



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

Responsible Office

Human Resources

POLICY STATEMENT

Central Ohio Technical College is committed to supporting equal opportunity and eliminating discrimination and harassment. Members of the college community have the right to be free from all forms of protected class discrimination and harassment, which impede the realization of the college’s mission. All members of the college community are expected to conduct themselves in a manner that maintains an environment free from discrimination and harassment. This expectation is consistent with our college’s institutional values and the law.

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

In addition, the college prohibits discrimination against any employee or applicant for employment on the basis of race, color, religion, gender, gender identity or expression, national origin (ancestry), military status (past, present, or future), disability, age (40 years or older), status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, status as a nursing mother, status as a foster parent, genetic information, or sexual orientation, as those terms are defined in Ohio law, federal law, and previous Executive Orders, in making any of the following employment-related decisions:

- a. Hiring
b. Layoff
c. Termination
d. Transfer
e. Promotion
f. Demotion
g. Rate of compensation
h. Eligibility for in-service training programs

Purpose of the Policy

To establish a policy promoting equal employment opportunity and prohibiting discrimination based upon law, including and not limited to: Americans with Disabilities Act, Age Discrimination Act of 1975, Age Discrimination in Employment Act, Genetic Information Nondiscrimination Act, Pregnancy Discrimination Act, Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and Vietnam Era Veterans’ Readjustment Assistance Act of 1974, Executive Order 2023-01D, and any other laws related to equal opportunity.

Definitions

Table with 2 columns: Term, Definition. Row 1: Antisemitism, A certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities. International Holocaust Remembrance Alliances working definition of antisemitism adopted by the COTC Board of Trustees in accordance with Executive Order 2022-06D on December 19, 2023.



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| Term                               | Definition  |
|------------------------------------|---|
| Applicant                          | An individual who has applied for a specific position at Central Ohio Technical College, meets the basic qualifications for the position, is considered by the college for the position, and does not voluntarily remove herself/himself from the position.   |
| Discrimination                     | 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.  |
| Equal Employment Opportunity (EEO) | Employment opportunities and access are available to all qualified persons.   |
| Harassment*                        | (1) Unwelcome, <b>protected class</b> -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 ( <i>quid pro quo</i> ) or the creation of a hostile environment.<br><br>*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, state law/executive order, or COTC policy. At COTC, the protected classes include: age, ancestry, color, disability, ethnicity, gender, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, pregnancy, race, religion, sex, sexual orientation, veteran status, or any other bases under the law.   |

Policy Details

1. Guiding principles
  - A. The college will provide equal employment for all individuals.
  - B. All employment practices, including but not limited to recruitment, selection, training, promotion, compensation, and all other management decisions, will provide equal opportunities for all individuals. Equal employment practices mean every **applicant** and employee receives the same opportunity and is subject to consistent processes that are free from discrimination. Selection practices should emphasize hiring the best-qualified individuals.
  - C. The college's commitment to equal employment opportunity applies to all persons involved in its operations and prohibits unlawful discrimination by any employee, including supervisors and coworkers...
  - D. College practices should emphasize prevention of discrimination and harassment.

PROCEDURE

1. Making a complaint of discrimination/harassment
  - A. 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 events) that gave rise to the complaint.
  - B. Allegations can be made by individuals who are directly involved in, who observe, or who receive reliable information that discrimination/harassment may have occurred, including by third parties against any individual covered by this policy.
  - C. Allegations of sexual misconduct, which includes sexual harassment, are handled under Sexual Misconduct, Sexual Harassment, and Relationship Violence, Policy 1.1.26.
  - D. Allegations of all other forms of discrimination/harassment involving students in a nonemployment setting can be filed by contacting the Office of Student Life.
  - E. Filing a complaint with the 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.



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- F. 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 their senior leadership 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.
- 2. Confidentiality and privacy
  - A. The college recognizes the importance of confidentiality. Information received in connection with the filing, investigation, and resolution of allegations will be treated as private and will only involve individuals whom the college determines are necessary to conduct an appropriate investigation, to provide assistance and resources to parties, to perform other appropriate college functions, or in accordance with applicable 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.
- 3. Retaliation
  - A. Retaliation is prohibited by college policy and law. 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.
  - B. Retaliation is a serious violation that can subject the offender to discipline, up to and including termination of employment and/or suspension or dismissal of a student, independent of the merits of the underlying allegation.
  - C. Action can be taken under college policy as long as it is not done for the purpose of interfering with any rights and privileges provided by this policy.
  - D. The college’s expectation is that employees will participate in proceedings pursuant to the policy. This expectation is subject to the rights of complainants and respondents provided by this policy, and other rights provided by applicable law. Disciplinary action for refusal to participate does not constitute retaliation.
  - E. 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.
- 4. 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 age, ancestry, race, color, ethnicity, religion, gender, sex, sexual orientation, gender identity or expression, genetic information, HIV/AIDS status, military status, national origin, pregnancy, disability or veteran status.

