



OHIO CIVIL RIGHTS COMMISSION
ANNUAL REPORT
STATE FISCAL YEAR 2022





OHIO CIVIL RIGHTS COMMISSION

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OHIO CIVIL RIGHTS COMMISSION

MESSAGE FROM
THE EXECUTIVE DIRECTOR

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Angela Phelps-White



To Governor DeWine, Members of the 134th 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 (SFY) 2022.

The Ohio Civil Rights Commission has a statutory mission as the primary educator, mediator, and enforcer of Ohio's laws against discrimination. To commit to the statutory mission, the Commission modified its mission statement to provide that the Commission will "promote positive human relations amongst Ohio's diverse population through education and enforcement of laws against discrimination." With this new mission statement, the Commission changed its core values to the lay the proper foundation upon which it will accomplish the mission, and that is through service, integrity, teamwork, and excellence.

SFY 2022 was a significant year for the Commission. This fiscal year, the Commission effectively and efficiently carried out its statutory responsibilities in a new hybrid work environment. The hybrid work environment allows staff to remain connected to the workplace and to their colleagues under remote circumstances. Working in a hybrid environment requires staff to return to the office workplace a few days a week. The Commission set forth requirements for teleworking and developed a return-to-work plan. The return-to-work plan set forth safety protocols and practices to further the work of the Commission yet preserve employee personal safety.

The hybrid work model and return-to-work plan required the Commission to enhance its use of technology. Accordingly, laptops, docking stations, and carrying cases were distributed to every staff

member to allow the continuous flow of work either in the workplace or remotely in an efficient manner. The Commission also explored developing its own case management system to create electronic files, and to allow for better data collection, making the Commission a better resource for Ohioans.

The Commission adjusted to performing its tasks virtually as well as in person. Although the Commission's voting meetings are in-person, participants are offered the option of appearing before the Commission virtually; thereby, allowing easier access to the Commission meetings.

On April 15, 2021, HB 352, also known as the Employment Uniform Law Act (EULA), went into effect, requiring all employment cases be filed with the Commission before obtaining the Notice of Right to Sue Letter to file an action in state court. In anticipation of an increase in case load, the Commission implemented a triage intake process. The Commission also offered free training to the public on this new law and its impact on the Commission's investigative process.

Mental health is an important concern in our society. The Commission undertook a mental wellness project and released the "Mental Health Through the Eyes of Ohio's Youth" booklet. This is a compilation of artwork that addressed mental health issues among Ohio's youths. This booklet serves two purposes. First, sometimes young people have difficulty identifying and expressing their emotions and experiences. The art beautifully depicts emotions and experiences, that may assist a youth in identifying and explaining their own emotions and experiences, which is the first step towards helping the Ohio's youths learn how to manage them. Secondly, seeing the artwork of other young people sharing their feelings and experiences helps to reduce the feeling of being alone.

The Commission embarked upon other endeavors, such as establishing partnerships with state and advocacy entities to share resources and collaborate on projects and activities to better serve the community and instituting a robust internship program. Interns were able to work within the Commission learning about Ohio's anti-discrimination laws and appreciating the neutral manner in which the statute is implemented.

In spite of the unusual circumstances within which the Commission had to carry out its statutory duties and responsibilities, the Ohio Civil Rights Commission remained dedicated to executing the powers granted under the Ohio Revised Code Chapter 4112 as it move forward to offering better services to Ohio's diverse community.

Respectfully,

A handwritten signature in blue ink that reads "Angela Phelps-White". The signature is fluid and cursive, with the first name "Angela" being the most prominent.

ANGELA PHELPS-WHITE
Executive Director

BOARD OF COMMISSIONERS

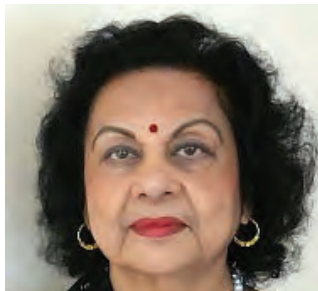
LORI BARRERAS
Chair

Chair Barreras (Columbus) was appointed Commissioner on October 31, 2013 and was appointed Chair in March 2018 by Governor John Kasich. She was reappointed by Governor Kasich in July 2018 for another five-year term that will expire July 28, 2023.



