



Affirmative Action, Equal Employment Opportunity & Non-Discrimination/Harassment Policy 1.10 Office of Human Resources

Applies to: Faculty, staff, student employees, graduate associates, volunteers, and applicants

POLICY

Issued: 10/01/1973

Revised: 02/01/2012

The Ohio State University is committed to building a diverse faculty and staff for employment and promotion to ensure the highest quality workforce, to reflect human diversity, and to improve opportunities for minorities and women. The university embraces human diversity and is committed to equal employment opportunity, affirmative action, and eliminating discrimination. This commitment is both a moral imperative consistent with an intellectual community that celebrates individual differences and diversity, as well as a matter of law.

Discrimination against any individual based upon protected status, which is defined as age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, race, religion, sex, sexual orientation, or veteran status, is prohibited.

Definitions

Term	Definition
Affirmative Action	Designed to help eliminate effects of past and present discrimination. It is a process in which employers identify areas of improvement, set goals, and take positive steps to enhance opportunities for protected class members - individuals with disabilities, minorities (Asian/Pacific Islander, Black, Hispanic, Native American Indian), qualified veterans (Vietnam era veterans, special disabled veterans, campaign badge veterans, and recently separated veterans), and women. Affirmative Action focuses on hiring, training, and promoting qualified protected class members where they are underrepresented.
Applicant	An individual who has applied for a specific position at Ohio State.
Discrimination	Discrimination (disparate treatment and disparate impact) occurs when an adverse employment action is taken and is based upon a protected status. Disparate treatment occurs when an employee suffers less favorable treatment than others because of the protected status. Disparate impact occurs when an employment policy, although neutral on its face, adversely impacts persons in a protected status.
Equal Employment Opportunity	All persons regardless of color, national origin, race, religion, sex, or veteran status shall have equal access to positions in the public service, limited only by their ability to do the job.
Harassment	Verbal, non-verbal or physical conduct constitutes harassment if it is based on a person's protected status and creates an intimidating, hostile, or offensive work or academic environment that unreasonably interferes with work or academic performance or negatively affects an individual's employment or academic opportunities. Harassment can occur between any individuals associated with the university, e.g., an employee and a supervisor; coworkers; faculty members; a faculty, staff member, or student employee and a customer, vendor, or contractor; or a student and a faculty member. Ohio State is committed to providing a workplace that is free of harassment based on age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS, status, military status, national origin, race, religion, sex, sexual orientation, or veteran status, is prohibited.
Protected Class and Protected Status	Protected class is defined by federal law/executive order. Protected status is identified by the university and extends beyond those groups defined by law, to include gender identity or expression and sexual orientation.

Policy Details

I. Guiding Principles

- A. Recruitment processes should be designed and conducted so as to result in the most diverse and qualified applicant pool possible.



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- B. Selection practices should emphasize hiring the best-qualified individuals with due consideration for persons from underrepresented groups.
- C. Management practices should facilitate inclusive work environments that value and seek out human diversity and reward effective human relations skills.
- D. Management practices should emphasize prevention of discrimination and harassment.
- E. Training and development opportunities should be made available to employees and should enhance the opportunities for individuals from underrepresented groups.
- F. Promotion practices, including tenure, should be inclusive and acknowledge the contributions of individuals from underrepresented groups.

PROCEDURE

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I. Complaints of Discrimination and Harassment

Procedures for the filing and management of allegations of discrimination or harassment are addressed in [Guidelines for Investigating Complaints of Discrimination and Harassment](#).

II. Confidentiality

To the extent possible, all information received in connection with the filing, investigation, and resolution of allegations will be treated as confidential except to the extent it is necessary to disclose particulars in the course of the investigation or when compelled to do so by law. All individuals involved in the process should observe the same standard of discretion and respect for the reputation of everyone involved in the process.

III. Retaliation

The university will not tolerate retaliation in any form against any faculty, staff, student, volunteer, or applicant who files an allegation, serves as a witness, assists an allegor, or participates in an investigation of discrimination or harassment. University policy and state and federal law prohibit retaliation against an individual for reporting discrimination or harassment, or for participating in an investigation. Retaliation is a serious violation that can subject the offender to sanctions independent of the merits of the allegation. Allegations of retaliation should be directed to the Human Resources, Employee and Labor Relations.

IV. Job Posting Language

- A. Required tagline for job postings: “EEO/AA employer.”
- B. Recommended (optional) tagline for job postings: “To build a diverse workforce Ohio State encourages applications from individuals with disabilities, minorities, veterans, and women. EEO/AA employer.”



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Responsibilities

Position or Office	Responsibilities
Employing Unit	<ul style="list-style-type: none"> A. Ensure that a diverse pool is created for each search. B. Ensure that management practices prevent discrimination and support Equal Employment Opportunity (EEO). C. Provide information and resources to supervisors, managers, and employees in support of Affirmative Action, EEO, and non-discrimination. D. Ensure that instances of discrimination are promptly referred to Human Resources Employee and Labor Relations. Once findings and actions steps are issued ensure that they are properly implemented. E. Display required EEO materials. F. Consult with Human Resources Employee and Labor Relations to meet obligations under this policy. G. Enter employee Affirmative Action employment data in the Human Resource Information System (HRIS). H. Ensure confidentiality of individuals with HIV/AIDS infection, genetic information, or other issues governed by this policy. I. Follow responsibilities outlined in the Guidelines for Investigating Complaints of Discrimination and Harassment.
Office of Human Resources	<ul style="list-style-type: none"> A. Consult with and guide units, managers, and employees regarding this policy. B. Produce and maintain the university Affirmative Action Plan. C. Produce and update the Affirmative Action Plan for Veterans and Individuals with Disabilities yearly. D. Publish findings of the Affirmative Action planning process (e.g. availability data, placement goals, etc.) and consult with units regarding results of the Affirmative Action planning process and their responsibilities under this policy. E. Provide Affirmative Action, EEO, and non-discrimination information and resources. F. Investigate complaints of discrimination/harassment. G. Provide training regarding this policy. H. Ensure confidentiality of individuals with HIV infection, genetic information, or other issues governed by this policy. I. Follow responsibilities outlined in the Guidelines for Investigating Complaints of Discrimination and Harassment.
Applicant and Employee	<ul style="list-style-type: none"> A. Complete and submit the Equal Employment Identification Form. B. Submit Discrimination Complaint Form to the Office of Human Resources. C. Follow responsibilities outlined in the Guidelines for Investigating Complaints of Discrimination and Harassment.

Resources

- Equal Employment Identification Form, hr.osu.edu/forms/emp/aaed.pdf
- Equal Employment Opportunity Commission, eeoc.gov
- Guidelines for Investigating Complaints of Discrimination and Harassment, hr.osu.edu/hrpubs/guidelinesdiscrim.pdf
- National Human Genome Research Institute – genome.gov, genome.gov/10002077
- Ohio Revised Code Section 4112 Unlawful discriminatory practices, codes.ohio.gov/orc/4112.02
- Posters, hr.osu.edu/hrpubs/index.aspx#EEOLabor
- Rehabilitation Act of 1973, Sections 503 and 504, eeoc.gov/policy/rehab.html



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Contacts

Subject	Office	Telephone	E-mail/URL
Policy	Human Resources Employee and Labor Relations	614-292-2800	ohrc@hr.osu.edu hr.osu.edu/elr
ADA and accommodations	ADA Coordinator's Office, Office of Diversity and Inclusion	614-292-6207	ada-osu@osu.edu ada.osu.edu
Veterans	Human Resources Veterans Affairs	614-292-7047	hr.osu.edu/vet

History

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