

Know Your Rights



EQUAL EMPLOYMENT OPPORTUNITY IS THE LAW

The Ohio Civil Rights Act *protects applicants and employees of private employers, state, county and local governments, educational institutions, labor organizations, employment agencies and personnel placement services from unlawful discriminatory employment practices.*

Race and Color

Ohio law prohibits discrimination on the basis of **race or color** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, any facially neutral employment policy or practice that results in a discriminatory impact on the basis of race or color is a prohibited form of discrimination unless such policy or practice is job-related and based upon business necessity.

National Origin and Ancestry

Ohio law prohibits discrimination on the basis of **national origin or ancestry** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, any policy or practice limiting or prohibiting the use of any language in the workplace is a prohibited form of discrimination unless such limitation or prohibition is job-related and based upon business necessity.

Sex, Including Pregnancy, Sexual Orientation, and Gender Identity

Ohio law prohibits discrimination on the basis of **sex or pregnancy** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Women affected by pregnancy, childbirth or related medical condition must be afforded leave for a reasonable period of time and may not be discharged under a policy providing insufficient or no leave.

The U.S. Supreme Court, in the case of *Bostock v. Clayton Cty., Georgia*, U.S. 140 S. Ct. 1731 (2020), as well as other federal court cases have extended sex discrimination to include prohibition of employment discrimination on the basis of sexual orientation and gender identity.

Religion

Ohio law prohibits discrimination on the basis of **religion** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, applicants and employees must be provided with a reasonable accommodation for religious beliefs and practices, except when the accommodation imposes an undue hardship.

Military Status

Ohio law prohibits discrimination on the basis of **military status** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, employees who leave employment to perform military service, which includes the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, must be reemployed upon conclusion of such service.

Disability

Ohio law prohibits discrimination on the basis of **disability** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

In addition, applicants and employees must be provided with a reasonable accommodation for their disabilities, except when the accommodation imposes an undue hardship.

Age

Ohio law prohibits discrimination against persons **40 years of age or older** on the basis of **age** in hiring, promotion, tenure, discharge, pay, fringe benefits, job training, classification, referral, terms, conditions and privileges of employment, or any other matter directly or indirectly related to employment.

Harassment

Ohio law prohibits harassment in the workplace on any basis set forth herein, which includes the creation of a racially or sexually hostile work environment, verbally or physically abusive treatment, and requiring submission to sexual advances as a condition of employment, continued employment or promotion.

In addition, all reasonable steps should be taken to prevent and promptly correct harassment in the workplace, which includes the establishment of a policy against harassment and a procedure for receiving, investigating and remedying complaints of workplace harassment.

Retaliation

Ohio law prohibits retaliation against any person because that person has opposed any unlawful discriminatory practice, or because that person has made a charge, testified, assisted or participated in any manner in any investigation, proceeding or hearing.

ENFORCEMENT

The Ohio Civil Rights Commission (OCRC) investigates complaints of discrimination and harassment in employment.

Complaints must be filed with the OCRC within two years of the last act of discrimination or harassment.

For more information or assistance in filing a complaint, please call toll free: **1-888-278-7101**, TTY (614) 752-2391 or visit our website at: **www.civ.ohio.gov**



OHIO CIVIL RIGHTS COMMISSION

Credit Discrimination

Discrimination by a Creditor

It is an unlawful discriminatory practice for a creditor to consider or base a decision of credit worthiness because of an applicant's race, color, religion, age*, sex, military status, marital status, national origin, disability or ancestry. This includes:

- granting,
- withholding,
- extending,
- fixing rates, terms or conditions, or
- renewing credit.

Discrimination by a Credit Reporting Agency

It is an unlawful discriminatory practice for a credit reporting agency to

- Fail or refuse to maintain a separate file, if requested, on each individual about whom information is assembled or evaluated; or
- Fail or refuse to clearly note, maintain, and report information it receives

based on an applicant's race, color, religion, age*, sex, military status, marital status, national origin, disability or ancestry.

*Age means anyone 18 years old or older. The basis of age does not apply in any real estate transactions between a financial institution, a dealer in intangibles or an insurance company and its customers.

Complaint Process

Any person who feels that they are a victim of discrimination because of their race, color, religion, sex, national origin, ancestry, disability, age, familial status (housing only), or military status may file a formal complaint with the Ohio Civil Rights Commission (OCRC). A person may also file on the basis of retaliation if they believe that they are retaliated against for exercising their right to file a charge, for participating in an investigation or for complaining about discrimination.

If the mediation process is unsuccessful or if one party does not wish to participate in mediation, the case will be referred to the investigative unit. Through a series of steps, including witness interviews, document requests and site visits, the Commission will determine whether or not discrimination has occurred.

All services are **free** of charge and complaints can be filed in person at your local OCRC office, by telephone or on our website. Credit charges must be filed within six months from the date of harm.

Regional Offices

Akron Regional Office
Ocasek Government Building
161 S. High St., Suite 400
Akron, OH 44308
330-643-3100
330-643-3120 (Fax)

Cleveland Regional Office
Lausche State Office Building
615 W. Superior Ave.
Suite 885
Cleveland, OH 44113
216-787-3150
216-787-4121 (Fax)

Columbus Regional Office
Rhodes State Office Tower
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614-466-5928
614-466-6250 (Fax)

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OHIO CIVIL RIGHTS COMMISSION

Mediation and Conflict Resolution

Mediation Program

Mediation is an informal and efficient process that is facilitated by a neutral third party and is designed to assist parties in reaching a resolution. This process provides parties with a non-adversarial approach to resolving conflicts.