WILLIAM W. PATMON, III
Commissioner

Commissioner Patmon (Gahanna) was appointed to the Commission by Governor John Kasich in August 2012 and reappointed in 2022 by Governor Mike DeWine to a term that will expire July 28, 2027.



MADHU SINGH
Commissioner

Commissioner Singh (Akron) was appointed to the Commission on June 12, 2015 by Governor John Kasich and reappointed by Governor Mike DeWine in 2019 to a term that will expire on July 28, 2024.



JULIA RITA MCNEIL DANISH
Commissioner

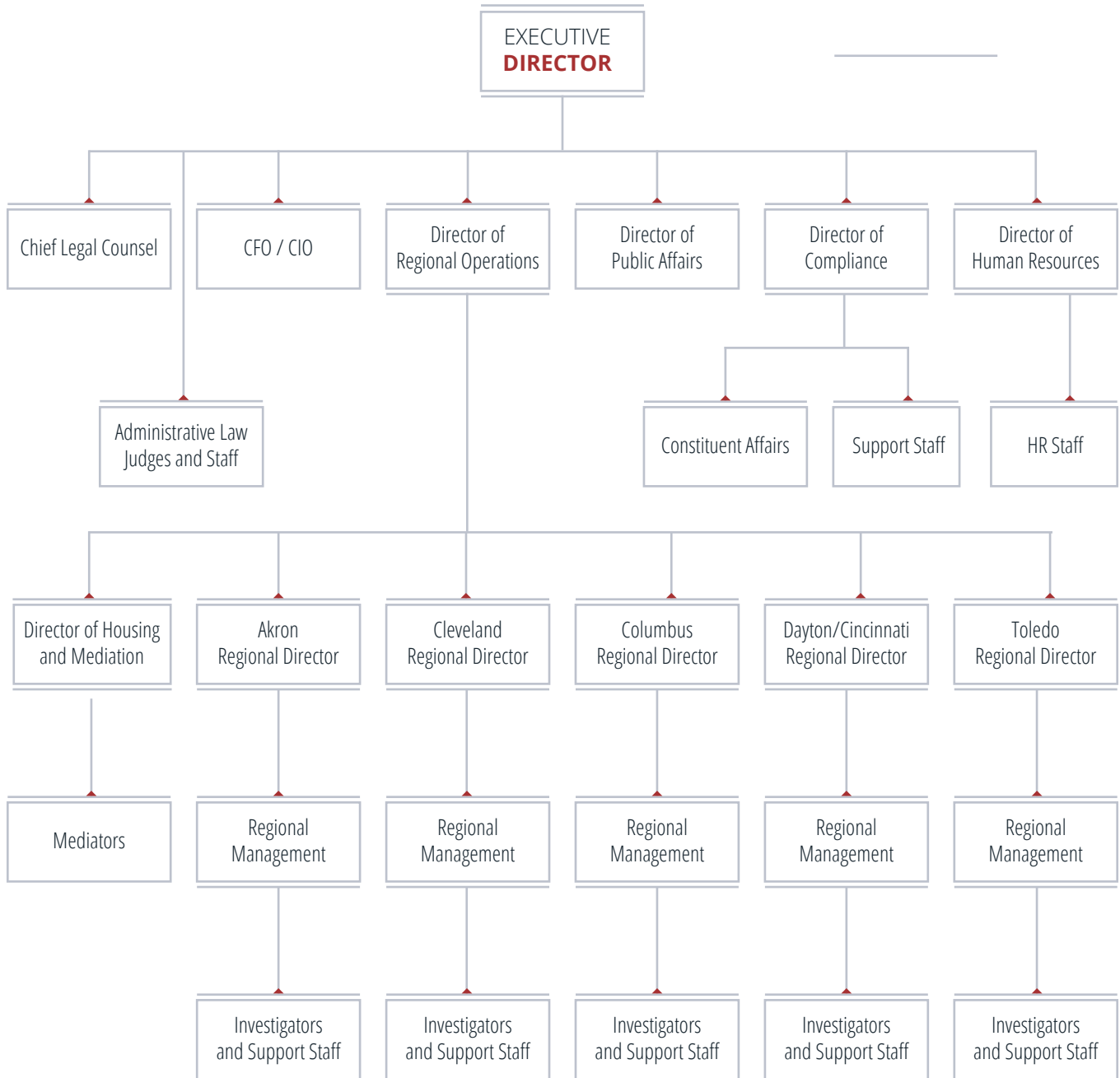
Commissioner Julia "Rita" McNeil Danish (Gahanna) was appointed to the Commission on March 19, 2021 by Governor Mike DeWine for a term that will expire July 25, 2025.



