




EQUAL EMPLOYMENT OPPORTUNITY POLICY - PROCEDURE	
Effective	September 1, 2008
<input checked="" type="checkbox"/> Purpose	To stress that discrimination and harassment will not be tolerated in the workplace, and to implement the policy of Ohio Department of Natural Resources to fully comply with applicable federal and state laws, rules, regulations and guidelines in the area of non-discrimination and harassment in employment. Discrimination and harassment against employees and applicants due to race, color, religion, sex (including sexual harassment), national origin, disability, age (40 years or older), sexual orientation, gender identity, military or veteran status is illegal.
 Authority	Section 703 of Title VII, Civil Rights Act 1964 (as amended) Americans with Disabilities Act of 1990 ORC 4112 OAC 123:1-49-02 Executive Order 2007-10S OCSEA Article 2 FOP Article 9.01
 Reference	<u>ODNR EEO Procedure</u>
 Resource	Office of Human Resources - Diversity Affairs Section-EEO

POLICY

It is the policy of ODNR to maintain a working environment free from any discrimination, and to prohibit discrimination or harassment of applicants, customers, clients and employees, including discriminatory sexual advances or harassment adversely affecting an employee's terms and conditions of employment either directly or indirectly.

The Ohio Department of Natural Resources (ODNR) is an Equal Opportunity Employer. The Department does not discriminate in employment or the provision of services on the basis of race, color, sex, religion, national origin, age, sexual orientation, gender identity, disability, military, or veteran status.

Any individual that feels he/she has been discriminated against or harassed in any manner has the ability to:

- File an informal or formal complaint by contacting the Office of Human Resources, Diversity Affairs Sections within thirty (30) days of the last incident.
- Contact the Department of Administrative Services, Equal Opportunity Division (EOD) within thirty (30) days of the last incident.

- File a complaint or discuss the matter with the Ohio Civil Rights Commission (OCRC) and/or the federal Equal Employment Opportunity Commission (EEOC). A complaint must be filed within 180 days with the OCRC and within 300 days with the EEOC of the alleged discriminatory act
- For further information including addresses on the above-referenced agencies please see the procedure outlined below.

RESPONSIBILITY

The Department recognizes its responsibility to provide its employees and applicants for employment with an environment that is wholesome, safe, conducive to good job performance and free of harassment of any kind. **The Department of Natural Resources does not condone and will not tolerate discriminatory or offensive conduct. Any ODNR employee or applicant who believes that he or she is a victim of discrimination/harassment should immediately contact the Diversity Affairs Section or their Human Resources office/personnel in order to receive counseling and to discuss methods of resolution.** Union members may also want to contact their respective union representative for information concerning member rights within the union contract.

The Office of Human Resources, Diversity Affairs Section shall be responsible for coordinating, disseminating and implementing this policy and guidelines. This office shall work closely with the Director's Office to assure compliance with the provisions of this policy. The Diversity Affairs Section shall serve as a resource with regard to discrimination and harassment related matters.

ODNR EMPLOYEES ARE RESPONSIBLE FOR

- Adhering to this policy
- Discouraging discrimination/ harassment
- Reporting such incidents to appropriate personnel immediately
- Cooperating in any investigation which might result from a complaint

SANCTIONS AND DISCIPLINES

Any employee who violates this policy either by engaging in the conduct or by allowing the conduct to go unaddressed will be disciplined dependent upon the terms of any applicable union contract(s) or the Department Exempt Disciplinary Policy. Such discipline may include counseling, verbal reprimand, written reprimand, suspensions/fines, and/or removal.

If an investigation finds that the accused person(s) has engaged in discrimination or **retaliation** against someone for filing a complaint or for cooperation in the investigation of a complaint, the appropriate corrective/disciplinary actions up to and including dismissal will be enforced.

DISCRIMINATION COMPLAINT PROCEDURES

Any employee or applicant for employment who believes that he or she is a victim of harassment or discrimination based on the aforementioned categories should report such incident(s).

DISCRIMINATION INFORMAL COMPLAINT PROCEDURE

Persons who believe that they have been discriminated against or harassed should contact the Diversity Affairs Section. The first efforts in response to a complaint may be made on an informal basis through the ODNR EEO Officer in the Diversity Affairs Section. The following shall be conducted during this informal complaint process:

- The EEO Officer shall provide confidential counseling in order for the aggrieved person to explain the matter and to determine whether to file a complaint.
- A detailed investigation to uncover facts conducted by the EEO Officer, to be held within ten (10) calendar days from the date the Diversity Affairs Section received the information.
- Documentation of the complaint in writing.

