Equal Employment Opportunity and Non-Discrimination
Policy 2.1.10
Human Resources

Appplies to: Faculty, staff, student employees, students, volunteers, and applicants

POLICY
Central Ohio Technical College is committed to building and maintaining a diverse community to reflect human diversity, and to improve opportunities for all. The college is committed to equal opportunity and eliminating discrimination. This commitment is both a moral imperative consistent with an intellectual community that celebrates individual differences and diversity, as well as matter of law.

Central Ohio Technical College does not discriminate on the basis of age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, race, religion, sex, sexual orientation, protected veteran status, or any other basis under the law, in its activities, programs, admission, and employment.

Purpose of the Policy

Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>An individual who has applied for a specific position at Central Ohio Technical College, meets the basic qualifications for the position, and does not voluntarily remove herself/himself from the position.</td>
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<tr>
<td>Discrimination</td>
<td>Discrimination (disparate treatment and disparate impact) occurs when an adverse employment action is taken and is based upon a protected status. There are two forms of discrimination: disparate treatment and disparate impact. 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.</td>
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<tr>
<td>Equal Employment Opportunity</td>
<td>All persons regardless of age, ancestry, color, disability, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, race, religion, sex, sexual orientation, protected veteran status or any other basis under the law shall have equal access to positions in the public service, limited only by their ability to do the job.</td>
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<tr>
<td>Harassment*</td>
<td>(1) Unwelcome, protected class-based verbal or physical conduct that (2) is sufficiently severe, persistent or pervasive that (3) it unreasonably interferes with, denies or limits an individual’s ability to participate in or benefit from the college’s education and employment programs and activities; and (4) is based on power differentials (quid pro quo) or the creation of a hostile environment.</td>
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*This definition does not include sexual harassment. See Sexual Misconduct, Sexual Harassment and Relationship Violence policy 2.1.20, for the definition of sexual harassment.

Protected Class
Protected class is defined by federal law/executive order or COTC policy.

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.
B. Selection practices should emphasize hiring the best-qualified individuals.
C. Management practices should facilitate inclusive work environments that value and seek out human diversity and reward effective human relations skills.
D. College 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 should be inclusive and provide equal opportunity for individuals from underrepresented groups.

PROCEDURE

I. Making a Complaint of Discrimination/Harassment
Complaints can be filed by contacting the Office of Human Resources or by submitting a completed Discrimination/Harassment Complaint Form to the Office of Human Resources. Complaints of discrimination should be filed within 180 calendar days of notice of the event(s) that gave rise to the complaint.

A. Allegations can be made by individuals who are directly involved in, who observe or who receive reliable information that discrimination/harassment may have occurred.
B. Allegations of sexual misconduct, which includes sexual harassment, are handled under Sexual Misconduct, Sexual Harassment and Relationship Violence, Policy 2.1.20.
C. Allegations of all other forms of discrimination/harassment involving students in the nonemployment setting can be filed by contacting the Office of the Director of Student Life.
D. Filing a complaint with Central Ohio Technical College Office of Human Resources does not preclude the individual from filing a complaint with an external agency nor does it extend time limits with those agencies.
E. Individuals who wish to make a complaint of discrimination/harassment (outside of sexual harassment) should:
   1. Talk with the responsible party if desired and if comfortable doing so.
   2. Seek to resolve the situation in consultation with the supervisor and/or executive leadership team member if desired and comfortable doing so.
   3. If the issue is not resolved through #1 and #2, contact the Office of Human Resources. Submit a completed Discrimination/Harassment Complaint Form.
   4. Provide witness and/or documentation from individuals that have first-hand knowledge of the situation.
   5. Respect the confidentiality of all parties.
   6. Keep the investigator informed of any new concerns or actions taken against the complainant during the investigation.

II. Confidentiality
The college recognizes the importance of confidentiality. To the extent possible, all information received in connection with the filing, investigation and resolution of allegations will be treated as confidential except when necessary to conduct an appropriate investigation, to provide assistance and resources to complainants, to perform other appropriate college functions, or when the college is compelled to produce information in accordance with the law. When requests for confidentiality arise, they will be evaluated by the Office of Human Resources or in the cases of sexual misconduct, which includes sexual harassment, by the Title IX coordinator. 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 college will not tolerate retaliation in any form against any individual who makes an allegation, files a report, serves as a witness, assists a complainant, or participates in an investigation of discrimination or harassment. College 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 discipline, up to and including termination of employment and/or student status, independent of the merits of the
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underlying allegation. Allegations of retaliation should be directed to the Office of Human Resources, or in cases of sexual misconduct, which includes sexual harassment, to the Title IX coordinator.