CHARLIE WINBURN
Commissioner

Commission Charlie Winburn (Cincinnati) was appointed to the Commission on September 6, 2021 by Governor Mike DeWine for a term that will expire on July 28, 2026.

TABLE OF ORGANIZATION



AGENCY AND STAFF LEADERSHIP

EXECUTIVE TEAM

Angela Phelps-White
Executive Director

Darlene Sweeney-Newbern
Director of Regional Operations

Christie Limbert
Acting Chief Legal Counsel

Anita Jackson
Director of Human Resources

Desmon Martin
Director of Enforcement and Compliance

Dilip Mehta
Chief Financial Officer and Chief Information Officer

Mary Turocy
Director of Public Affairs and Civic Engagement

CENTRAL OFFICE

Rhodes State Office Tower
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Columbus, Ohio 43215
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AKRON REGIONAL OFFICE

Myra Cottrill, Regional Director

Akron Government Building
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Akron Ohio 44308
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CLEVELAND REGIONAL OFFICE

Vera Boggs, Regional Director

Lausche State Office Building
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COLUMBUS REGIONAL OFFICE

Aman Mehra, Regional Director

Rhodes State Office Tower
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TOLEDO REGIONAL OFFICE

Inder LeVesque, Regional Director

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Toledo, Ohio 43604
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Fax: (419) 245-2668



REGIONAL OFFICE
MAP

OHIO CIVIL RIGHTS COMMISSION

MISSION
& VALUES

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Our Ohio - Diverse, Strong, Protected.

MISSION

Promoting positive human relations amongst Ohio's diverse population through education and enforcement of laws against discrimination

VALUES

SERVICE

Our employees are committed to fulfilling the promise of providing fair, unbiased, and professional customer service to all Ohioans.

INTEGRITY

As we fulfil our mission, we maintain that the defining qualities of our people is that of truth, honesty, and a commitment to always doing.

TEAMWORK

As a diverse team, we foster a supportive environment that celebrates and values each individual's skills, talents, and ideas, all while sharing in each other's successes.

EXCELLENCE

We continually challenge ourselves to achieve more. We invest in our people, encourage innovation, and provide strong leadership that genuinely cares about each and every employee.



THE YEAR'S BIGGEST HAPPENINGS

INCREASED CASELOAD *Striving to Meet Higher Need*

Ohio Civil Rights Commission cases increased approximately 32% from SFY 2021 to SFY 2022. The Commission credits the increase to a resumption of typical pre-pandemic levels and due to new filings from the Employment Law Uniformity Act.

HALL OF FAME IN-PERSON *Inductees Celebrated at Statehouse*

The Ohio Civil Rights Hall of Fame Induction Ceremony celebrated a new class of inductees at the Ohio Statehouse Atrium on October 7, 2021. For more information, see page 21 of this report.

MANAGEMENT UPGRADE *Began Case Management Upgrade*

In SFY 2022, the Commission began the early preparatory stages of developing the agency's first case management system. The agency will continue the development process in subsequent fiscal years.

OHIO CIVIL RIGHTS COMMISSION

POWERS & DUTIES

Fiscal Year 2022

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 CLASSES

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
- 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)
- Marital Status (credit only)

A HISTORICAL PERSPECTIVE OF OHIO'S LAWS AGAINSTS 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.

