



Equal Employment
Opportunity Plan

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Original Publication Date:

Southern District of Ohio

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I. Purpose

The Southern District of Ohio provides equal employment opportunity regardless of race, sex, color, national origin, religion, age, or disability. Consistent with Judicial Conference Policy, the Southern District of Ohio adopts this Equal Employment Opportunity (EEO) Plan. This Plan supersedes all previous versions of the Southern District of Ohio's EEO Plan.

II. Scope

Judges, court unit executives, managers, and supervisors will apply and promote equal employment opportunity practices and policies throughout the District, including employment actions and conditions, which include recruitment, hiring, training, promotion, advancement, supervision, and providing an environment free of discrimination and harassment. No employing office will tolerate discrimination, harassment, or retaliation in hiring or any employment actions or conditions on the basis of race, color, religion, sex, national origin, age, or disability. All employing offices will promptly address all claims alleging discrimination, harassment, or retaliation, and pursue resolution of reports of wrongful conduct or claims under procedures described in the Southern District of Ohio Employment Dispute Resolution (EDR) Plan, Chapters X and XI.

This Plan is not intended to modify or reduce the qualification standards for employment in the federal courts as such standards have been approved by the Judicial Conference of the United States. Neither this Plan nor the procedures set forth in the Southern District of Ohio's EDR Plan constitute a contract or create any legally enforceable obligation. No actions taken or documents created or processed under this Plan are discoverable in any court proceeding, except final decisions made available to the public under the Southern District of Ohio's EDR Plan.

III. Definitions

A. Age

The term "age" means at least 40 years of age.

1. Special provision for Probation and Pretrial Services Officers.

The age-discrimination provision of this Chapter does not apply to the initial hiring or mandatory separation of Probation and Pretrial Services Officers and Officer Assistants. Additionally, Probation Officers and Officer Assistants must meet all



fitness for duty standards, and compliance with such standards does not, in itself, constitute discrimination on the basis of disability.

B. Claim

The term “claim” means the filing of a request for counseling as set forth in the Southern District of Ohio’s EDR plan, which may be further pursued by the filing of a request for mediation and a request for hearing.

C. Disability

The term “disability” refers to a physical or mental impairment that substantially limits one or more of a person’s major life activities, where there is a record of such impairment or the person is regarded as having such impairment.

D. Discrimination Claim

A “discrimination claim” is any allegation that a person has been denied employment, promotion, or advancement, or has been affected in any other aspect of employment, because of his or her race, color, religion, sex, national origin, age, or disability. A discrimination claim does not include claims relating to other dissatisfactions with a person’s conditions of employment. A discrimination claim may only be filed under the procedures of the Southern District of Ohio’s EDR Plan.

E. Discriminatory Harassment

The term “discriminatory harassment” means threats, insinuations, innuendo, slurs, or other offensive statements or conduct based on race, color, religion, sex, national origin, age, or disability directed at an individual or a specific class or group.

F. Employee

The term “employee” includes all individuals listed in this Chapter, as well as applicants for employment and former employees.

G. Employing Office



The term “employing office” includes all offices of the Southern District of Ohio including the United States District Court, the Clerk of Court, the Chief Probation Officer, the Chief Pretrial Services Officer, and any such offices that might be created in the future. The Court is the employing office of a judge’s chambers staff.

H. Employment Actions and Conditions

The terms “employment actions” and “employment conditions” include all employment and personnel decisions, actions, terms, and conditions of a person’s employment.

I. Judge

The term “Judge” means a judge appointed under Article III of the Constitution or a United States Magistrate Judge.

J. National Origin

The term “national origin” includes birthplace, ancestry, culture, or the linguistic characteristics of a specific ethnic group. However, employees of the United States Courts must be citizens of the United States or lawful permanent residents seeking U.S. Citizenship under 8 U.S.C. § 1324b(a)(3)(b).

K. Race/Color

The terms “race” and “color” refer to an immutable characteristic associated with race, such as skin color, hair texture, or certain facial features.

L. Religion

The term “religion” includes religious beliefs, observations, and practice.



M. Sex

The term “sex” includes gender, pregnancy, and sexual harassment.

N. Wrongful Conduct

The term “wrongful conduct” includes discrimination or harassment based on race, color, religion, sex, national origin, age, disability, or retaliation for engaging in any protected activity covered under the Southern District of Ohio’s EDR Plan.

This Equal Employment Opportunity Program applies to all Southern District of Ohio employees including judges, judges' staffs, court unit executives and their staffs.

IV. Organization

A. Implementation

Each employing office including chambers will implement this Plan.

B. Appointing Officers

All appointing officers, including individual judges, the Clerk of Court, the Chief Probation Officer and Chief Pretrial Services Officer, will seek a diverse applicant pool. Vacancies shall be advertised except for those vacancies for chambers law clerks and newly appointed judges’ judicial assistant vacancies. Hiring decisions will be made strictly upon an evaluation of a person’s qualifications and ability to perform the duties of the position satisfactorily. Employees will be promoted according to their experience, training, and demonstrated ability to perform duties of a higher level. Appointing officers will seek insofar as reasonably practicable to improve the skills and abilities of his or her employees through cross-training, job restructuring, assignments, details, and outside training. Subject to available funds, appointing officers will make EEO and harassment prevention training and education available to employees.



C. Appointing Officers and Supervisors

All appointing officers and supervisors must apply equal employment opportunity practices in their chambers and court units which include giving employees a fair and equal opportunity to demonstrate their skills.

D. Diversity Committee

The Southern District of Ohio shall have a Diversity Committee from the divisional offices in the District which includes representation of judges and staff from chambers and court units. Designated judges, Court Unit Executives and the Human Resources Manager will serve on the committee. The mission of the Diversity Committee is to create a harmonious work environment by promoting understanding and appreciation of the diverse talents and backgrounds that each person brings to the workplace and to facilitate our ability to effectively serve the general public with fairness and equality. The Committee will meet on a monthly basis. A Diversity Committee Web Page will be maintained on the District's external and internal web sites.

E. Annual Report

The Human Resources Manager will prepare the Fair Employment Practices Annual Report for each court unit and chambers for the Chief Judge's approval and submission to the Administrative Office. The report will provide statistical data and describe instances where significant achievements have been made, identify areas for improvement, and explain any barriers to achieving equal employment opportunity.

Each court unit will develop annually its own objectives that reflect those improvements needed in recruitment, hiring, promotions, and advancement.

F. Distribution

Copies of this Plan will be posted on the Southern District of Ohio's internal web site.



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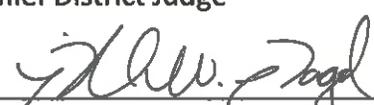
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Southern District of Ohio

V. Signatures


_____ 8-31-2015
Date

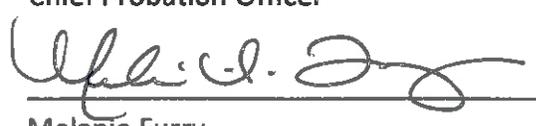
Edmund A. Sargus, Jr.
Chief District Judge


_____ 8/18/15
Date

Richard W. Nagel
Clerk of Court


_____ 8-11-15
Date

John Dierna
Chief Probation Officer


_____ 08/14/2015
Date

Melanie Furry
Chief Pretrial Services Officer