



March 27, 2009

INTRODUCTION TO THE EEO STRATEGIC PLAN

Pursuant to the Ohio Administrative Code 123:1-49-01, entitled the Equal Employment Opportunity Policy, the Ohio Department of Administrative Services will assure equal opportunity in state services to prohibit discrimination because of race, color, religion, sex, including sexual harassment, national origin, age, disability, veterans status and to promote the full realization of equal opportunity in state service through a continuing Equal Employment Opportunity (EEO) program for executive agencies under the purview of the Governor of the state of Ohio.

The purpose of an Equal Employment Opportunity (EEO) Strategic Plan is to eliminate discriminatory employment practices. An EEO Strategic Plan is a detailed, results-oriented set of procedures which, when carried out results in full compliance with equal employment opportunity requirements through full utilization of minority groups, women and disabled persons at all levels of the workforce. The program seeks to bring women, minorities and disabled persons into all levels of the workforce.

The format is designed to reflect clear, goal directed activity (not to be confused with employment goals). Each section will address a specific review of the agency's current status for all EEO action items (i.e. recruitment, selection, training and upward mobility, discipline, separation and internal monitoring).

BWC has developed an equal employment opportunity program to address employment discrimination matters. Attached is a copy of BWC's 2008 Equal Employment Opportunity Strategic Plan (EEOSP). This plan is in effect through Fiscal Year 2011. If you have any questions regarding BWC's strategic plan, please do not hesitate to contact BWC EEO Director, Sheri Fitzpatrick at (614) 728-9537.

Sincerely,

Marsha P. Ryan
BWC Administrator

SECTION A: EEO PROGRAM RESPONSIBILITIES

Designation of Responsibilities for the EEO Plan	Designation of Responsibilities Plan for the ADA Plan
Name: Sheri Fitzpatrick	Name: Sheri Fitzpatrick
Title: EEO Manager	Title: EEO Manager
Address: 30 W. Spring Street, L-6, Columbus, OH 43215	Address: 30 W. Spring Street, L-6, Columbus, OH 43215
Telephone: (614) 728-9537	Telephone: (614) 728-9537
E-Mail Address: sheri.fitzpatrick@bwc.state.oh.us	E-Mail Address: sheri.fitzpatrick@bwc.state.oh.us

SECTION B: MISSION AND VISION

EEO MISSION STATEMENT:

Provide the agency EEO mission statement:

To oversee and monitor compliance of all applicable state and federal laws, rules and regulations as they relate to non-discrimination in employment. To ensure that all employees and applicants have equal employment opportunity at BWC.

EEO VISION STATEMENT:

Provide the agency EEO vision statement:

Our vision is to promote an environment where everyone feels valued and is treated with dignity and respect.

SECTION C: AGENCY OVERVIEW

Task: Overview	Current Status	Name of Responsible Staff and Position	Completion Date
1. An Overview of the Agency (attachment C:1)	Current	Marsha Ryan, Administrator	Date 7/31/08
2. Table of Organization (attachment C:2)	Current	Marsha Ryan, Administrator	Date 7/31/08
3. Responsibilities of the Divisions (attachment C:3)	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
4. Breakdown of Each Divisions Job Classifications (attachment C:4 & 5)	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
5. Full-Time/Part-Time Status (attachment C:4 & 5)	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
6. Please provide information for each outlying facility in your agency: <ul style="list-style-type: none"> Name Location Facility Administrator's name/Title Phone number (attachment C:6)	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
7. What measures do you take to provide EEO training and information about the on-line discrimination complaint process to satellite agencies? (attachment C:7)	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08

SECTION D: AGENCY EEO STAFFING/RESPONSIBILITIES

Task: EEO Staffing Responsibilities	Current Status	Name of Responsible Staff and Position	Completion Date
1. Provide a copy of the EEO Manager's responsibilities. (attachment D:1)	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
2. Provide a copy of the position description. (attachment D:2)	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
3. Provide any additional responsibilities required or other duties performed. (attachment D:3)	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
4. Please provide a flow chart with the titles of the individuals in the line of authority between the EEO Officer and the agency Director. (attachment D:4)	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
5. Are the duties of the EEO Officer clearly defined by agency leadership? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. See Attachments D:1, D:2 & D:3			Date
6. Do EEO officials have the knowledge, skills and abilities needed to carry out the duties for which they are responsible? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. See Attachment F:4			Date
7. Do organizational charts clearly define the reporting structure of the EEO Programs? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. Information concerning the Bureau's EEO Department can be found in the Employee Handbook, via the Intranet on the Human Resources Division's web page and in the recently published Restoring Operational Excellence publication that was provided to all BWC employees.			Date

SECTION E: EEO POLICY STATEMENTS

Task: Policy Statement Strategies	Current Status	Name of Responsible Staff and Position	Completion Date
1. Please provide a current copy of your agency's EEO, Anti-Discrimination/Anti-Harassment and Sexual Harassment Policies. (attachment E:1)	Current	Sheri Fitzpatrick, EEO Manager	Date 8/19/08
2. Have newly promoted and current supervisors received copies of the discriminatory policy? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager Cyndi Hill, Management Analyst Supervisor 2	Date 7/31/08
If no, please explain:			Date

SECTION F: DISCRIMINATION COMPLAINT MANAGEMENT

Task: Discrimination Complaint Management	Current Status	Name of Responsible Person and Position	Completion Date
1. Please provide the name, classification and location of the person responsible for managing complaints.	Current	Sheri Fitzpatrick, EEO Manager 30 W. Spring Street, L-6 Columbus, OH 43215	Date 7/31/08
2. Do you submit a discrimination complaint summary report on a monthly basis? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
In no, please explain.			Date
3. Does your agency use a discrimination complaint form other than the ADM 4400? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. Several years ago, former EEO Director, Joseph Rubino received approval from EOD to replace the ADM 4400 with an on-line EEO complaint form that could immediately be accessed by all BWC employees including those in our satellite offices.			Date
4. Describe the type of EEO training you have received in order to manage the complaint process? (attachment F:4)	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
5. Do you investigate discriminatory actions that you have knowledge of, but have not been submitted? (attachment F:5) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. All complaints that are investigated by the Bureau's EEO Department are included on the monthly report that is submitted to the Department of Administrative Services, Equal Opportunity Division.			Date
6. Do you submit all "internal" complaints? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. All internal complaints and external complaints filed with the Ohio Civil Rights Commission or Equal Employment Opportunity Commission are included on the monthly report submitted to EOD.			Date
7. Do you inform and submit to DAS/EOD all non-jurisdiction allegations of discrimination, rejected complaints, discriminatory harassment and/or retaliation? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. All discriminatory harassment and/or retaliation complaints filed with the Bureau's EEO Department are included on the monthly report submitted to EOD. The EEO Department does not reject complaints. Any calls received regarding non-jurisdictional concerns are referred to the employee's chain of command, union representative or the Bureau's Employee and Labor Relations Department for resolution.			Date

8. Please provide a Discrimination Complaint Summary Data for all rejected non-jurisdictional complaints from June 07-June 08. Not applicable	Completed	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
9. Have you been able to maintain timelines throughout the complaint process? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
If no, please explain.			Date
10. Have you been trained in mediation dispute resolution involving allegations of discrimination? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Completed	Sheri Fitzpatrick, EEO Manager	Date January 1998
If yes, please explain. The EEO Manager successfully completed Conflict Management Awareness Training sponsored by the Ohio Department of Administrative Services Equal Opportunity Division and The Ohio Commission on Dispute Resolution and Conflict Management.			Date
11. Do employees have access to the on-line discrimination complaint process? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Always available	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. The Bureau's EEO Policy Statement, Anti-Harassment Policy and Americans with Disabilities Act policy along with our on-line complaint form is located on the EEO Department's web page and can be accessed via Intrafin.			Date
12. Has the agency prominently posted all EEO related information? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Always available	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
13. Please provide locations and area's where EEO information is displayed at the agency and/or satellite location. (attachment F:13)	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08

SECTION G: AVAILABILITY OF CURRENT EQUAL EMPLOYMENT OPPORTUNITY STRATEGIC PLAN (EEOSP)

Pursuant to the Ohio Administrative Code, 123:1-49-04 entitled Establishment of Affirmative Action Plan, each Agency shall establish, maintain, and carry out a continuing Affirmative Action Plan designed to promote equal opportunity in every aspect of agency personnel policy and practice.

The EEO Strategic Plan is a public document, which may be reviewed by interested internal or external parties during normal working hours as follows: Monday through Friday from 8 a.m. until 5 p.m.

PLAN AVAILABILITY

Task: Plan Availability	Current Status	Name of Responsible Staff and Position	Completion Date
Contact Person: Sheri Fitzpatrick, EEO Manager (614) 728-9537 Location: 30 W. Spring Street, L-6 Columbus, OH 43215	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08

Contact Person: Hans Neugebauer, Manager (740) 435-4215 Location: Cambridge Service Office 61501 Southgate Parkway Cambridge, OH 43725	Current		Date 7/31/08
Contact Person: Doris Ranftl, Manager (330) 471-0186 Location: Canton Service Office 400 Third Street, SE Suite 2 Canton, OH 44702	Current		Date 7/31/08
Contact Person: Therese Gallagher, Manager (216) 787-3070 Location: Cleveland Service Office 615 W. Superior Avenue, L-6 Cleveland, OH 44113-1889	Current		Date 7/31/08
Contact Person: Sheilah Hampton, Manager (216) 584-0120 Location: Garfield Heights Service Office 4800 East 131 st Street Garfield Heights, OH 44105	Current		Date 7/31/08
Contact Person: Karen Skinner, Manager (419) 529-7629 Location: Mansfield Service Office The Tappan Building 240 Tappan Drive N Mansfield, OH 44906-8051	Current		Date 7/31/08
Contact Person: Jerry Anderson, Manager (330) 797-6385 Location: Youngstown Service Office 242 Federal Plaza W – Suite 200 Youngstown, OH 44503-1206	Current		Date 7/31/08
Contact Person: Jill Stevenson, Manager (614) 728-5550 Location: Columbus Service Office 30 W. Spring Street, L-11 Columbus, OH 43215	Current		Date 7/31/08
Contact Person: Sandy Smith-Goff, Manager (937) 264-5081 Location: Dayton Service Office 3401 Park Center Drive Dayton, OH 45413-0910	Current		Date 7/31/08

Contact Person: Trish Harris, Manager (513) 583-4419 Location: Governor's Hill Service Office 8650 Governor's Hill Drive Cincinnati, OH 45249	Current		Date 7/31/08
Contact Person: Tina Cooper, Manager (513) 785-4555 Location: Hamilton Service Office 345 High Street Hamilton, OH 45011	Current		Date 7/31/08
Contact Person: Winnie Warren, Interim Manager (419) 223-2442 Location: Lima Service Office 2025 E. Fourth Street Lima, OH 45804-4101	Current		Date 7/31/08
Contact Person: Karen Thrapp, Assistant Service Office Manager (740) 385-9782 Location: Logan Service Office 1225 W. Hunter Street Logan, OH 43138-0630	Current		Date 7/31/08
Contact Person: Wanda Kuhns, Manager (740) 353-6125 Location: Portsmouth Service Office 1005 Fourth Street Portsmouth, OH 45662-4315	Current		Date 7/31/08
Contact Person: Sandy Smith-Goff, Manager (937) 327-1488 Location: Springfield Service Office 1 S. Limestone St. P.O. Box 1467 Springfield, OH 45501-1467	Current		Date 7/31/08
Contact Person: Doug Farmer, Central Office Manager (614) 752-6504 Location: 30 W. Spring Street, L-4 Columbus, OH 43215	Current		Date 7/31/08
Contact Person: David Boyd, Manager (614) 644-5063 Location: 30 W. Spring Street, L-22 Columbus, OH 43215	Current		Date 7/31/08

Contact Person: Bernadette Delgado, Interim Manager (419) 327-8988 Location: Toledo Service Office 1 Government Center # 1236 Toledo, OH 43604-0794	Current		Date 7/31/08
Agency employees will be notified of the availability of the plan for review via interoffice mail and staff meetings by October 31, 2008.	Pending		Date

SECTION H: DIVERSITY RECRUITMENT STRATEGIES RECRUITMENT OUTREACH & RECRUITMENT LITERATURE

Task: Diversity Recruitment Strategies	Current Status	Name of Responsible Staff and Position	Completion Date
1. Does the agency maintain a current list of minority, women, disabled persons and veterans' recruitment sources? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 8/4/08
Please explain. BWC is also proactively seeking to enhance diversity recruitment strategies in Fiscal Year 2009.			Date
2. Diversity Recruitment Outreach Efforts: (attachment H:2)	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 8/4/08
If diversity outreach has not occurred, please explain:			Date
3. Does your agency utilize an internal employment application form other than the standard DAS application? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 8/4/08
Please explain.			Date
4. Has the language in your publications been screened to ensure that non-discriminatory and non-sexist language is not used? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager Keary McCarthy, Director of Communications	Date 7/31/08
Please explain. During the editing process, the Bureau's Communications Department ensures language is non-discriminatory and non-sexist.			Date
5. Is "the state of Ohio is an equal opportunity employer" included in your publications? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	Pending	Keary McCarthy, Director of Communications Dee Seidenschmidt, Director of Personnel & Benefits	Date 8/4/08
Please explain. This phrase is not included in the various BWC publications dealing with workers' compensation but is included in all BWC vacancy postings.			Date

SECTION I: EEO SELECTION, QUALIFICATION, POSITION DESCRIPTION STRATEGIES

Task: EEO Selection Strategies, Qualification, Position Description Strategies	Current Status	Name of Responsible Staff and Position	Completion Date
1. Has your agency developed its own qualifications for positions and if so, for what positions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	John T. Sidick, Employment Testing Manager	Date 7/31/08
Please explain. Position specific minimum qualifications may be added to a position if the job analysis process indicates that additional education, experience or training is needed for a specific position. Tom Sidick works with the immediate supervisor and subject matter experts on the job analysis process. All supporting documentation is reviewed and approved by DAS prior to the PSMQ being utilized on the job posting.			Date
2. Are the minimum qualifications developed by DAS used for all classifications? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
If no, please explain.			Date
3. Does the agency employment qualifications meet Federal Validation Standards? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
If no, please explain.			Date
4. Are all position descriptions accurate and up-to-date? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	Pending	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
If no, please explain. 67% of our position descriptions for filled positions are current within 3 years.			Date
5. Is advance step hiring used by this agency? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
Please explain. The Hiring Manager may request; Personnel Department reviews/approves.			Date
6. Conduct and submit an Adverse Impact Study results by race and gender for agency layoffs beginning August 1, 2007 through August 30, 2008. (attachment I:6) Not applicable to BWC	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain Was Adverse Impact found? Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input checked="" type="checkbox"/>			
7. Conduct and submit an Adverse Impact Study results by race and gender for new hires over Pay Range 12 from August 2007 to August 2008. (attachment I:7)	Completed	Eddie Smith, Programmer Specialist	Date 9/2/08
Please explain Was Adverse Impact Found? Yes <input type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>			
8. Does your agency post all vacancies (externally, internally and via the Internet)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08

9. Are there any positions excluded from the postings? If so, which positions? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
Please explain. In the past 2 years, approximately 85% of our positions were posted. However, there are instances where an exempt or unclassified position may not be posted. Board of Director, Administrative staff or exempt positions may periodically be filled by the Governor or the Appointing Authority.			Date
10. At what point in the employment process is the EEO data on the application separated?	On-going	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
Please explain. While utilizing OLEAP, the EEO demographics form was removed upon receipt and printing of the job application. Since OHMS has been implemented (June 2008), the applicant may choose to enter the EEO demographics information. However, security access to this information is limited to 5 HR staff for application entering (hard copy applications) and creating & generating EEO reports. The Personnel Staff who review and screen job applications do not have access to EEO demographic data.			Date
11. Is the staff that screens applications and the selection panels trained in bias free selection methodologies? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
12. Does the EEO Officer review application EEO data? When? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. While utilizing OLEAP, the EEO demographics form was removed upon receipt and printing of the job application. Since OHMS has been implemented (June 2008), the applicant may choose to enter the EEO demographics information. Security access to this information is limited to 5 HR staff for application entering and creating & generating EEO reports. The EEO Manager does have security access to the EEO data. Also, the EEO Manager may be contacted by the Personnel Department and/or Hiring Manager if an applicant requests an accommodation during the testing process and/or interview process. In those particular instances, we make the necessary arrangements to accommodate the applicant's specific request.			Date
13. Does the agency use structured interview techniques? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	Current	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
Please describe. (attachment I:13)			Date

