



State Employees and State Job Applicants

Know Your Rights

State of Ohio Employees and Applicants are Guaranteed:

- **FREEDOM** from discrimination, harassment or retaliation at any stage of the employment process.
- **EQUAL ACCESS** to programs and services offered, seeking employment and employment opportunities.
- The right to **FILE A COMPLAINT** if you experience discrimination, harassment or retaliation.

The Office of Opportunity and Accessibility ensures employees and applicants receive equal, accessible and inclusive treatment in state employment. The State of Ohio is a disability inclusion state and model employer of individuals with disabilities.

State of Ohio Equal Employment Opportunity Policy:

The State of Ohio is an equal opportunity employer that promotes diversity, inclusion and workplaces free from discrimination, harassment, or retaliation due to:

- Race
- Color
- Religion
- Sex/gender
- National origin (ancestry)
- Disability
- Age (40 years of age or older)
- Genetic information
- Sexual orientation
- Military status (past, present, and future)
- Gender identity or expression
- Parental status as a parent during pregnancy and immediately after the birth of a young child (under age 9)
- Parental status as a parent of a young child
- Parental status as a foster parent
- Parental status as a nursing mother



**Department of
Administrative
Services**

Ohio Department of Administrative Services
Mike DeWine, Governor
Jim Tressel, Lt. Governor
Kathleen C. Madden, Director

**Office of Opportunity and Accessibility
State Human Resources Division**
30 E. Broad Street, 40th Floor
Columbus, OH 43215
614-466-8857 or 800-409-1205
For EEO inquiries: OandA@das.ohio.gov
For ADA inquiries: ODI@das.ohio.gov

das.ohio.gov/inclusion

What is Employment Discrimination?

Discrimination occurs when an employment action is taken based on your status as a member of a protected class.

There are two forms of discrimination:

- Disparate Treatment – an employer intentionally treats you differently because of your protected class.
- Disparate Impact – an employment policy that, though neutral on its face, unfairly impacts a protected class.

What is an “Employment Action”?

Employers cannot make decisions based on your status as a member of a protected class. Such employment actions could include decisions related to your hiring, layoff, transfer, termination, promotion, demotion, discipline, rate of pay, eligibility for in-service training programs or the terms and conditions of employment.

What is Harassment?

Harassment is unwelcome conduct based on a protected class, such as race, sex or religion. This behavior is against state EEO policy when you are expected to endure it as a condition of employment (quid pro quo), or it creates an intimidating, hostile or abusive work environment. Harassing behavior can be verbal or physical and could include name calling, slurs, jokes, gestures, leering, stalking, unwanted physical contact or assault.

What is Retaliation?

You cannot be punished for asserting your right to freedom from employment discrimination or harassment under EEO laws or policy. This includes retaliation for requesting an accommodation; filing, testifying or participating in a discrimination investigation, proceeding or lawsuit; or opposing discriminatory employment practices.

What are my Rights Under ADA?

Discrimination cannot occur on the basis of disability in state programs, services, activities and employment practices. If you need a reasonable accommodation to perform the essential functions of your job, at any point in the employment process, or to participate in our programs, services or activities, contact your agency ADA Coordinator as soon as possible, preferably at least 21 days before the activity or event.

What Do I Need to Know as a Manager or Supervisor?

As a manager or supervisor, you may be subject to personal liability for acts of discrimination, harassment or retaliation that occur under your authority and may be responsible for providing your own legal defense.

What are the Consequences?

Discrimination, harassment and retaliation will not be tolerated and could result in discipline or termination.

Where Can I Go for Guidance or to Report an Incident?

Contact your agency EEO Officer, ADA Coordinator, HR representative, supervisor or the Office of Opportunity and Accessibility with questions about State EEO policy or to report an incident.

Where Do I File a Formal Complaint?

Complaints regarding State of Ohio EEO policy and discrimination complaints under the state ADA policy may be filed with:

**Department of Administrative Services,
Office of Opportunity and Accessibility**
File within 30 days of the incident
das.ohio.gov/inclusion
614-466-8857

Complaints regarding EEO law:

Ohio Civil Rights Commission
File within two years of the incident
civ.ohio.gov
614-466-2785 or 1-888-278-7101

**U.S. Equal Employment Opportunity
Commission**
File within 300 days of the incident
eeoc.gov
800-669-4000

Because the State of Ohio embraces diversity and inclusion, state EEO policy protects more statuses than legally required. Note that the state’s status protections differ from those of the Ohio Civil Rights Commission (OCRC) and U.S. Equal Employment Opportunity Commission (EEOC).

For example:

- The OCRC does not consider genetic information or parental status protected classes.
- The EEOC does not consider military or parental status protected classes.

Agency Contact(s):

Name:

Title:

Email:

Name:

Title:

Email:

Name:

Title:

Email:

