

Columbus Police Division Directive	EFFECTIVE	NUMBER
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Equal Employment Opportunity and Discrimination/Harassment		



I. Introduction

- A. It is the policy of the City of Columbus to provide equal employment opportunity in City government in recognition of the essential rights of all qualified applicants and employees; to prohibit discrimination in employment with regard to race, color, religion, sex (including sexual harassment), national origin, disability, ancestry, age, genetic information, sexual orientation, gender identity or expression, or military status; **and** to identify or eliminate barriers to the **recruitment, employment, promotion, transfer, training, working conditions, wages and salary administration, employee benefits, and application policies** in each department and division of City government.
- B. The Division of Police strictly prohibits discrimination and harassment based on race, color, religion, sex (including sexual harassment), national origin, disability, ancestry, age, genetic information, sexual orientation, gender identity or expression, or military status.
- C. The City-wide policies and Executive Orders (***including the Policy Against Discrimination of Persons with Disabilities, Anti-Harassment and Sexual Harassment, Equal Employment Opportunity, Workplace Violence, and Recommendations for Supporting Nursing Mothers***) can be found on the City's intranet **in the Department of Human Resources section**.
- D. All personnel, regardless of position or rank, are covered by and are expected to comply with the City-wide policies and those outlined in this directive. Division personnel are expected to take appropriate measures to ensure that prohibited conduct does not occur.
- E. The following resources are available to assist any Division employee:
1. Human Resources (HR) Manager
Central Police Headquarters, 7th Floor
(614) 645-4660 **or (614) 645-5549**
 2. **Department of Public Safety**
77 North Front Street, 5th Floor
Columbus, Ohio 43215
(614) 645-7134
 - a. **Director of Public Safety**
(614) 645-8210

b. Assistant Director–EEO Compliance
(614) 645-7930

c. Human Resources Officer
(614) 645-7134

3. City of Columbus, Equal Employment Resources (EER)
Department of Human Resources
Equal Employment Resources Manager
77 N. Front Street, Suite 101
Columbus, Ohio 43215-9005
Office: (614) 645-3105
Mobile: (614) 900-5811
EER@columbus.gov
4. Ohio Civil Rights Commission
Columbus Regional Office
Rhodes State Office Tower
30 East Broad Street, 5th Floor
Columbus, Ohio 43215-3414
(614) 466-2785 or 1 (888) 278-7101
5. Equal Employment Opportunity Commission
District Office
Anthony J. Celebrezze Federal Building
1240 East 9th Street, Suite 3001
Cleveland, Ohio 44199-2001
1 (800) 669-4000

II. Definitions

- A. Sexual harassment is any unwanted sexual advance, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:
1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 2. Submission to or rejection of such conduct is used as the basis for decisions affecting that individual with regard to employment (such as raises, work assignments, discipline, etc.); or
 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.
- B. Sexual harassment may be verbal or physical in nature. Prohibitions against sexual harassment apply regardless of the sex of the persons involved.

1. Verbal sexual harassment may include:
 - a. Sexual innuendo, comments, and sexual remarks about clothing, body, or sexual activities.
 - b. Humor, jokes, **and lewd remarks** about sex that denigrate males or females in general.
 - c. Sexual propositions (**to include repeated, unwelcome requests for dates**), invitations, or other pressure for sex.
 - d. Implied or overt threats of a sexual nature.
 - e. Making gestures of a sexual nature.
 2. Physical sexual harassment may include:
 - a. Unwelcome touching, patting, pinching, brushing against the body, attempted or actual kissing or fondling, and any other inappropriate and/or unwelcome touching or feeling.
 - b. Coerced sexual intercourse or other sexual acts or misconduct.
 - c. Sexual assault.
 3. Other types of sexual harassment may include **the distribution, display, or discussion of any written or graphic material, including calendars, posters, and cartoons that are sexually suggestive or show hostility toward an individual or group because of sex; suggestive or insulting sounds; leering; staring; obscene gestures; photographs of a sexual nature, emails of a sexual nature, text messages of a sexual nature, and internet postings of a sexual nature; or other forms of communication that are sexual in nature and offensive.**
 4. **Sexual harassment is determined by the behavior demonstrated regardless of the sex or gender of either the alleged aggressor or the person(s) who is the recipient(s) of the behavior.**
- C. Harassment is any verbal, non-verbal, or physical conduct designed to threaten, intimidate, or coerce an employee; **a person working for or on behalf of the City; or a member of the public when the action occurs in connection to employment with the City of Columbus.** The following are examples of harassment, but are not exclusive when determining whether there has been a violation of this directive:
1. Verbal harassment includes comments that are offensive or unwelcome (**including, but not limited to, offensive slurs**) regarding a person's race, color, religion, sex, national origin, disability, ancestry, age, genetic information, sexual orientation, gender identity or expression, or military status.
 2. Nonverbal harassment includes physical, threatening or intimidating, **or** coercive or abusive behavior based on a person's race, color, religion, sex, national origin, disability, ancestry, age, genetic information, sexual orientation, gender identity or expression, or military status.

