



# Discrimination

## Identifying Discrimination

As a union, OCSEA fights hard against discrimination in the workplace. A steward can set a strong example by calling people on sexist or racist jokes and gender or race-specific comments, as well as other subtle behaviors that make people of color, women or handicapped people uncomfortable. Discrimination is one tool that management uses to divide the bargaining unit. Remember, it is the role of the steward to bring the entire bargaining unit together.

### Do I have to go to the agency EEO officer?

The answer is NO.

## The Ohio Civil Rights Commission

The Ohio Civil Rights Commission is a state agency that enforces the state's discrimination laws. A charge must be filed with the commission within six months after the alleged unlawful discriminatory practices are committed. However -- it is advisable to contact OCRC promptly when discrimination is suspected. First, there is an attempt to resolve the situation and then an investigation takes place. If the investigation suggests that discrimination has taken place, then the OCRC will attempt to resolve the matter by informal discussion. If that is unsuccessful, then a hearing is set before the commission. The Attorney General will represent the commission at the hearing and present evidence in support of the complaint. If the commission finds discrimination, then it

will order the employee to cease and desist. The commission can also take action including

reinstatement and back pay. The act of the commission may be enforced by the Attorney General's office through the court of common pleas. For more information call OCRC at 1-888-278-7101.

Please note that as a general rule filing with OCRC is a prerequisite to a subsequent private suit.

## Federal Equal Employment Opportunity Commission

A complaint can be filed with the EEOC within 300 days from the date of the violation, but it is advisable to contact EEOC promptly when discrimination is suspected. An employee can contact the EEOC at 1-800-669-4000. EEOC will then send you a questionnaire from which EEOC drafts a complaint. The employer is notified within ten days. EEOC first makes an attempt at resolution. If that is unsuccessful, a more thorough investigation takes place. If it is determined by the Director that discrimination has taken place, then another attempt at conciliation is made. If that is unsuccessful, the complaint is referred to EEOC Legal Department for action, or you may file suit in Federal Court.

If you file with either OCRC or EEOC, the charge is automatically filed with the other agency.

### Will OCSEA represent a person through these administrative procedures?

The staff of OCSEA only represents employees with respect to the specific

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purview of the collective bargaining agreement. If legal counsel is needed on the above issues, a person will have to obtain it outside of OCSEA. You do not need legal counsel in the administrative proceedings.

They were specifically developed to avoid the need for legal counsel until you get to court.

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