OHIO CIVIL RIGHTS TIMELINE

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

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

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

July 29, 1959: Ohio Fair Employment Practices Commission established

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

1976: Ohio's Laws Against Discrimination amended to include protections against credit discrimination

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

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

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

2021: Ohio's employment discrimination law changes to give OCRC administrative exhaustion

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

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

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

OHIO CIVIL RIGHTS COMMISSION **INVESTIGATION & ENFORCEMENT**

Fiscal Year 2022

ACTIVITY OF OHIO CIVIL RIGHTS COMMISSION

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/FilingaCharge/ChargeFilingProcedure.aspx). OCRC also has the power to self-initiate an investigation in the areas of employment and housing.

OCRC received a total of 4,091 cases in State Fiscal Year 2022.

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).

Public Accommodation, Credit, and Disability in Higher Education complaints must be filed within six months, Housing complaints, within one year, and Employment complaints within two years 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.



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.

Benefits and Enforcement: Approximately 12% of people who filed charges that closed in FY 2022 received some economic and noneconomic benefits. In FY 2022, Charging Parties received monetary benefits totaling approximately \$5.2 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%.

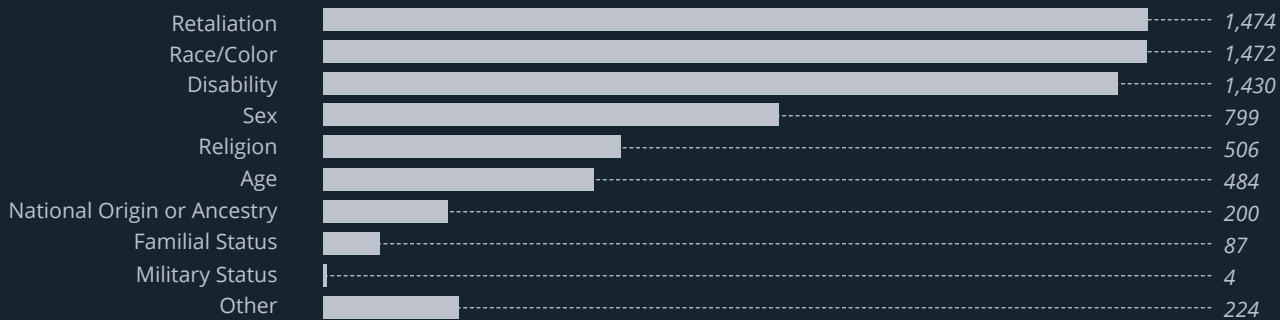
CHARGES FILED BY REGIONAL OFFICE - FY 2022