- D. A qualified individual with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the employment position that such individual holds or desires.

III. Policy Statements

- A. Division personnel shall report complaints or observed behaviors of discrimination and harassment ***promptly as outlined in Section IV.***
- B. Division personnel shall not commit or permit discrimination, harassment, or retaliation of any kind. Division personnel shall seek to prevent or correct this behavior. Division supervisors shall ensure complaints are taken seriously, respond to them immediately, and discipline behavior that violates policy.
- C. Division supervisors have an independent obligation to promptly address discrimination and harassment concerns raised by Division personnel and report through the appropriate channels. ***Supervisors shall promptly report all complaints of discrimination and harassment, as well as any observed or suspected incidents of discrimination and harassment.***
- D. Division personnel may report complaints of discrimination or harassment to the Ohio Civil Rights Commission or the Equal Employment Opportunity Commission.
- E. Allegations reported to the Division ***will*** be fully investigated ***by the Assistant Director–EEO Compliance.***
- F. The Division will handle all complaints promptly and confidentially to the extent possible in light of the need to take appropriate corrective action. Lodging a complaint will in no way be used against the employee or have an adverse impact on the individual’s employment status. ***However, knowingly filing false or malicious complaints is an abuse of this policy and will be treated as a violation.***
- G. Confidentiality should be maintained by the Division and those involved in the investigation as much as possible.
- H. Division personnel are prohibited from retaliating or attempting to retaliate in response to a complaint being filed in accordance with this policy. This includes personnel who file or respond to a complaint, appear as a witness, or serve as an investigator of a complaint.
- I. Division personnel shall receive training on this policy annually. Contact the HR Manager ***or the Assistant Director–EEO Compliance*** if questions arise.
- J. Appropriate disciplinary action, up to and including termination, shall be taken against any employee who violates this directive.

IV. Procedures

A. Discrimination, Harassment, EEO, and Retaliation Complaints

1. Division Personnel (Complainant)

a. Promptly report the incident to one of the following:

- (1) A supervisor
- (2) The HR Manager
- (3) The Department of Public Safety's Assistant Director–EEO Compliance
- (4) The City's EER Manager

Note: For all complaints reported to a supervisor or HR Manager, follow the procedures listed within this directive. For all complaints reported to the City's EER Manager or the Assistant Director–EEO Compliance, follow the instructions provided by those offices.

2. Division Supervisor

Immediately notify the HR Manager, **Assistant Director–EEO Compliance**, the involved deputy chief, **and the Public Accountability Subdivision Deputy Chief** via email **and include all pertinent details**.

3. **Involved Deputy Chief**

Consult with the **Public Accountability** Subdivision Deputy Chief regarding relief of assignment **or temporary administrative reassignment**.

4. **Public Accountability** Subdivision Deputy Chief

a. Determine the need for relief of assignment **or temporary administrative reassignment** in consultation with the HR Manager **or Assistant Director–EEO Compliance**.

b. **Notify the Support Branch Assistant Chief of the investigation.**

c. **Upon receiving the complete investigation package from the Assistant Director–EEO Compliance, forward it through the chain of command to the immediate supervisor of the involved personnel.**

5. **Immediate Supervisor**

a. Review the completed investigative package.

b. **Document the investigation by completing a letter and/or relevant Division form with the appropriate recommendation and forward it through the chain of command.**

6. Personnel Involved in Complaint

Once the complaint has been filed, any involved party may request a status update on the investigation by contacting the **Assistant Director–EEO Compliance**.

7. Personnel Wishing to Appeal

- a. Forward an appeal letter through the chain of command to the **Public Accountability** Subdivision **Deputy Chief** within 14 day calendar days after receiving notification of a complaint disposition.
- b. Include in the letter the basis for the appeal and any relevant information not covered in the investigation.