SECTION J: EEO PLACEMENT/ORIENTATION AND PERFORMANCE EVALUATION

Task: EEO Placement/Orientation and Performance Evaluation Strategies	Current Status	Name of Responsible Staff and Position	Completion Date
1. Are employees provided with a timely, non-discriminatory, honest evaluation of their performance annually? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
If no, please explain:			Date
2. Are performance evaluations monitored to ensure non-discrimination and timely preparation? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Each Supervisor, Manager, OPRS Coordinator, Director and Chief.	Date 7/31/08
If no, please explain.			Date
3. Are EEO representatives included in the agency's new employees' orientation session? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
If no, please explain.			Date
4. Please provide a copy of the orientation agenda or the training plan for new employee orientation sessions. (attachment J:4)	Current	Cyndi Hill, Management Analyst Supervisor 2	Date 7/31/08
5. Have supervisors received training on how to conduct performance evaluations in a non-discriminatory manner? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Dee Seidenschmidt, Director of Personnel & Benefits	Date 7/31/08
If no, please explain.			Date
6. During orientation have employees been informed about prohibited and inappropriate behavior and that the behavior could result in disciplinary action? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. During new employee orientation, the EEO Manager explains the role of the EEO Department and describes the type of complaints that are investigated. The EEO Manager also advises new hires that it is not permissible for employees to use sexually explicit language, tell racial jokes, make age related comments or make other inappropriate remarks regarding a person's national origin, ancestry, disability, religion ... and explains that this conduct is against BWC policy and could lead to disciplinary action being taken against them.			Date

SECTION K: EEO TRAINING STRATEGIES

Task: EEO Training Strategies	Current Status	Name of Responsible Staff and Position	Completion Date
1. What employees are responsible for coordinating EEO training opportunities?	Current	Sheri Fitzpatrick, EEO Manager Matt Gill, Training Director & Cyndi Hill, Management Analyst Supervisor 2	Date 7/31/08
Please explain. The EEO Manager along with the Training Director and his staff are responsible for providing training to BWC employees.			Date
How often? Pending operational need. As new employees are hired by the Bureau, a new employee orientation class is scheduled. Also, once a new leader is hired or promoted into a management position, they are scheduled to attend the Management Partnership class.			Date
2. Does your agency collect EEO data on trainees? Yes ___ No <input checked="" type="checkbox"/> NA _____	Current	Sheri Fitzpatrick, EEO Manager	Date 8/5/08
If no, please explain. We ask only the employee's name and ID number so that we may add the training courses to their training history.			Date
3. Does your agency analyze the training session evaluations to ensure non-discrimination? Yes <input checked="" type="checkbox"/> No _____ NA _____	On-going	Matt Gill, Training Director	Date 8/5/08
If no, please explain.			Date
4. Does the agency provide EEO training in the area of Title VII Civil Rights Act 1964 as amendment, ADEA Disability, Gubernatorial Executive Order 2007-10S, and Military Status Yes <input checked="" type="checkbox"/> No _____ NA _____	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/5/08
Please explain. The laws governing workplace discrimination are covered at new employee orientation and in the Management Partnership training class. This same information can be found on the EEO Department's web page.			Date
5. Does the agency provide EEO training about employment discrimination, discriminatory harassment and retaliation? Yes <input checked="" type="checkbox"/> No _____ NA _____	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/5/08
Please explain. These topics are covered at new employee orientation and in the Management Partnership training class.			Date
6. Does the agency provide EEO training regarding the internal/external discrimination complaint process in the area of jurisdictional complaints and the right to dual file with OCRC/EEOC and EOD? Yes <input checked="" type="checkbox"/> No _____ NA _____	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/5/08
Please explain. An employee's right to file an EEO complaint either internally or externally are explained at new employee orientation and at the Management Partnership training class.			Date

7. Does the agency provide EEO training about how to submit a complaint on the ADM 4400? Yes ___ No <input checked="" type="checkbox"/> NA _____	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/4/08
Please explain. As stated earlier, BWC does not use the ADM 4400. Instead, we have an on-line EEO complaint form that is easily accessible to all BWC employees. The EEO Department reviews the on-line complaint form with new hires at new employee orientation.			Date
8. Please provide the percentage of employees that need EEO training. EEO training is provided to all new hires during new employee orientation. The Bureau also conducted mandatory EEO Awareness training for all bargaining unit employees in 2004.	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/4/08
9. Please provide the percentage of supervisors that need EEO training. BWC conducted mandatory leadership training for all supervisors/managers in 2006. All newly hired and/or promoted supervisors are also required to attend the Management Partnerships training class which covers the anti-discrimination laws and policies that apply to employment discrimination.	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/4/08
10. Please provide an agenda for EEO training offered to both employees and supervisors. (attachment K:11)	Current	Sheri Fitzpatrick, EEO Manager	Date 8/4/08

SECTION L: EEO DISCIPLINE STRATEGIES

Task: EEO Discipline Strategies	Current Status	Name of Responsible Staff and Position	Completion Date
1. Have all agency employees received copies of the disciplinary policy? Yes <input checked="" type="checkbox"/> No ___ NA _____	Current	Brian Walton, Director of Employee and Labor Relations	Date 7/31/08
If no, please explain.			Date
2. Have all supervisors and managers received training on how to implement discipline in a non-discriminatory manner? Yes <input checked="" type="checkbox"/> No ___ NA _____	On-going	Brian Walton, Director of Employee and Labor Relations	Date 7/31/08
If no, please explain.			Date
3. What percent of supervisors still need training? This training is conducted on an as needed basis whenever new supervisors/managers are hired and/or promoted by the Bureau.	On-going	Brian Walton, Director of Employee and Labor Relations	Date 8/4/08
4. Does you agency have a written disciplinary policy and procedure? Yes <input checked="" type="checkbox"/> No ___ N/A _____	Current	Brian Walton, Director of Employee and Labor Relations	Date 7/31/08
Please explain. BWC follows the principle of progressive discipline. The Bureau has two sets of guidelines (or grids) for bargaining unit employees and for those employees exempt from collective bargaining.			Date
5. Please provide a copy of the discipline policy (attachment L:5)	Current	Brian Walton, Director of Employee and Labor Relations	Date 7/31/08

SECTION M: SEPARATION STRATEGIES/EXIT INTERVIEWS STRATEGIES

Task: Exit Interviews Strategies	Current Status	Responsible Staff	Completion Date
1. Are exit interviews conducted on all voluntary separations? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
If no, please explain:			Date
2. If exit interview forms are mailed out, what is the return rate? Approximately 50%.	Current	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
3. Please explain how exit interviews responses are facilitated from the HR office to the EEO office. Upon request of the employee exit interviews are conducted by the EEO Manager before the employee's last day of employment. If the employee does not request an in-person exit interview, a letter and survey are sent to the employee's home with a postage prepaid envelope enclosed to return the survey.	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
4. Has your agency analyzed the exit interview data to determine if an adverse number of minorities and/or women are separating from the agency? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
If no, please explain.			Date
5. Are the exit interview results analyzed to ensure non-discrimination and negative separation trends? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/5/08
If no, please explain:			
6. Please provide a copy of the exit interview form. (attachment M:5)	Current	Sheri Fitzpatrick, EEO Manager	Date 8/5/08
7. When data is collected, are exit interview questionnaires shared with the agency director? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> NA <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager	Date 8/5/08
If no, please explain.			Date

SECTION N: AGENCY EEO PROGRAM MONITORING AND LEADERSHIP COMPLIANCE

Task: Monitoring and Leadership Compliance	Current Status	Name of Responsible Staff and Position	Completion Date
1. Does the agency head hold regular meetings to discuss EEO issues? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	On-going	Marsha Ryan, Administrator	Date 7/31/08
Please explain. The Administrator has a weekly meeting with the Chief of Human Resources to discuss HR related matters, which may include EEO issues. In addition, the EEO Manager submits a monthly report to the Administrator and Chief of Human Resources listing EEO complaints along with the status of the investigation and result.			Date
2. Is the agency head involved in the development of the agency EEO Strategic Plan? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Current	Marsha Ryan, Administrator	Date 8/4/08
Please explain.			Date

3. Please provide a copy of a year end report that you will submit to the agency director that details the status of the complaints from July 2007 - July 2008: - Issues and recommended resolutions; - Agency EEO training accomplished; and - Training received by the agency EEO staff (attachment N:3)	Completed	Sheri Fitzpatrick, EEO Manager	Date 8/19/08
4. What methods are used by agency leadership to show support of the EEO program	On-going	Sheri Fitzpatrick, EEO Manager	Date 7/31/08
Please explain. The Administrator and BWC policy requires all managers/supervisors to report any incident of discrimination and/or harassment to the EEO Department within 24 hours once they have been made aware of the incident. Furthermore, all newly hired and/or promoted supervisors are required to attend the Management Partnership training class which outlines their leadership responsibilities regarding EEO.			Date
5. Are EEO Officials present during agency deliberations prior to decisions regarding recruitment strategies, vacancy projections, succession planning, selections for training career development opportunities and other workforce changes? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	On-going	Toni Brokaw, Chief of Human Resources	Date 7/31/08
Please explain. The Chief of Human Resources directs and oversees personnel, training and safety services for more than 2,400 employees. This division also handles labor relations issues and maintains equal employment opportunity regulations throughout the agency. The Human Resources Division works to ensure consistency of policies and procedures in accordance with the Ohio Revised Code, the Ohio Administrative Code and collective bargaining agreements.			Date
6. Are EEO concerns integrated into the agency's mission and planning? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	On-going	Toni Brokaw, Chief of Human Resources	Date 7/31/08
Please explain. For Fiscal year 2009, the EEO Department will be conducting EEO/Diversity training for all BWC personnel and the Personnel Department will be looking into diversity recruitment strategies.			Date
7. Is the EEO program allocated sufficient resources (Financial /Human Capital) to ensure success? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	Current	Toni Brokaw, Chief of Human Resources	Date 7/31/08
Please explain.			Date
8. Have all employees been informed about penalties for being found to perpetrate discriminatory behavior or for taking personnel related based upon prohibited behavior? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>	On-going	Sheri Fitzpatrick, EEO Manager Brian Walton, Director of Employee and Labor Relations	Date 7/31/08
Please explain. The EEO Manager covers the above topic at new employee orientation and in the Management Partnerships training class.			Date

SECTION O: EEO WORKFORCE COMPOSITION

- Please provide a current copy of your agency EEO workforce ending June 30th 2008.
(Attachment O)

SECTION P: SUMMARY OF CORRECTIVE ACTION TO BE TAKEN DURING THE NEXT FISCAL YEAR

- This section should include a summary of corrective action that should be taken at your agency within the next fiscal year.
(Attachment P)

SECTION Q: DIVERSITY INITIATIVES

- What steps did your agency take to enhance diversity awareness (workforce/cultural)?
- Does your agency have a diversity team?
- Who is included in the team?
- What is the role and responsibility of the team?
- Describe diversity initiatives taken at his agency.
(Attachment Q)

Attachment C: 1

AGENCY OVERVIEW

The Ohio Bureau of Workers' Compensation (BWC) provides workforce insurance coverage for approximately 275,000 of the state's public and private employers. The State Insurance Fund covers medical expenses and lost wages for approximately two-thirds of Ohio workers. The remaining third receives workers' compensation coverage directly through their employers, which are part of a self-insurance program guided by strict qualifications set by BWC.

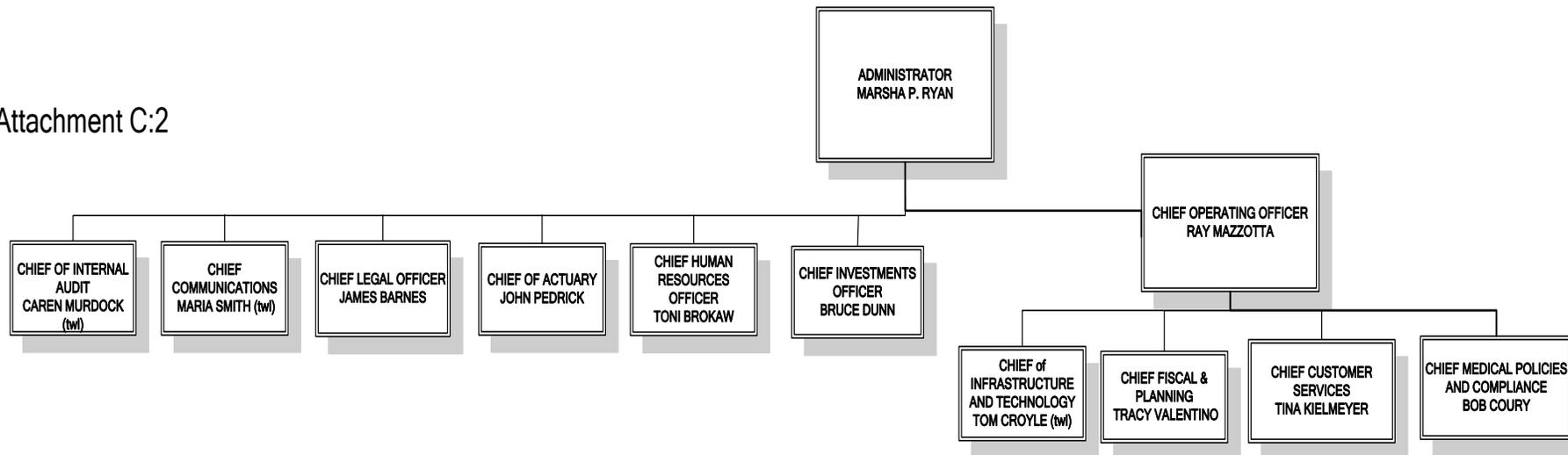
When a workplace accident occurs, BWC responds to the needs of the injured worker and employer to ensure a safe and timely return to work for the injured employee. BWC pays benefits on behalf of Ohio's employers in exchange for biannual premium payments, which should help protect them from the financial shock of any sudden, costly workplace accident.

In fiscal year 2007, BWC processed 171,692 claims of which 154,677 were allowed. The majority of these claims (133,221) required only payments for medical treatment, while an additional 19,487 claims required wage replacement or indemnity payments. There were 1,793 claims related to occupational diseases and, tragically 176 workers lost their lives while on the job.

To meet the needs of injured workers and to control premium costs for employers, BWC is also active in the investment markets to generate additional revenue to the State Insurance Fund – the primary fund into which employers pay. In fiscal year 2007, BWC generated approximately \$911 million in investment income and the State Insurance Fund earned a return of 5.4 percent.

By pairing positive investment returns with better medical cost-containment, aggressive collection efforts and more effective claims management, BWC will further strengthen its financial footing in the future and, in turn, provide greater peace of mind to Ohio's injured workers and employers.

Attachment C:2



Attachment C: 3

BWC EXECUTIVE LEADERSHIP & DIVISIONAL RESPONSIBILITIES

Administrator Marsha Ryan

Ryan has served as BWC's Administrator since May 1, 2007, when Governor Strickland appointed her to the post.

During her tenure, Ryan has led a comprehensive reform effort to improve BWC services, stabilize costs, ensure accuracy and encourage safe workplaces.

In her first year, Ryan, along with the BWC Board of Directors, contributed to making Ohio's workers' compensation product more competitive by reducing premium rates for private employers and state agencies. Other efforts include ensuring all Ohio employers pay their fair share for workers' compensation insurance by reducing the maximum group-rating discount by 5 percent. In addition, BWC is rolling out a new state-of-the-art system (MIRA II) on July 1, 2008, to more accurately calculate claims reserves and increase transparency for BWC customers.

Chief Operating Officer Raymond Mazzota

Mazzota joined BWC as Chief Operating Officer in February 2008. He has more than 30 years experience in the property and casualty insurance industry and has demonstrated leadership, innovation and performance as he has managed companies and operations with over 250 employees and underwriting volumes in excess of \$300 million. At BWC, he oversees the agency's Fiscal and Planning, Medical Services and Compliance, and Infrastructure and Technology divisions.

Divisional responsibilities

Medical Services and Compliance

Under the leadership of the Chief of Medical Services and Compliance Robert Coury, this division facilitates the interface between the injured worker, the employer, the provider and BWC to provide cost-effective medical and rehabilitation services and claims administration.

Special Investigations Department

BWC's Special Investigations Department aggressively pursues cases of claims, provider and premium fraud.

Customer Services

Led by Chief of Customer Services Tina Kielemeyer, this division houses BWC's customer contact center and administers 15 customer service offices throughout Ohio. These facilities – located in Cambridge, Canton, Columbus, Cleveland, Dayton, Garfield Heights, Governor's Hill, Hamilton, Lima, Logan, Mansfield, Portsmouth, Springfield, Toledo and Youngstown – serve as the primary points of contact for injured workers and employers in Ohio's 88 counties. Customer Services also include Safety & Hygiene, a department dedicated to preventing accidents and injuries on the job.

Fiscal and Planning

This division led by Chief Fiscal and Planning Officer Tracy Valentino, is responsible for the receipt and distribution of agency funds, including benefits payable to injured workers, MCOs and medical providers. The division also prepares budgets, handles purchasing and maintains general ledgers and financial reporting for seven funds administered by the agency.

Infrastructure and Technology

Reliable, up-to-date and convenient online services are crucial in our day to day operations. Interim Chief Information Officer Tom Croyle leads our IT strategy and initiatives to enable, support and achieve our operational, financial and customer service goals.

Actuarial

Under the leadership of Chief Actuarial Officer John Pedrick, FCAS, MAAA, this division plays a key role in our initiatives to bring stability, predictability and transparency to Ohio's premium rates, and to ensure the long-term financial health of Ohio's workers' compensation system. The division is responsible for developing and implementing a new, more accurate claims reserving system and for ensuring fair and equitable rates for all employers. The division also manages rate and financial reserve studies, recommends the amount of claims reserves to include in BWC's financial statement.

