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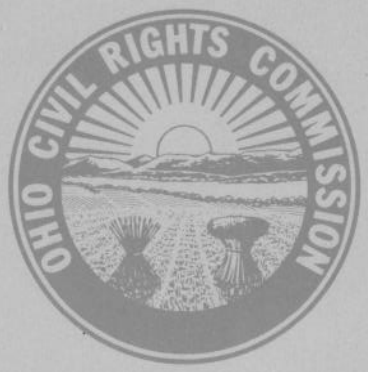

Annual Report

20 Years of Service

OHIO CIVIL RIGHTS COMMISSION

JAMES A. RHODES
Governor

OHIO CIVIL RIGHTS COMMISSION

COMMISSIONERS:
Ronald C. Morgan, Chairperson
Clingan Jackson
Robert Bry
Wade H. Franklin, III
Thomas A. Brown

Ellis L. Ross
EXECUTIVE DIRECTOR

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CENTRAL OFFICE
220 Parsons Avenue
Columbus, Ohio 43215
Telephone 466-2785

October 9, 1979

The Honorable James A. Rhodes
Governor, State of Ohio

The Honorable Oliver Ocasek
President, State of Ohio Senate

The Honorable Vernal G. Riffe
Speaker, Ohio House of Representatives

Gentlemen:

In accordance with Section 4112.04 (A) of the Ohio Revised Code, the Ohio Civil Rights Commission hereby submits its TWENTIETH ANNUAL REPORT.

The Commission, in an effort to enhance the service rendered to the public has instituted the following significant changes during this fiscal year:

(1) The Commission has established an internal training division which has the responsibility for developing and providing a comprehensive in house training program for all Commission employees and thereby improving their efficency and knowledge.

(2) The Commission has entered into a Worksharing Agreement with the Equal Employment Opportunity Commission which effectively divides the case processing responsibilities between the Ohio Civil Rights Commission in an effort to eliminate the duplication of effort and attendant expense to taxpayers and to develop and maintain compatible and consistent investigative standards and procedure.

(3) The Commission has established an internal Hearing Division to handle Public Hearings and as a result thereof have established uniform procedures and consistent decisions as well as substantially reduced the backlog of cases pending Public Hearings through the use of more orderly administrative procedures.

(4) The Commission also instituted production standards designed to set qualitative as well as quantitative goals and guidelines for investigative personnel.

As a direct result of these changes, the Commission has substantially reduced its case backlog and has dramatically lessened the time required to fully process a case. In fact, approximately, one-half of the charges filed this fiscal year have been completely resolved within sixty (60) days and of those cases so resolved, one-third of them have resulted in some monetary award to the charging party.

The Commission is extremely appreciative of the support of both the Executive and Legislative Branches of Ohio Government. Your continued efforts toward improving the civil rights laws are essential. The Commission pledges continued improvement in the administration of those laws.

Respectfully,

FOR THE COMMISSION

Ronald C. Morgan

RONALD C. MORGAN, CHAIRPERSON

Ohio Civil Rights Commission

Thomas A. Brown

Robert Bry

Ronald C. Morgan
Chairperson

Wade H. Franklin III

Clingan Jackson

TITLE OF AGENCY: The Ohio Civil Rights Commission

ESTABLISHED: 1959

STATUTORY AUTHORITY: Chapter 4112, Ohio Revised Code

CENTRAL OFFICE: 220 Parsons Avenue, Columbus, Ohio

ORGANIZATION STRUCTURE: Six Regional Offices located in Columbus, Akron, Cleveland, Cincinnati, Dayton, Toledo.

STAFF:

EXECUTIVE UNIT
Ellis L. Ross, *Executive Director*
Robert D. Brown, *Chief, Administrative Services*
Emerson E. Cole, *Chief, Compliance and Regional Operations*

EEOC COORDINATOR
J. Jefferies Moon

LEGAL OPERATIONS
Frank C. Gibb, *Chief*

ADMINISTRATION
Francis Smith, *Manager*
Sandra Porter, *Personnel Officer*
Richard D. Crawford, *Finance Officer*

AFFIRMATIVE ACTION UNIT
E. Aggie Randolph

COMPLIANCE
Gerald P. Wolfe, II, *Manager*

EDUCATION AND COMMUNITY RELATIONS
Sharon Aldridge, *Director*

HANDICAP SPECIALIST
Claudia Bergquist

HEARING EXAMINERS
Franklin Martens, *Chief*

PLANNING AND RESEARCH
Gerrit J. Rietveld, *Manager*
Earle H. Diggs, *Assistant Manager*

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Berna L. Brown, *Public Information Officer*

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Foreword

Twenty years have passed since the enactment of legislation that provides relief to persons that are illegally denied equal opportunity in terms of privilege and opportunity for employment. From this embryo the Commission has grown in terms of responsibility, knowledge, capacity, capability and resources. Eighteen years since the modernized version of equal access to places of public accommodation. Fourteen years with regard to illegal denial of shelter or housing for all persons. Ten years of legal prohibition as regards access to burial lots. Since July 29, 1959 statutory responsibilities in the above and related offenses have been the administrative and enforcement mandate of the Ohio Civil Rights Commission by reason of race, color, religion, national origin, sex and physical handicap. In 1976 there was added the prohibition by reason of age in credit only.

The amount initially appropriated by the 103rd General Assembly (Senate and House Finance Committees and the Finance Department), was a $200,000.00 biennial appropriation. It was increased by slightly more than $75,000.00 for the 1960-61 period. This was the entire amount available to handle the sum of 160 cases filed, valid and invalid. The staff available was limited to three professionals and three clericals. Then and since then there remains the prescribed limit of five Commissioners.

The demands and experience of twenty years - ending July 1, 1979 - reflect corresponding awareness in terms of demands upon the agency, by both the public and the General Assembly. The former by 4,615 new charges filed and 2,572 cases brought forward for a case load of 7,187 for the year. Over half of that figure were resolved. This by virtue of the introduction of innovative procedures, aided by a broadened training program, including considerable financial and training aid provided by the federal Equal Employment Opportunity Commission. Contractually EEOC committed the Commission to satisfactorily handle 2000 cases deferred by virtue of Title VII Congressional demand. The demand was approached well ahead of the established deadline and a commendable excess of accomplishment was assured. The $2,991,770 granted by the General Assembly was aided by EEOC's contractual contribution of $547,155.00. It thus seems not unreasonable to conclude that there exists considerably more than a modicum of confidence in the Commission. The ability to handle the gradually broadened responsibility of service to those proven to have been illegally denied under existing laws is evident.

Despite the illusory appearance of bureaucratic obesity as suggested by the literal contrast of figures from 1959 to those found herein there does remain several incontrovertible facts. Hundreds of jobs obtained. Almost a half million dollars in cash benefits awarded complainants. Over a million dollars in projected benefits all speak to an almost evangelistic cognizance of existing law and its enforcement impact.