Fig. 1



CHARGES FILED BY ALLEGED BASIS - FY 2022

Fig. 2



CHARGES FILED BY ALLEGED ISSUE - FY 2022

Fig. 3

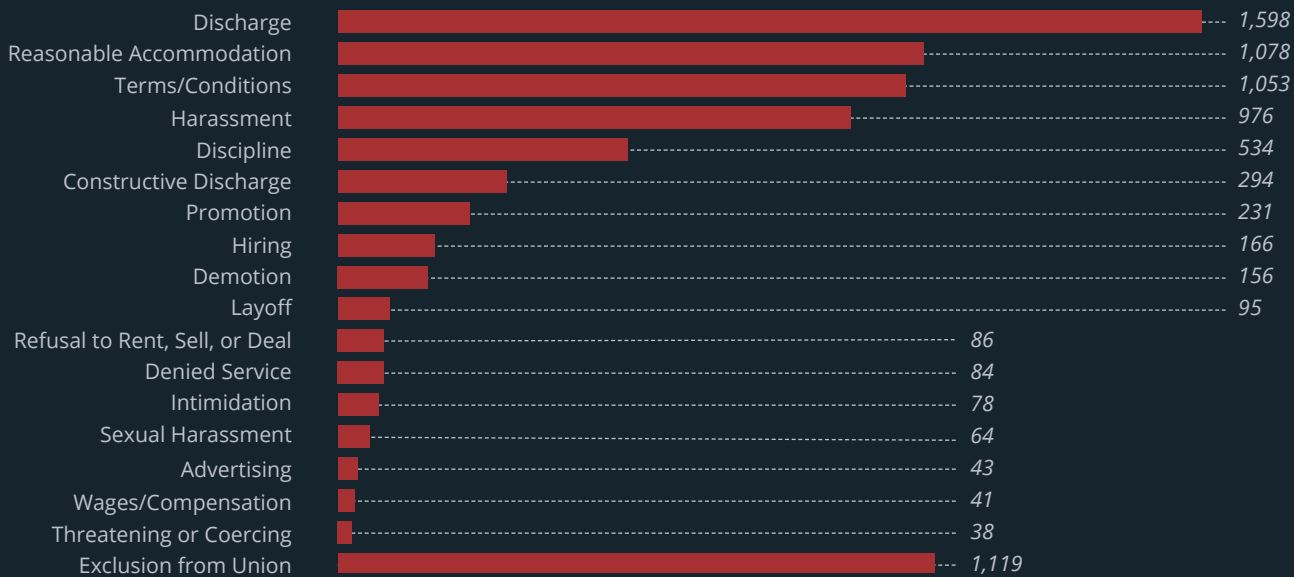


Fig. 1 illustrates the total number of new charges filed with OCRC in State Fiscal Year (FY) 2022, by regional office. A total of 4,135 new charges were filed in FY 2022.

Fig. 2 illustrates the total number of alleged basis in State Fiscal Year (FY) 2022. A single charge can have multiple bases. Charges filed with a basis of retaliation comprised the largest basis category in FY 2022, with 1,474 charges, followed closely by the basis of race or color, with 1,472 charges.

Fig. 3 illustrates the top 17 alleged issues in State Fiscal Year (FY) 2022. A single charge can have multiple issues. Issues of discrimination in discharge (termination) was the largest issue in FY 2022, with 1,598 charges. Discrimination in reasonable accommodation, harassment, and terms and conditions were also common, with 1,078, 1,053, and 976 charges, respectively.



OHIO CIVIL RIGHTS COMMISSION

CASE CLOSURES

Fiscal Year 2022

Types of Closure

Negotiated Settlement and Withdrawal with Benefits 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. These findings are included for reference, however probable cause cases do not contribute to case closure totals, since cases continue to conciliation and potentially hearings.

OCRC closed 3,449 cases in State Fiscal Year 2022. OCRC's investigative staff completed an average caseload of approximately 108 cases per investigator/mediator in State Fiscal Year 2022.

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

Withdrawal 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 because one or more parties is not covered under the relevant statutory protections

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 allowing them to file a private legal action in 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.

Charging Party Failed to Respond or Uncooperative are those in which the charging party does not cooperate with the Commission or the Attorney General in the pursuit of a case or fails to provide a charge signed under oath after attempts by an investigator to obtain a signature

Fig. 4 illustrates the number of charges closed in FY 2022, by the type of closure. While a large number of cases were closed as No Probable Cause, approximately 17% of cases closed in some form of settlement.