IV. Job Posting Language
A. Required tagline for job postings: COTC is an equal opportunity employer.
B. Recommended (optional) tagline for job postings: Central Ohio Technical College is an equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, national origin, disability status or protected veteran status.

Responsibilities

<table>
<thead>
<tr>
<th>Position or Office</th>
<th>Responsibilities</th>
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<tbody>
<tr>
<td>Department</td>
<td>1. Ensure that a diverse pool is created for each search</td>
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<tr>
<td></td>
<td>2. Ensure that management practices prevent discrimination and support Equal Employment Opportunity (EEO).</td>
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<td>3. Seek consultation from the Office of Human Resources in meeting obligations under this policy.</td>
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<td>4. Ensure that issues of discrimination are promptly referred to Human Resources. Once findings and actions steps are issued ensure that they are properly implemented.</td>
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<td>5. Ensure confidentiality of individuals with HIV/Aids infection, genetic information or other issues governed by this policy.</td>
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<tr>
<td>Human Resources</td>
<td>1. Consult with and guide units, managers and employees regarding this policy.</td>
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<td>2. Provide information and resources to supervisors, managers, and employees in support of EEO and non-discrimination.</td>
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<td>3. Display required EEO materials.</td>
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<td>4. Ensure that issues of discrimination are promptly addressed and remedied.</td>
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<tr>
<td></td>
<td>5. Provide EEO and non-discrimination information and resources.</td>
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<td>6. Investigate complaints of discrimination.</td>
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<td>7. Ensure confidentiality of individuals with HIV/AIDS infection, genetic information or other issues governed by this policy.</td>
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<td>8. Evaluate requests for confidentiality.</td>
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<tr>
<td>Title IX coordinator</td>
<td>Evaluate requests for confidentiality related to sexual misconduct, which includes sexual harassment.</td>
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<tr>
<td>Employee and applicant</td>
<td>1. Complete and submit Personal Data Form.</td>
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<td>2. Individuals who wish to make a complaint of discrimination should:</td>
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<td>i. In simple situations, talk with the responsible party or seek to resolve the situation in consultation with the supervisor and/or cabinet member.</td>
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<td>ii. If the issue is not resolved, contact the Office of Human Resources. Submit a completed Discrimination/Harassment Complaint Form.</td>
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<td>iii. Provide witness and/or documentation from individuals that have first-hand knowledge of the situation.</td>
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<td>iv. Respect the confidentiality and reputation of all parties.</td>
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<td>v. Keep the investigator informed of any new concerns or actions taken against the complainant during the investigation.</td>
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<td>vi. Direct allegations of retaliation to the Office of Human Resources, or in cases of sexual misconduct, which includes sexual harassment, to the Title IX coordinator.</td>
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Resources

- [Discrimination and Harassment Complaint Form](http://www.cotc.edu/depts/Pages/Office-of-Human-Resources-.aspx)
- [Equal Employment Opportunity Commission](http://www.cotc.edu/depts/Pages/Office-of-Human-Resources-.aspx)
- [Ohio Revised Code Section 4112 Unlawful Discriminatory Practices](http://www.cotc.edu/depts/Pages/Office-of-Human-Resources-.aspx)
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- National Human Genome Research Institute - genome.gov
- Policy 2.1.20 Sexual Misconduct, Sexual Harassment and Relationship Violence
- Rehabilitation Act of 1973, Sections 503 and 504.

Contacts

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<tr>
<th>Subject</th>
<th>Person</th>
<th>Address</th>
<th>Telephone</th>
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</thead>
</table>
| Title IX Coordinator (students) | Holly Mason
Director of Student Life
COTC and Ohio State Newark | Warner Center Suite 226
1179 University Drive
Newark, Ohio 43055-1797 | 740-366-9219 |
| ADA/504 Coordinator | Connie Zang
Director of Disability Services | Warner Center Suite 226
1179 University Drive
Newark, Ohio 43055-1797 | 740-364-9578 |
| Employment Matters, Deputy Title IX Coordinator (employees) | Jackie Parrill
Vice President for Institutional Planning & Human Resources Development/COTC
Director of Human Resources, Campus Relations & Planning Support/OHIO State Newark | Founders Hall Room 1018
1179 University Drive
Newark, Ohio 43055-1797 | 740-366-9407 |

History

- Issued: 03/19/1996
- Revised: 04/21/2010
- Revised: 03/07/2013
- Reviewed: 05/06/2014
- Edited: 01/05/2015
- Edited: 04/16/2015
- Revised: 09/01/2015 (Interim status, retitled EEO and Non-discrimination)
- Revised: 10/22/2015 (Interim status removed)
- Edited: 01/03/2017