

Redbook

LBO Analysis of Executive Budget Proposal

Ohio Civil Rights Commission

Jessica Murphy, Senior Budget Analyst
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LBO Redbook

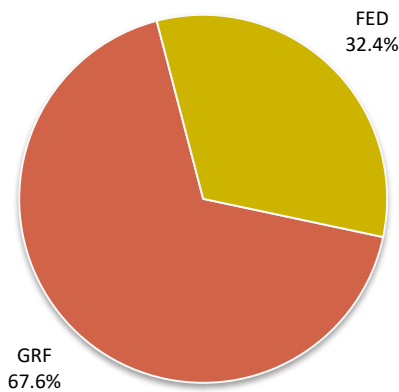
Ohio Civil Rights Commission

Quick look...

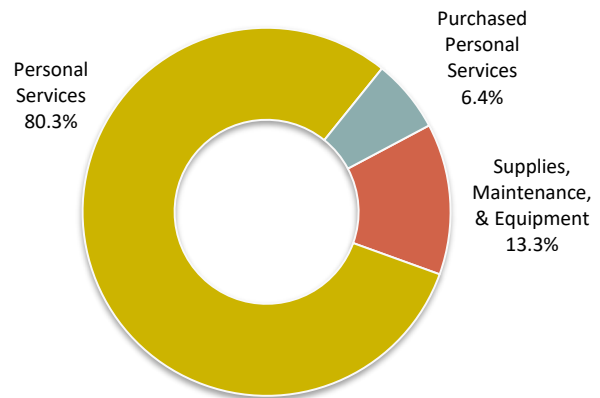
- The primary responsibility of the Ohio Civil Rights Commission (CIV) is to investigate and resolve charges of discrimination.
- In FY 2023, the distribution of charges filed by type of discrimination was 77.4% employment, 13.8% housing, 7.9% public accommodation, 0.5% credit, and 0.4% disability in higher education. A total of 2,105 employment charges were filed statewide.
- Charges filed with a basis on disability composed the largest category, followed closely by race.
- Biennial recommendations total \$22.5 million: \$11.1 million for FY 2026 and \$11.4 million for FY 2027.
 - Source of the budget: GRF (67.6%) and federal (32.4%).
 - Largest expenses: personal services/payroll (80.3%), followed by supplies, maintenance and equipment (13.3%).

Fund Group	FY 2024 Actual	FY 2025 Estimate	FY 2026 Introduced	FY 2027 Introduced
General Revenue (GRF)	\$6,965,487	\$7,822,000	\$7,464,880	\$7,763,235
Dedicated Purpose (DPF)	\$0	\$0	\$5,000	\$5,000
Federal (FED)	\$3,290,236	\$3,655,000	\$3,614,239	\$3,676,006
Total	\$10,255,723	\$11,477,000	\$11,084,119	\$11,444,241
% change	--	11.9%	-3.4%	3.2%
<i>GRF % change</i>	--	12.3%	-4.6%	4.0%

**Chart 1: CIV Budget by Fund Group
FY 2026-FY 2027 Biennium**



**Chart 2: CIV Budget by Expense Category
FY 2026-FY 2027 Biennium**



Biennial total: \$22.5 million

Agency overview

The Ohio Civil Rights Commission is charged with enforcing R.C. Chapter 4112, which prohibits discrimination in employment, places of public accommodation, housing, granting of credit, and higher education because of certain characteristics. The Commission's duties can be summarized as follows:

- Enforcing Ohio's anti-discrimination laws through the investigation of complaints and the determination of whether or not discrimination has occurred;
- Educating the public, employers, housing providers, and places of public accommodation about Ohio's anti-discrimination laws; and
- Offering alternative dispute resolution and mediation services to parties who have filed charges with the Commission.

The Governor, with the advice and consent of the Senate, appoints five members to the Commission, not more than three of whom can be of the same political party, and at least one member of whom must be at least 60 years of age. As of February 2025, the Commission is served by 84 full-time employees.¹

The Commission's Alternative Dispute Resolution Unit offers mediation services as an alternative means of resolving a discrimination complaint. Mediation is usually the swiftest method of resolving a case and is also typically less costly, both for the parties to a case and for the state. Each of the Commission's regional offices employs one mediator. Mediation requires both parties voluntarily agreeing to participate in the process and brings both the charging party and respondent together in an attempt to voluntarily settle disputes short of a full-scale investigation. The parties must confirm they want mediation. If mediation is successful, the case is closed and no further administrative action is taken. The Commission attempts to conclude the mediation process within 45 days. The Commission's success rate is roughly 85%.