**Responsibilities**

| Position or Office | Responsibilities   |
|--------------------|--|
| Department         | <ul style="list-style-type: none"> <li>1. Partner with Human Resources to effectuate equal employment opportunity requirements..</li> <li>2. Ensure that management practices prevent discrimination and support Equal Employment Opportunity (EEO).</li> <li>3. .Ensure that issues of discrimination are promptly referred to Human Resources. Once findings and actions steps are issued ensure that they are properly implemented.</li> <li>4. Ensure confidentiality of individuals with HIV/Aids infection, genetic information, or other issues governed by this policy.</li> </ul> |



# Equal Employment Opportunity and Non-discrimination, 2.1.10

## College Policy

**Applies to:** Faculty, staff, student employees, students, volunteers, and applicants

| Position or Office     | Responsibilities   |
|------------------------|--|
| Human Resources        | <ol style="list-style-type: none"> <li>1. Consult with and guide units, managers, and employees regarding this policy.</li> <li>2. Provide information and resources to supervisors, managers, and employees in support of EEO and non-discrimination.</li> <li>3. Display required EEO materials.</li> <li>4. Ensure that issues of discrimination are promptly addressed and remedied.</li> <li>5. Provide EEO and non-discrimination information and resources.</li> <li>6. Investigate complaints of discrimination.</li> <li>7. Ensure confidentiality of individuals with HIV/AIDS infection, genetic information, or other issues governed by this policy.</li> <li>8. Evaluate requests for confidentiality.</li> </ol>  |
| Employee and applicant | <ol style="list-style-type: none"> <li>1. Complete and submit Personal Data Form.</li> <li>2. Individuals who wish to make a complaint of discrimination should:               <ol style="list-style-type: none"> <li>a. In simple situations, talk with the responsible party or seek to resolve the situation in consultation with the supervisor and/or cabinet member.</li> <li>b. If the issue is not resolved, contact the Office of Human Resources. Submit a completed Discrimination/Harassment Complaint form.</li> <li>c. Provide witness and/or documentation from individuals that have first-hand knowledge of the situation.</li> <li>d. Respect the confidentiality and reputation of all parties.</li> <li>e. Keep the investigator informed of any new concerns or actions taken against the complainant during the investigation.</li> <li>f. 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.</li> </ol> </li> </ol> |

### Resources

- [Discrimination and Harassment Complaint Form](#)
- [Equal Employment Opportunity Commission](#)
- [Executive Order 2023-01D](#)
- [Ohio Revised Code Section 4112 Unlawful Discriminatory Practices](#)
- [National Human Genome Research Institute - genome.gov](#)
- [Policy 1.1.26 Sexual Misconduct, Sexual Harassment and Relationship Violence](#)
- Rehabilitation Act of 1973, Sections [503](#) and [504](#).

### Contacts (required)

| Subject              | Office   | Telephone    | E-mail/URL              |
|----------------------|--|--------------|-------------------------|
| Title IX Coordinator | Holly Mason<br>Associate Dean of Students<br><br>Warner Center Suite 226<br>1179 University Drive<br>Newark, Ohio 43055-1797 | 740-366-9219 | Mason.536@mail.cotc.edu |
| ADA/504 Coordinator  | John Davenport, PhD<br>Dean of Students<br><br>Warner Center Suite 226<br>1179 University Drive                              | 740-755-7767 | Davenport.258@osu.edu   |



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| Subject                            | Office   | Telephone    | E-mail/URL              |
|------------------------------------|--|--------------|-------------------------|
|                                    | Newark, Ohio 43055-1797  |              |                         |
| Employment Matters,<br>(employees) | Sue Wadley<br>Director, Human Resources<br><br>Hodges Hall Room 1110<br>1179 University Drive<br>Newark, Ohio 43055-1797 | 740-755-7345 | Wadley.16@mail.cotc.edu |

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