



**Budget Testimony of the Ohio Civil Rights Commission  
Before the Senate Finance Committee  
Fiscal Years 2012-2013  
G. Michael Payton, Executive Director  
May 5, 2011**

The Ohio Civil Rights Commission (“OCRC”) understands Ohio’s present economic environment and the difficult choices that must be made. The OCRC performs an important law enforcement function and mission for citizens. However, we recognize that the OCRC, like virtually every state and local agency or organization, must continue to find ways to accomplish its mission during this challenging time while using substantially less resources.

The OCRC is governed by five bipartisan governor-appointed Commissioners who are sensitive to the need for employment opportunities in our state and understand the importance of JobsOhio in Ohio’s future. OCRC Commissioners include leaders from across Ohio that represent small business owners, chambers of commerce, community and service organizations, as well as prior legislative service. Collectively, they serve to meet the needs of the general public and business community in an efficient and effective manner.

For over 50 years, the OCRC has fulfilled an important and cost effective statutory role in administering Ohio’s strong public policy against discrimination by protecting the right of every citizen to be free from unlawful discriminatory practices where they work, live and spend their leisure time. The primary function of the OCRC is two-fold: to provide free proactive education

initiatives and to receive, investigate, and when necessary, litigate charges of unlawful discriminatory practices in the areas of employment, housing, public accommodations, credit, and disability in higher education. Any person in this state who believes that he or she has been discriminated against on the basis of race, color, sex, age, familial status, national origin, ancestry, disability or military status has a right to file a charge of discrimination with our agency. Once a charge has been filed, the agency's duty is to conduct an investigation, and if there is probable cause to believe the law was violated, take steps to remedy the unlawful discriminatory practice.

While there has been improvement in the achievement of equal opportunity, the cases investigated by the OCRC and the concerns expressed by core constituent groups throughout Ohio reveal that prejudice and discrimination still exists. The OCRC secured \$15,326,367 in monetary relief for aggrieved persons who have been victims of discrimination during FY 2009 and \$3,442,972 in monetary relief in FY 2010. The OCRC continues to play a vital role in ensuring that Ohio's strong public policy against discrimination is a reality.

The GRF executive recommendation for the OCRC is \$4,635,023 for FY 2012 and \$4,635,023 for FY 2013 which represents a 5.4% reduction in GRF funds of \$262,162 each fiscal year compared to a GRF funding level of \$4,897,185 for FY 2011. (See attached OCRC 10 year federal and GRF funding graph.) When additional factors of an additional pay period in FY 2012 (\$240,000) and a one-time lump sum personal leave payment (\$65,000) to employees are added to the GRF reductions in FYs 2012 and 2013, the total deficit of GRF funds is \$567,162 in FY 2012 and \$262,162 in FY 2013. Given that the OCRC's annual budget provides minimal discretionary spending, the only practical way to close this deficit is the loss of eighteen

(18) full-time equivalent employees thereby reducing the OCRC's total staff to seventy-six (76) full-time equivalent employees and eliminating its annual \$111,000 contract for legal services with the Ohio Attorney General. This reduction in resources will be a daunting challenge for the agency. Like before, the OCRC will continue to diligently strive to refine, improve, streamline and redesign our work processes and investigative procedures to hopefully secure greater process efficiencies and cost reductions while finding some way to meet its projected annual caseload of 4,000 cases. However, the OCRC is concerned that its annual caseload will potentially increase by up to 900 cases due to the affect of Senate Bill No. 5 on public servants.

The OCRC has been required to reduce staff for several years due to declining resources. In Fiscal Year 2000, the OCRC had one hundred and ninety-nine (199) full-time equivalent employees. The number of full-time equivalent employees dropped to one hundred twenty-seven (127) during Fiscal Year 2009 and was further reduced to ninety-four (94) full-time equivalent employees during Fiscal Year 2010. This means the OCRC has lost more than 50% of its staff during the past decade. (See attached OCRC 10 year staffing level graph.)