CASES CLOSED BY TYPE OF CLOSURE - FY 2022

Fig. 4

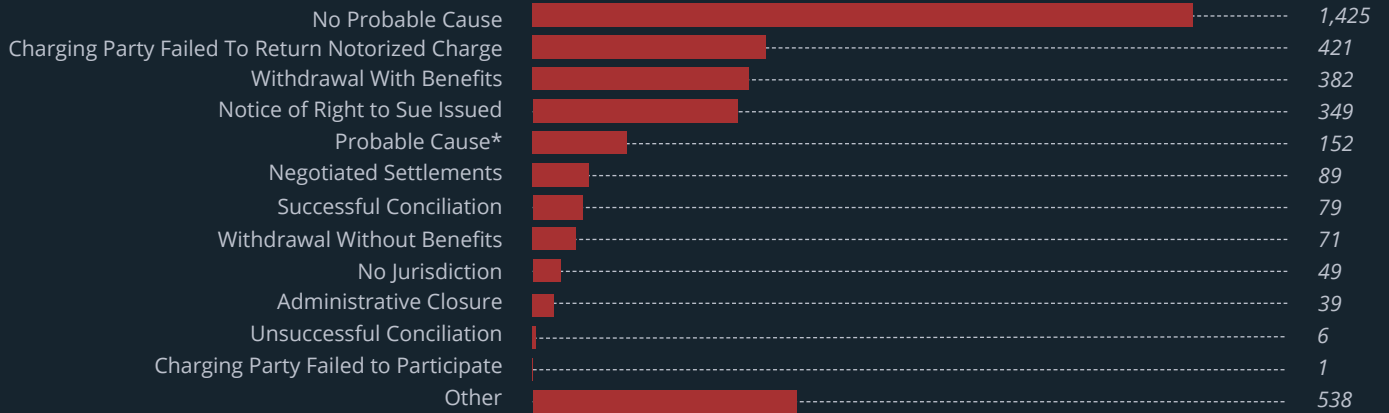
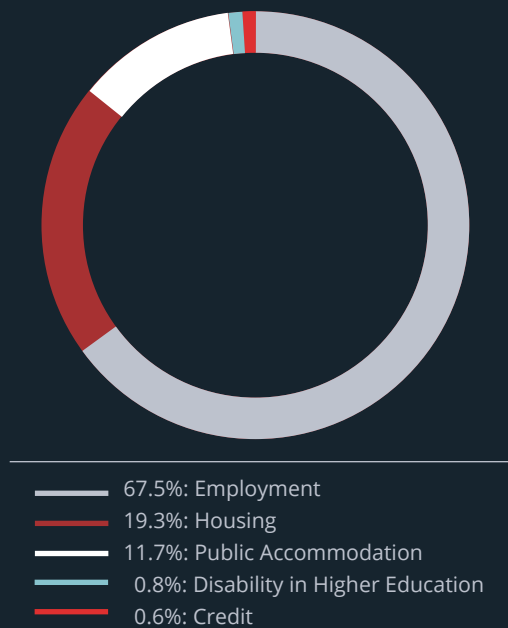


Fig. 5 illustrates the percentage of charges by type of charges closed in FY 2022. A Majority of the Commission's cases were Employment cases, at 67.5% (2,329) of all cases closed. Housing cases comprised nearly 20% (666) of all cases.

CASES CLOSED BY TYPE OF CHARGE - FY 2022

Fig. 5



OHIO CIVIL RIGHTS COMMISSION **OHIO CIVIL RIGHTS HALL OF FAME**

Fiscal Year 2022

On October 7, 2021, the Ohio Civil Rights Commission and sponsors PNC, Honda, and Wright State University welcomed the 12th class of the Ohio Civil Rights Hall of Fame.

The Civil Rights Hall of Fame seeks to acknowledge outstanding Ohioans who are recognized as pioneers in human and civil rights and who have advanced the goals of equality and inclusion. Inductees of the Ohio Civil Rights Hall of Fame are individuals who have made significant contributions in support of civil rights, cultural awareness and understanding in furtherance of a more just society.

The event took place at 10:00am at the Ohio Statehouse Atrium. Tracy Townsend, anchor for WBNS-10TV served as Mistress of Ceremonies and Gale King provided the keynote address.

The 12th Ohio Civil Rights Hall of Fame Induction Ceremony can be streamed online at <https://www.ohiochannel.org/video/ohio-civil-rights-hall-of-fame-2021>.

2021 Ohio Civil Rights Hall of Fame Inductees

Granville T. Woods (1856-1910) - Prolific inventor and engineer, nicknamed the "Black Edison."

WS McIntosh PhotoWaters Sumpter "W.S." McIntosh (1921-1974) - "Father of the Dayton Civil Rights Movement," who lead peaceful protests and demonstrations to end segregation and promote equality.

Otto Beatty, Jr. (1940-2021) - Renowned public servant, businessman, and lawyer dedicated to the advancement of minority-owned businesses and healthcare for all Ohioans

2021 Commissioners' Community Spirit Award, awarded to an Ohioan who advances civil rights through contributions that benefit the community, fostering cooperation and collaboration between different entities to reach a single goal.