In addition to its enforcement responsibilities, the Commission is mandated to conduct educational and public outreach programs. Outreach and service activities generally include:

- Working with core constituent groups in identifying and addressing issues of discriminatory practices.
- Providing businesses and organizations with training on how to comply with the state's nondiscrimination laws.
- Developing and implementing training programs and public forums.
- Preparing and making available an educational program and related materials for grades K-12.

¹ This employee count is from the State Employee Trend dataset, which is available on the DataOhio Portal: data.ohio.gov.

Analysis of FY 2026-FY 2027 budget proposal

Appropriation summary

The executive budget provides a total appropriation of \$11.1 million in FY 2026 and \$11.4 million in FY 2027 for a combined total of \$22.5 million for the biennium. The table and Chart 1 shown in the preceding “**Quick look**” section present the executive recommended appropriations by fund group. As shown in Chart 1, money appropriated from the GRF will provide 67.6% of the Commission’s funding. Nearly all of the remaining funding (32.4%) will be drawn from reimbursement contract payments received from two federal agencies: the U.S. Equal Employment Opportunity Commission (EEOC) and Department of Housing and Urban Development (HUD).

Chart 2 in the “**Quick look**” section shows the executive recommended total biennial appropriation by object of expense. All of this appropriated money will be allocated for operating expenses, with 80.3% for personal services (payroll); 13.3% for supplies, maintenance, and equipment; and 6.4% for purchased personal services.

Operating Expenses (ALIs 876321, 876604, and 876601)

FY 2022 Actual	FY 2023 Actual	FY 2024 Actual	FY 2025 Estimate	FY 2026 Introduced	FY 2027 Introduced
GRF ALI 876321, Operating Expenses					
\$6,241,302	\$6,745,701	\$6,965,487	\$7,822,000	\$7,464,880	\$7,763,235
% change	8.1%	3.3%	12.3%	-4.6%	4.0%
DPF Fund 2170 ALI 876604, Operations Support					
\$0	\$2,964	\$0	\$0	\$5,000	\$5,000
% change	--	-100.0%	--	--	0.0%
FED Fund 3340 ALI 876601, Federal Programs					
\$3,087,540	\$3,465,550	\$3,290,236	\$3,655,000	\$3,614,239	\$3,676,006
% change	12.2%	-5.1%	11.1%	-1.1%	1.7%

The table above shows the appropriation line items that together support the operating expenses of the Commission. As mentioned, the money appropriated from the GRF provides the largest share of the Commission’s annual funding, with virtually all of the remaining funds appropriated from Federal Programs Fund (Fund 3340).

GRF funding

Since the FY 2022-FY 2023 biennium, the Commission’s GRF appropriations have been steadily increasing in order to keep up with workload demands. In FY 2022 and FY 2023, the Commission’s GRF funding was increased to address two issues. First, the increases were used to address the operational deficit the Commission had experienced related to staffing – the Commission reduced GRF expenditures the prior fiscal year to meet COVID-19 pandemic targets

set by the Governor by postponing the filling of vacant staff positions. Second, they were used to provide additional resources for the implementation of H.B. 352 of the 133rd General Assembly, which ensures that all allegations of employment discrimination under state law must first go to the Commission.²

This trend continued through to the FY 2024-FY 2025 biennium, with GRF increases allowing the Commission to acquire additional full-time equivalents (FTEs) to address the challenge of the rise in case filings.

For the FY 2026-FY 2027 biennium, the executive proposed funding levels will allow the Commission to maintain operations with its current staffing levels.

Federal Programs Fund (Fund 3340)

This fund consists of reimbursement payments from the U.S. Equal Employment Opportunity Commission (EEOC) and U.S. Department of Housing and Urban Development (HUD), which are then used to offset the cost of investigating cases. However, these reimbursement payments do not cover the full cost of processing the cases; the remainder of the cost must be absorbed by GRF funds. The anticipated revenue for FY 2026 and FY 2027 is \$3.9 million per year.