Investment

Under the leadership of Chief Investment Officer Bruce Dunn, CFA, and Director of Investments Lee Damsel, CFA, CPA, this division manages the invested assets of each of our separate trust funds to ensure we can pay all workers' compensation benefits and expense obligations when due. Using a prudent investment strategy, the division strives to earn sufficient returns to grow the surplus over time and keep premium payments reasonable and predictable.

Internal Audit

Led by Chief of Internal Audit Caren Murdock, this division operates independently to supply objective evaluations, appraisals and recommendations on risk management, controls and governance activities to our management team and the Audit Committee of the BWC Board of Directors. The division also provides an independent assessment of the performance of our programs, activities and functions.

Legal

Under the leadership of Chief Legal Officer and General Counsel James Barnes, this division provides legal advice and assistance to our agency and administrator. The division ensures we adhere to claims procedures and policies, files appeals on behalf of the State Insurance Fund, represents the agency/state fund in administrative appeals, and asserts and protects BWC's subrogation rights for monies due from third-party insurance carriers. The division also works with Ohio's attorney general in court appeals and efforts to recover debts owed to BWC.

Communication and Public Policy

Chief of Communications and Public Policy Keary McCarthy leads this division, which works to accurately communicate with our service and performance. This includes communicating important claim and premium information to customers, while also keeping stakeholders, media outlets and the public apprised of various initiatives, programs and achievements. Communicates also oversees legislative affairs. Chief Legislative Liaison Gregg Paul maintains a direct line of communication with Ohio lawmakers, and responds to all BWC-related inquiries and referrals from the Ohio General Assembly.

Human Resources

As Chief of Human Resources, Toni Brokaw directs and oversees personnel, training and safety services for more than 2,400 employees. The division also handles labor relations issues and maintains equal employment opportunity regulations throughout the agency. The Human Resources Division also works to ensure consistency of policies and procedures in accordance with the Ohio Revised Code, the Ohio Administrative Code and collective bargaining agreements.

Attachment C: 4 & 5

BWC Administration

Responsible for administering and directing all programs and policies of the BWC, establishes and administers the budget in accordance with legislative appropriations, and directs establishment of goals and objectives for the efficient operation and highest quality customer service improvements of the agency. Additionally, plans, develops and enhances the organizational structure and staffing as it relates to the delivery of services to the injured workers and employers of Ohio. Appoints top qualified personnel to analyze and assess the needs and requirements of the BWC. Administration also monitors overall development/progress to ensure a quality, customer focused Workers' Compensation system for Ohio employers & employees.

The Workers' Compensation Board of Director's members provides greater [professional expertise](#), strengthened [accountability and transparency](#), and a [broader representation](#) of BWC's customers. Board Members represent the interests of Ohio workers and employers, and the public at large. The board also includes members with professional expertise in financial accounting, investments and securities, and actuarial management.

The board has three committees mandated by law: an [actuarial](#), [audit](#) and [investment committee](#). There is also an ad hoc [governance committee](#), which the board created to oversee its operations. The board also has direct power in advising BWC's administrator and managing the agency's operations and policies.

As fiduciaries of the workers' compensation system, the board will also provide independent verification of BWC's financial and operational performance.

The Ombuds Office provides assistance to, and resolves issues associated with customers of the Ohio workers' compensation system in their dealings with BWC and the Industrial Commission. Additionally, provides claimants and employers with information regarding problems arising out of BWC's and commission hearing officer's functions, responsibilities and procedures employed in claims processing. Additionally, researches and answers inquiries of employers as related to reserves established and premiums charged in connections with employer accounts.

ADMINISTRATIVE ASSISTANT 2	1	CUSTOMER SERVICE ASSISTANT 2	3
ADMINISTRATIVE ASSISTANT 3 (1 PT)	1	PUBLIC INQUIRIES OFFICER	1
ADMINISTRATIVE ASSISTANT 4	2	COLLEGE INTERN (1 PT)	1
BWC ADMINISTRATOR	1	BOARD MEMBER (11 PT)	11
EXECUTIVE SECRETARY	1	ADMINISTRATIVE STAFF	4
CUSTOMER SERVICE ASSISTANT 1	1		

Actuarial

This division plays a key role in our initiatives to bring stability, predictability and transparency to Ohio's premium rates, and to ensure the long-term financial health of Ohio's workers' compensation system. The division is responsible for developing and implementing a new, more accurate claims reserving system and for ensuring fair and equitable rates for all employers.

The division also manages rate and financial reserve studies, recommends rates for employers and recommends the amount of claims reserves to include in BWC's financial statement.

SECRETARY	1
EXECUTIVE SECRETARY 1	1
WC UNDERWRITER	11
WC UNDERWRITING SUPERVISOR	3
ADMINISTRATIVE STAFF	3

Investments

This division manages the invested assets of each of our separate trust funds to ensure we can pay all workers' compensation benefits and expense obligations when due. Using a prudent investment strategy, the division strives to earn sufficient returns to grow the surplus over time and keep premium payments reasonable and predictable.

EXECUTIVE SECRETARY 1	1	INVESTMENT MANAGER	6
ADMINISTRATIVE ASSISTANT 3	1	ADMINISTRATIVE STAFF	2

Internal Audit

This division operates independently to supply objective evaluations, appraisals and recommendations on risk management, controls and governance activities to our management team and the Audit Committee of the BWC Board of Directors. The division also provides an independent assessment of the performance of our programs, activities and functions.

ADMINISTRATIVE ASSISTANT 2	1	INTERNAL AUDITOR II	3
ADMINISTRATIVE ASSISTANT 3	1	INTERNAL AUDIT SUPERVISOR 1	3
MANAGEMENT ANALYST SUPV 1	1	INTERNAL AUDIT MANAGER	1
MANAGEMENT ANALYST SUPV 2	1	ADMINISTRATIVE STAFF	3

Legal

This division provides legal advice and assistance to our agency and administrator. The division ensures we adhere to claims procedures and policies, files appeals on behalf of the State Insurance Fund, represents the agency/state fund in administrative appeals, and asserts and protects BWC's subrogation rights for monies due from third-party insurance carriers. The division also works with Ohio employers and injured workers to settle claims and works with Ohio's attorney general in court appeals and efforts to recover debts owed to BWC.

CLERK 3	2	PARALEGAL/LEGAL ASSISTANT	1
WC CLAIMS SPECIALIST	1	BWC ATTORNEY 1	15
EXECUTIVE SECRETARY 1	3	BWC ATTORNEY 2	15
ADMINISTRATIVE ASSISTANT 1	1	BWC ATTORNEY 3	6
ADMINISTRATIVE ASSISTANT 3	4	CUSTOMER SERVICE ASSISTANT 2	4
ADMINISTRATIVE ASSISTANT 4	2	ACCOUNT/EXAMINER 2	7
MANAGEMENT ANALYST	1	ACCT EXAM SUPERVISOR 1	2
MANAGEMENT ANALYST SUPV 1	2	ADMINISTRATIVE STAFF	7
RIM COORD LIAISON	1	COLLEGE INTERN (4 PT)	4

Communications and Public Policy

This division works to accurately communicate our service and performance. This includes communicating important claim and premium information to customers, while also keeping stakeholders, media outlets and the public apprised of various initiatives, programs and achievements. Communications also oversees legislative affairs that maintains a direct line of communication with Ohio lawmakers, and responds to all BWC-related inquiries and referrals from the Ohio General Assembly.

EXECUTIVE SECRETARY 1	1	PUBLIC INFORMATION OFFICER 1	6
CUSTOMER SERVICE ASSISTANT	1	EDITORIAL MANAGER	1
A/V PRODUCTION SPECIALIST	2	PHOTO JOURNALIST	1
VIDEOGRAPHER	1	MANAGEMENT ANALYST SUPV 2	7
ELECTRONIC DESIGN COORD	4	MANAGEMENT ANALYST SUPV 1	2
ELECTRONIC DESIGN SPECIALIST	1	ADMINISTRATIVE STAFF	5
ADMINISTRATIVE ASSISTANT	2		

Human Resources

This division consists of personnel & benefits, training and safety services for more than 2,400 employees. The division also handles labor relations issues and maintains equal employment opportunity regulations throughout the agency. The Human Resources Division works to ensure consistency of policies and procedures in accordance with the Ohio Revised Code, the Ohio Administrative Code and collective bargaining agreements.

CLERK 2	1	CUSTOMER SERVICE ASSISTANT 1	1
SECRETARY	2	CUSTOMER SERVICE ASSISTANT 2	1
WORD PROCESSING SPECIALIST 2	1	TRAINING OFFICER	13
EXECUTIVE SECRETARY 1	4	TRAINING SUPERVISOR	3
ELECTRONIC DESIGN SPECIALIST	3	PERSONNEL TESTING SPECIALIST 3	1
ADMINISTRATIVE ASSISTANT 3	3	TECHNOLOGY BASED TRG SUP	1
ADMINISTRATIVE ASSISTANT 4	3	HUMAN CAPITAL MGMT ANALYST	5
MANAGEMENT ANALYST	5	HUMAN CAP MGMT SR ANALYST	1
MANAGEMENT ANALYST SUPV 1	1	PROGRAMMER SPECIALIST	1
MANAGEMENT ANALYST SUPV 2	5	ADMINISTRATIVE STAFF	7
LABOR RELATIONS OFFICER 3	3		

Medical Services and Compliance

This division facilitates the interface between the injured worker, the employer, the provider and BWC to provide cost-effective medical and rehabilitation services and claims administration. This division also consists of the special investigations department that aggressively pursues cases of claims, provider and premium fraud.

SECRETARY	1	ADMINISTRATIVE OFFICER 3	1
CLERK 2	1	MANAGEMENT ANALYST	17
CLERK 3	5	MANAGEMENT ANALYST SUPV 1	11
CLERICAL SUPERVISOR	1	MANAGEMENT ANALYST SUPV 2 (2 PT)	13
OFFICE ASSISTANT 3	2	TECH VOC REHAB SPECIALIST	1
MEDICAL CLAIMS SPECIALIST	11	TECHNICAL MEDICAL SPECIALIST	2
MEDICAL CLAIMS SPECIALIST SUPV	2	SYSTEMS ANALYST	1
EXECUTIVE SECRETARY 1	9	CUSTOMER SERVICE ASSISTANT 1	6
INVESTIGATOR	8	CUSTOMER SERVICE ASSISTANT 2	5
INVESTIGATION SUPERVISOR 1	1	CUSTOMER SERVICE ASSISTANT 3	4
BWC FRAUD INVESTIGATOR	58	PHARMACY CONSULTANT	1
BWC FRAUD ANALYST	27	INTER BWC HLTH NURSE (5 PT)	6
ASST SPECIAL AGENT IN CHARGE	4	INDUSTRIAL REHAB NURSE	32
SPECIAL INVESTIGATION SUPV	6	INDUSTRIAL REHAB NURSE SUPV	2
BWC SPECIAL INVEST MANAGER	2	ACCOUNTANT/EXAMINER 2	1
MEDICAL CLAIMS SPECIALIST	1	STATISTICIAN	2
DEPUTY DIRECTOR 4	1	INDUST REHAB CASE MGMT COORD	1
ADMINISTRATIVE ASSISTANT 2	1	INDUST REAHB SUPERVISOR	1
ADMINISTRATIVE ASSISTANT 3	1	PUBLIC INFORMATION SPECIALIST	1
ADMINISTRATIVE MANAGER	1	ADMINISTRATIVE STAFF	11
ADMINISTRATIVE OFFICER 2	1	COLLEGE INTERN (6 PT)	6

Customer Services

This division houses BWC's customer contact center and administers 15 customer service offices throughout Ohio. These facilities — located in Cambridge, Canton, Columbus, Cleveland, Dayton, Garfield Heights, Governor's Hill, Hamilton, Lima, Logan, Mansfield, Portsmouth, Springfield, Toledo and Youngstown — serve

as the primary points of contact for injured workers and employers in Ohio's 88 counties. Customer Services also includes Safety & Hygiene, a department dedicated to preventing accidents and injuries on the job.

CLERK 1	1	SECRETARY	2
CLERK 2	1	WORD PROCESSING SPECIALIST 2	3
CLERK 3	122	IND SAFETY ADMINISTRATOR	2
CLERICAL SUPERVISOR	4	DEPUTY DIRECTOR 4	1
WC CLAIMS ASSISTANT	86	ADMINISTRATIVE OFFICER 1	1
WC MEDICAL CLAIMS SPECIALIST	63	MANAGEMENT ANALYST SUPV 1	9
WC CLAIMS SPECIALIST	498	LIBRARIAN 2	2
WC MEDICAL CLAIMS SPEC SUPV	7	LIBRARY ADMINISTRATOR 1	1
WC CLAIMS SPECIALIST SUPV	55	CUSTOMER SERVICE ASSISTANT 2	5
EXECUTIVE SECRETARY 1	20	TRAINING OFFICER	1
INDUSTRIAL SAFETY HYGIENIST 4	32	ELECTRONIC TECH	1
INDUST SAFETY CONSULTANT SPEC	51	ADMINISTRATIVE ASSISTANT 1	1
ERGONOMIST 3	21	ADMINISTRATIVE ASSISTANT 3	4
ADMINISTRATIVE ASSISTANT 2	13	ADMINISTRATIVE ASSISTANT 4	1
WC INFORMATION SUPERVISOR	17	MANAGEMENT ANALYST (1 PT)	4
INDUSTRIAL REHAB NURSE	57	CUSTOMER SERVICE ASSISTANT 1	5
ACCOUNT/EXAMINER 2	61	TECHNICAL RESOURCE CONS	1
ACCOUNT/EXAMINER 4	3	OFFICE ASSISTANT	1
ACCOUNT/EXAMINER SUPV 2	2	WC CUSTOMER SERVICE REP	27
EMPLOYER SERVICES SPECIALIST	55	WC EMPLOYER SERVICE REP	20
WC EXTERNAL AUDITOR/ESS SUPV	28	TECHNICAL CLAIMS SPECIALIST	8
INDUSTRIAL REHAB CASE MGMT SPC	48	PUBLIQ INQUIRIES OFFICER	6
ADMINISTRATIVE STAFF	31	INDUSTRIAL REHAB NURSE SUPV	1
SAFETY & HEALTH CONSULTANT	13	WC UNDERWRITER	11
MANAGEMENT ANALYST SUPV 2	29	WC UNDERWRITING SUPV	4
WC EXTERNAL AUDITOR	51	BWC UNDERWRITING CONS	4
INDUS REEMPLOYMENT SPEC	6	STATISTICIAN	1
BOARD/COMM MEMBERS (2 PT)	2		

Fiscal and Planning

This division is responsible for the receipt and distribution of agency funds, including benefits payable to injured workers, MCOs and medical providers. The division also prepares budgets, handles purchasing and maintains general ledgers and financial reporting for seven funds administered by the agency.

CLERK 3	2	PURCHASING COORDINATOR	3
SECRETARY	1	ACCOUNTANT/EXAMINER 2	13
ACCOUNT CLERK	5	ACCOUNTANT/EXAMINER 4	4
ACCOUNT CLERK 3	3	ACCOUNT/EXAMINER SUPV 1	1
ADMINISTRATIVE ASSISTANT	1	ACCOUNT/EXAMINER SUPV 2	2
ADMINISTRATIVE ASSISTANT	1	FISCAL SPECIALIST 1	6
MANAGEMENT ANALYST SUPV 1	1	FISCAL SPECIALIST 2	3
MANAGEMENT ANALYST SUPV 2	1	FISCAL OFFICER 2	4
BUDGET ANALYST 2	3	FISCAL OFFICER 3	2
BUDGET ANALYST SUPERVISOR	1	FISCAL OFFICER 4	1
PURCHASING ASSISTANT	1	ADMINISTRATIVE STAFF	3
PURCHASING SPECIALIST	1	COLLEGE INTERN (3 PT)	3

Infrastructure and Technology (IT)

This division enables, supports and achieves our operational, financial and customer service goals through reliable, up-to-date and convenient online services are crucial in our day-to-day operations.