Why Choose Mediation?

The Ohio Civil Rights Commission's (OCRC) mediation program was developed and implemented in 1997. On average, the OCRC is able to successfully resolve approximately 85% of all cases that undergo mediation.

- **Voluntary participation**

All parties to a charge of discrimination must agree to participate in order for the process to begin.

- **Confidential**

Communication disclosed during the mediation will be kept confidential and will not be shared.

- **Fair and impartial**

The mediator facilitates communication and does not mandate a resolution.

- **Save time & money**

There is no charge for our mediation services and is scheduled at a convenient time for all of the parties. Attempts are made to conduct the mediation within 45 days after the charge is signed.

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If the mediation process is unsuccessful or if one party does not wish to participate in mediation, the case will be referred to the investigative unit. Through a series of steps, which may include witness interviews, document requests and/or site visits, the Commission will determine whether or not discrimination has occurred.

All services are **free** of charge and complaints can be filed in person at your local OCRC office, by telephone or on our website (www.civ.ohio.gov) Charges must be filed within six months from the date of harm for public accommodation, credit, or disability in higher education charges, one year for housing charges, and two years for employment charges.

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OHIO CIVIL RIGHTS COMMISSION

Age Discrimination

Who is Protected?

1. Employees and job applicants 40 years of age or older.
2. Employees in the protected age class who are employed, or are seeking employment, at a place of employment with 20 or more employees under federal law and 4 or more employees under state law.

The law requires employers, employment agencies and labor unions to implement employment practices and policies that are free from age discrimination.

Complaint Process

Any person who feels that they are a victim of discrimination because of their race, color, religion, sex, national origin, ancestry, disability, age familial status (housing only), or military status may file a formal complaint with the Ohio Civil Rights Commission (OCRC).

A person may also file on the basis of retaliation if they believe that they are retaliated against for exercising their right to file a charge, for participating in an investigation or for complaining about discrimination.

If the mediation process is unsuccessful or if one party does not wish to participate in mediation, the case will be referred to the investigative unit. Through a series of steps, including witness interviews, document requests and site visits, the Commission will determine whether or not discrimination has occurred.

All services are **free** of charge and complaints can be filed in person at your local OCRC office, by telephone or on our website. Charges must be filed within six months from the date of harm for public accommodation, credit, and two years for employment charges.

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OHIO CIVIL RIGHTS COMMISSION

Disability in Higher Education

Disability in Higher Education

It is unlawful to discriminate against any individual based on their disability in the admission and/or recruitment to any academic program, participation in institutional activities, awards of financial aid, admission to housing or other service offered to its non-disabled students.

Institutions of higher education include almost every type of school or educational facility offering post high school instruction, including public and private colleges and universities, trade schools, technical schools and non-profit educational institutions.

Educational institutions have an obligation to make modification that are necessary to ensure such requirements do not discriminate or have the effect of discriminating on the basis of disability.

These institutions shall take the necessary steps to make sure no disabled student is denied the benefit of or use of auxiliary aides such as audio text, interpreters, or readers.

Complaint Process

Any person who feels that they are a victim of discrimination because of their race, color, religion, sex, national origin, ancestry, disability, age, familial status (housing only), or military status may file a formal complaint with the Ohio Civil Rights Commission (OCRC). A person may also file on the basis of retaliation if they believe that they are retaliated against for exercising their right to file a charge, for participating in an investigation or for complaining about discrimination.

If the mediation process is unsuccessful or if one party does not wish to participate in mediation, the case will be referred to the investigative unit. Through a series of steps, including witness interviews, document requests and site visits, the Commission will determine whether or not discrimination has occurred.

All services are **free** of charge and complaints can be filed in person at your local OCRC office, by telephone or on our website. Disability in Higher Education charges must be filed within six months from the date of harm.

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Fair Housing Rights & Responsibilities

Fair Housing

In 1965, state legislation was enacted to prohibit discrimination in the rental or purchase of homes and in other housing related activities. All persons in the protected classes have the right to live wherever they can afford to buy a home or rent an apartment.

The law states that it is unlawful on the basis of race, color, sex, national origin, ancestry, religion, disability, military status or familial status to do any of the following: *****Age is not a protected class in housing.*****

- Discriminate in the terms, conditions or privileges of selling or renting.
- Refuse to rent, sell, negotiate, finance or insure housing accommodations.
- Represent to any person that housing is unavailable for sale or rental when it is available.
- Refuse to lend money for the purchase, construction, repair, rehabilitation or maintenance of housing accommodations or residential property.
- Coerce, intimidate, threaten or interfere with the exercise or enjoyment of housing rights.
- Make any inquiry or elicit information or keep records concerning a person's protected class.
- Print, publish or circulate any statement or advertisement which would indicate a preference or limitation.

Protections for Persons with Disabilities:

If you or someone associated with you has a physical or mental disability, a record of such a disability or are regarded as having such a disability, your landlord may not:

Refuse to allow you to make reasonable modifications to your dwelling or common areas, at your expense, if necessary for the disabled person to use the housing, OR

Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing, OR

Design and construct covered dwellings that are inaccessible.

If you suspect that there was housing discrimination, report it!

File a complaint with your local OCRC office either in person, by telephone or on our website (www.crc.ohio.gov). Charges must be filed within one year from the date of harm. All services are **free** of charge.

In the meantime, make immediate detailed notes of your experience, including the date, time, name of agent or landlord, and what you saw or were told.

Collect and keep copies of advertising, letters or other relevant written correspondence.

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