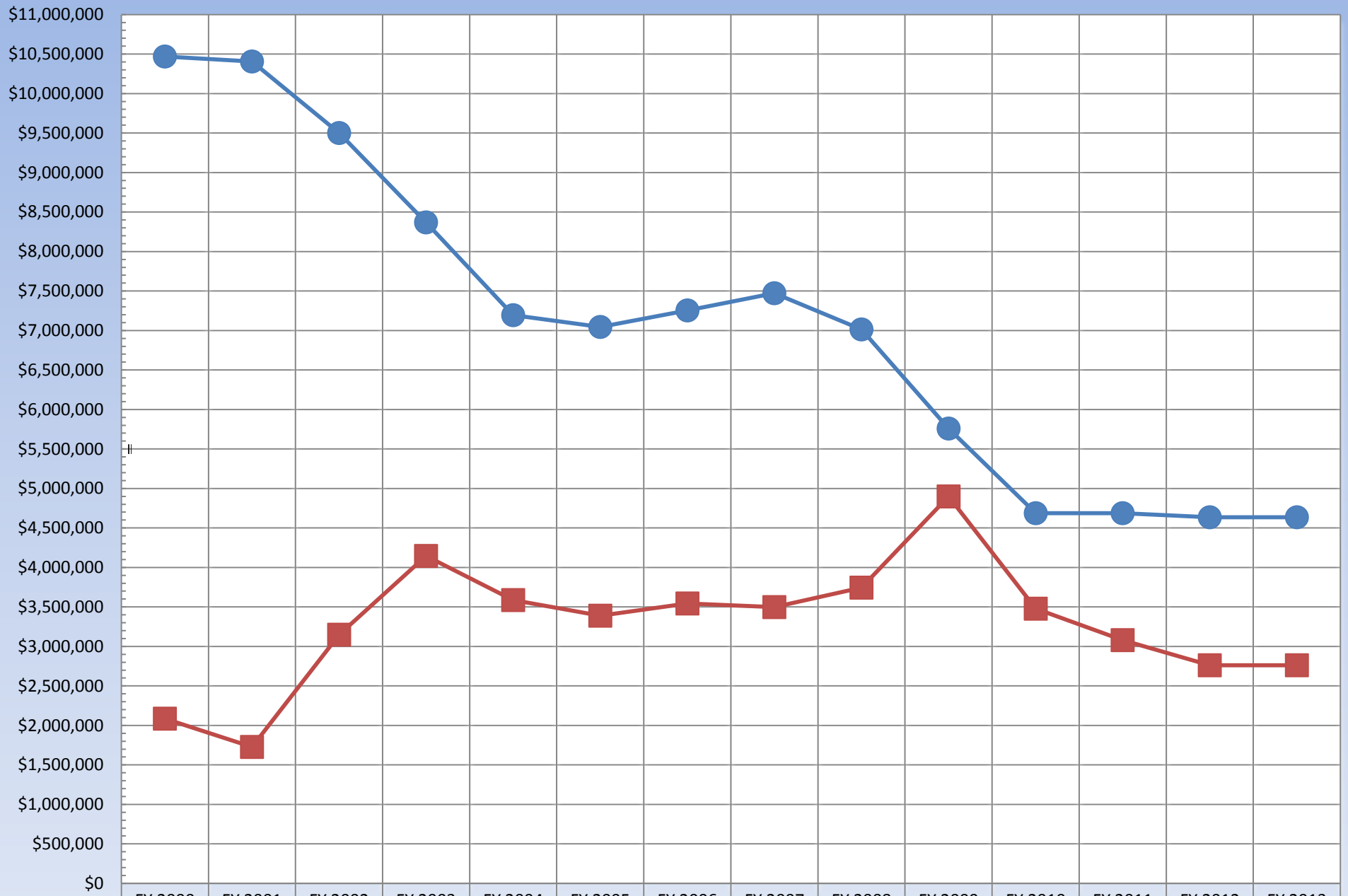
During the present biennium (FY 2010-2011), the OCRC implemented several cost saving measures to balance a GRF funding shortfall. The agency reduced its full-time employees from one hundred twenty-seven (127) full-time employees to ninety-four (94) full-time employees by abolishing or not filling thirty-three (33) full-time positions. This included, among other things, reducing its executive staff by 50% by not filling its Chief Legal Counsel and Director of Public Affairs positions and reducing its annual legal services contract with the Ohio Attorney General by approximately \$400,000. The agency also implemented a mandatory Early Retirement Incentive and reduced its workforce by seven (7) full-time positions. We also closed our

Cincinnati regional office location and transferred and merged its staff with our Dayton regional office staff. We further merged the duties of some personnel in our Dayton-Cincinnati and Cleveland-Akron regional office locations thereby eliminating two (2) Regional Director positions, four (4) supervisors, two (2) Mediators, six (6) Investigators, six (6) support staff, and one (1) Office Manager ultimately saving \$2.9 million in payroll costs. After examining all work processes of every department and each region, the agency saved a total of \$3.97 million during the last biennium due to job abolishment or not filling vacancies.

The OCRC's administrative investigative process is informal and more cost effective for all parties compared to privately filed court actions where a formal and more costly litigious process begins upon the filing of a civil complaint. This benefits both charge filers and the business community by providing more prompt resolution. We provide Alternative Dispute Resolution services to parties as a viable alternative to resolving disputes in lieu of further governmental involvement and greater transaction costs to parties. The OCRC reached voluntary and mutually agreed settlements in over 80% of cases it mediated over the past few years. We continue to provide meaningful and effective relief for victims of discrimination while providing all parties with an impartial, lower cost alternative to resolving disputes that otherwise would require private, time-consuming and more costly civil court lawsuits.

Despite the fiscal challenge faced by our agency, we will continue to strive to find innovative ways of doing more with less. The agency will continue to offer collaborative education and outreach services free of charge to businesses and community groups that emphasize proactive preventive measures and voluntary compliance to eliminate discrimination and conflict.

## OCRC Funding for the Period of FY2000 through FY2013



● GRF Funds	10,470,05	10,406,72	9,501,123	8,369,874	7,193,608	7,043,859	7,252,949	7,470,793	7,012,394	5,758,066	4,688,215	4,687,185	4,635,023	4,635,023
■ Federal Funds	2,086,432	1,727,387	3,148,961	4,144,123	3,587,740	3,389,717	3,543,634	3,499,168	3,745,300	4,898,343	3,477,703	3,079,815	2,762,000	2,762,000

OCRC Staffing Levels for the Period of FY2000 through FY2013

