

- Administration
- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services
- **Office of Criminal Justice Services**
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



PROCESS FOR OCJS STAFF AND GRANT SUBRECIPIENTS REGARDING HANDLING OF EMPLOYMENT DISCRIMINATION COMPLAINTS

I. Purpose

To provide guidelines and procedures that allow the Ohio Office of Criminal Justice Services (OCJS) to process and forward complaints alleging employment discrimination by employees of OCJS's grant recipients, who have received federal funding from the U.S. Department of Justice (DOJ).

II. Policy

- A.** It is the policy of OCJS to prohibit discriminatory employment practices against anyone employed by an OCJS grant recipient, and to ensure all employees have equal employment opportunity. It is the policy of the State of Ohio and OCJS to ensure a working environment free from any discrimination and to prohibit sexual 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. OCJS will ensure that grant recipients comply with all applicable federal laws regarding employment discrimination.

B. Retaliation

(1) Persons who believe they have been discriminated against on the basis of their membership in a protected class (race, color, religion, sex, national origin, disability, age, ancestry, or military status) shall not be retaliated against for exercising their right to file a discrimination complaint or inquiry.

(2) No person who participates in the investigation of a complaint, or is a witness in an investigation, or brings attention to a person in authority, of an alleged discrimination shall be retaliated against.

III. Definitions

- A. Discrimination:** to make a distinction, show bias towards, or be prejudicial against, a person or thing on the basis of the group, class, or category to which the person or thing belongs, rather than according to actual merit.
- B. Civil Rights Complaint Coordinator:** person designated by OCJS who is responsible for acknowledging discrimination complaints and forwarding them to the one of the following: U.S. Equal Employment Opportunity Commission (EEOC), the Office of Civil Rights (OCR), the Ohio Civil Rights Commission (OCRC), or other appropriate agency.

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."

- C. **Retaliation:** occurs when adverse action is taken against an individual in a protected class because he or she engaged in protected activity.
- D. **Title VII of the Civil Rights Act of 1964 (42 U.S.C. § 2000e):** prohibits employment discrimination based on race, color, religion, sex, and national origin, including discrimination regarding: compensation, assignment, or classification of employees; transfer, promotion, layoff, or recall; job advertisements; recruitment; testing; use of company facilities; training and apprenticeship programs; fringe benefits; pay, retirement plans, and disability leave; or other terms and conditions of employment.
- E. **Age Discrimination in Employment Act (29 U.S.C. § 621):** prohibits employment discrimination against individuals who are 40 years old or older.
- F. **Title I of The Americans with Disabilities Act of 1990 (42 U.S.C. § 12101):** prohibits employment discrimination on basis of disability.
- G. **Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794, Section 504):** prohibits discrimination on the basis of disability, in regard to both employment and the delivery of services or benefits, in any program or activity receiving federal financial assistance as set forth in DOJ implementing regulations (28 C.F.R. Part 42, Subpart G).

IV. Complaint Procedures

OCJS shall accept and acknowledge all discrimination complaints from clients, customers, program participants, or consumers of OCJS or OCJS grant recipients. All discrimination allegations and complaints shall be referred to the designated complaint coordinator within OCJS.

A client, customer, program participant or consumer may file a complaint of discrimination via email to the appropriate OCJS Grant Coordinator or via U.S. Mail directly to the attention of the OCJS Civil Rights Complaint Coordinator (1970 W. Broad St., Columbus, OH 43223). The complaint should include the complainant's name, contact information, and a brief explanation of the alleged discrimination. If the complaint is sent to the OCJS Grant Coordinator, that employee shall forward it immediately to the OCJS Civil Rights Complaint Coordinator.

The complaint coordinator shall provide an acknowledgement of the complaint to the client, customer, program participant, or consumer via e-mail or in a letter confirming the complaint has been received. The contents of the acknowledgement response must include information specifying that the complaint has been forwarded to OCR, and provide information in which the complainant can contact OCR directly.

The complaint coordinator shall then forward the complaint to EEOC, OCR, OCRC, or other appropriate agency. The complaint shall be investigated by the appropriate agency.

All clients, customers, program participants, or customers of OCJS or OCJS grant recipients shall have access to these procedures at any time via the OCJS website (www.ocjs.ohio.gov). Any client, customer, program participant, or consumer may choose to file a complaint directly with the EEOC, OCR, OCRC, or other appropriate agency as opposed to filing with OCJS. If a complaint is filed directly with the outside agency, a OCJS requests that a courtesy copy be forwarded to the OCJS Civil Rights Complaint Coordinator by the complainant.

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."

V. Training

OCJS shall provide an annual training for agency employees on these complaint procedures. The training must explain an employee's responsibility to refer discrimination complaints from clients, customers, program participants, or consumers to the complaint coordinator. This information shall be disseminated to new OCJS employees during grant training or as appropriate.

In addition, the current policy shall be evaluated by OCJS at its annual training to determine its effectiveness. If necessary, OCJS may make any necessary changes to ensure the complaint process is timely and efficient.

Mission Statement

"to save lives, reduce injuries and economic loss, to administer Ohio's motor vehicle laws and to preserve the safety and well being of all citizens with the most cost-effective and service-oriented methods available."