CLERK 1	1	PROGRAMMER/ANALYST 2	8
CLERK 2	1	PROGRAMMER/ANALYST 3	14
CLERK 3	15	PROGRAMMER/ANALYST 4	20
CLERICAL SUPERVISOR	1	PROGRAMMER/ANALYST 5	23
CUSTOMER SERVICE ASST 1	1	INFO TECH SUPV 3	7
DELIVERY WORKER	5	SYSTEMS ANALYST 1	4
INVENTORY CONTROL SPECIALIST 2	1	SYSTEMS ANALYST 2 (1 PT)	10
INVENTORY CONTROL SUPERVISOR	1	SYSTEMS ANALYST 3	8
MOTOR FLEET COORD SPEC	1	INFORMATION TECHNOLOGY MGR 1	1
DATA LIBRARIAN 2	2	INFORMATION TECHNOLOGY MGR 2	10
COMPUTER OPERATOR 3	8	PROGRAMMER SPECIALIST 2	1
COMPUTER OPERATOR 4	5	DATA BASE ANALYST 4	2
COMPUTER OPERATOR SUPV 1	3	DATA BASE ANALYST 5	9
COMPUTER OPERATIONS SUP 2	3	DATA BASE ADMIN 2	2
DATA SECURITY ANALYST 1	2	DATA BASE ADMIN 3	1
DATA SECURITY ANALYST 2	1	INFO TECH CONSULTANT 1	6
DATA SECURITY SUPERVISOR 2	1	INFO TECH CONSULTANT 2	8
DATA SYSTEMS COORDINATOR 1	1	INFO TECH CONSULTANT 3	3
DATA SYSTEMS COORDINATOR 2	1	SYSTEMS PROGRAMMER 3	4
REPRODUCTION EQUIPMENT OPR 2	3	SYSTEMS PROGRAMMER 4	1
OFFICE ASSISTANT 3	2	SYSTEMS PROG SUPV 2	2
SECRETARY	1	CUSTOMER SERVICE ASSISTANT 1	1
WORD PROCESSING SPECIALIST 2	1	INVENTORY CONTROL SPEC 2	3
DOCUMENT DELIVERY TECHNICIAN	4	INVENTORY CONTROL SUPV	1
DATA SYSTEMS SCHEDULER 3	1	FISCAL OFFICER 2	1
DATA SYSTEMS SCHEDULER 4	1	TELECOMM SYSTEMS ANALYST 1	3
STOREKEEPER 2	2	TELECOMM SYSTEMS ANALYST 2	3
EXECUTIVE SECRETARY 1	9	TELECOMM SYS ANALYST SUPV	1
TELECOM ANALYST 1	2	NETWORK ADMINISTRATOR 2	8
TELECOM ANALYST SUPV	1	NETWORK ADMINISTRATOR 3	2
PRINTING MACHINE OPERATOR	4	IT QUALITY CONTROL ANALYST 1	1
DELIVERY WORKER	1	NETWORK SVCS TECH 2	1
MOVER 2	2	NETWORK SVCS TECH 3	22
ADMINISTRATIVE ASSISTANT 2	2	NETWORK SVCS TECH 4	3
ADMINISTRATIVE ASSISTANT 3	2	NETWORK SERVICES SUPV	4
ADMINISTRATIVE ASSISTANT 4	1	LAYOUT DESIGN ARTIST	1
ADMINISTRATIVE OFFICER 1	1	REAL ESTATE ADMINISTRATOR 1	1
MANAGEMENT ANALYST SUPV 1	2	DESIGN SPECIALIST 3	2
COLLEGE INTERNS (5 PT)	5	ADMINISTRATIVE STAFF	12

Attachment C:6

Manager Name	Title	SO Address	Telephone Number
Anderson, Jerry	Manager, Youngstown Service Office	242 Federal Plaza W, Suite 200 Youngstown, OH 44503-1206	330-797-6385
Cooper, Tina	Manager, Hamilton Service Office	One Renaissance Center 345 High Street Hamilton, Ohio 45011	513-785-4555
Delgado, Bernadette	Interim Manager, Toledo Service Office	1 Government Center #1236 Toledo, Ohio 43604-0794	419-327-8988
Delisio, Melissa	Regional Manager, Northeast Region	242 Federal Plaza W, Suite 200 Youngstown, OH 44503-1206	330-797-6344
Dyer, Ronald	Regional Manager, Central/Southwest Region	8650 Governor's Hill Drive Cincinnati, Ohio 45249	513-583-4420
Warren, Winnie	Manager, Lima Service Office	2025 E. Fourth St. Lima, Ohio 45804-4101	419-223-2442
Gallagher, Therese	Manager, Cleveland Service Office	615 W. Superior Ave. L-6 Cleveland, Ohio 44113-1889	216-787-3070
Hampton, Sheilah	Manager, Garfield Heights Service Office	4800 East 131st Street Garfield Heights, Ohio 44105	216-584-0120
Harris, Patricia	Manager, Governor's Hill Service Office	8650 Governor's Hill Drive Cincinnati, Ohio 45249	513-583-4512
Kuhns, Wanda	Manager, Portsmouth Service Office	1005 Fourth St Portsmouth, Ohio 45662-4315	740-353-6125
Neugebauer, Hans	Manager, Cambridge Service Office	61501 Southgate Parkway Cambridge, OH 43725	740-435-4215
Rantfl, Doris	Manager, Canton Service Office	400 Third Street SE Suite 2 Canton, Ohio 44702	330-471-0186
Schorr, Elise	Assistant Manager, Canton Service Office	400 Third Street SE Suite 2 Canton, Ohio 44702	330-430-3608
Skinner, Karen	Manager, Mansfield Service Office	240 Tappan Drive N. Mansfield, Ohio 44906-8051	419-529-7629
Smith-Goff, Sandra	Manager, Dayton / Springfield Service Offices	Springfield Office - 1 S. Limestone St. P.O. Box 1467 Springfield, Ohio 45501-1467 Dayton Office - 3401 Park Center Drive (45414) Dayton, Ohio 45413-0910 (P.O. Box 13910)	937-264-5081
Stevenson, Jill	Manager, Columbus / Logan Service Offices	Columbus Office - 30 W. Spring Street, L-11 Columbus, Ohio 43215	614-728-5377
Thrapp, Karen	Assistant Manager, Columbus/Logan Service Offices	Logan Office - 1225 W. Hunter Street Logan, Ohio 43138-0630	614-995-0500

Attachment C:7

MEASURES TO PROVIDE EEO TRAINING

The EEO Department provides EEO training and information about the on-line discrimination complaint process to all employees, including our field offices in the following ways:

- BWC's Employee Handbook
- New employee orientation and specialized EEO Leadership Training for Managers/Supervisors
- EEO Information is disseminated on BWC's Intranet throughout the year and on the EEO Department's web page
- EEO Refresher training is always available and will be provided when requested

Attachment D:1

EEO MANAGER RESPONSIBILITIES

The EEO Manager is responsible for planning, developing and administering the Bureau's Affirmative Action and Compliance programs for over 2,400 employees. The Manager's duties include planning, directing and establishing policies and procedures for the EEO Department and the overall agency, ensuring that the Bureau's EEO program complies with state and federal law, giving presentations to both internal and external groups such as executive staff, state agencies and EEO officials. The EEO Manager is further responsible for managing the Bureau's EEO complaint and reasonable accommodation processes. The EEO Manager is also responsible for the preparation and implementation of the EEO Department's budget. In addition, the EEO Manager is responsible for ensuring that all employees are aware of the EEO policies and what they need to do if they have a concern or complaint.

Attachment D:2

POSITION DESCRIPTION

OHIO DEPARTMENT OF
ADMINISTRATIVE SERVICES
PERSONNEL DIVISION

AGENCY Bureau of Workers Compensation (BWC)		
DIVISION Human Resources		
DEPARTMENT Equal Employment Office		
POSITION CONTROL NUMBER 20067167 (6050.0)	CLASS NUMBER 99580	CLASSIFICATION TITLE Administrative Staff
<input checked="" type="checkbox"/> State Agency <input type="checkbox"/> County Agency <input type="checkbox"/> New position <input checked="" type="checkbox"/> Change		COUNTY OF EMPLOYMENT Franklin
USUAL WORKING TITLE OF POSITION EEO Manager		POSITION NO. AND TITLE OF IMMEDIATE SUPERVISOR 20067163 (6000.0) – Administrative Staff
NORMAL WORKING HOURS (Explain unusual or rotating shift) FROM: 8:00 a.m. TO: 4:45 p.m. Position requires overnight stays.		
JOB DESCRIPTION AND WORKER CHARACTERISTICS		
%	Job Duties in order of importance	Minimum Acceptable Characteristics
60	Under direction from the Chief Human Resources Officer, plans develops & administers the Bureau of Workers' Compensation's affirmative action program agency-wide including the development & implementation of affirmative action plan & related compliance programs, management of the Bureau's EEO complaint process & agency Minority Business Enterprise program; responsible for ensuring proper personnel & labor procedures in regard to Civil Rights laws & ensures the Bureau's overall program compliance with state & federal regulations including Civil Rights Act, administrative rules, executive orders, Age Discrimination in Employment Act & the Americans with Disabilities Act; makes recommendations to executive staff including the CEO/Administrator regarding needed corrections or improvements; develops & reviews policies & procedures for the Bureau; advises the Bureau with respect to the employment process including the appropriate use & functions of employee testing; develops the Bureau's Civil Rights plans & coordinates the preparation of EEO reports to the CEO/Administrator.	KNOWLEDGE OF: EEO & affirmative action regulations; civil service laws, rules & regulations; BWC personnel policies & procedures*; federal & laws and rules governing fair labor practices; (i.e., equal employment opportunity law); supervisory principles/techniques; interviewing; public relations; labor relations; recruitment; human resources training & development; knowledge of Minority Business Program compliance. SKILL IN: operation of personal computer. ABILITY TO: define problems, collect data, establish facts & draw valid conclusions; calculate fractions, decimal & percentages; prepare meaningful, concise & accurate reports; collate & classify information; handle sensitive inquiries from & contacts with officials & general public.
30	Provides supervision, consultation & technical assistance on a statewide basis interpreting civil service rules & regulations, labor agreements & EEO laws; plans & conducts meetings, seminars & conferences; develops & delivers training programs; coordinates & maintains liaison with various organizations & agencies (e.g., Urban League, NAACP); represents the Bureau in various meetings, committees & conferences with respect to civil rights & affirmative action matters; responsible for designing & conducting interviewing training programs, evaluation procedures, informational policies handbooks, recruitment manuals & interviewing technique guidelines.	KNOWLEDGE OF: Same as above. SKILL IN: Same as above. ABILITY TO: Same as above.

10	Assures overall agency compliance with the full range of Civil Rights legislation; responds to complaints related to civil rights; manages complaints & charges; performs & supervises investigations related to the above.	<p>KNOWLEDGE OF: Same as above. SKILL IN: Same as above. ABILITY TO: Same as above.</p> <p>(*) Developed after employment.</p> <p>This position is unclassified & exempt from classified service pursuant to ORC 124.11.</p> <p>THIS POSITION IS OVERTIME EXEMPT.</p> <p>The final external applicant selected for this position will be required to submit to urinalysis prior to appointment to test for illegal drug use. An applicant with a positive test result will not be offered employment.</p> <p>THIS POSITION REQUIRES TRAVEL; THEREFORE, PERSON OCCUPYING THIS POSITION MUST BE ABLE TO PROVIDE THEIR OWN TRANSPORTATION &/OR LEGALLY OPERATE A STATE OWNED VEHICLE.</p>	
List Position Numbers and Class Titles of positions directly supervised		SIGNATURE OF AGENCY REPRESENTATIVE	DATE
			03-21-08

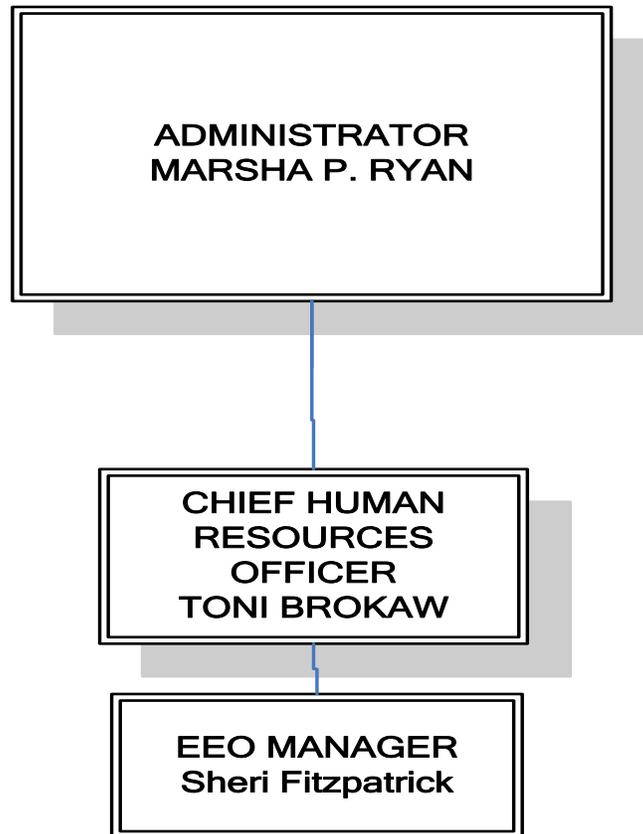
Attachment D:3

ADDITIONAL RESPONSIBILITIES/DUTIES

The EEO Manager is responsible for conducting internal EEO investigations and responding to external requests from the State of Ohio Equal Opportunity Division (EOD), Ohio Civil Rights Commission (OCRC) and the Equal Employment Opportunity Commission (EEOC). The EEO Manager is also responsible for conducting EEO Awareness Training for all newly hired BWC employees and participating at the Management Partnership training class for newly hired and/or promoted supervisors which outline their leadership responsibilities regarding EEO.

Additional duties include coordinating programs for Black History Month, Women's History Month and various diversity topics. The EEO Manager is responsible for obtaining and storing I-9 documentation for BWC employees.

Attachment D:4



Attachment E:1

EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of the Ohio Bureau of Workers' Compensation (BWC) to maintain a work environment that is free of discrimination and harassment based on race, color, religion, sex (including sexual harassment, pregnancy, sexual orientation, gender identity), national origin, ancestry, disability, age (40 years or older), veteran status, military status, or retaliation. This policy applies to all employees, officers, applicants, customers, vendors, interns, clients, temporaries, contractors and consultants.

BWC is committed to taking action to address existing concerns and improve our Equal Employment Opportunity program. Accordingly, we have developed an EEO Strategic Plan that outlines the process and procedures that will be used to ensure that equal employment opportunity is a reality at BWC.

It is the policy of BWC to fully comply with the State of Ohio's Equal Employment Opportunity program and all applicable state and federal laws, rules, regulations, and guidelines as they relate to non-discrimination in employment. Discrimination against applicants and employees based on race, color, religion, sex (including sexual harassment, pregnancy, sexual orientation, gender identity), national origin, ancestry, disability, age (40 years or older), veteran status, military status or retaliation is illegal. Additionally, BWC expects all employees to observe the highest standards of professional conduct. The conduct described in this policy is strictly prohibited regardless of whether or not it constitutes a violation of federal or state discrimination laws.

All employees should respect the rights, opinions, and beliefs of others. Harassment of any employee because of race, color, religion, sex (including sexual harassment, pregnancy, sexual orientation, gender identity), national origin, ancestry, disability, age (40 years or older), veteran status, military status, or retaliation is strictly prohibited. Harassment may consist of unwelcome conduct, whether verbal, physical or visual, which is based upon a person's protected status. BWC will not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive work environment.

Sexual harassment may include unwelcome sexual advances, requests for sexual favors, and other physical, verbal or visual conduct based upon sex when (1) submission to the conduct is an explicit term or condition of employment, (2) submission to or rejection of the conduct is used as the basis for an employment decision, or (3) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

INVESTIGATIVE PROCEDURES

1. Any BWC employee who believes that he or she is the victim of discrimination or harassment should communicate the specific incident of alleged discrimination to his or her supervisor. The employee may choose to report the incident directly to BWC's EEO Department, the Chief Human Resources Officer or the Chief Legal Officer.
2. BWC will promptly and thoroughly investigate any complaint or any report of a violation of this policy. Employees at all levels of BWC are expected to cooperate in an investigation. The failure of any employee to cooperate during the course of an investigation may result in appropriate disciplinary action. The complaining party may at any time inquire as to the status of the investigation.
3. All BWC supervisory personnel are required to respond to every complaint or any report received of a possible violation of this policy by: 1) obtaining written statements from both the complaining party and the person(s) who is alleged to have engaged in such violation, as well as all individuals having relevant information concerning the complaint; and 2) reporting the incident and submitting the

information obtained to BWC's EEO Department within twenty-four (24) hours of the incident.

Supervisors who are aware of any violation of this policy and who fail to take each complaint seriously, or who fail to follow the procedures contained in this policy will be subject to disciplinary action, up to and including a reduction in pay or position, or removal.

4. After the receipt of the complaint, the EEO Department will notify the person accused of engaging in improper activity that the issue has been brought to the attention of the EEO Department.
5. The EEO Department will notify the complainant if a formal investigation by the EEO Department will be conducted. If circumstances warrant, the complainant's supervisor will also be notified.
6. If formal investigation is warranted, the EEO Department will conduct further interviews with both the complainant and the person(s) who is alleged to have engaged in discriminatory act(s).
7. The EEO Department may also interview anyone who has been identified as having relevant information concerning any aspect of the issues.
8. The EEO Department will prepare written statements detailing the information obtained during each interview. This information will be provided to each witness for his or her review and she or he will be asked to sign a copy certifying its accuracy.
9. Once the evidence has been gathered, the findings will be reported to the EEO Manager for his or her review.
10. If the EEO Manager determines that a violation of this policy has occurred or further administrative action is warranted, he or she will meet with the Chief Human Resources Officer and Chief Legal Officer to discuss the incident and make appropriate recommendations.
11. The results of the investigation and any action taken will be discussed with both the complainant, the complainant's supervisor and the person(s) alleged to have engaged in discriminatory practices.