Technical improvements such as "Linolex" communication between the agency's offices and its cooperative partner (EEOC) have reduced time lapse in reporting, accountability and service delivery to the public. Planned individual and collective improvement of performance is both exciting and realistic. Legal differences between the state and federal programs and procedures are being carefully neutralized. As a state agency proper resistance is being maintained to avoid federal erosion of state legislated mandates. The fact of prior birth of the Ohio Civil Rights Commission (July 29, 1959) has in no

(continued on page 2)

derogatory manner reflected upon the broadened protection intended by the advent of the federal Equal Employment Opportunity Commission (July 2, 1964). EEOC has indeed provided the benign influence of a "Big Brother" to those overly long denied. The possible exception being those opposed to alteration of the status quo or sharing of the weath.

Of more than ordinary concern to me in this "Year of the Child", is the growing voice of division and unmitigated criticism. This between those organizations, and even individuals, who by their very platforms should avoid any semblance of cleavage. Their individual impact becomes woefully diluted by ill-founded utterances of unproven allegations of non-feasance on the part of colleagues. This is an unsolicited delight to all who have been and remain stubbornly opposed to any alteration of the status quo. They need but to remain smugly quiet and silently applaud the verbal self-destruction of the equalitarians (legislated and self-appointed). I personally believe it to have been the sounded course of action to have refrained from the denigration of any agency whose commitment and intent parallels that of the Ohio Commission. It is of considerable comfort and material advantage to have the agency's record clear of malicious and destructive counter charges against alleged allies. Such efforts, amongst other things, run counter to the national need for the conservation of energy, of which most recent assessment suggests an alarming shortage.

Ellis L. Ross, *Executive Director*

Introduction

The Ohio Civil Rights Commission enforces the state's anti-discrimination laws in Employment, Housing, Public Accommodations, and Credit. Protected classes under Ohio law include race, color, religion, sex, national origin, handicap, or ancestry. (Marital status and age are currently protected classes under the Credit jurisdiction only). Effective November 13, 1979, the Laws Against Discrimination will include age (40-70) as a protected class in all four jurisdictional areas.

In addition to work sharing arrangements with the Equal Employment Opportunity Commission, the Ohio Civil Rights Commission participates in a Memorandum of Understanding with the United States Department of Treasury, Office of Revenue Sharing, and with the A-95 Project Notification and Review System. In these agreements, the Ohio Civil Rights Commission measures the civil rights impact and implications of Federally assisted programs or recipients of revenue sharing funds.

Beyond these enforcement responsibilities, Chapter 4112 requires the Commission to receive affirmative action progress reports from political subdivisions (county, municipal, and state), and to establish a Department of Education.

Achievements During FY 1979 And Goals for FY 1980

In fiscal year 1979, the Ohio Civil Rights Commission continued to reduce case backlog and case processing time by using a rapid charge processing system. This system was one of the first of its kind to be developed. Variations of it are now being used by most state anti-discrimination agencies and by the federal Equal Employment Opportunity Commission. Since its inception in 1975, OCRC's rapid charge processing system has reduced backlog from 6,000 cases to its present level of 2,000 cases. In addition to reducing case backlog, rapid charge processing has dramatically increased the number of charges resolved within sixty days of filing. In 1979 nearly half of the charges filed with the Ohio Commission were resolved within sixty days; over one third resulted in direct benefits, including monetary awards, to the complainant.

In November, 1978, the Ohio Civil Rights Commission (OCRC) and The Equal Employment Opportunity Commission (EEOC) entered into a Worksharing Agreement which provided for dual filing of employment charges, and which divided case processing responsibilities according to each agency's resources and work capacity. Worksharing has eliminated duplication of effort and has allowed the two agencies to develop compatible and complimentary investigation standards. This historic development in state-federal relations will be continued and improved upon during the next year.

During 1979, the Ohio Civil Rights Commission established a Hearing Division which assumed responsibility for conducting public hearings. This unit, funded by a grant from EEOC, has centralized OCRC's hearing activities and during the reporting year has tightened accountability over this very important Commission function.

As the Ohio Civil Rights Commission enters the decade of the eighties, greater focus will be placed on improving the quality of service provided to its constituency. Tighter standards will be set for case investigation. Greater emphasis will be placed on case settlement through the use of fact finding conferences. Charges which are not settled prior to a formal Commission finding will be exposed to a full scale investigation. Complainants and Respondents will be made more aware of Commission procedures and their rights under the law.

During the 1970's, the Ohio Commission was forced by the spectre of backlog to stress case quantity. Now that backlog has reached a manageable level, the Ohio Civil Rights Commission will devote its full resources to improving the quality factor of case processing.

The Case Load

During fiscal year 1979 the Ohio Civil Rights Commission (OCRC) received 4,615 new charges. (See Table I) This total was almost 5% less than the preceding fiscal year and more than 16% fewer than during fiscal year 1977. (See Table II)

TABLE I. DISTRIBUTION OF CASELOAD BY REGIONAL OFFICE DURING FISCAL YEAR 1979

Filed	All Jurisdictions	Percent of Total
Northeast Region	1,128	24.5
Southeast Region	934	20.2
Southwest Region	1,023	22.2
Northwest Region	540	11.7
South Northeast Region	597	12.9
North Southwest Region	393	8.5
TOTAL	4,615	100.0

TABLE II. VERIFIED CHARGES FILED 1975/1979

YEAR	CHARGES	PERCENT CHANGE BETWEEN FISCAL YEARS
Fiscal Year 1975	5,594	+44.7
Fiscal Year 1976	4,886	+13.0
Fiscal Year 1977	5,530	+13.2
Fiscal Year 1978	4,854	—12.2
Fiscal Year 1979	4,615	— 4.9

Combining the intake of new charges with the cases pending investigation at the close of fiscal year 1978, the Commission faced a total caseload of over 7,000 during fiscal year 1979. (See Table III)

TABLE III. TOTAL CASELOADS 1975/1979

YEAR	CASES CARRIED OVER	NEW CASES	TOTAL CASES
Fiscal Year 1975	3,670	5,594	9,264
Fiscal Year 1976	5,084	4,886	9,970
Fiscal Year 1977	3,465	5,530	8,995
Fiscal Year 1978	4,146	4,854	9,000
Fiscal Year 1979	2,572	4,615	7,187

Worksharing

During FY 1979, starting in November 1978, the Ohio Commission entered into a Work Sharing Agreement with the federal Equal Employment Opportunity Commission (EEOC). According to this agreement the Ohio Commission and EEOC would maintain dual authority over those employment charges jurisdictional under Title VII of the Civil Rights Act of 1964, as amended. Title VII type employment charges were jointly (dual) filed by Complainants with both the Ohio Commission and EEOC, no matter with which office they were filed first. In order to prevent duplication of effort and waste of resources, the dual caseload was divided between the Ohio Commission and EEOC. For the period November through June, 1979, 2,657 dual filed charges were brought to both agencies. These dual filed charges constituted 58% of the Ohio Commission's intake of new charges during fiscal year 1979. Measuring the period since worksharing began (November, 1978), the percentage is 90% of total case intake.

Of the 2,657 dual filed charges received by the Ohio Commission in 1979, 1,295 or 49% were retained as primary jurisdiction. The rest (1,362) were retained by EEOC as primary jurisdiction.