- Upon completion of the investigation and in the event that the complainant is not satisfied with ODNR's resolution, the employee may file a formal complaint through the State's Discrimination Complaint Procedure within thirty (30) days of the occurrence.

FORMAL DISCRIMINATION COMPLAINT PROCEDURE

A person may choose to file a formal charge through the Discrimination Complaint Procedure detailed in the Administrative Rules of the Ohio, Department of Administrative Services. Formal charges which are filed with the ODNR or the State Equal Opportunity Division (EOD) must be presented within thirty (30) calendar days of the most recent incident so that every attempt is made to resolve the matter within one hundred-twenty (120) calendar days. The following shall be conducted during a formal complaint process:

- The Office of Human Resources (OHR) Diversity Affairs Section provides confidential counseling.
- Once a charge is filed formally, an investigation is performed by the EEO Officer. When probable cause is found, remedies are set forth so that an attempt may be made to satisfactorily settle the case.
- If the complainant is not satisfied with the agency's decision and/or resolution he/she may request a hearing through the State EOD. The State EOD will select a Hearing Officer to preside over the case.
- After the Hearing Officer has issued an opinion and the agency has issued its decision, the complainant if not satisfied may ask the State EOD Coordinator to issue a Final Order. A Final Order is binding upon all parties concerned.

State EOD address:

The Equal Opportunity Division (EOD)
Ohio Department of Administrative Services
30 East Broad Street, 18th Floor
Columbus, Ohio 43215
(614) 466-8380

Agency address:

Ohio Department of Natural Resources
Office of Human Resources
Diversity Affairs Section
2045 Morse Rd., Bldg D-1
Columbus, Ohio 43229
(614) 265-6992

Bargaining unit employees may file a grievance pursuant to the appropriate labor agreement and exempt employees in accordance with ODNR Grievance procedure. If the complainant does not choose to file with the State EOD, he/she may file charges with the Ohio Civil Rights Commission (OCRC) within six (6) months or with the Federal Equal Employment Opportunity Commission (EEOC) within three hundred (300) days of the alleged discrimination.

OFFICES of the OHIO CIVIL RIGHTS COMMISSION - State
Contact within six (6) months of the alleged incident (s)

Akron Regional Office Cincinnati Regional Office
Akron Government Center, Suite 205 Holiday Park
161 South High Street 801-B West 8th Street
Akron, Ohio 44308 Cincinnati, Ohio 45203
(330) 643-3110 (513) 852-3344

Cincinnati Regional Office
Holiday Park
801-B West 8th Street

Cincinnati, OH 45203
(513) 852-3344

Cleveland Regional Office Columbus Regional Office
Frank J. Lausche Bldg., Suite 885 220 Parson Avenue
615 West Superior Avenue Columbus, OH 43266
Cleveland, Ohio 44113 (614) 466-5928
(216) 787-3150

Columbus Regional Office
220 Parson Avenue
Columbus, OH 43266
(614) 466-5928

Dayton Regional Office Toledo Regional Office
805 Miami Valley Tower One Government Cntr, Rm 936
40 West 4th Street Jackson and Erie Streets
Dayton, Ohio 45402-1831 Toledo, Ohio 43604
(513) 285-6500 (419) 245-2900

Toledo Regional Office
One Government Center, Room 936
Jackson and Erie Streets
Toledo, OH 43604
(419) 245-2900

OFFICES of the EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Federal
(Contact within 300 days of the alleged incident)

1660 West 2nd Street
Skylight Tower, #850
Cleveland, Ohio 44113-1454
(216) 522-2001

525 Vine Street, Suite 810
Cincinnati, Ohio 45202-3122
(513) 684-2851

Note: Every attempt will be made to satisfactorily resolve the matter at the initial stages; however, further action (as noted above) is available if needed. Throughout the entire process, complainants and witnesses are free from reprisal, retaliation or interference.

Employee harassment, sexual harassment and related behavior in the workplace are inexcusably inappropriate and will not be tolerated. Employee harassment, including sexual harassment, is subject to discipline, up to and including termination.