PENALTIES FOR VIOLATIONS OF THIS POLICY

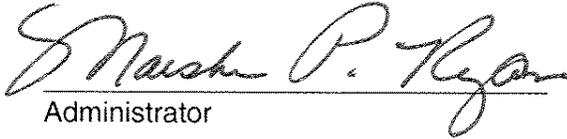
If an investigation confirms that a violation of this policy has occurred, BWC will take appropriate corrective action, including discipline. Depending on the circumstances, the disciplinary action may range from counseling, a reprimand or removal. Appropriate training may also be recommended. An employee has the right to appeal BWC's findings to the Ohio Department of Administrative Services Equal Employment Opportunity Division within fifteen (15) days.

No reprisal, retaliation, or other adverse action will be taken against any employee for making, in good faith, a complaint or report of discrimination or harassment, or for assisting, in good faith, in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons described above.

A complaint or report that this policy has been violated is a serious matter. Dishonest or fabricated complaints or reports are also a violation of this policy, and BWC will take appropriate disciplinary action if its investigation shows that deliberately dishonest, false or bad faith accusations have been made.

ADDITIONAL INFORMATION

If you have any questions about this policy, please contact Sheri Fitzpatrick, EEO Manager at **(614) 728-9537** for additional information. Information is also available from the State of Ohio's Equal Opportunity Division which is located at 30 East Broad Street, 18th Floor, Columbus, Ohio 43266-0601 or by telephone at **(614) 466-8380**. In addition to following the reporting procedure outlined in this policy, you may file with the Ohio Civil Rights Commission ("OCRC") within six months or with the Equal Employment Opportunity Commission ("EEOC") within three hundred days of the alleged incident.



Administrator

9-08-08
Effective Date

Revised (08/08)

Americans with Disabilities Act (ADA) Policy

POLICY STATEMENT

It is the policy and practice of the Ohio Bureau of Workers' Compensation (BWC) to comply fully with the Americans with Disabilities Act (ADA) of 1990, and ensure equal employment opportunities and reasonable accommodation for Qualified Individuals with Disabilities. BWC is also committed to ensuring non-discrimination in all terms, conditions and privileges of employment.

INTRODUCTION

- A. It is a violation of BWC policy to discriminate in employment against a qualified person in regard to any employment practice or term, condition, or privilege of employment because that person currently has a disability, at one time had a disability, or is regarded as having a disability. It is also a violation of this policy to deny an employment opportunity or benefit or to otherwise discriminate against an individual, whether or not the individual has a disability, because that individual has a known relationship or association with a person who has a disability. This prohibition applies to job application procedures, hiring, advancement, and discharge of employees; employee compensation; job training; and all other terms and conditions of employment.
- B. It is BWC policy to determine essential job functions based upon an individualized inquiry into each position filled and to determine whether the person with a disability can perform these functions unaided or with reasonable accommodation.
- C. It is against BWC policy to use qualification standards or selection criteria that would screen out, or tend to screen out, individuals with disabilities, unless such measures are both job related and necessary to the safe and efficient operation of the business.
- D. The affirmative obligation to provide reasonable accommodation applies to individuals seeking employment with BWC and to current employees who have a qualified disability under the ADA.

RESPONSIBILITIES

The EEO Manager is responsible for reviewing and providing reasonable accommodations for qualified individuals with disabilities. It is the obligation of all BWC employees to adhere to this policy in their areas of responsibility.

Accommodation Process

The employee should submit a copy of BWC's ADA Reasonable Accommodation Request Questionnaire and submit a release of medical information to the EEO Manager.

The EEO Manager will review the request and follow a four-step process in assessing the request.

- A. Analyze the employee's information to determine whether the employee is disabled pursuant to the ADA. If the employee is not disabled pursuant to the ADA, they will be notified that their request for reasonable accommodation will be denied.
- B. If the EEO Manager determines that the employee is disabled pursuant to the ADA, the employee's job description will be reviewed to determine the essential functions. The EEO Manager will then contact the employee's physician to determine the employee's abilities and limitations for performing the essential functions of the job.
- C. Determine the employee's abilities and limitations in consultation with the employee, BWC management, and the employee's physician.
- D. Identify potential accommodations and assess their effectiveness with the employee.

DEFINITIONS

For purposes of this policy and guidelines, the following definitions apply:

- A. Disability - A physical or mental impairment that substantially limits one or more major life activities of an individual, or a record of such impairment, or being regarded as having such an impairment.
- B. Qualified individual with a disability - An individual with a disability who, with or without reasonable accommodation can perform essential functions of the employment position that such individual holds or desires.
- C. Essential job functions - Those functions actually performed in the job, the removal of which would fundamentally alter the position. To determine whether a function is essential, it must be determined whether the position exists to perform that function and whether there are other employees available to share that function, as well as the degree of expertise required to perform the function. Whether a function is essential also depends on the content of the written job descriptions, the terms of any applicable collective bargaining agreement, the time spent performing the particular function, and the consequences of failing to require the employee to perform the function.
- D. Reasonable accommodation - A modification or adjustment to a job, the work environment or the workflow that enables a qualified individual with a disability to perform essential job functions. Such accommodation is required unless it poses an undue hardship on the employer. The determination of what accommodation is reasonable in a particular situation involves a process in which the department and the employee identify the precise limitations imposed by the disability and explore potential accommodations that would overcome those limitations.
- E. Undue hardship - Any accommodation that is substantial, disruptive, unduly costly or would fundamentally alter the nature or operation of the department.
- F. Major life activities - Activities that are of central importance an individual's daily life such as caring for oneself, performing manual tasks, walking sitting, standing, lifting, reaching, seeing, hearing, speaking, breathing, learning and working. This list is not exhaustive.
- G. Substantially limits - An impairment that significantly restricts the duration, manner or condition under which an individual can perform a particular major life activity as compared to the ability of the average person in the general population to perform the same major life activity.

COMPLAINT PROCESS

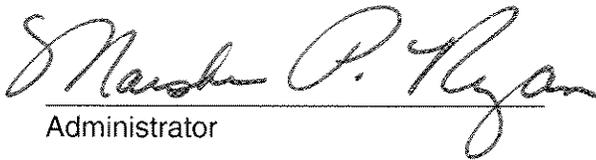
Individuals who believe they have been treated in a discriminatory manner in violation of this policy should contact: The State of Ohio's Equal Opportunity Division which is located at 30 East Broad Street, 18th Floor, Columbus, Ohio 43266-0601 or by telephone at (614) 466-8380. In addition an individual may file a charge of discrimination with the Ohio Civil Rights Commission ("OCRC") within six months or with the Equal Employment Opportunity Commission ("EEOC") within three hundred days of the alleged acts.

WORKPLACE MODIFICATIONS WHEN AN EMPLOYEE DOES NOT MEET THE DEFINITION OF "DISABILITY"

BWC recognizes that there may be situations where an employee has a medical condition that does not constitute a disability under the ADA, but is granted workplace modifications as a result of a Transitional Work Program developed by Disability Management, pregnancy, safety concerns, or where an employee has a medical condition stemming from a workplace accident. In these situations, BWC is not regarding the employee as disabled, but is instead taking proactive measures to permit the employee as disabled, but is instead taking proactive measures to permit the employee to remain in the workplace and assist them to perform their job duties.

- In situations where an employee is returning to work from a medical condition that is not the result of a workplace accident, the EEO Department will refer the matter to the Disability Management Section, who will review the employee's medical information and make appropriate recommendations.
- In situations where an employee has a medical condition that requires workplace modifications to ensure their safety and well-being, or if the employee is pregnant and requires workplace modifications, the EEO Department will refer the matter to the employee's management, who will address these matters.
- Finally, where an employee has a medical condition stemming from a workplace accident does not constitute a disability under the ADA, but requires workplace modifications to ensure the employee's safety and well being, the EEO Department will refer the matter to the Workers' Compensation Program Administration and/or Safety Administration departments.

Please "[Click Here](#)" for the ADA REASONABLE ACCOMMODATION REQUEST QUESTIONNAIRE



Administrator



Effective Date

Revised (08/08)

ANTI-HARASSMENT POLICY

PURPOSE:

To advise all employees and customers that harassment based upon race, color, sex (including pregnancy, sexual orientation, gender identity), national origin, age (40 years or older), disability, religion, ancestry, veteran status, military status or retaliation as defined in this policy, will not be tolerated by the Ohio Bureau of Workers' Compensation (BWC) and to establish procedures for reporting allegations of harassment.

POLICY:

It is the policy of the Ohio Bureau of Workers' Compensation (BWC) to maintain a work environment free from any discrimination and to prohibit harassment of applicants, customers, vendors, interns, clients, temporaries, contractors, consultants and employees.

Any employee who believes that he/she is a victim of harassment based upon race, color, sex (including pregnancy, sexual orientation, gender identity), national origin, age (40 years or older), disability, religion, ancestry, veteran status, military status or retaliation should immediately report such incident(s) to the BWC EEO Department or a manager/supervisor. **All managers/supervisors are required to report any incident of harassment based upon the above to the EEO Department within twenty four (24) hours once they have been made aware of the incident.** Every attempt will be made to resolve these issues within the agency. In the event an employee elects to file a formal complaint within the jurisdiction of the State of Ohio, it should be filed with the Ohio Department of Administrative Services, Equal Opportunity Division within thirty (30) days of the most recent incident of harassment. One may also file with the Ohio Civil Rights Commission (OCRC) within six (6) months or the Federal Equal Employment Opportunity Commission (EEOC) within three hundred (300) days of the alleged acts.

BWC is committed to promptly responding to each complaint, and conducting a thorough investigation whenever; (1) an employee alleges that harassment based upon race, color, sex (including pregnancy, sexual orientation, gender identity), national origin, age (40 years or older), disability, religion, ancestry, veteran status, military status or retaliation has taken place; (2) a supervisor or manager observes something which may constitute harassment based upon race, color, sex (including pregnancy, sexual orientation, gender identity), national origin, age (40 years or older), disability, religion, ancestry, veteran status, military status or retaliation, or (3) the department receives information concerning a possible instance or incident of harassment based upon race, color, sex (including pregnancy, sexual orientation, gender identity), national origin, age (40 years or older), disability, religion, ancestry, veteran status, military status or retaliation.

BWC will make every attempt to satisfactorily resolve the matter internally.

Furthermore, BWC ensures that no retaliatory action will be taken against any individual who files an EEO complaint or participates in an EEO investigation.

DEFINITIONS:

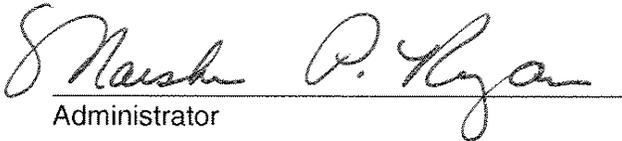
Harassment is conduct towards another person or identifiable group of persons including, but not limited to, unwelcome comments or other conduct that unreasonably interferes with an individual's work performance or creates an intimidating, hostile, or offensive environment for that individual's work performance.

- A. Racial Harassment is conduct directed toward another person (or identifiable group of persons) on the basis of race, color, national origin, or ancestry that has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive environment or that unreasonably interferes with an individual's work performance. The conduct may be words, gestures, or actions.
- B. Sexual harassment is defined as any unwelcome sexual advances, requests for sexual favors as well as other verbal or physical conduct of a sexual nature when any one of the following criteria are met:
 - 1. Submission to such conduct is made either explicitly or implicitly, a term or condition of the individual's employment.
 - 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
 - 3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.
- C. Retaliatory Harassment is conduct directed toward an individual because such individual has made a complaint of harassment based upon race, color, sex (including pregnancy, sexual orientation, gender identity), national origin, age (40 years or older), disability, religion, ancestry, veteran status or military status or has participated in any manner in an investigation or proceeding involving the same.

INVESTIGATIVE PROCEDURES:

The Investigative Procedures set forth in the Ohio Bureau of Workers' Compensation's Equal Opportunity Policy shall be utilized during investigations of all harassment complaints.

If you have questions regarding this policy, please contact Sheri Fitzpatrick, EEO Manager at (614) 728-9537 or FAX (614) 621-5727.


 Administrator

9-08-09
 Effective Date

Revised (08/08)

Attachment F:4

The EEO Manager began working for the Ohio Bureau of Workers' Compensation (BWC) in December 1996 as an EEO Regional Program Administrator and was promoted to the EEO Manager position in January 2008.

The EEO Manager has attended numerous EEO related training seminars. Specifically, she attended a one week course sponsored by the National Association of ADA Coordinators covering the Americans with Disabilities Act; received Conflict Management Awareness Training sponsored by the Ohio Department of Administrative Services Equal Opportunity Division and The Ohio Commission on Dispute Resolution and Conflict Management; attended the seminar, Public Sector – How to Conduct an Internal Investigation sponsored by the Council on Education in Management; attended training in The Conference on State and Federal Personnel Laws sponsored by Human Resources Council; attended Ohio Department of Administrative Services Equal Opportunity Division's ADA Inclusion, Access and Compliance Training as well as their Discrimination Investigation Training. In addition, the EEO Manager attended the 2007 Technical Assistance Program Seminar sponsored by the U.S. Equal Employment Opportunity Commission and has attended the annual legal update seminars conducted by the Ohio Attorney General's Office. She also participated in numerous training sessions from BWC Consultants hired to conduct training in Laws Governing Workplace Behavior and Cultural Diversity training. In addition, the EEO Manager has attended the mandatory Ethics training sessions required by the Governor.

Attachment F:13

DISSEMINATION OF EEO RELATED INFORMATION

BWC's EEO Policies are disseminated to all employees on a continuing basis in the following ways:

- BWC's Employee Handbook
- New employee orientation and specialized EEO Leadership Training for Managers/Supervisors.
- EEO information is disseminated on BWC's Intranet throughout the year and on the EEO Department's website

Federal posters are prominently displayed at all BWC facilities. On July 16, 2007, former EEO Director, Joseph Rubino, mailed the following Federal posters to all BWC Service Offices:

1. Equal Employment Opportunity is the Law poster
2. Occupational Safety and Health Administration (OSHA) poster
3. Family Medical Leave Act (FMLA) poster
4. Federal Minimum Wage Act poster
5. Employee Polygraph Act

Attachment H:2

Paper	Date
Columbus Dispatch	5-04, 9-05, 1-05, 2-05, 8-05, 9-05, 1-06, 7-06, 1-07, 3-08, 7-07
Cincinnati Enquirer	9-04, 2-05, 11-05, 8-06, 1-07, 9-07
Call & Post	4-04, 5-04, 9-04, 2-05, 8-05, 5-06
Dayton Daily News	9-05
Internal Auditors Magazine	
Toledo Blade	9-05, 5-06
Cleveland Plain Dealer	2-05, 11-06, 1-07, 7-07, 3-08
Youngstown Vindicator	9-05
Cranes Cleveland Business	2-06
Columbus Business First	2-06
Akron Beacon Journal	9-05, 6-06
WSJ Career Journal	12-06

Web	Date
Monster.Com	6-05, 7-05, 1-06, 7-06, 11-06, 6-08
Institute of Internal Auditors	1-06, 4-08
IM Diversity	5-04
Great Insurance Jobs	4-05, 11-05, 4-06
HealthCareers.com	6-05, 7-08
CareerJournal.com	9-05, 3-08
Ohio's Job Bank	9-05
Assoc. For Finance Professionals	9-05
Chartered Financial Analyst Institute	9-05, 3-08
Private Equity Search Digest	9-05
Am. Occupational Therapy Assoc	3-06
Call Center Jobs.com	7-06
Ohio Health Info Manag Assoc	10-06, 11-06
Jobbanknetwork.com	10-06
Jobsinthemoney.com	6-07, 7-07, 3-08
Am. Society of Safety Engineers	5-08
Am. Industrial Hygiene Assoc.	5-08
Columbus Jobs.com	5-04, 9-05, 1-05, 2-05, 8-05, 9-05, 1-06, 7-06, 1-07, 3-08, 7-07
Board of Certif. in Prof. Ergo	10-06
6Figurejobs.com	3-06
Am. Institute of CPAs	5-06
Ohio Society of CPA	3-06, 5-06, 7-06
iHireFinance.com	3-06
iHireInsurance.com	3-06

Disparate Impact Analysis

(an On-Line Internet based application)



Instructions: Please fill out the information into the form below. Once you have entered your data below, you may select the types of analysis to be conducted by checking the appropriate boxes. Then press the compute button at the bottom of the form to view the results.