Both the Ohio Commission and EEOC review each other's findings and adopt them if respective standards are met. If standards are not met on dual charges handled by EEOC, the Ohio Commission initiates its own investigation.

Charge Jurisdiction and Basis of Alleged Discrimination

As in previous reporting years, charges alleging employment discrimination made up the vast majority of cases in the Ohio Commission's inventory. During fiscal 1979, 98% of all charges filed were based on alleged employment discrimination. Housing charges comprised .5%, public accommodation charges 1.2% and credit charges .03%.

Again, as in previous reporting years the percentages of charges filed based on allegations of race discrimination (66%) far exceeded other bases. (See Table IV)

TABLE IV BASIS OF CHARGES OF ALLEGED DISCRIMINATION FOR REPORT YEARS 1978 - 1979

	1978	Per Cent of Total	1979	Per Cent of Total
EMPLOYMENT	4,714	100.0	4,523	100.0
Race/Color	2,864	60.8	2,985	66.0
Religion	69	1.6	41	.9
Sex	1,221	25.9	1,113	24.6
Ancestry	50	1.1	NA	NA
National Origin	103	2.2	122	2.7
Handicap	367	7.8	262	5.8
Other	40	.7	0	0

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Table IV *(continued)*

	1978	Per Cent of Total	1979	Per Cent of Total
HOUSING	53	100.0	24	100.0
Race/Color	41	77.4	18	80.5
Religion	—	—	0	0.0
Sex	5	.94	3	12.2
Ancestry	—	—	NA	NA
National Origin	—	—	2	4.9
Handicap	1	1.9	1	2.4
Other	6	11.3	0	0.0
PUBLIC ACCOMMODATION	68	100.0	57	100.0
Race/Color	53	77.9	36	62.0
Religion	—	—	2	4.2
Sex	8	11.8	11	19.7
Ancestry	—	—	NA	NA
National Origin	—	—	1	1.4
Handicap	7	10.3	7	12.7
Other	—	—	0	0.0
CREDIT	38	100.0	11	100.0
Race/Color	11	29.0	6	53.4
Religion	—	—	2	20.0
Sex	16	42.1	3	26.6
Ancestry	—	—	NA	NA
National Origin	1	2.6	0	0.0
Handicap	1	2.6	0	0.0
Other	9	23.7	0	0.0

Case Production

During fiscal year 1979, the Ohio Commission processed slightly over 4,000 cases; 3,648 of which were closed. (See Table V) Normally, this would mean that the backlog of cases would have increased since more new charges were taken in than were closed during the year. However, 1,228 charges were still retained by EEOC as primary jurisdiction under the Work Sharing Agreement as of June 30, 1979. This means that actually only 3,387 *active* charges were processed by the Ohio Commission during 1979. Adding the number of cases carried over from fiscal year 1978 (2,572) to the 3,387 active charges received during 1979 and subtracting the number of closed cases (3,648) equals 2,311 cases in the pending caseload as of July 1, 1979. Of these 2,311 charges, only 2,045 were pending investigation. This was a vast improvement over the situation faced by the Ohio Commission four years ago when nearly 5,000 charges were awaiting investigation.

TABLE V. SUMMARY OF CASES PROCESSED

TOTAL CASELOAD	EMPLOYMENT	HOUSING	PUBLIC ACCOMMODATIONS	CREDIT	TOTAL
Charges Received	4,523	24	57	11	4,615
Brought Forward	2,537	17	14	4	2,572
PENDING CASELOAD	3,485	13	39	2	3,539
Probable Cause Found	264	1	1	0	266
Cases Pending Investigation	1,993	12	38	2	2,045
Retained by EEOC	1,228	0	0	0	1,228
TOTAL RESOLVED	3,574	29	33	12	3,648
Administrative Closure at Intake	1,149	3	8	6	1,166
Pre-determination Settlements	615	8	21	5	649
Conciliated Closed	392	1	1	0	394
Settlements Prior to Public Hearing	9	0	0	0	9
No Jurisdiction	77	1	1	0	79
No Probable Cause	1,011	12	0	1	1,024
Dismissed Other Reasons	321	4	2	0	327

Table VI shows that of the 3,648 cases closed by the Ohio Commission during fiscal year 1979, 1,815 or 50% were processed to completion within 60 days of receipt. Nearly 18% of the total number closed were settled (within 60 days) to the satisfaction of complainant and respondent before a formal finding. A total of 1,043 charges were settled or conciliated, nearly 29% of all closures during the year.

TABLE VI. CASE CLOSURES DURING FISCAL YEAR 1979

CLOSED	ALL JURISDICTIONS	PERCENT OF TOTAL
Administrative Closures at Intake	1,166	32.0
Pre-determination Settlements	649	17.8
Conciliated	394	10.9
Closure Prior to Hearing	9	.3
No Jurisdiction	79	2.2
No Probable Cause	1,024	28.1
Administrative Closures at Investigation	327	9.0
TOTAL	3,648	100.0

Case Capsules

Here is a small sampling of cases resolved by the Ohio Civil Rights Commission during the Fiscal Year:

RACE. A black male filed a charge with the Commission alleging denial of promotion, being subjected to biased evaluations and continual harassment from management based upon race. Complainant concluded that these conditions of employment were such that he was forced to resign. After extensive investigation Staff recommended PROBABLE CAUSE be found. Prior to the Commission adopting recommendation, Staff met with Respondent's counsel to discuss pre-determination settlement and at a later meeting Staff was able to procure a settlement of $10,770.00 for Complainant. Respondent also agreed to pay the Ohio Bureau of Employment Services $2,950.00 for unemployment benefits that Complainant received. Along with monetary relief Complainant received an expungement of record and a neutral reference of employment.

SEX. A white female, Factory worker, filed a charge alleging that she was caused to suffer extreme humiliation and embarassment by her white male foreman. The employer's dress code dictated that, for obvious safety reasons, all females were required to wear brassieres. Complainant's foreman suspected her of being in violation of the dress code. Although Complainant confirmed the foreman's suspicions, he chose to inspect her person by means of actual observation in the presence of her co-workers, both male and female. Since the wearing of this particular garment is peculiar to the dress habit of females, Complainant believed that this inspection constituted an act of discrimination because of her sex. The Vice President of the corporation provided Complainant with a letter of apology. It should be noted that upon visiting Staff's office, complainant demonstrated her objection to wearing brassieres.

HANDICAP. A white handicapped male roofer with a back brace, alleged he was discharged because he filed for and received partial disability, while employed. Respondent deemed him to be a totally handicapped person unable to be employed any longer. The case was investigated and before submission to the Commission, Respondent complied during investigation by paying to Complainant back pay in full of $14,000.00. Complainant was employed elsewhere and rejected Respondent's offer of reinstatement.

SEX. Complainant, a female, alleged that she was paid less than males who performed equivalent jobs. The commission found that this was true, at least part of the year. During preparation for hearing, Respondent agreed to a settlement of $1500.

RACE. Complainant alleges she was discharged during her probation because of her race, since a Caucasian who did worse was retained. Investigation showed that Complainant had not even been assigned to some of the jobs she allegedly could not perform. During conciliation Respondent agreed to settle for $13,500. Staff considers the settlement significant.

