1. Authority

The Tax Commissioner issues Ohio Department of Taxation (herein referred to as the “Department”) Policy ODT-007 in accordance with Ohio Revised Code § 5703.05. Ohio Revised Code § 5703.05 grants the Tax Commissioner powers, functions, and duties including the authority to manage and direct the Department’s operations.

2. Purpose

The purpose of this policy is to establish the Equal Employment Opportunity program for the Department.

3. Applicability

This policy applies to applicants and Departmental employees.

4. Definitions

None.

5. Policy

It is the policy of the Department to be committed to ensuring equal employment opportunities in accordance with all applicable laws. The Department is an equal opportunity employer. The Department is committed to maintaining a work environment free from discrimination in hiring, discharge or other terms, conditions, or privileges of employment on the basis of a person's race, color, religion, gender/sex, gender identity or expression, national origin (ancestry), military status (past, present, or future), disability, age (40 years or older), genetic information, sexual orientation, or caregiver status (status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, or status as a foster parent) as those terms are defined in applicable Ohio law, federal law and any effective Executive Order. Employees may obtain copies of Gubernatorial Executive Order 2019-05D from Human Resources or the Governor’s website by opening the following hyperlink: Governor of Ohio, Mike DeWine > Media Room > Executive Orders.

Discrimination, harassment, or retaliation will not be tolerated. Such conduct may be subject to discipline, up to and including removal from employment. It is the Department’s policy that employees report any discrimination, harassment, or retaliation. The Department will investigate reports of discrimination, harassment, and retaliation and will undertake corrective action, to include stopping inappropriate behavior, for any acts of discrimination, harassment, or retaliation.
This policy also establishes procedures for reporting and filing complaints of discrimination, harassment, and retaliation. This policy is not a restatement of laws or an employee's rights and responsibilities under those laws. Employees who believe they are victims of discrimination, harassment, or retaliation may file with or seek additional information or assistance from the Equal Employment Opportunity Commission (EEOC), the Ohio Civil Rights Commission (OCRC), or the Equal Opportunity Division (EOD) of the Ohio's Department of Administrative Services (DAS). The addresses and telephone numbers for these entities are set forth in section 9, Contact Information below.

5.1. Prohibitions

No employee may discriminate on the basis of a person's race, color, religion, gender/sex, gender identity or expression, national origin (ancestry), military status (past, present, or future), disability, age (40 years or older), genetic information, sexual orientation, or caregiver status (status as a parent during pregnancy and immediately after the birth of a child, status as a parent of a young child, or status as a foster parent) as those terms are defined in applicable Ohio law, federal law and any effective Executive Order.

No employee may harass another on the basis of membership in a protected category. Misconduct includes an act or series of acts predicated on membership in a protected category where the conduct is unwelcome or explicitly or implicitly affects a person’s employment, unreasonably interferes with a person’s work performance, or creates an intimidating, hostile, or offensive work environment. Examples of misconduct include slurs, jokes, insults or other offensive comments, stereotyping, displaying offensive drawings, photographs or items on the basis of a protected category. Examples of misconduct further include unwelcome sexually oriented activities such as sexual advances, requests or demands for sexual favors, touching, blocking, gesturing, or stereotyping on the basis of gender or sexual orientation.

No one involved in a consensual relationship may have direct or indirect responsibility for evaluating the performance of or for making decisions regarding the promotion or compensation of the other employee party to the relationship. A romantic or sexual relationship between a supervisor and his/her subordinate is prohibited. These relationships raise concerns about the validity of consent, conflicts of interest, and unfair treatment. Such relationships may undermine an appropriate employment relationship.

The Department prohibits retaliation against any person because that person has opposed any unlawful discriminatory practice, or because that person has made a charge, testified, assisted or participated in any manner in any investigation, proceeding or hearing.

The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits the Department from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by the law. No employee may inquire or request genetic information of an individual or family member of the individual on behalf of the Department except when permitted by GINA and the Tax Commissioner or his/her designee. “Genetic information” as defined by GINA, includes an individual’s family medical history, the results of an individual’s or family member’s genetic tests, the fact that an individual or an individual’s family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual’s family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

5.2. Diversity & Inclusion (D&I) Strategic Plan

The Tax Commissioner has established a D&I Strategic Plan as part of the Department’s Equal Employment Opportunity program in accordance with Chapter 123:1-49 of the Ohio Administrative Code.