Select the type of employment decision: <input type="text" value="Selection"/>			
Enter a title for your report: <input type="text" value="New hires over pay range 12 (8/07-8/08)"/>			
Number of Male <input type="text" value="998"/> Applicants <input type="text" value="15"/> Selected	Number of Non-Minority <input type="text" value="1180"/> Applicants <input type="text" value="22"/> Selected	Number of Younger <input type="text"/> Applicants <input type="text"/> Selected	Number of Non-Disabled <input type="text"/> Applicants <input type="text"/> Selected
Number of Female <input type="text" value="847"/> Applicants <input type="text" value="9"/> Selected	Number of Minority <input type="text" value="433"/> Applicants <input type="text" value="2"/> Selected	Number of Older <input type="text"/> Applicants <input type="text"/> Selected	Number of Disabled <input type="text"/> Applicants <input type="text"/> Selected
<input checked="" type="checkbox"/> -Adverse Impact <input type="checkbox"/> -Chi-Square <input type="checkbox"/> -Standard Deviation <input type="checkbox"/> -Confidence Intervals <input type="checkbox"/> -Probability Distribution		Select the Statistical Tests you wish to execute by checking or unchecking the boxes on the left. Then press the 'Compute' button below.	
Display: <input checked="" type="checkbox"/> Description of Statistic <input checked="" type="checkbox"/> Interpretation of Results			

New hires over pay range 12 (8/07-8/08)

Adverse-Impact Report

Adverse Impact and the "four-fifths rule." - A selection rate for any race, sex, or ethnic group which is less than four-fifths (4/5ths) (or eighty percent) of the rate for the group with the highest rate will generally be regarded by the Federal enforcement agencies as evidence of adverse impact. Uniform Guidelines on Employee Selection Procedures

Rate of Females Applicants Selected	Rate of Males Applicants Selected	Adverse Impact Ratio for Females	Adverse Impact Ratio for Males
(9/ 847) = 0.0106	(15/ 998) = 0.015	(0.0106/ 0.015)= 0.71	(0.015/ 0.0106)= 1.41

The Adverse Impact Ratio for Females is less than 0.80.
Females Applicants are Selected at a rate less than 80% (4/5ths) of the rate that Males Applicants are Selected.

Rate of Minorities Applicants Selected	Rate of Non-Minorities Applicants Selected	Adverse Impact Ratio for Minorities	Adverse Impact Ratio for Non-Minorities
(2/ 433) = 0.0046	(22/ 1180) = 0.0186	(0.0046/ 0.0186)= 0.25	(0.0186/ 0.0046)= 4.04

The Adverse Impact Ratio for Minorities is less than 0.80.
Minorities Applicants are Selected at a rate less than 80% (4/5ths) of the rate that Non-Minorities Applicants are Selected.



	HRIS	OHMS	Applicants	Selected
Gender				
Male	744	254	998	15
Female	699	148	847	9
Unknown*	23	41	64	0
	1466	443	1909	24
Ethnic				
White	902	278	1180	22
Non-White	342	91	433	2
Unknown*	222	74	296	0
	1466	443	1909	24

* As noted previously, applicants are not required to disclose their EEO demographic information. As you can see, 64 applicants did not disclose their gender and 296 applicants did not disclose their ethnic background. Since this information is a required component of the disparate impact analysis, the findings would not be valid without having the complete data.

Attachment I:13

General Interview Information

The BWC has assessment instruments other than the interview at the disposal of hiring managers. Use of these tools is dependent on the specific scenario but you are encouraged to contact your personnel officer or the Personnel Testing Unit to discuss your situation. For a list of selection tools please click [here](#) to go to the Personnel Resource Guide. If you have an assessment in mind that is not covered in the Personnel Resource Guide, please contact the Personnel Testing Unit to discuss your idea. Additionally, the Personnel Testing Unit can research potential assessments for your need if requested.

There are two primary types of interviews used at the BWC. The [structured interview](#) is by far the most commonly used and is utilized to identify the most qualified applicant from a select pool of applicants. The applicant pool will differ depending on whether the position being filled is bargaining unit, exempt, or unclassified. For more information concerning when the use of a structured interview is appropriate please see the Personnel Resource Guide.

The other type of interview used at the BWC is the [verification interview](#). It is used strictly to verify that an applicant meets the minimum qualifications. When an applicant's minimum qualifications are in question, the verification interview will require the applicant to verbally describe how the minimum qualifications are met and will allow the hiring manager to ask for details about the applicant's work experience, education, or other training pertinent to the minimum qualifications.

Steps in Developing an Interview

Structured Interview

1. Ideally, the hiring manager will contact the Personnel Testing Unit (466-5362) after the request to fill a position is approved by Personnel. If the hiring manager does not initiate contact, the Personnel Testing Unit will contact the manager and respective HR liaison via email when the position is posted.
2. Upon contact with the hiring manager the Personnel Testing Unit will search interview archives to determine if questions are on file for the position being filled. If questions are on file they will be forwarded to the hiring manager for review. In most situations the hiring manager may modify existing questions to better fit the needs of the position being filled, as long as the questions can be justified by the respective position description.
3. If necessary, the hiring manager will draft new interview questions and forward those to the Personnel Testing Unit for review/modification. Interview questions submitted must contain response benchmarks (see "Guidelines for Conducting an Interview" for a description of response benchmarks).
4. The Personnel Testing Unit will review/modify the questions to ensure that they are justified based on the content of the position description. If necessary, interview questions will be forwarded to the EEO Department for review. The final interview will be formatted, approved for use, and emailed back to the hiring manager.*

5. The hiring manager may request further modifications to interview questions prior to conducting the interviews. Modifications will not be permitted after interviewing begins in order to ensure consistency/fairness across all candidates.

* If the position is pay range 28 or above in the bargaining unit additional material may be forwarded to the hiring manager so that the final recommendation can be supported by more than just the interview results.

Verification Interview

1. When minimum qualifications of an applicant are questionable the hiring manager should express the desire to conduct a verification interview to their respective Personnel Officer.
2. The Personnel Officer will contact the Testing Unit to discuss the need for a verification interview.
3. If a verification interview is warranted the Testing Unit will develop the interview. Questions will be based strictly on the minimum qualifications and any other bona fide requirements (i.e., position-specific minimum qualifications) of the job.
4. The Testing Unit will forward the verification interview to the Personnel Officer or hiring manager and provide information concerning proper administration of the interview.
5. If the results of a verification interview indicate that the applicant does not meet the minimum qualifications of the position the hiring manager will contact their Personnel Officer to discuss the next step.

Guidelines for Conducting an Interview

The interview panel

Interview panels must consist of at least two (but we recommend three) exempt employees. Each panel member should have a thorough understanding of the position being filled.

Select a panel chairperson and timekeeper

Before beginning the first interview, select a chairperson who will facilitate the process. The chairperson chosen should retain this facilitator role throughout all of the interviews if possible. The chairperson should be responsible for:

- opening the interview;
- asking the scripted questions;
- keeping the content of the interview focused on the job; providing the opportunity for other panel members to ask probe questions of the candidate;
- closing the interview;
- facilitating the panel discussions directly following each interview.
- Additionally, a panel member should be designated who will keep track of the time allotted for each interview. The timekeeper is responsible for:

- ensuring that every candidate has the opportunity to answer all of the interview questions;
- documenting any out-of-the-ordinary occurrences that arise during the interview (i.e., interruptions, candidate requests, panel members leaving the interview prematurely due to an emergency, etc.).

Key points to the interview process

- Position description should be provided to all candidates. The position description provides a detailed breakdown of the position requirements and gives the candidate further insight into the tasks and qualifications pertinent to this position. All candidates should be given five minutes to review the position description independently before the interview begins. This will facilitate questions and answers about the position, put the minimum qualifications and minimum acceptable characteristics into context, prompt candidates to supply additional job-related qualifications, and supply a preview of the expectations of this position.
- Documentation of the interview process is critical! The interview is a key component in the selection process and is generally a target for criticism if the final selection decision is contested. Not only is it important to ensure that every question is job-related, but the interview process – from taking notes on each interview question, to summarizing the results – must be clearly documented. **Every panel member should take notes during the interview.** While recording notes, panel members should keep in mind that the interview form is considered a public record and may be reviewed by others at a later time.
- Maintain the same interview panel across all interviews for a given position. Having the same individuals rate every candidate will help to ensure consistency in the rating process across the candidates.
- Probe questions can be asked at the panel's discretion. Probe questions are useful for prompting more detailed information from a candidate. If a member of the panel does not understand a candidate's response the panel member may probe for additional information or clarification. Avoid offering an entirely new interview question through probing. Try to keep the probes generic.
- Addressing disabilities covered under the Americans with Disabilities Act (ADA). Disabilities should generally not be discussed during the interview. However, if an applicant brings up a disability or reasonable accommodation you may document the information and thank him/her for volunteering it. Politely explain that any reasonable accommodations that an applicant may need are discussed after the position has been offered to him/her.
- Response benchmarks. Each question contained in the interview should be followed by "response benchmarks". Response benchmarks are points that you want to think about while rating the candidate's response. While response benchmarks may reflect a response that is desired, they should NOT necessarily be viewed as a "correct answer". It is possible that a candidate may touch on only one or two of the benchmarks, yet be deserving of a high rating for his/her response to the question. Final determination of a response rating rests with the interview panel members because of their knowledge of the position being filled.

- Rating scale:
 - Each interview question is accompanied by a 0-10 point rating scale. Ratings should be made based on how the candidate's response matches up to the response benchmarks, not based on how well other candidates responded to the question.
 - Refrain from making ratings while the interview is taking place.
 - It is recommended that each panel member mark the rating for each question immediately after the interview.
 - As soon as possible, discuss your ratings of the candidate's performance on each question with the other panel members in order to determine any significant discrepancies in scoring (more than a two-point difference should be reviewed to determine any discrepancies in the notes that were taken across panel members).
 - After reviewing all ratings, panel members should total their ratings and determine the average score for the candidate across the panel. The average score will be the total number of points awarded by all panel members, divided by the number of panel members. **Final individual scores should not be totaled and averaged until after discussion with all other panel members.**
 - Question weighting. The standard interview format assigns equal value to every interview question. In many cases (primarily for bargaining unit positions), the first question of the interviews is weighed more heavily than the other questions. Generally, it is worth 30 points instead of the standard 10 points of the other questions. This question allows the candidate to express their "qualifications, experience and education" and can be used as additional support for the recommendation decision. If the hiring manager wishes to weigh other questions differently, s/he must work with the BWC Testing Unit during the interview development process to ensure that question weights are properly developed.

Summarizing interview performance

The final page of the interview is a summary page. This form should be completed by each interview panel member who has made ratings of the candidate's responses to the interview questions. The purpose of this form is to compile the ratings of the candidate's responses to the interview questions. **The closing questions are not quantitatively assessed.**

Upon dismissal of the candidate, each panel member will review the interview notes and make a rating for each interview question by circling the appropriate value on the rating scale that appears on the bottom of each page. Panel members may discuss their notes to ensure that candidates are being rated based on all of the information in the response. Record the question ratings in the grid below and sum the values to determine the overall interview results.

Use the interview results to support your selection decision. Any additional information that provides evidence of qualifications to perform the job may also be taken into consideration, but the interview holds the most weight. Please note that you may be called upon to defend your selection decision so it is important that the candidate selected is clearly the most qualified for the position.

- As soon as possible, discuss your ratings of the candidate's performance on each question with the other panel members in order to determine any significant discrepancies in scoring (more than a two-point difference should be reviewed to determine any discrepancies in the notes that were taken across panel members). If a panel member changes his/her interview score as a result of the discussion with the panel, briefly note the information supplied that determined the new rating.
- After reviewing all ratings, panel members should total their revised ratings and determine the average score for the candidate across the panel. The average score will be the total number of points awarded by all panel members, divided by the number of panel members.
- **Final individual scores should not be totaled and averaged until after discussion with all other panel members.**
- Authorization for references. All external candidates should sign a reference form following the interview. The form can be accessed by following this link: <file:///I:/HRFORMS/Reference Form.doc>.

If you have any questions or concerns regarding the interview process please contact the BWC Personnel Testing Unit at 466-5362 or 466-1928.

Attachment J:4

EEO Outline for New Employee Orientation

I. What does the EEO Department do?

The EEO Department enforces all state and federal regulations as well as the Bureau's policies as they relate to non-discrimination in employment.

If at any time during your employment you feel like you have been discriminated against/harassed on the job based upon your race, color, sex (including sexual harassment, pregnancy, gender identity), national origin, ancestry, disability, religion, age (40+), veteran status, military status or retaliation you should immediately contact the Bureau's EEO Department at (614) 728-9537.

II. The policies enforced by the EEO Department are:

The EEO Policy
The Anti-Harassment Policy
The Americans with Disabilities Act (ADA) Policy

III. Who is protected by the above policies?

All employees, applicants, temporary workers, interns, contractors, 3rd party customers and injured workers

IV. Investigative Procedures/Types of Complaints

- A. Internal Complaints/on line complaint form – employee fills out the complaint & submits it to the EEO Dept. Should file complaint w/in 30 days of the discriminatory incident. The EEO Dept. will have complaint completed within 30 days.
- B. External Complaints – 180 days to file with the Ohio Civil Rights Commission (OCRC), 300 days to file with the Equal Employment Opportunity Commission (EEOC) and 30 days to file with State EOD

Besides investigations, the EEO Department conducts training, does general consultations & problem solving, handles exit interviews and maintains the I-9 records for all BWC employees.

Attachment K:11

Equal Employment Opportunity

EEO stands for Equal Employment Opportunity. When we talk about EEO we are talking about the anti-discrimination laws and policies that apply in the workplace.

EEO Staff:

Sheri Fitzpatrick EEO Manager (614) 728-9537

What is discrimination?

To discriminate means to differentiate. Not all discrimination is illegal or inappropriate in the workplace. When discussing employment discrimination we are talking about negative employment actions such as unequal terms and conditions of employment, denial of hire or denial of promotion, discipline, termination or a hostile work environment, that is based upon an individual's membership in a protected class. Speech and behavior by an employee's co-workers and/or supervisors may create a hostile environment if that speech or behavior is "severe and pervasive" enough to create a "hostile or abusive work environment" based upon:

- race
- color
- religion
- sex
- national origin
- ancestry
- age or
- disability

Employment discrimination need not be intentional, a fact that is especially important for us all to remember.

What laws govern workplace discrimination?

1. Title VII of the Civil Rights Act of 1964 is a federal statute that makes it illegal for an employer to discriminate in the workplace based upon a person's race, color, sex, religion or national origin.
2. The Age Discrimination in Employment Act (ADEA) is a separate federal statute that makes it unlawful to discriminate against an individual in the workplace based upon that individual's age. This act only protects those who are age forty (40) or over. Currently, there is no mandatory retirement age in Ohio.
3. The Americans with Disabilities Act (ADA) is a federal law that makes it illegal to discriminate against an individual because they have a disability, a record of impairment or a perceived disability. In addition, the ADA mandates building and accessibility requirements as well as accommodations for qualified disabled employees.
4. The Ohio Revised Code is the state law that mirrors Title VII. The Ohio Revised Code goes slightly further than the federal law as it also prohibits discrimination based upon ancestry, it heightens supervisor liability, and it provides more protection for pregnant employees.
5. Governor Strickland's Executive Order 2007-10S: Established Policy against discrimination based on Sexual Orientation or Gender Identity.

6. Effective March 28, 2008, the Ohio Civil Rights Act added “military status” as a protected status for EEO issues.
7. In addition to the aforementioned laws, both the Columbus and Cleveland City codes make it illegal to discriminate against an employee because of their sexual orientation.

Who is covered?

- Employees
- Officers
- Applicants
- Customers
- Vendors,
- Interns
- Clients
- Temporaries
- Contractors
- Consultants

Sex Discrimination

Sex discrimination can exist whenever a person is denied an equal opportunity in the workplace or harassed because of their gender. Sex discrimination can include an employment action such as denial of promotion or unequal terms and conditions, or it may be sexual harassment or pregnancy discrimination.

Sexual Harassment

Definition: Any unwelcome sexual advance, request for sexual favor, and/or verbal or physical conduct of a sexual nature that either:

1. requires submission as an explicit term or condition of employment; or
2. requires submission or rejection of the conduct as a basis for an employment decision that affects the individual; or
3. has the purpose or effect of unreasonably interfering with an individual’s work performance or creates an intimidating, hostile or offensive work environment.
Males or females can commit sexual harassment and the action need not be inspired by sexual desire.

Sexual Harassment Quiz I

1. The basis of sexual harassment is the intention of the harasser. It is only a violation of the law if the harasser intended to harass, coerce or intimidate the other employee. True or false?
2. An employer can be held responsible for sexual harassment for acts of its supervisors and agents even if the employer had no knowledge that the harassment was taking place but it should have known. True or false?
3. A hostile work environment may arise when a verbal or physical behavior with a sexual content creates an atmosphere that would be abusive, intimidating, humiliating or offensive to a reasonable person. True or false?

New Case Law

Same-Sex Sexual Harassment

In 1998 the U.S. Supreme Court held that where an individual's conduct in the workplace is so objectively offensive as to alter the terms and conditions of the victim's employment, it constitutes sexual harassment EVEN where the victim and the perpetrator are of the same sex. It does not make a difference if both are heterosexual.

Example: A

A woman is harassed in sex specific terms (such as "bitch") by another woman, where it can be shown that the motivation is hostility to women in the workplace.

Example: B

A heterosexual man who jokes around with other heterosexual men by acting effeminate, smacking their butts or even pinching their nipples in jest.

Sexual Harassment by Supervisors

Burlington Industries v. Ellereth and Faragher: Where no tangible employment action is taken an employee may claim sexual harassment by a supervisor even if the employer did not know of the harassment. However, the employer has a defense by showing that they exhibited reasonable care to prevent and correct inappropriate behavior and the employee failed to take advantage of the preventive or corrective opportunities available or to avoid harm otherwise. For example, BWC has a sexual harassment policy made available to all employees, and in turn employees must take advantage of this policy and report problems to a supervisor and/or the EEO office.

Where a tangible employment action is taken against an employee, (loss of pay, denial of a promotion, termination, etc.) an employer will be held liable for a supervisor's sexual harassment of an employee regardless of whether the employer had actual knowledge of the harassment.