RELIGION. Complainant, a member of the World Wide Church of God, requested leave to attend a religious conference. He was denied, and terminated when he took the days off. However, Respondent allowed another teacher to take a longer leave to attend the Olympic Games in Germany. The investigation done by the Commission was the foundation for a court suit which awarded $43,000 in back pay.

HANDICAP. Complainant was hired as a salesman. He has a speech problem, stuttering. His employer discharged him during the probationary period, allegedly for poor performance. Subsequently, Complainant filed a charge alleging that his discharge was based on his handicap, not his failure to adequately do the job for which he was hired. The Commission made a Probable Cause finding, and conciliation resulted in a settlement of $3500, which was full remedy.

SEX. A female, employed by a realtor, filed charges with the Commission alleging that she was sexually harassed and propositioned, and because of her refusals of the sexual propositions she was fired. During the Intake procedure the case was satisfactorily adjusted. The remedy was worked out between the Commission, the Complainant, the Complainant's counsel and the Respondent's counsel. The terms of the settlement were: a $6,000 discount toward the purchase of her house (an employee benefit), and $3,500 for back wages (with an additional $500 for attorney fees). Complainant also received a neutral reference of employment.

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Affirmative Action Unit

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EEOC Coordinator

Frank C. Gibb,
Legal Operations

Robert D. Brown, Chief,
Adm. Svcs.

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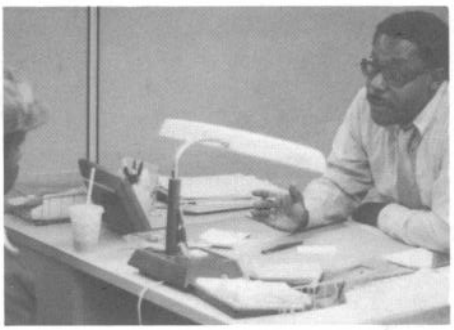
Operations

Gerrit J. Rietweld, Manager,
Planning and Programming

Compliance

Finance Dept.

Regional Staff



Monetary Awards

One of the more dramatic measures of the Ohio Commission's efforts to enforce the law is the amount of money awarded to complainants for losses due to discrimination. In previous years only the actual dollar amounts awarded to complainants was reported. Table VII shows the actual dollar benefits ("back pay") for fiscal year 1979. Table VIII shows the projected benefits which are calculated by figuring the amount of money earned by a complainant over the period of one year because of Commission efforts to secure employment, promotion or fringe benefits for the complainant. These benefits are a legitimate gauge of the Commission's impact on eliminating discrimination.

Table IX shows the total benefits, actual and projected, awarded to Complainants during fiscal year 1979. The total of nearly 1.8 million dollars should be interpreted as a strong deterrent to unlawful discrimination.

TABLE VII. MONETARY AWARDS — ACTUAL DOLLAR BENEFITS OCRC

MONTH	NORTH EAST	SOUTH WEST	SOUTH EAST	SOUTH NORTH-EAST	NORTH WEST	NORTH SOUTH-WEST	TOTAL
July	6,804.20	7,143.00	9,374.76	8,407.00	1,845.30	2,057.60	35,631.26
Aug.	7,908.92	12,585.25	37,738.27	910.00	3,138.30	2,400.00	64,680.74
Sept.	13,399.83	1,464.04	12,868.40	4,250.00	338.00	1,850.00	34,170.27
Oct.	12,208.86	4,397.90	14,309.21	4,377.14	903.97	772.53	36,969.61
Nov.	7,068.96	4,670.88	5,173.72	1,964.53	2,738.79	1,587.00	23,203.88
Dec.	17,507.20	11,621.23	20,627.20	500.00	3,334.40	212.85	43,802.83
Jan.	6,456.62	2,918.23	16,628.61	1,657.66	1,400.00	1,130.39	30,191.51
Feb.	4,135.63	1,250.00	3,304.00	979.50	3,000.00	321.60	12,990.73
March	15,221.80	5,921.32	6,521.08	832.00	6,409.00	5,023.50	39,928.70
April	11,733.02	49,291.83	6,451.32	1,600.00	5,828.00	3,015.22	77,919.39
May	9,569.79	7,328.69	6,335.60	1,944.90	15,187.00	1,065.35	41,481.33
June	1,915.17	20,209.23	12,134.60	992.75	1,474.00	5,096.86	41,822.61
TOTAL	103,930.00	128,801.60	151,466.77	28,465.76	45,596.76	24,532.90	482,793.51

TABLE VIII. MONETARY AWARDS — PROJECTED BENEFITS

MONTH	NORTH EAST	SOUTH WEST	SOUTH EAST	SOUTH NORTH-EAST	NORTH WEST	NORTH SOUTH-WEST	TOTAL
July	56,975.96	28,519.50	29,975.00	9,425.00	1,123.20	1,800.00	127,818.66
Aug.	29,179.88	- 0 -	57,865.80	2,096.30	24,864.00	1,800.00	115,805.98
Sept.	2,327.00	29,420.65	93,095.80	386.91	2,236.00	- 0 -	127,466.36
Oct.	26,686.40	11,373.44	47,777.60	- 0 -	6,656.80	7,234.76	99,729.00
Nov.	68,153.60	13,248.00	63,463.80	743.43	- 0 -	- 0 -	145,608.83
Dec.	34,944.00	55,980.80	40,752.00	- 0 -	58,836.00	- 0 -	190,512.80

(continued on page 12)

Table VIII *(continued)*

MONTH	NORTH EAST	SOUTH WEST	SOUTH EAST	SOUTH NORTH-EAST	NORTH WEST	NORTH SOUTH-WEST	TOTAL
Jan.	37,040.60	2,314.00	49,991.35	- 0 -	- 0 -	24,104.00	113,449.95
Feb.	- 0 -	12,937.00	23,708.00-	- 0 -	- 0 -	5,616.00	42,261.00
March	30,843.25	42,346.00	12,407.20	- 0 -	- 0 -	- 0 -	85,596.45
April	- 0 -	- 0 -	9,880.00	2,012.40	- 0 -	19,397.80	31,290.20
May	22,006.00	23,296.00	35,504.00	- 0 -	14,705.60	- 0 -	95,511.60
June	18,165.94	25,525.50	24,353.60	- 0 -	30,417.30	30,316.00	128,778.34
TOTAL	326,322.63	244,960.89	488,774.15	14,664.04	138,838.90	90,268.56	1,303,829.17