Lydia J. Morgan - Creator and patron of Cincinnati's longstanding Juneteenth celebration.

OHIO CIVIL RIGHTS COMMISSION DR. MARTIN LUTHER KING, JR. ART, ESSAY & MULTIMEDIA CONTEST

Fiscal Year 2022

The Ohio Civil Rights Commission was honored to recognize 15 students from around the state at the 2022 MLK Contest Awards Ceremony, aired remotely online on February 24, 2022. The recorded ceremony included an address from Ohio Civil Rights Commission Executive Director Angela Phelps-White and from Commission Chair Lori Barreras.

The 2022 Dr. Martin Luther King Art, Essay & Multimedia Awards also featured the presentation of the sixth annual Excellence in Teaching Diversity Award. The 2022 recipient was Noel Ang from Columbus Collegiate Academy Main Street in Columbus, Ohio.

To view the 2022 recorded ceremony, visit <https://youtu.be/EsJlwHTM5Ko>.

For more information about the MLK Awards, visit our website <https://civ.ohio.gov/news-and-events/mlk-contest/2-mlk-contest>.

The 2022 theme of the MLK Contest was, "Fighting Against justice." Students were asked to create an original essay, work of art, or multimedia presentation based on the question:

Dr. Martin Luther King, Jr. believed that we must stand up for the rights of all people, not just our own. Describe an event of injustice that you have seen or experienced and explain what you did or would do to fight against that injustice like Dr. King?



“

I am not my thoughts. I am not my experiences. I am myself, wholly and unconditionally, forever and always, shaped by what I have experienced and fought through.

I am the girl who refuses to hide from her past, refuses to ignore her struggles, and instead embraces them as a part of her that she can grow from every moment she takes a breath.

Artwork
Lillian Bowen - 11th Grade
Dr. Martin Luther King, Jr.
Art Award Winner
Hoover High School,
North Canton, OH

Quote
Chloe Millard - 12th Grade
Dr. Martin Luther King, Jr.
Essay Award Winner
Normandy High School
Parma, OH



A VINTAGE FLOWER & GIFT SHOP

Time Jewellers

SCHAEFER LEATHER & MORE
740-373-5101



SPEED HUMP

100 FT

2 HOUR PARKING
8AM-5PM MON-FRI
8AM-12PM SAT

OHIO CIVIL RIGHTS COMMISSION EDUCATION & OUTREACH

Fiscal Year 2022

Community education and outreach is a key part of the Ohio Civil Rights Commission's statutory mission. In spite of the challenges posed by the continued pandemic concerns in 2021 and early 2022, the Commission continued to train and meet with community members.

Below are some examples of these community events.

On July 20, 2021, Hearings Department staff provided an open training on House Bill 352, the Employment Law Uniformity Act (ELUA) to members of the general public.

Following instances of hate against Asian-Americans, a regional director served on panels about Anti-Asian Bias on August 12, 2021 and September 22, 2021. The panels included other civil rights agencies and advocacy organizations.

Commission leadership provided the keynote presentation to the Greater Dayton Realist Association's Annual Membership Gala on December 17, 2021.

In May 2022, members of Cleveland Regional Staff participated in the Career Day at St. Marting de Porres High School in Cleveland.

On June 1, 2022, Hearings Department staff provided a training at the Ohio Society for Human Resource Management (SHRM) State Council's annual Employment Law Conference.

A Commission Fair Housing expert participated in a roundtable on sexual harassment in housing hosted by the U.S. Department of Justice on June 21, 2022.



Education & Outreach Total Events

Over the course of the year, the Commission engaged the community in more than 60 education and outreach events, including trainings, presentations, and community meetings. The vast majority of these events were conducted remotely for employee and community safety.

Commission Regional Directors and key staff conducted 43 trainings for employers, community groups, and professional organizations. These trainings help prevent discrimination by educating on civil rights laws.

Commission staff participated in 14 community presentations over the course of the year, including panels, webinars, and speeches at events

FY 22

**OHIO CIVIL RIGHTS
COMMISSION**

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