The D&I Strategic Plan is available for public inspection during normal business hours at Human Resources at 4485 Northland Ridge Blvd., Columbus, Ohio 43229. Each facility of the Department will designate one EEO contact responsible for making the D&I Strategic Plan available during normal business hours. The D&I Strategic Plan may be reviewed internally as directed by the Tax Commissioner or when mandated by the Equal Opportunity Division of the Department of Administrative Services.
The Tax Commissioner has designated an EEO Officer to have full authority to administer the Department’s EEO program. Employees may contact the EEO Officer during normal business hours.

5.3. **Training**

Human Resources will provide or arrange for appropriate EEO training that all employees and new supervisors will be required to successfully complete.

6. **Procedures for complaints of discrimination, harassment, or retaliation**

6.1. **Reporting discrimination, harassment, or retaliation**

It is the Department’s policy that any employee or applicant, who believes he/she is a victim of discrimination, discriminatory harassment or retaliation, report the incident or incidents immediately to the Department's EEO Officer, the Chief Administrative Officer, or the Tax Commissioner’s Office.

Any employee who believes that they have been subject to sexual harassment, through unwelcome sexual advances, requests for sexual favors, offensive or unwanted touching, or any other verbal conduct of a sexual nature by a superior, peer, or subordinate must inform the individual that their action or conduct is unwelcome, directly or indirectly, and as soon as practical and safe. The aggrieved individual must report such incident(s) to the Department's EEO Officer, the Chief Administrative Officer, or the Tax Commissioner's Office. It is everyone’s responsibility to maintain a workplace free from harassment, and to speak up if harassment is occurring.

6.2. **Supervisor's duty to report discrimination, harassment, and retaliation**

Any management employee who observes, becomes aware of, or receives a report or complaint of discrimination, harassment, prohibited consensual romantic or sexual relationships, or retaliation must report the matter immediately to the Department’s EEO Officer, the Chief Administrative Officer, or the Tax Commissioner’s Office. Allegations/reports are not to be publicized but communicated only as necessary to investigate and take appropriate corrective or disciplinary action, although confidentiality cannot be promised.

6.3. **Investigation of discrimination, harassment, and retaliation**

Discrimination, harassment, or retaliation must be reported immediately. The Department’s EEO Officer, the Chief Administrative Officer, or a Tax Commissioner’s designee will promptly investigate all reports/allegations of discrimination, harassment, or retaliation. Reports/allegations will not be publicized but communicated only as necessary to investigate and take appropriate corrective or remedial action, although confidentiality cannot be promised. Upon conclusion of an investigation, the findings will be reported to the Tax Commissioner or his/her designee. The Tax Commissioner or his/her designee may order appropriate corrective action, and the complaining party will be notified of the findings and any corrective action.

6.4. **Procedure for filing complaints under Ohio Administrative Code Chapter 123:1-49**

6.4.1. Discrimination, harassment, and retaliation complaints may be filed electronically at the [Discrimination Complaint Management](#) website and will be processed in accordance with Chapter 123:1-49 of the Ohio Administrative Code (O.A.C). Complaints may be filed with the EEO Officer, the Chief Administrative Officer, the Tax Commissioner’s Office, or the DAS Equal Opportunity Division. Complaints filed with DAS will be referred to the Department for processing. Complaints may be delivered in person or submitted by certified or registered mail.
6.4.2. Complaints must be filed in accordance with O.A.C. Chapter 123:1-49. The complaint must be filed within 30 calendar days of the date of the matter causing the complainant to believe he or she has been discriminated against.

6.4.3. A complaint will be deemed filed on the date it is received, if delivered to an appropriate official, or on the date postmarked (if validated by certified or registered mail) if addressed to an appropriate official designated to receive complaints. The Department will extend the time limits in this section when the complainant shows that he or she was not notified of the time limits and was not otherwise aware of them, or that he/she was prevented by circumstances beyond his/her control from submitting the matter within the time limits, or for other reasons considered sufficient by the agency.

6.4.4. The Department will acknowledge receipt of the complaint to the complainant or his/her representative in writing and advise the complainant in writing of the procedure under this regulation and of his/her right to file a charge affidavit including the time limits imposed on the exercise of these rights.

6.4.5. The Department's EEO Officer, the Chief Administrative Officer, or a designee of the Tax Commissioner will investigate all complaints of discrimination, harassment, or retaliation.

6.4.6. Complaints will be processed in accordance with Chapter 123:1-49 of the Ohio Administrative Code.

6.4.7. Complaints will not be publicized but communicated only as necessary to investigate and take appropriate corrective or remedial action, although confidentiality cannot be promised.