TABLE IX: TOTAL MONETARY BENEFITS FISCAL YEAR 1979

MONTH	NORTH EAST	SOUTH WEST	SOUTH EAST	SOUTH NORTH-EAST	NORTH WEST	NORTH SOUTH-WEST	TOTAL
July	63,780.16	35,662.50	39,349.76	17,832.00	2,968.50	3,857.60	163,410.52
Aug.	37,088.80	12,585.25	95,604.07	3,006.30	28,002.30	4,200.00	180,486.72
Sept.	15,726.83	30,884.69	105,964.20	4,636.91	2,574.00	1,850.00	161,636.63
Oct.	38,895.26	15,771.34	62,086.81	4,377.14	7,560.77	8,560.77	136,698.61
Nov.	75,222.56	17,918.88	68,637.52	2,707.96	2,738.79	1,587.00	168,812.71
Dec.	42,451.20	67,602.03	61,379.20	500.00	62,170.40	212.85	234,315.68
Jan.	43,497.22	5,232.23	66,619.96	1,657.66	1,400.00	25,234.39	143,641.46
Feb.	4,135.63	14,187.00	27,012.00	979.50	3,000.00	5,937.60	55,251.73
March	46,065.05	48,267.32	18,928.28	832.00	6,409.00	5,023.50	125,525.15
April	11,733.02	49,291.83	16,331.32	18,012.40	5,828.00	22,413.02	123,609.59
May	31,575.79	30,624.69	41,839.60	1,994.90	29,892.60	1,065.85	136,992.93
June	20,081.11	45,734.73	36,488.20	992.75	31,891.30	35,412.86	170,600.95
TOTAL	430,252.63	373,762.49	640,240.92	43,129.52	184,435.66	114,801.46	1,786,622.68

Affirmative Action Unit

During the Fiscal Year 1979 the Commission's Affirmative Action Unit presented its second annual *Affirmative Action Progress* Report to the Legislature. The report consists, by statutory requirement, of reports received by the Ohio Civil Rights Commission from political subdivisions of the state (including local government entities) on their progress toward hiring, promoting and retaining minorities, women, and the handicapped.

In light of the generally distorted public view of Affirmative Action, the unit established criteria for those agencies to use in evaluating themselves.

AFFIRMATIVE ACTION DEFINED

The major Ohio law and regulation concerning sex and minority discrimination is Chapter 4112, Ohio Revised Code. This law prohibits employers from discriminating against employees or applicants on basis of sex, race, color, age, ancestry, handicap, religion, or national origin. Affirmative Action requires employers to take specific action and make special efforts to recruit, employ, and promote qualified persons of the protected classes, defined as Blacks, American Indians, Asian Americans, Hispanic Americans and women. Other laws, for example, the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, do not explicitly require affirmative action but employers who have been found to be discriminating have been ordered by the courts or conciliation agreements to undertake Affirmative Action Plans.

Enlightened organizations and institutions include an Affirmative Action Plan in general personnel policies and practices in order to ensure that equal opportunity is provided for all qualified persons; thus lessening the likelihood of, or need for, employees and applicants for employment to file discrimination complaints with various agencies with compliance authority.

The Ohio Civil Rights Commission's Affirmative Action Unit encourages employers to take the following affirmative steps toward compliance:

POLICY STATEMENT

Affirmative Action Plans should have strong statement of policy and commitment to Equal Employment Opportunity which should be distributed widely, both internally and externally.

EQUAL EMPLOYMENT OPPORTUNITY OFFICER

Even the best Affirmative Action Program is doomed to failure without someone designated to oversee it and provide direction and leadership.

UTILIZATION ANALYSIS

Employers should review their work force to determine in what areas and levels of employment women and minority group members are located.

GOALS AND TIME TABLES

Employment goals and time tables have been called the "heart" of the Affirmative Action Plan. Goals are projected hirings or promotions established to help an employer overcome deficiencies with time tables for completion. Goals are not rigid quotas which must be met, rather they are targets which the employer must take every effort to achieve.

RECRUITMENT PROCEDURES

Equal Employment Opportunity is a practice of open advertising of all available positions. In addition to open advertising, special steps to recruit women and minorities are necessary.

SELECTION PROCEDURES

Job descriptions should be reviewed to ensure that only job functions are included.

CONSIDERED ALTERNATIVES FOR EMPLOYEES

(a) The employment of a part-time specialist where full time service is not needed.

(b) Pairing — two employees share one full time job, each having equal responsibility for the total job. Each employee works only half time, but together they provide full time coverage.

(c) Job-sharing — two employees divide one job between them with each being responsible for half the work, unlike "pairing" they do not have equal responsibility for total job.

(d) Flex-time (Flexible working hours) — For those enlightened agencies who sincerely want to increase the number of females and minorities at responsible levels; they can provide greater flexibility in employment patterns for persons who, may choose to work less than full time during certain periods of their lives.

Compliance

The enforcement of Ohio's Laws Against Discrimination is carried out by the Commission's six regional offices and the Compliance Department under the general supervision of the Chief of Compliance and Regional Operations.

The Compliance Department is the nerve center for all the Commission's enforcement activities and plays a vital role in the administration of the Commission's case load by performing a variety of tasks.

The initial handling of cases of unlawful discrimination occurs in the regional offices where charges are received and investigated. Upon completion of all investigations, reports are prepared by regional staff and forwarded to the Compliance Department for review by Compliance Officers. It is through the review process that the Commission exercises quality control over the ever-increasing case load.

Drafting and issuance of formal complaints as well as scheduling and notifying parties of public hearings are responsibilities of the Compliance Department. Every charge that is filed with the Commission eventually passes through the Compliance Department in one form or another for Commission action.

Ohio's Laws Against Discrimination are continuously impacted, altered, and adjusted by state and federal judicial rulings as well as the Commission's interpretation of the Civil Rights statutes. The Compliance Department's constant monitoring and review of cases and case-related activities helps to ensure that the Ohio Civil Rights Commission's responsibility to eradicate discrimination is properly met.

HEARINGS HELD JULY 1, 1978 THROUGH APRIL 30, 1979

DATE 1978	RESPONDENT	JURISDICTION	BASIS
July	Ranco, Inc.	Employment	Race/Color
	Ohio Department of Transportation	Employment	Race
	Borden, Inc.	Employment	Race/Sex
	Jelly, Inc.	Employment	Sex
August	Price Brothers	Employment	Race
September	Hamilton Welding	Employment	Race/Color
October	City of Mayfield Heights	Employment	Sex
November	Ohio Bureau of Employment Services	Employment	Retailiation
	Elyria Foundry	Employment	Race/Color
December	Vinton County Sheriff and Commissioners	Employment	Sex
January	Westinghouse Credit Corp.	Employment	Race
	Liberty Township Board of Trustees	Employment	Race
	Mansfield Reformatory	Employment	Race/Color
	Jas. T. Ryerson & Sons Co.	Employment	Race/Color
	Feldman Enterprises	Employment	Race
February	D & R Machine Co.	Employment	Handicap
	Blood Alliance, Inc.	Employment	Race/Handicap
	Harcatus Tri-County CAC	Employment	Race/Color
	Ohio Department of Transportation	Employment	Race/Color
	Ramada Inn	Employment	Sex
	Dresser Industries	Employment	Race
March	City of Columbus	Employment	Race/Color
	Juvenile Ct. of Cuyahoga County	Employment	Race
	Columbus Products Division	Employment	Handicap