The EEOC agreement covers a specific number of cases agreed upon by both parties. Generally, the EEOC permits the Commission to draw down 50% of the agreement in May or June, but this varies and is not guaranteed. The remaining 50% is paid in October or November, as long as the Commission meets the contracted number of cases submitted and approved by the EEOC. The Commission is currently paid \$830 for every approved case submitted to the EEOC, up to the agreed number of cases in the contract (1,950). The Commission also receives \$100 for every “new intake” charge that it sends to the EEOC for investigation. The Commission does not receive payment for additional cases beyond the number detailed in the contract (unless an upward modification is approved in advance). Ohio is one of a handful of states that contract with the federal government to mediate cases filed with the EEOC.

The Commission’s memorandum of understanding (MOU) with HUD permits the Commission to investigate civil rights charges on behalf of HUD – this is called “dual filing.” Any number of charges may be dual filed during the reporting period (July 1-June 30). HUD reviews these cases throughout the year, and approved charges and investigations are paid pursuant to the MOU by HUD. HUD permits the Commission to draw down 100% of the dual filed charges completed by June 30, with the agreed-upon sum paid in October of each year. Charges that are dual filed before July 1 but completed after June 30 are paid in the next year. Unlike the EEOC contract, the Commission is not paid at a flat fee or not bound to a contracted number of cases. HUD reimbursement for Probable Cause or No Probable Cause findings is set at \$3,200 per case, with a possible additional \$200 per case for certain conciliations that meet higher standards of relief. Additionally, the Commission receives \$8,000 if a charge is filed in a court of common pleas after any party opts to have the complaint heard in a civil court rather than the administrative court.

² Effective April 15, 2021.

Facts and figures

Any person living or working in Ohio who believes they have been subjected to unlawful discrimination can file a charge with one of the Commission’s regional offices, by mail, by telephone, or online. Charges must be based on the belief that the discriminatory act occurred on the basis of certain characteristics covered by the Ohio Civil Rights Law. The Commission also has the power to self-initiate an investigation in the areas of employment and housing.

Discrimination charges not involving housing employment or housing (public accommodation, credit discrimination, and disability in higher education) are required to be filed within six months of the alleged act of discrimination. Whereas employment discrimination charges may be filed within two years and housing charges one year.

Once a charge of discrimination is received, the case is assigned to an investigator who notifies the person filing the charge (charging party) and the company or person against whom the charge was filed (respondent). Generally, mediation is offered to resolve the complaint. If mediation is declined or unsuccessful, the Commission will determine whether it is probable that discrimination has occurred through a series of steps that may include witness interviews, document requests, and onsite visits. The Commission has one year from the date on which a charge was filed to complete the investigation. In FY 2024, the number of completed cases averaged around 240 cases per investigator. The Commission does not have the option to refuse to investigate a charge.

If the Commission determines that it is probable that illegal discrimination took place, the Commission initially attempts to conciliate these charges and reach a settlement. When conciliation attempts fail, the charge is referred to the Office of the Attorney General and, if necessary, a public hearing on the merits (administrative adjudication) is held.

Investigation and enforcement statistics

Table 1 shows the number of discrimination charges filed, by regional office, from FY 2019 through FY 2023. Table 2 shows the basis on which those charges were filed. As shown, the total number of charges filed statewide noticeably exceeds the analogous number in Table 1. The difference signifies that a single charge may allege discrimination on multiple bases, e.g., race and age, rather than a single factor.

Region	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Akron	618	491	492	696	164
Cleveland	607	548	583	987	506
Columbus	943	766	815	1,086	835
Dayton/Cincinnati	789	735	717	837	178
Toledo	628	680	491	529	422
Total	3,585	3,220	3,098	4,135	2,105

Table 2. Charges Filed by Alleged Basis, FY 2019-FY 2023					
Basis	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Race or Color	1,321	1,295	1,281	1,472	1,582
Sex/Pregnancy	787	644	616	799	347
Disability	1,087	1,080	1,054	1,430	1,608
Familial Status	81	75	77	87	109
Age	499	394	404	484	789
Retaliation	1,410	1,208	1,193	1,474	635
National Origin/Ancestry	214	140	308	200	163
Religion	128	100	168	506	549
Military Status	8	1	12	4	5
Other	41	46	2	224	608
Total	5,576	4,983	5,115	6,680	6,395