7. Complaints filed with Non-Departmental Enforcement Entities

Charges/complaints of discrimination, harassment, or retaliation may be filed with the following outside enforcement entities: (1) Equal Opportunity Division, within 30 days of the most recent incident; (2) the Ohio Civil Rights Commission within 180 days; and (3) the Equal Employment Opportunity Commission within 300 days. Contact information for these entities is set forth in Section 9 below.

8. Americans with Disabilities Act

The Department is a provider of Americans with Disabilities Act (ADA) services and accessibility. The EEO Officer has been designated to serve as the ADA Coordinator for the Department.

Applicants, employees, or members of the general public using the Department’s services who would like to request a reasonable accommodation are encouraged to contact the EEO Officer, the Chief Administrative Officer, or the Tax Commissioner’s Office by telephone, email, or in writing. Requests for accommodation made for or on behalf of employees, applicants, or members of the general public may be directed to the EEO Officer, the Chief Administrative Officer, or the Tax Commissioner’s Office.

9. Contact Information

9.1. Department’s EEO Officer

EEO Officer
Human Resources
Ohio Department of Taxation
4485 Northland Ridge Boulevard
Columbus, Ohio 43229
Phone: 614-466-3020
9.2. **Department's Chief Administrative Officer**

**Chief Administrative Officer** Ohio Department of Taxation  
4485 Northland Ridge Boulevard  
Columbus, Ohio 43229  
Phone: 614-466-3020

Or

Ohio Department of Taxation  
30 East Broad Street, 22nd Floor  
Columbus, Ohio 43215  
Phone: 614-466-3020

9.3. **Tax Commissioner's Office**

**Tax Commissioner**  
Ohio Department of Taxation  
30 East Broad Street, 22nd Floor  
Columbus, Ohio 43215  
Phone: 614-466-2166

9.4. **Equal Employment Opportunity Commission**

**Equal Employment Opportunity Commission**  
*Cleveland Field Office*  
Anthony J. Celebrezze Federal Building  
1240 E. 9th Street, Suite 3001  
Cleveland, OH 44199  
Phone: 1-800-669-4000  
Fax: 216-522-7395  
TTY: 1-800-669-6820  
ASL Video Phone: 844-234-5122

Or

*Cincinnati Area Office*  
John W. Peck Federal Office Building  
550 Main Street, 10th Floor  
Cincinnati, OH 45202  
Phone: 1-800-669-4000  
Fax: 513-246-0218  
TTY: 1-800-669-6820  
ASL Video Phone: 844-234-5122

9.5. **Ohio Civil Rights Commission**

**Ohio Civil Rights Commission**  
30 E. Broad Street, 4th floor  
Columbus, Ohio 43215  
Phone: 1-614-466-2785  
Fax: 614-644-8776
9.6. State of Ohio, Department of Administrative Services, Equal Opportunity Division

DAS Equal Opportunity Division
4200 Surface Road
Columbus, Ohio 43228
Phone: 614-466-8380
Fax: 614-728-5628

Complaints may be filed on-line at:

9.7. Ohio Relay Service (TTY)

The Ohio Relay Service (ORS) provides full telephone accessibility to people who are deaf, deaf-blind, hard-of-hearing or speech-disabled. Specially trained Communication Assistants (CA's) process relay calls and stay on the line to relay conversations electronically, over a Text Telephone (TTY) or, in some cases, verbally to hearing parties.

ORS is available 24 hours a day, 365 days a year, with no restrictions on the number of calls placed or on their length. This valuable communications tool gives all individuals who are deaf, deaf-blind, hard-of-hearing or speech-disabled the opportunity to make personal and business calls just like any other telephone user. Both TTY and voice users may initiate calls through ORS.

Video Relay Service (VRS) allows a more natural telephone communication between Sign Language users and voice telephone users. This service is accessible from home, office, when traveling. Communication flows through a qualified video interpreter via stand-alone videophone; or desktop or laptop computer with a webcam and appropriate software. More information can be found on the website.

For Hearing Callers, Deaf Callers, Deaf-Blind Callers; Speech-disabled callers

Voice to TTY; VCO; HCO; STS; TTY to Voice; ASCII to Voice; TeleBraille to Voice; Hearing Carry-over:
7-1-1 or 1-800-750-0750

For Hearing Callers

Voice to CapTel:
1-877-243-2823

For Hard of Hearing Callers

Voice Carry-Over:
7-1-1 or 1-877-644-6826

For Speech Disabled Callers

Speech-to-Speech:
7-1-1 or 1-877-750-9097