ORDER OF DISMISSAL JULY 1978 / JUNE 1979

JONES v. INTERLAKE, INC.
Order Issued 9-18-78

SANDFORD v. WILLIAM POWELL VALVE COMPANY
Order Issued 9-21-78

BURTON v. EDWIN A. RAUH DBA ED RAUH'S QUEBEC GARDENS
Order Issued 9-21-78

BOULDIN v. FRANKLIN COUNTY WELFARE DEPARTMENT
Order Issued 1-9-79

COOPER v. STATE OF OHIO, DEPARTMENT OF ADMINISTRATIVE SERVICES
Order Issued 1-9-79

SUMPTER v. VILLAGE OF CUYAHOGA HEIGHTS
Order Issued 1-12-79

DANIELS v. CITY OF BEREA
Order Issued 2-28-79

MAY v. KETTERING MEDICAL CENTER
Order Issued 3-15-79

CUMMINGS v. THE PRICE BROTHERS COMPANY
Order Issued 3-15-79

HUMMEL v. HIGHLAND GREENS APARTMENT
Order Issued 3-16-79

ROBINSON v. LAMSON & SESSIONS CO.
Order Issued 3-19-79

RAMEY v. GENERAL MOTORS CORPORATION
Order Issued 6-18-79

CEASE AND DESIST ORDERS ISSUED JULY 1978 / JUNE 1979

ELLWOOD v. HAUGHTON ELEVATOR CO., DIVISION OF RELIANCE ELECTRIC
Order Issued 9-9-78

ROCK v. WESTERVILLE CITY SCHOOLS
Order Issued 10-10-78

CATALINA v. OHIO BUREAU OF EMPLOYMENT SERVICES
Order Issued 11-13-78

FOULKS v. ADULT PAROLE AUTHORITY, DBA DEPARTMENT OF REHABILITATION
Order issued 11-14-78

NYESTE v. CITY OF AKRON, WATER POLLUTION CONTROL DIVISION
Order Issued 11-14-78

BRADLEY v. JACKSON TOWNSHIP TRUSTEES
Order Issued 11-16-78

THOMAS v. OHIO CENTRAL CREDIT UNION
Order Issued 12-15-78

HOOD v. BURNS INTERNATIONAL SECURITY SERVICES
Order Issued 12-18-78

DRUSBACKY v. PORT CLINTON CITY SCHOOLS
Order Issued 12-19-78

JOHNSON v. BEVERAGE MGMT., INC. DBA ROYAL CROWN BOTTLING CO.
Order Issued 1-9-79

GARDNER v. HIGHLAND GREENS APT.
Order Issued 1-12-79

PILLOW v. OHIO DEPARTMENT OF TRANSPORTATION
Order Issued 3-13-79

JOHNSON v. AYERSVILLE SCHOOLS DISTRICT
Order Issued 3-15-79

TIPTON v. THE CITY OF AKRON POLICE DIVISION
Order Issued 5-8-79

HANSEN v. JELLY, INC., DBA CHART HOUSE RESTAURANT
Order Issued 6-15-79

CUNNINGHAM v. DAYTON TIRE & RUBBER COMPANY
Order Issued 6-18-79

Division of Hearings

In 1979, the Commission inaugurated the Division of Hearings consisting of three attorneys who are employed full-time as hearing examiners, a hearing assistant and a clerical specialist. Previously hearings had been assigned to attorneys in private practice on a contract basis.

The Division of Hearings assumed responsibility for processing all Complaints to public hearing, production of a written transcript of the hearing, and a submission of a written report containing findings of fact, conclusions of law, and a recommendation of action to be taken by the Commission.

The Division began conducting public hearings in February, 1979. Public Hearings have been conducted in nineteen (19) cases as follows:

Smith v Harcatus
Wilhelm v Ramada Inn
Polk v City of Canton
Henslee v Dept. of Administrative Services
Hutson v Kroger
Johnson v Home Service
Moss v Commercial Protective Services
Capriulo v Acme Stores
Bahramian v City of Cincinnati
Moores v Ashtabula Medical Center
Minnifield v Westinghouse Electric Corp.
Thompson v Kent State University
Butler v Proctor and Gamble
Wong v Department of Taxation
Pherson v Kent State
Stamps v Independent Order of Odd Fellows
Alexander v Cuyahoga County Common Pleas Court

The Division of Hearings is also charged with the responsibility for managing the public hearing docket. This includes ruling on pre-hearing and post-hearing motions, holding pre-conferences, notifying the parties when cases are continued, settled or dismissed; securing appropriate facilities in which to hold hearings; and maintenance and preservation of files, evidence and the record. The Division of Hearings has developed rules and procedures to carry out these responsibilities and expects to further develop and refine these in 1979.

As of June 1, 1979, the Division of Hearings had been assigned seventy-five cases where Complaints were issued by the Commission since January 1, 1979. In addition the Division has been assigned cases from previous years.

This unit is funded by a special grant from the Equal Employment Opportunity Commission.

Department of Education and Community Relations

The Department of Education and Community Relations plays a very significant role and shares the responsibility of maintaining a communications network across the state by providing resources and information, conducting workshops and conferences, responding to requests for speakers, providing assistance with program planning, and developing liaisons with constituent organizations.

This year, the Commission appointed a statewide Educational Advisory Council as an adjunct to its Education Department. Although the Commission has no enforcement powers in the field of education except in employment matters, it is required to "Prepare a comprehensive educational program, in cooperation with the department of education, for the students of the public schools of this state and for all other residents thereof, designed to eliminate prejudice on the basis of race, color, religion, sex, national origin, handicap, or ancestry in this state, to further good will among such groups, to emphasize the origin of prejudice against such groups, its harmful effects and incompatibility with American principles of equality and fair play."

The major purpose and function of the council is to advise and recommend to the Commission, ways to make its educational mandate more meaningful and operative.

The Department in cooperation with The Ohio Department of Education: Division of Equal Educational Opportunity, The Great Lakes Sex Desegregation Assistance Center, and The Midwest National Origin Center, assisted the KEDS Desegregation Assistance Center, in the sponsoring of it's sixth annual "Jobs Conference". The program's major thrust was to have an equitable distribution of human resources in our educational institutions in order to improve quality educational opportunity for all students. Therefore, focus was on the recruitment of minority candidates and women who were certified in administration and teaching.

The Department also assisted the Ohio Educational Association's Commission on Human Relations in the sponsorship of its 1979 Mid-Winter Affirmative Action Conference. The theme for this conference was "Educational Equality: Myth or Reality." The State Department of Education (Division of Urban Education) and the KEDS Desegregation Assistance Center also assisted in this conference. By participating in this conference, the Ohio Civil Rights Commission joined with educational organizations and interested publics who have a vested interest in improving and encouraging quality integrated education programs across the State of Ohio.

Highlights of other activities of the Department include participation in legal seminars sponsored by the Ohio Association of Elementary School Administrators. These seminars were conducted in various regions of the state to make administrators more knowledgeable of civil rights law, legal rights and responsibilities, and the legalities of pre-employment inquiries during interviews. Further, in response to many requests for service on a variety of topics, speeches, seminars, and workshops were presented across the state to professional associations, social service agencies, elementary and secondary schools, and community organizations.

Handicap Unit

In August of 1977 the Commission employed a "Handicap Specialist" to supplement enforcement of the relatively new handicap law.