Pregnancy Discrimination

Pregnancy discrimination is a form of sex discrimination under both state and federal laws. In addition to Title VII of the Civil Rights Act, the federal government has also provided protection to pregnant individuals through the enactment of the Pregnancy Discrimination Act. The Pregnancy Discrimination Act requires employers to provide the same treatment and environment to employees who are pregnant, giving birth or ill because of pregnancy related reasons as they do to others who are not pregnant but similar in their ability or inability to work. Thus, an employer cannot discipline or terminate a person just because they are pregnant.

Ohio law goes one step further than the Pregnancy Discrimination Act. Under Ohio law, employers must grant female employees a reasonable leave for pregnancy-related illnesses and child bearing. This leave is *not* based on the typical sick leave policy, but rather upon the individual needs of the woman pursuant to her doctor's indications.

Race Discrimination

The anti-discrimination laws and BWC policy protect everyone from disparate treatment based upon an individual's race. This means that a person can be subjected to race discrimination whether they are Black or White, Hispanic or Asian.

- Hostile environments based upon race by supervisors or individual employees will not be tolerated regardless of whom is behaving inappropriately.

- Race discrimination can exist among members of the same race.

Example: A Black supervisor used racial epithets when addressing a Black employee. The Court found the comments were demeaning and discriminatory and awarded the employee \$100,000.00 in compensatory damages.

- A hostile environment based upon race may exist even where members of the race being put down are not present.

Example: A Black supervisor used racial epithets when addressing a Black employee who was not present. Another employee told the Black employee of the comments. The Court found that comments could be considered by the jury to determine whether or not a hostile work environment existed.

Color, National Origin, Ancestry, Religion, Age and Disability

- What does it mean to discriminate based upon color? This deals with color variances within a race. Examples include harassment of a Black employee for being “too light” or “too dark” or of a Middle Easterner because of their skin color.
- National origin refers to the place where an individual or that person’s parents were born. Examples would be harassment or disparate treatment because an individual was born in a different country. Ancestry differs from national origin as in it refers to the ancestral roots of an individual. An example would be discrimination against someone because they were of a particular descent.
- The protection against discrimination based upon a person’s religious beliefs means that adverse employment action against an individual cannot be based upon their religious beliefs or non-beliefs. In order for a belief to be considered a religion it must be a “bona fide” or “good faith” belief of a spiritual nature. The law not only prohibits discrimination based upon religion, but also mandates that reasonable accommodations of an employee’s religion be accommodated. For example, an employer may need to allow a devout Muslim to take from 2:00 – 3:00 off on Friday afternoons to worship, and in turn that employee can come to work an hour early on Friday’s or skip their lunch break. However, this does not mean that employers need to allow an employee to conduct religious services at work in the presence of the other employees. This type of conduct might in fact violate the rights of others in the office.

Disability

- A. Definition: a disability is a physical or mental impairment that substantially limits one or more major life activities. Also covered under the Americans with Disabilities Act are those individuals who have a record of such impairment or who are regarded as having such impairment by their employer.
- B. The ADA makes it illegal to discriminate against a **qualified** individual with a disability. In order to be considered a qualified individual with a disability, the individual must be able to perform the essential functions of the job with or without a reasonable accommodation.
- C. The question of whether or not an individual qualifies as a disabled individual under the ADA is determined on a case by case basis.

BWC Policies

- ADA Policy
- Anti Harassment Policy
- EEO Policy
- Retaliation

Retaliation against individuals who report possible EEO violations will not be tolerated regardless of the outcome of an investigation. Legally, employees have a right to report what they believe to be a violation of the ADA, Title VVI, the ADEA or the Ohio Revised Code. If you have reported what you believe to be discrimination or you believe that you have been retaliated against for being a witness, you need to report this to the EEO office.

Other Options

In addition to the internal grievance procedure, employees have external grievance opportunities provided by law. An employee can file a complaint with the Department of Administrative Services, Equal Opportunity Division within 30 days of the discriminatory incident. They can also file with The Ohio Civil Rights Commission (state enforcement agency) and the EEOC (federal enforcement agency). All of these agencies provide free service to complainants. They can provide copies of the laws as well as answer general questions and provide advice. In addition, these agencies investigate allegations of employment discrimination. An individual has six months from the date of harm to file a charge with the Ohio Civil Rights Commission and 300 days from the date of harm to file a charge with the EEOC.

BWC's Expectations of All Managers

1. Examine your own behavior

Each employee is obligated to behave respectfully. The key to doing this is to treat those around us with respect and to think before speaking or acting. In order to treat those around us with respect, as stated earlier, we must first examine our own beliefs, behaviors and actions. Everyone must remember that all employees have an equal right to work in a respectful environment. Everyone should cease from engaging in any behaviors or actions that others might perceive as disrespectful or offensive. Everyone also needs to think before they speak or act. When tempted to make a joke or say or do something that could cross the line into offensive behavior, everyone should stop and reflect. A good measuring tool would be that individuals should not say or engage in behaviors that they would not want to see printed in an organizational newsletter for everyone to see.

2. Challenge Disrespectful Behavior

Immediately talk to employees when you observe inappropriate behavior. Educate employees and increase their awareness of what constitutes inappropriate behavior.

3. Report Harassment Immediately

Upon becoming aware of potential or actual discriminatory and/or harassing conduct in the workplace, you must contact the BWC EEO Department within 24 hours. If you hear rumors or inappropriate comments, you must take action, as this information must be taken seriously and, if appropriate, investigated. If you are not sure about a particular situation, you should seek guidance from the BWC EEO Department.

Attachment L:5

DISCIPLINARY POLICY

Disciplinary action will be imposed for just cause and will be commensurate with the offense. The Bureau of Workers' Compensation will follow the principles of progressive discipline. Discipline guidelines (or grids) for bargaining unit employees and exempt employees are included in the following pages. References:

OCSEA/AFSCME	Article 24
1199	Article 8
OEA	Article 13
Exempt	Ohio Revised Code §124.34

**ORC 124.34 and 2921.13 may also apply in cases of falsification.

Work Rules for Bargaining Unit Employees

It is the philosophy of the Bureau of Workers' Compensation to recognize the employees of the Bureau as our greatest resource.

Each employee is urged to see himself or herself as an important member of the team that delivers the needed services to our customers, and assures that we are good stewards of the revenues provided by the citizens of Ohio.

To such an end each employee of the Bureau (either bargaining unit or exempt) is expected to provide a maximum effort in return for the compensation they receive. Employees are expected to observe the rules and policies of the Bureau at all times and to faithfully fulfill the BWC Code of Ethics and avoid the appearance of impropriety.

In the course of the employment relationship it may be necessary to discipline an employee for an infraction of a rule or policy. Should it become necessary supervisors are expected to recommend discipline that is fair and consistent and commensurate with the offense. Likewise, the principles of progressive discipline are to be observed. All discipline is to be administered in strict compliance with laws and rules that apply to the employee who has committed the offense, including the Ohio Revised Code, the collective bargaining agreements, and BWC policies and procedures.

These guidelines are provided to aid managers and supervisors in administering employee discipline properly. They are guidelines only. It may be appropriate to provide greater or lesser levels of discipline in specific cases based upon specific situations.

Whenever a supervisor or manager is in doubt the Employee and Labor Relations Staff stands ready to consult and advise.

INSUBORDINATION

VIOLATION	1ST	2ND	3rd	4th	5th
a. Willful disobedience/failure to carry out a direct order	Suspension/ Removal	Removal			
b. Failure to follow a written policy or practice of the employer	Written/ Suspension	Suspension	Removal		
c. Failure to obtain supervisor's prior approval for overtime/comp time	Verbal	Written	Minor Suspension	Major Suspension	Removal
d. Interfering with, failing to cooperate with or providing false information in conjunction with an official investigation or inquiry	Determination based upon severity of incident				

NEGLECT OF DUTY

VIOLATION	1ST	2ND	3rd	4th	5th
a. Failure to follow the policies of the Bureau	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Carelessness with agency information (e.g., mail, warrants, claims files, Law Enforcement Automated Data System –LEADS) and/or agency equipment	Determination based upon severity of incident				
c. Work production/Failure to comply with performance improvement plans	Verbal	Written	Minor Suspension	Major Suspension	Removal
d. Failure to meet work standards	Verbal	Written	Minor Suspension	Major Suspension	Removal
e. Sleeping while on duty	Written	Minor Suspension	Major Suspension	Removal	
f. Moving of BWC computer equipment without authorization	Determination based upon severity of incident				
g. Unauthorized software loaded on computer, or unauthorized hardware connected to machine or network	Determination based upon severity of incident				
h. Unauthorized individuals attempting repair by disassembling computer equipment	Determination based upon severity of incident				
i. Violation of BWC EMAIL or Internet policies	Determination based upon severity of incident				
j. General/Gross neglect of duty	Determination based upon severity of incident				

FAILURE OF GOOD BEHAVIOR

VIOLATION	1st	2nd	3rd	4th	5th
a. Making false, abusive, inflammatory or obscene statements toward or concerning another employee, supervisor or a member of the general public	Determination based upon severity of incident			Removal	
b. Intentionally filing false charges regarding harassment toward or concerning another employee, supervisor or a member of the general public	Determination based upon severity of incident				
c. Discourteous and/or rude treatment of a fellow employee or manager	Determination based upon severity of incident				
d. Discourteous and/or rude treatment of a customer	Determination based upon severity of incident				
e. Striking a fellow employee, management, or the public	Suspension/ Removal	Removal			
f. Menacing/Threatening/harassing behavior toward fellow employees, management or the public	Determination based upon severity of incident				
g. Carrying weapons in BWC facilities or on the person of a BWC employee while on duty or in a state vehicle; weapons shall be defined to include (but not limited to) guns, knives (except folding knives with a blade of 3" or less), clubs, or tear gas	Removal				
h. Involvement in horseplay on BWC time or agency facilities	Determination based upon severity of incident				
i. Intentional acts of discrimination or insult on the basis of race, color, sex, age, religion, national origin, handicap, or sexual orientation	Major Suspension/ Removal	Removal			
j. Immoral or indecent conduct	Determination based upon severity of incident				
k. Violation of BWC/IC Code of Ethics	Determination based upon severity of incident				
l. Providing or discussing confidential information with unauthorized individuals	Written	Minor Suspension	Major Suspension	Removal	
m. Destruction and/or damage of computer, claims, tools, and or equipment	Determination based upon severity of incident				
n. Sexual Harassment	Major Suspension/ Removal	Removal			

O. Appearance of impropriety	Determination based upon severity of incident				
p. General	Determination based upon severity of incident				

ATTENDANCE

VIOLATION	1ST	2ND	3RD	4TH	5TH
a. Tardiness	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Leaving work area without authorization	Verbal	Written	Minor Suspension	Major Suspension	Removal
c. Three (3) or more consecutive days without contact (considered job abandonment)	Removal				
d. Being away without leave with no contact for 1 or 2 days	Minor Suspension	Major Suspension	Removal		
e. Being away without leave when time has been requested but not approved	Minor Suspension	Major Suspension	Removal		
f. Being away without leave with no contact	Minor Suspension	Major Suspension	Removal		
g. Using more leave than available	Verbal	Written	Minor Suspension	Major Suspension	Removal
h. Unexcused absence	Determination based upon severity of incident				
i. Improper call off	Verbal	Written	Minor Suspension	Major Suspension	Removal

DISHONESTY

VIOLATION	1ST	2ND	3RD	4TH	5TH
a. Theft of state property, state time, public property or property of another employee	Removal				
b. Intentional Misuse, Destruction, Defacing of state property, public property, or property of another employee (e.g., Law Enforcement Automated Data System – LEADS).	Determination based upon the severity of the error or accident				
c. Misuse of state funds	Suspension/Removal	Removal			
d. Making illegal copies of copyrighted software	Determination based upon the severity of the error or accident				
e. Intentionally making false or untrue statements regarding work related matters to management.	Written/Suspension	Suspension/Removal	Removal		

fellow employees or the public					
f. Willful falsification of an official document (could be subject to ORC 124.34 and 2921.13 charges)	Determination based upon the severity of the error or accident				

USE OF ALCOHOL/DRUGS

VIOLATION	1ST	2ND	3rd	4th	5th
a. Possession or distribution of alcohol and/or illegal drugs on BWC property	Suspension/ Removal	Removal			
b. Consumption of alcohol and/or illegal drugs during regular work hours (while on duty)	Removal				
c. Working under the influence of alcohol and/or illegal drugs	Removal				
d. Destruction of state property while under the influence of alcohol and/or drugs	Removal				
e. Use of prescription and/or other legal drugs not taken as directed by a physician and/or manufacturer in the workplace	Written/ Suspension	Suspension	Suspension/ Removal	Removal	
f. Misuse of prescription and/or other legal drugs	Written/ Suspension	Suspension	Suspension/ Removal	Removal	
g. Refusal to submit to a properly ordered drug or alcohol test	Removal				
h. Failure to disclose use of prescription or other legal drugs prior to their use that could lead to impairment in the workplace	Written/ Suspension	Minor Suspension	Major Suspension	Removal	

CARELESSNESS/MISUSE OF STATE VEHICLES

VIOLATION	1ST	2ND	3rd	4th	5th
a. Non-moving/parking violations	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Accident/damage resulting from driver error	Determination based upon the severity of the error or accident				
c. Personal use of state vehicle	Determination based upon the severity of the error or accident				
d. Moving violations in a state vehicle	Determination based upon the severity of the error or accident				
e. Operation of a state vehicle without a valid driver's license	Suspension/ Removal	Removal			

f. Failure to notify supervisor of non-valid license or Failure to maintain a valid license (for classifications requiring a valid driver's license)	Suspension/ Removal	Removal			
h. General negligence with a state vehicle	Determination based upon the severity of the error or accident				

VIOLATION OF SAFETY RULE

VIOLATION	1ST	2ND	3rd	4th	5th
a. Failure to wear and/or use appropriate safety equipment	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Failure to report unsafe conditions	Written	Minor Suspension	Major Suspension	Removal	
c. Failure to report work-related accident, injury, or illness to immediate supervisor within 48 hours	Written	Minor Suspension	Major Suspension	Removal	
d. Failure to complete a "BWC Safety Report" within 48 hours	Written	Minor Suspension	Major Suspension	Removal	
e. Failure to comply with agency safety rules	Verbal	Written	Minor Suspension	Major Suspension	Removal

FELONY CONVICTION

VIOLATION	1ST	2ND	3rd	4th	5th
a. Conviction	Removal				
b. Incarceration with nexus to present position	Determination based upon the severity of the error or accident				

VIOLATION OF THE OHIO REVISED CODE OR THE BWC ADMINISTRATIVE RULES

VIOLATION	1ST	2ND	3rd	4th	5th
a. Engaging in political activities as prohibited in the Ohio Revised Code Section 124.57	Determination based upon severity of incident				
b. Violation of the Ohio Revised Code section 124.34	Determination based upon severity of incident				
c. Preferential treatment in the processing of claims	Minor/Major Suspension	Major Suspension/ Removal	Removal		
d. Violation of the Nepotism Policy	Written	Minor Suspension	Major Suspension	Removal	

These guidelines should generally be followed. However, there will be times when it is necessary to deviate from the grid due to the severity of the incident or other good business reasons.

Many times an employee may violate more than one work rule. All violations should be listed in the request for discipline and the discipline recommended should ordinarily reflect the higher of the suggested guidelines or a combination of the guidelines.

Ohio Revised Code 124.34 is a current statute that sets demands regarding employee conduct. If specific work rules exist to cover an infraction then those should be reflected in the request for discipline. 124.34 SHOULD NOT BE STACKED ON TOP OF SPECIFIC CHARGES. THIS SECTION OF THE CODE IS TO BE USED WHEN NO SPECIFIC WORK RULE CAN BE CITED TO EXPLAIN THE EMPLOYEE'S INFRACTION OR WHEN THE CHARGES ARE NOT SPECIFIC ENOUGH TO COVER THE ENTIRE SITUATION.

Ohio Revised Code 124.34 is a current statute that sets demands regarding employee conduct. If specific work rules exist to cover an infraction then those should be reflected in the request for discipline. 124.34 SHOULD NOT BE STACKED ON TOP OF SPECIFIC CHARGES. THIS SECTION OF THE CODE IS TO BE USED WHEN NO SPECIFIC WORK RULE CAN BE CITED TO EXPLAIN THE EMPLOYEE'S INFRACTION OR WHEN THE CHARGES ARE NOT SPECIFIC ENOUGH TO COVER THE ENTIRE SITUATION.

Work Rules for Employees Exempt from Collective Bargaining

It is the philosophy of the Bureau of Workers' Compensation to recognize the employees of the Bureau as our greatest resource.

Each employee is urged to see himself or herself as an important member of the team that delivers the needed services to our customers, and assures that we are good stewards of the revenues provided by the citizens of Ohio.

To such an end each employee of the Bureau (either bargaining unit or exempt) is expected to provide a maximum effort in return for the compensation they receive. Employees are expected to observe the rules and policies of the Bureau at all times and to faithfully fulfill the BWC Code of Ethics and avoid the appearance of impropriety.

