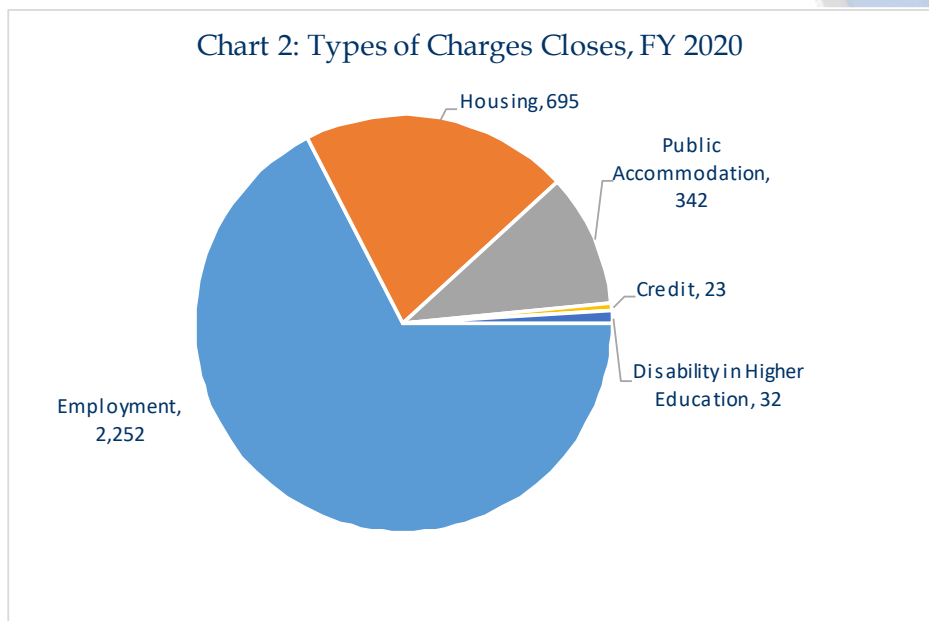




Closures

OCRC closed 3,344 cases in State Fiscal Year 2020. OCRC's investigative staff completed an average caseload of 88 cases per investigator/mediator in State Fiscal Year 2020.

Chart 2: Types of Charges Closes, FY 2020



Types of Closure

Settlements and Withdrawal of Charges with Settlement Closures 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. Parties are offered the opportunity to voluntarily resolve their dispute through OCRC's mediation services at the initial stage of the charge. Additionally, settlements can be reached at any time after a charge of discrimination has been filed.

Successful Conciliations are conciliation agreements 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. When conciliation attempts fail, the charge is referred to the office of the Attorney General and, if necessary, a public hearing on the merits — or in some housing cases, a trial — is held.

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

Closures



Withdrawal of Charges Without Benefits closures are those in which a Charging Party simply withdraws the charge 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., whether due to an untimely filing or lack of subject matter jurisdiction

Notice of Right to Sue closures are those in which a Charging Party withdraws the charge from OCRC’s process and receives a Notice of Right to Sue (NORTS) letter from the federal government allowing them 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.

Failure to Cooperate Closures are those in which the charging party does not cooperate with the Commission or the Attorney General in the pursuit of a case.

XNJ Closures are those in which the Charging Party fails to provide a charge signed under oath after attempts by an investigator to obtain a signature.

Table 3: Case Closures by Category,* FY 2020	
Settlements	180
Withdrawal of Charges with Benefits	385
Successful Conciliation	75
Probable Cause	133
No Probable Cause	1,908
Withdrawal of Charges Without Benefits	39
No Jurisdiction	109
Notice of Right to Sue	59
Administrative Closures	78
Closed by Legal Unit	3
Hearing Closures	6
Charging Party Failed to Cooperate	1
Charging Party Failed to Provide Signed Charge Under Oath (XNJ)	368
Total Closures	3,344

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

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



The 2020 Theme of our MLK Contest was, “Standing For What Matters.”

The Ohio Civil Rights Commission was honored to recognize 18 students from around the state at the 2020 MLK Contest Awards Ceremony on February 27, 2020. The event was held at COSI, the Center of Science and Industry and Kent Johnson, CEO of Highlights for Children, provided the keynote address.

The 2020 Dr. Martin Luther King Art, Essay & Multimedia Awards Ceremony also featured the presentation of the fourth annual Excellence in Teaching Diversity Award. The 2020 recipient was Mr. John Wilson from Green County Career Center in Xenia, Ohio.

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 is a forum to acknowledge citizens who have left their mark in the State of Ohio by 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 2019 event, hundreds of guests attended the eleventh annual ceremony. The Civil Rights Hall of Fame ceremony and reception are funded entirely through generous donations from our event sponsors, 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 2019.

In 2019, Thomas Jefferson Ferguson (Athens), Mary Hackney (Hillsboro), Dr. Jack Hansan (Cincinnati), Geraldine “Jerrie” Mock (Newark), Burt Silverman (Toledo), and Stanley Tolliver, Sr. (Cleveland), were inducted into the Ohio Civil Rights Hall of Fame. Columbus City Council President

Shannon Hardin provided the keynote address and Angela Pace, Director of Community Affairs for WBNS-10TV, served as the Mistress of Ceremonies. Guests also enjoyed a presentation of the short film *Beneath the Ink*, introduced by the star Billy Joe White, and a performance by DeMeeshia Marshall and James Blackmon of Opera Columbus.



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

A Statement From The Commissioners

June 4, 2020

As the chief enforcers of Ohio's laws against discrimination, we bear the burden, all together, of ending racism in the places where we work, in the places where we live, in all places of public accommodation, in credit lending, and most importantly in our hearts. Each day, the Ohio Civil Rights Commission receives and investigates hundreds of allegations of racism. We see first-hand the pain and hardship that racism can render — the lost wages, homes, and dignity that result.

OCRC Commissioners and staff believe that racism of any kind has no place in our lives. We believe it is our great privilege and responsibility to contribute to the eradication of racism and we applaud the nationwide movement joining this cause.

As a state and a community, let us build on this movement to make long-lasting progress against racism. The Ohio Civil Rights Commission will not let this moment pass without action. In the words of Governor DeWine, "we must come together to try to solve these historic injustices." OCRC will act in collaboration with our community partners and sister agencies in every way possible to help turn this moment and this movement into lasting change.

Financial Data for FY 2020

FEDERAL OPERATING ROTARY FUND 334 EEOC/HUD APPROPRIATIONS

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

Funds 3340/2170 Appropriations	\$	3,558,504
EXPENDITURES		
Salaries and Wages	\$	1,649,815
Purchased Personal Services	\$	70,024
Supplies and Materials	\$	25,169
Vehicles (parking fees)	\$	3,000
Travel	\$	10,081
Communications	\$	31,118
Maintenance	\$	2,142
Rentals & Inter-Agency Expenditures	\$	890,423
Printing	\$	303
General Expenses	\$	770
TOTAL EXPENDITURES	\$	2,682,845
Encumbrances	\$	10,988
Unused Federal Appropriations	\$	864,671

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	\$	5,863,161
EXPENDITURES		
Salaries and Wages	\$	5,863,161
TOTAL EXPENDITURES	\$	5,863,161
Unused State GRF Appropriations	\$	-

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

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



THE OHIO CIVIL RIGHTS COMMISSION