One of the more significant accomplishments this year was Handicap In-Service Training for the Commission staff. The Handicap In-Service Training sessions were conducted for each of the six regional offices between November 7, 1978 and December 14, 1978. Each session was equivalent to one 8-hour day. Training was designed to improve the effectiveness of the Regional Office Staff who have direct contact with handicapped complainants. With the greater awareness of disabilities and open communication between the disabled population and the Regional Office, recommendations to ensure total enforcement of the Handicap jurisdictions of Chapter 4112 were made to the Commission.

The major highlight of each session consisted of a dual panel discussion Commission Staff and local disabled consumers. Participants were local Commission Staff members, representatives from the Office of the Attorney General - Civil Rights Section, disabled consumers, and representatives from various organizations serving disabled persons from that community. All were given the opportunity to share concerns, feelings, and make recommendations to improve or enhance services for the handicapped.

Each Regional Office received several, individualized recommendations from consumers and staff members. The following recommendations were voiced at each of the sessions:

1) Braille/large print materials should be available for visually impaired persons.
2) Interpreting services (sign language) and telecommunication devices (teletypewriter - TTY) should be available for hearing impaired persons.
3) Current efforts in media coverage via television, radio, newspapers, etc., should be more extensive.
4) Regional Offices which are not architecturally accessible should be renovated, as necessary.
5) In-service training should be continuous and not only in the area of handicap (legal training).

The goal for the 1979 - 80 fiscal year is to attempt to successfully achieve all five recommendations to enable handicapped persons to receive better and appropriate services from the Ohio Civil Rights Commission.

Other highlights or accomplishments during the fiscal year include the installation of a teletypewriter (TTY) in the Central Office, and a new brochure entitled *Handicapped Consumer's Guide to Ohio Revised Code Chapter 4112.* Three new films regarding handicap were also purchased by the Commission, and are available, on a free loan basis, to all interested persons/organizations.

Legislative Summary

Legislation listed below is pending and may directly or indirectly affect Chapter 4112, Ohio Revised Code and civil rights in the State of Ohio.

S.B. 97 Introduced by Senator Meshel. To require that all buildings covered by the Ohio Building Code be accessible to the handicapped. Currently in Senate Commerce and Labor Committee.

S.B. 131 To require the State to set aside certain construction contracts and contracts for goods and services for minority business enterprises and to assist minority business enterprises. Currently in Senate Finance Committee.

S.B. 225 To provide for barrier free polling places, permit handicapped persons to vote in their vehicles or at the door of polling places in certain circumstances and to publicize available election services to handicapped persons. Passed Senate and introduced into House. Not assigned to Committee.

H.B. 19 Introduced by Representative Stinziano. To amend Ohio Laws against discrimination, to end employment discrimination on the basis of pregnancy. Passed House, currently in Senate Commerce and Labor Committee.

H.B. 70 Introduced by Representative I. Thompson. To permit the State or a political subdivision to award deposits of Federal funds to minority banks. Effective September 12, 1979.

H.B. 150 Introduced by Representative Karmol. To eliminate the female labor laws. Passed House, currently in Senate Commerce and Labor Committee.

H.B. 230 Introduced by Representative T. James. To make discrimination on the basis of age (40 - 70) unlawful. Passed both houses, currently awaiting Governor's signature.

H.B. 330 Introduced by Representative Locker. To grant to deaf persons and their hearing dogs the same rights and privileges currently granted to blind persons and their seeing-eye dogs. Passed House. Currently in Senate Agriculture, Conservation and Environment Committee.

H.B. 347 Introduced by Representative Christman. To increase the educational requirements for persons taking the Real Estate Broker's or the Real Estate Salesman's examination, to establish a continuing education requirement for licensees, and to require the Real Estate Commission to suspend or revoke the license of a broker or salesman for violations of real estate law and certain civil rights laws. Passed both houses, currently awaiting Governor's signature.

H.B. 584 Introduced by Senator T. Orlett. To create the Ohio Minority Business Development Commission and to make loans to minority business enterprises in the State. Currently in House Small Business and General Business Committee.

Recommended Legislation

Having been refined for 20 years, Chapter 4112, Revised Code, the Ohio Laws Against Discrimination, has become one of the most effective laws on the state level for the elimination of discrimination. However, the Commission's experience in administrating and enforcing the law has revealed the necessity or desirability of making certain additions or corrections to more fully achieve its purpose. The Commission's recommendations for legislative action are as follows:

COMMISSION DETERMINATION OF PUBLIC EMPLOYER AFFIRMATIVE ACTION PROGRESS REPORTING DATES

On October 11, 1977, a law came into effect requiring that all public employers at all levels of government in Ohio who are required to have an Affirmative Action Program in employment file annual progress reports with the Commission. As currently set forth, the law requires that these reports be filed by November 1 st each year and that the Commission analyze them and make a report to the General Assembly by the following January 30th - a period of three months. This time limitation requires that the Commission hire a special staff for the period in order that the Commission may submit its own report on time. An amendment permitting the Commission to establish staggered reporting dates for reporting agencies throughout the year would allow the Commission to report to the General Assembly on time without the necessity of using temporary staff and without any lessening of the validity of the report. Further, the reporting law as structured contains no provisions for assuring the authenticity of information received. The Commission recommends an amendment permitting the use of Commission subpoena and investigatory powers in connection with its analysis function.

SELF INITIATION IN HOUSING

Ohio has had a Fair Housing law since 1965 which has been of great help to many people who have been denied housing, because of their race. However, the healthy integration of neighborhoods, with the attendant benefits of naturally desegregated schools proceeded slowly in the State of Ohio. In its analysis of a comprehensive nationwide study of the practices of real estate brokers, the United States Department of Housing and Urban Development noted that "If a black were to visit four apartment complexes or four real estate firms, the probability of encountering discrimination would be 72% and 48% respectively, for the rental and sales markets." ("The Housing Market Practices Survey", U.S. Department of Housing and Urban Development)." The Ohio Fair Housing law currently permits the Commission to investigate and take action in housing matters only when charges are filed. The Commission recommends an amendment authorizing it to investigate housing matters on its own initiative so that broad patterns of unlawful housing discrimination may be identified and eliminated.

LIMITATION ON PROTECTION AGAINST SELF-INCRIMINATION

The Commission has been impeded in its investigation of many corporate respondents because the Ohio Laws Against Discrimination, as currently interpreted by the Ohio Supreme court, permit a corporate respondent to assert the right to not testify against itself and to deny Commission investigators corporate record information necessary to determine the issues. This is because, first, current law makes no distinction between a corporation and a natural person with respect to the prohibition against self-incrimination and, secondly, because the current law has criminal law aspects by virtue of the criminal penalties attached, Constitutional prohibitions against self-incrimination have been applied. The Commission recommends an amendment limiting application of the provision against self-incriminations to natural persons and removing the criminal penalities which have not proved useful.

DAMAGES FOR DISCRIMINATION

Under current intepretation, the Ohio Laws Against Discrimination do not permit the Commission to make awards of monetary relief to persons injured by discrimination excepting those awards of back pay referred to specifically in the statute. In the case of Ohio Civil Rights Commission v. Lysyj (1974), 38 Ohio St. 2d 217, the Ohio Supreme Court stated, "we find nothing... which indicates that the General Assembly attempted to authorize Appellant to award either compensatory or punitive damages... if the General Assembly had intended to authorize the Commission to grant compensatory or punitive damages, it would have been a simple matter to explicitly so provide... Appellant does not now have the power to award either compensatory or punitive damages."