In the course of the employment relationship it may be necessary to discipline an employee for an infraction of a rule or policy. Should it become necessary supervisors are expected to recommend discipline that is fair and consistent and commensurate with the offense. Likewise, the principles of progressive discipline are to be observed. All discipline is to be administered in strict compliance with laws and rules that apply to the employee who has committed the offense.

A minor suspension is defined as a suspension of three (3) days or less or a leave reduction of twenty-four (24) hours or less. A major suspension is defined as a suspension of five (5) days or more or a leave reduction of forty (40) hours. Where applicable, fines may substitute for suspensions.

These guidelines are provided to aid managers and supervisors in administering employee discipline properly. They are guidelines only. It may be appropriate to provide greater or lesser levels of discipline in specific cases based upon specific situations.

Whenever a supervisor or manager is in doubt the Employee and Labor Relations Staff stands ready to consult and advise.

INSUBORDINATION

VIOLATION	1ST	2ND	3rd	4th	5th
a. Willful disobedience/failure to carry out a direct order	Suspension/ Removal/ Demotion	Removal/ Demotion	Removal		
b. Failure to follow a written policy or practice of the employer	Written/ Suspension/ Demotion	Suspension/ Demotion	Removal		
c. Failure to obtain supervisor's prior approval for overtime/comp time	Verbal	Written	Minor Suspension	Major Suspension	Removal
d. Interfering with, failing to cooperate with or providing false information in conjunction with an	Suspension/ Removal	Removal			

official investigation or inquiry					
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NEGLECT OF DUTY

VIOLATION	1st	2nd	3rd	4th	5th
a. Failure to follow the policies of the Bureau	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Carelessness with agency information (e.g., mail, warrants, claims files, Law Enforcement Automated Data System –LEADS) and/or agency equipment	Determination based upon severity of incident				
c. Work production/Failure to comply with performance improvement plans	Written	Minor Suspension	Major Suspension	Removal	
d. Failure to meet work standards	Written	Minor Suspension	Major Suspension	Removal	
e. Sleeping while on duty	Written	Suspension	Removal		
f. Moving of BWC computer equipment without authorization	Determination based upon severity of incident				
g. Unauthorized software loaded on computer, or unauthorized hardware connected to machine or network	Determination based upon severity of incident				
h. Unauthorized individuals attempting repair by disassembling computer equipment	Determination based upon severity of incident				
i. Violation of BWC EMAIL or Internet policies	Determination based upon severity of incident				
j. General/Gross neglect of duty	Determination based upon severity of incident				

FAILURE OF GOOD BEHAVIOR

VIOLATION	1st	2nd	3rd	4th	5th
a. Making false, abusive, inflammatory or obscene statements toward or concerning another employee, supervisor or a member of the general public	Determination based upon severity of incident				
b. Intentionally filing false charges regarding harassment toward or concerning another employee, supervisor or a member of the general public	Determination based upon severity of incident				
c. Discourteous and/or rude treatment of a fellow employee or manager	Determination based upon severity of incident				

d. Discourteous and/or rude treatment of a customer	Determination based upon severity of incident				
e. Striking a fellow employee, management, or the public	Suspension/ Removal	Removal			
f. Menacing/Threatening/harassing behavior toward fellow employees, management or the public	Determination based upon severity of incident				
g. Carrying weapons in BWC facilities or on the person of a BWC employee while on duty or in a state vehicle; weapons shall be defined to include (but not limited to) guns, knives (except folding knives with a blade of 3" or less), clubs, or tear gas	Removal				
h. Involvement in horseplay on BWC time or agency facilities	Determination based upon severity of incident				
i. Intentional acts of discrimination or insult on the basis of race, color, sex, age, religion, national origin, handicap, or sexual orientation	Major Suspension/ Removal/ Demotion	Removal			
j. Immoral or indecent conduct	Determination based upon severity of incident				
k. Violation of BWC/IC Code of Ethics	Determination based upon severity of incident				
l. Destruction and/or damage of computer, claims, tools, and or equipment	Determination based upon severity of incident				
m. Sexual Harassment	Major Suspension/ Removal/ Demotion	Removal			
n. Appearance of impropriety	Determination based upon severity of incident				
o. General	Determination based upon severity of incident				

**ATTENDANCE
VIOLATION**

1ST

2ND

3rd

4th

5th

a. Tardiness	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Leaving work area without authorization	Verbal	Written	Minor Suspension	Major Suspension	Removal
c. Three (3) or more consecutive days without contact (considered job abandonment)	Removal				
d. Being away without leave with no contact for 1 or 2 days	Minor Suspension/ Demotion	Major Suspension/ Demotion	Removal		
e. Being away without leave when time has been requested but not approved	Minor Suspension/ Demotion	Major Suspension/ Demotion	Removal		
f. Being away without leave with no contact	Written/ Suspension/ Demotion	Suspension/ Removal	Removal		
g. Using more leave than available	Written/ Demotion	Minor Suspension/ Demotion	Major Suspension/ Demotion	Removal	
h. Unexcused absence	Determination based upon severity of incident				
i. Improper call off	Verbal	Written	Minor Suspension	Major Suspension	Removal

DISHONESTY

VIOLATION

	1 st	2 nd	3 rd	4 th	5 th
a. Theft of state property, state time, public property or property of another employee	Removal				
b. Intentional Misuse, Destruction, Defacing of state property, public property, or property of another employee (e.g., Law Enforcement Automated Data System – LEADS).	Determination based upon the severity of the error or accident				
c. Misuse of state funds	Suspension/ Removal	Removal			
d. Making illegal copies of copyrighted software	Determination based upon the severity of the error or accident				
e. Intentionally making false or untrue statements regarding work related matters to management, fellow employees or the public	Suspension/ Demotion	Suspension/ Removal/ Demotion	Removal		
f. Willful falsification of an official document (could be subject to ORC 124.34 and 2921.13 charges)	Determination based upon the severity of the error or accident				

USE OF ALCOHOL/DRUGS

VIOLATION

	1ST	2ND	3rd	4th	5th
a. Possession or distribution of alcohol and/or illegal drugs on BWC property	Suspension/ Removal	Removal			
b. Consumption of alcohol and/or illegal drugs during regular work hours (while on duty)	Removal				
c. Working under the influence of alcohol and/or illegal drugs	Major Suspension/ Removal	Removal			
d. Destruction of state property while under the influence of alcohol and/or drugs	Removal				
e. Misuse of prescription and/or other legal drugs	Written/ Suspension	Suspension	Suspension/ Removal	Removal	
f. Refusal to submit to a properly ordered drug or alcohol test	Removal				
g. Failure to disclose use of prescription or other legal drugs prior to their use that could lead to impairment in the workplace	Written	Minor Suspension	Major Suspension	Removal	

CARELESSNESS/MISUSE OF STATE VEHICLES

VIOLATION

	1st	2ND	3rd	4th	5th
a. Non-moving/parking violations	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Accident/damage resulting from driver error	Determination based upon the severity of the error or accident				
c. Personal use of state vehicle	Determination based upon the severity of the error or accident				
d. Moving violations in a state vehicle	Determination based upon the severity of the error or accident				
e. Operation of a state vehicle without a valid driver's license	Suspension/ Removal	Removal			
f. Failure to notify supervisor of non-valid license or Failure to maintain a valid license (for classifications requiring a valid driver's license)	Suspension/ Removal	Removal			
g. General negligence with a state vehicle	Determination based upon the severity of the error or accident				

VIOLATION OF SAFETY RULE

VIOLATION

	1ST	2ND	3rd	4th	5th
a. Failure to wear and/or use appropriate safety equipment	Verbal	Written	Minor Suspension	Major Suspension	Removal
b. Failure to report unsafe conditions	Determination based upon severity of incident				
c. Failure to report work-related accident, injury, or illness to immediate supervisor within 48 hours	Written	Minor Suspension	Major Suspension	Removal	
d. Failure to complete a "BWC Safety Report" within 48 hours	Written	Minor Suspension	Major Suspension	Removal	
e. Failure to comply with agency safety rules	Verbal	Written	Minor Suspension	Major Suspension	Removal

FELONY CONVICTION

VIOLATION

	1ST	2ND	3rd	4th	5th
a. Conviction	Removal				
b. Incarceration with nexus to present position	Determination based upon the severity of the error or accident				

VIOLATION OF THE OHIO REVISED CODE OR THE BWC ADMINISTRATIVE RULES

VIOLATION

	1ST	2ND	3rd	4th	5th
a. Engaging in political activities as prohibited in the Ohio Revised Code Section 124.57	Determination based upon severity of incident				
b. Violation of the Ohio Revised Code section 124.34	Determination based upon severity of incident				
c. Preferential treatment in the processing of claims	Suspension	Suspension/Removal	Removal		
d. Violation of the Nepotism Policy	Major Suspension/Removal/Demotion	Removal			

VIOLATIONS SPECIFIC TO SUPERVISORS AND MANAGERS

VIOLATION

	1ST	2ND	3rd	4th	5th
a. Complicity or cooperation with a bargaining unit	Determination based upon				

employee in violation of work rules or collective bargaining agreement	severity of incident				
b. Failure to discipline subordinates for violations of work rules, BWC policies or ORC/OAC	Determination based upon severity of incident				
c. Failure to treat all subordinates fairly and in a non discriminatory manner	Determination based upon severity of incident				
d. Failure to adequately perform the supervisory function	Determination based upon severity of incident				
e. Use of one's position for inappropriate or personal gain	Determination based upon severity of incident				
f. Inappropriate sharing of information entrusted to the supervisor	Determination based upon severity of incident				
g. Requiring employees to do personal, non BWC work for the supervisor	Suspension/ Removal/ Demotion	Removal			
h. Fraternalization/Appearance of impropriety in the workplace	Determination based upon severity of incident				
i. Failure to support and/or administer agency initiatives	Determination based upon severity of incident				

Attachment M:5

Ohio Bureau of Workers' Compensation Employee Exit Questionnaire

We are asking for your cooperation in letting us know your reasons for leaving the Bureau, as well as your opinion of the Bureau as an employer. By completing this questionnaire and sharing your views and opinion of the Bureau, it will help us provide better working conditions for employees and services to our customers.

Your name is not required on this form; **HOWEVER**, if you need further information or would like someone to contact you, please include your name. This information will **NOT** be made part of your personnel record and will **NOT** be used to respond to reference checks by future employers. Thank you.

Please check the appropriate boxes only: Female Male Handicap Black
White American Indian/Alaskan Native Hispanic Asian/Pacific Islander
Veteran

Name: _____

Classification/Position: _____

Work Location: _____

Date: _____

1. How long did you work for the Bureau? _____

2. Why are you leaving the Bureau? _____

3. Are you leaving voluntarily? If yes, what could be done, or could have been done, to prevent you from leaving the Bureau? _____

4. Do you have another job to go to? Yes No
If yes, please check the following: another state agency county city
federal government agency private industry other

5. If you do not have a job to go to, will you be seeking other employment? Yes No

6. Did you receive adequate training on your first job assignment? Yes No

Comments: _____

7. Did you receive adequate training on subsequent job assignments? Yes No
Comments: _____

8. Do you have any complaints about job assignments? Yes No

Comments: _____

9. If you had a suggestion concerning your work, could you easily discuss it with your supervisor?

Yes No Comments: _____

10. Were you able to discuss complaints, and/or problems with your supervisor?

Yes No Comments: _____

11. Do you feel you were given equal opportunity for promotions? Yes No

Comments: _____

12. Do you feel you were given equal opportunity for training (in-house, tuition reimbursement)?

Yes No Comments: _____

13. In your opinion, did you experience any discrimination because of your Race, Color, Religion, Sex, National Origin, Handicap or Age (40 years or over)? Yes No

Comments: _____

14. If you could change anything at the Bureau, what would you change?

Comments: _____

15. If you could institute a new program at the Bureau, what would it be?

Comments: _____

16. Would you come back to the Bureau? Yes No

Comments: _____

17. Has anyone from the Payroll/Benefits Department contacted you to discuss your benefits conversion, sick leave/vacation payouts, final check, etc...?

Yes No

18. If the answer is No to question #17. Would you like someone from the Payroll/Benefits Department to contact you directly?

Yes No

19. Additional comments or suggestions: _____

Attachment N:3

EEO COMPLAINT LOG (JULY 2007 – JULY 2008)

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EEO TRAINING ACCOMPLISHMENTS FROM JULY 2007 – JULY 2008

1. The EEO Department participated at 18 New Employee Orientation classes and provided EEO training to 79 new hires.
2. The EEO Department attended 12 Leading Your Employees to Success classes for new managers/supervisors and provided training on the laws governing workplace discrimination, EEO policies, the complaint process and BWC's expectations of all managers. Thirty-two (32) new managers received this training.

TRAINING RECEIVED BY EEO STAFF

1. The EEO Manager attended the 2007 Technical Assistance Seminar sponsored by the United States Equal Employment Opportunity Commission. (June 5, 2007)

Attachment O

Ohio Bureau of Workers' Compensation Current BWC Population by EEO Groupings

Printed Date: 8/27/2008

	OVERALL TOTALS	White		Black or African		Hispanic or Latino		Asian		American Indian or Alaska		Ethnic Racial		Unknown			Total	
		M	F	M	F	M	F	M	F	M	F	M	F	U	M	F		
1 OFFICERS & MANAGERS	113	48	42	2	6	0	0	2	2	0	1	0	0	5	4	1	47	46
Average Salary	38.48	40.34	37.34	35.10	35.50	0.00	0.00	45.50	40.39	0.00	38.55	0.00	0.00	27.65	45.69	26.45	40.66	38.41
2 PROFESSIONALS	1,697	402	764	72	331	2	9	8	19	1	2	0	1	26	60	0	395	949
Average Salary	29.30	33.86	28.62	28.65	26.29	33.52	27.92	30.97	30.17	20.37	20.88	0.00	22.32	29.52	24.75	0.00	33.60	28.25
3 PARA PROFESSIONALS	8	1	2	0	4	0	0	0	0	0	0	0	0	1	0	0	2	6
Average Salary	22.51	19.69	23.45	0.00	22.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	23.49	0.00	0.00	21.59	22.82
4 TECHNICAL	30	7	2	1	3	0	0	0	0	0	0	0	0	13	4	0	16	7
Average Salary	32.42	28.72	27.58	27.47	34.79	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	36.22	28.43	0.00	34.66	32.35
5 OFFICE CLERICAL	342	54	156	21	78	1	0	2	0	0	1	0	0	5	24	0	62	208
Average Salary	19.99	19.31	20.64	19.06	20.31	18.04	0.00	19.37	0.00	0.00	17.03	0.00	0.00	17.73	17.77	0.00	19.34	20.51
7 PROTECTION SERVICES	82	53	12	2	2	0	0	1	0	0	0	0	0	6	6	0	56	14
Average Salary	36.44	36.71	36.56	38.62	31.85	0.00	0.00	40.67	0.00	0.00	0.00	0.00	0.00	39.39	30.88	0.00	37.20	36.40
8 SERVICE MAINTENANCE	12	8	0	3	0	0	0	0	0	0	0	0	0	1	0	0	11	0
Average Salary	18.51	18.87	0.00	18.34	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	16.09	0.00	0.00	18.77	0.00
9 NOT IN THE CLASS PLA	108	32	29	1	4	0	2	0	0	0	0	0	0	24	15	1	38	36
Average Salary	39.36	44.77	43.19	43.07	44.19	0.00	38.94	0.00	0.00	0.00	0.00	0.00	0.00	34.22	28.94	12.25	47.69	43.38
	2,392	605	1,007	102	428	3	11	13	21	1	4	0	1	81	113	2	627	1,266
		1,612		530		14		34		5		1		196			1,893	
Average Salary	29.06	44.02		25.79		38.94		31.60		23.54		22.32		27.70			29.77	
Population Percentage		67.39%		22.16%		0.59%		1.42%		0.21%		0.04%		8.19%			79.14%	

Attachment P

CORRECTIVE ACTION TO BE TAKEN DURING THE NEXT FISCAL YEAR

- The EEO Department will conduct EEO/Diversity training for all BWC employees.
- The EEO Department will continue to aggressively manage our complaint and reporting processes.
- The EEO Department will continue to work through various avenues, such as Black and Women's History Months, to promote cultural awareness and diversity in the workplace.

Attachment Q

DIVERSITY INITIATIVES

Although the Bureau does not have a diversity team, the agency celebrates Black History Month during the month of February and Women's History Month in March. These annual celebrations have included keynote speakers, roundtable discussions, entertainment, health initiatives along with resource information.

In addition, to reach out to non-native English speakers, BWC partnered with groups such as Latino Empowerment Outreach Network (LEON). LEON educates the Latin community about individual rights as an injured worker, how the workers' compensation process works and how to apply for financial aid. BWC has translated some of its publications, such as the application for workers' compensation coverage, first report of injury (FROI) form, safety violation questionnaire and several facts sheets into Spanish.

Also, the Bureau's Customer Contact Center has bilingual representatives to help answer questions from workers and employers who do not speak English. If a representative who speaks the requested language needed isn't available, BWC uses its teleinterpreting service with 150 languages and dialects

Moreover, for Fiscal Year 2009, the EEO Department will be conducting EEO/Diversity training and the Bureau's Personnel Department will be looking into diversity recruitment strategies.