The Commission believes that it was the intent of the General Assembly in enacting the Ohio Laws Against Discrimination that persons unlawfully discriminated against be made economically whole when discrimination has caused financial loss beyond back pay. The Commission recommends an amendment to the Ohio Laws Against Discrimination to establish that the cost of discrimination need not be born by its victims and to provide that such matters as living expenses, increased apartment rent, loss of economic opportunity, increased travel expenses and other tangible and intangible losses, if caused by unlawful discrimination, be compensable by monetary awards. Further, the Commission has experienced in a number of cases an attitude on the part of respondents that if continuation of unlawful practices is economically feasible, such practices may be continued. The Commission believes that this attitude would be eliminated by an amendment to a law providing for punitive damages when it is found that the discrimination practice is wilful, wanton, and intentional.

ACCOMMODATION OF THE HANDICAPPED

A basic principle of the Ohio Laws Against Discrimination as they have developed with respect to race, color, religion, sex, national origin and ancestry has been that there is no relevant distinction based on these factors with respect to ability to perform a job. Therefore, no special accommodation has been required in order that persons denied employment by reason of such factors be hired. With the advent of the inclusion of the handicapped as a protected class under the law in July, 1976, it became evident that many traditional approaches to job structuring and work environment were, in fact, evolved for the convenience of the nonhandicapped at the expense of the handicapped and that, unless effective measures are taken to accommodate, an anti-discrimination law protecting the handicapped is illusory under many circumstances. The Commission recommends an amendment establishing the standards under which accommodation must be made in order to assure equal employment opportunity for the handicapped.

COMMISSION ISSUED RESTRAINING ORDERS

As a practical matter, the Commission has found in many cases that, because the proceedings required by law to prove unlawful discrimination and secure its elimination are lengthy, relief is available to injured individuals only at a time when its meaning is lost or when loss to the victim is no longer fully compensable. This is particularly true in housing cases in which the opportunity to buy a house is irretrievably lost upon its sale. The Commission recommends an amendment permitting the Commission to issue and immediately enforce restraining orders at any stage of proceeding when it appears that any person, complainant or otherwise, will suffer substantial and irreparable injury by some contemplated act of a respondent.

COMMISSION ISSUANCE OF COMPLAINTS

The Ohio Supreme Court has interpreted the Ohio Laws Against Discrimination to the effect that, once an investigation has commenced, the Commission may not issue a complaint in any matter until a finding of probable cause has been made and attempts at conciliation have failed. This permits respondents, through the use of dilatory tactics and otherwise, to delay investigations and other activities beyond the statutorily imposed two-year time period within which complaints must be issued, effectively impeding the Commission's proceedings. The Commission recommends an amendment specifically permitting it, upon good cause shown, to issue complaints at any time during its proceedings.

SERVICE OF SUBPOENA BY COMMISSION STAFF

Currently, the Commission's administrative subpoenas may not be served by Commission investigators but must be served only by those empowered to serve subpoenas in court matters. An amendment permitting Commission staff to serve Commission subpoenas would greatly reduce time and expense in investigation.

Training Unit Annual Report For 1979

Staff training and development was initiated by the Ohio Civil Rights Commission in fiscal year 1977. The first training session held in December, 1976 marked the beginning of a long-term effort to raise the level of quality service provided by the Commission to Ohio citizens. Initially, the training effort was directed toward shaping the raw skills of new investigators. This direction was characterized by a heavy emphasis in on-the-job training. For a short time, on-the-job methods were adequate to prepare investigators for their duties. As the requirements of civil rights law and the quality of the respondents changed, staff became more sophisticated, the needs of the training program became more complex. This growing complexity caused the Commission to seek outside assistance for its training program.

In July and December of 1977 and again in March and October 1978, the management staff of the Commission met to research, review, re-write and distribute two comprehensive manuals of Commission procedures. These manuals at once provided a training guide for new employees and a handy reference for seasoned employees. In April and May 1979 the investigative elements of the Commission received a comprehensive review of the background of Civil Rights law.

Early in 1979 the Commission resolved the discussion of the need for a shift of emphasis in the training program. It became clear that all units of the Commission must maximize their potential if the Commission is to maximize its efforts to enforce the Laws Against Discrimination. The need for a comprehensive training program for all Commission employees was thus established. In April, 1979, the Commission began to staff the Training Unit.

The Training Unit presented a comprehensive training program for all Commission employees. The Training Program which was accepted by the Commissioners, called for a three phase approach. The first phase, "Program Planning", is characterized by setting goals and objectives, identification of "natural groupings" of trainees and subjects to be taught and by establishing the training staff. The second phase, "Program Processing", includes activities such as establishing training priorities, planning the training, selecting training methods and consideration of logistical concerns. The third phase, "Program Evaluation", will investigate methods of improving the training. This program concept will result in a sound training program that is not only responsive to today's clearly defined training needs but is also flexible enough to meet tomorrow's less clear training needs.

An essential first step in the development of the Training Program was the preparation and administering of a series of two need analysis questionnaires. Questionnaires were sent to employees of the Commission at all classifications from Commissioners through managers, supervisors, investigators and clerical. Analysis of these questionnaires was reinforced by on site visits to every office responding to the surveys. Those visits afforded the Training Staff the opportunity to clarify its role to all Commission employees and temper the cold written responses with the human warmth of personal contact. The results of the surveys was an outline of subject matter required by Commission employees and their supervisors. More importantly the outline represented those concepts to which all Commission employees would be most responsive.

In addition to the skill improvement thrust of the Training Program, there were some Commission-wide concerns that transcended classification lines. One example of these concerns was a need to develop a definitive Orientation Program for all employees which was the first tangible output of the Training Staff. This two-hour multi-media presentation includes a history of discrimination and of the growth of the Commission's responsibility to deal with acts of discrimination. It is designed to give new employees a realistic view of the Commission's role and its approaches to fulfilling that role.

Another significant by-product of the training needs survey was the identification of several Commission-wide concerns. These concerns appeared to be subject for the organization's managers. These concerns will become subjects for the problem solving sessions of the Management Training Program.

Appropriation & Expenditures Fiscal 1978 - 1979

Budget Appropriation and Expenditure	2,986,809	
Actual EEOC Rotary Amount Received F.Y. '79	289,583	
Rotary Reserve from 1978 EEOC Contract	262,533	
Salaries, Hearings & Court Reporters	2,478,919	
Budget Reduction	23,724	
Seminar	8,542	
Office Supplies	20,595	
Motor Vehicle Expenses	14,571	
Travel	22,752	
Telephone, Postage & Shipping	126,875	
Utilities	5,301	
Office Equipment Maintenance	21,921	
Office Rental & Xerox Rental	176,689	
Printing	27,800	
General Expenses	9,845	
Encumbrances	20,636	
Equipment	33,599	
Total Expenditures (General Revenue)		2,991,770
Total EEOC (Rotary Expenditures)		547,155
Total Expenditures		3,538,925