

State of Rhode Island
Department of Corrections
40 Howard Avenue, Cranston, RI 02920

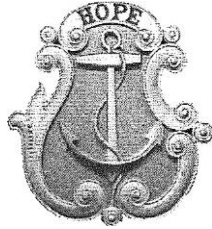


Affirmative Action Plan
July 1, 2019 – June 30, 2020

Patricia A. Coyne-Fague, Esq., Director

State of Rhode Island
Department of Corrections

40 Howard Avenue, Cranston, RI 02920



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July 1, 2019- June 30, 2020

Patricia A. Coyne-Fague, Esq., Director

Accepted By: _____


Director, Department of Corrections

Date: 5-21-2020

Approved By: _____

State Equal Opportunity Office

Date: _____

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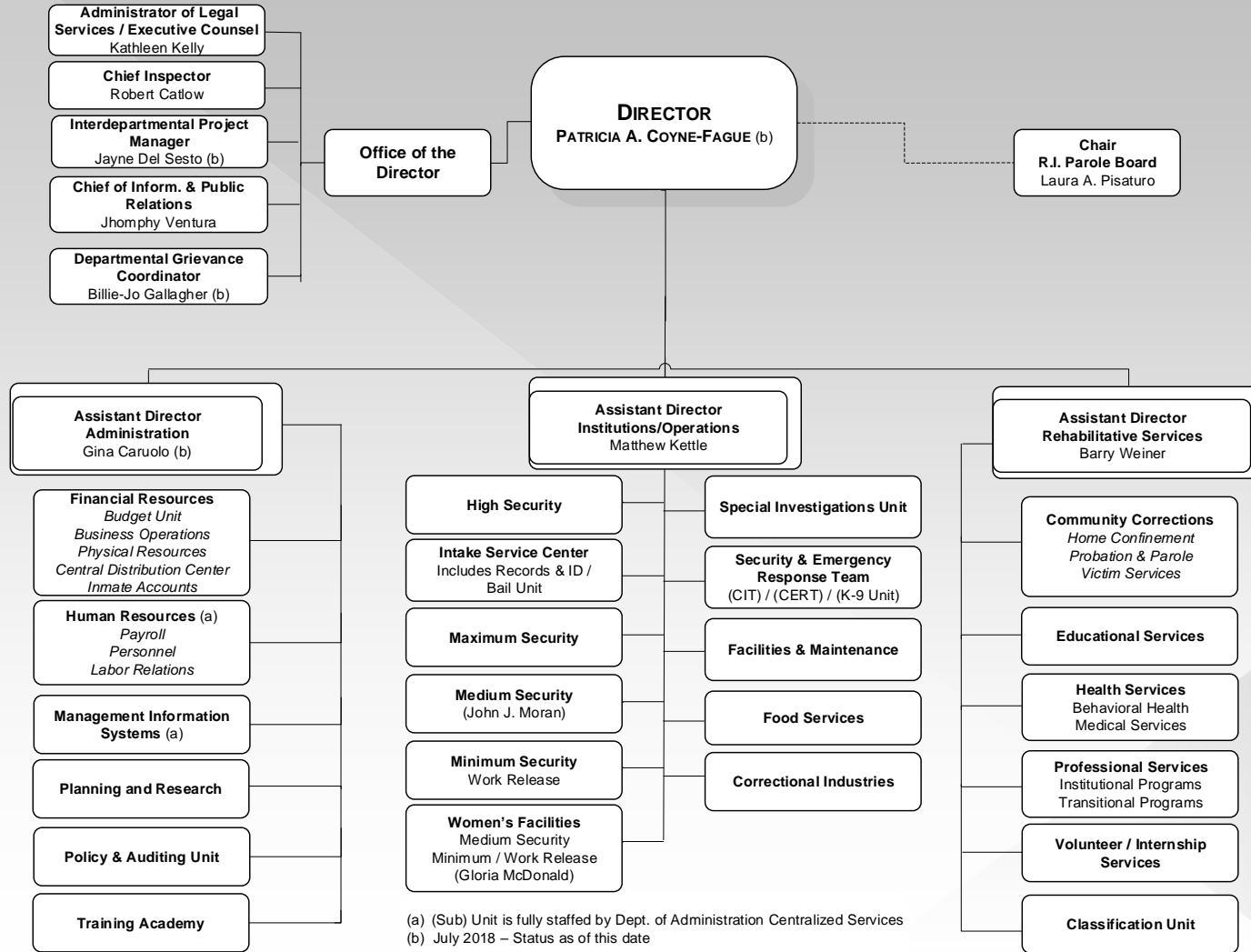
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PART I

AGENCY ORGANIZATION AND STRUCTURE

Rhode Island Department of Corrections



Department of Corrections Mission Statement

The purpose of the Rhode Island Department of Corrections is best described by the departmental Mission Statement, which states:

“The Rhode Island Department of Corrections (RIDOC) contributes to public safety by maintaining a balanced correctional system of institutional and community programs that provide a range of custodial options, supervision and rehabilitative services in order to facilitate successful offender reentry into the community upon release.”

The following are the RIDOC Guiding Operational Philosophy statements¹:

1. We shall maintain safe, secure, orderly and humane correctional environments.
2. We shall strive to provide community-based management, supervision, and intervention services for criminal offenders on probation, parole or home confinement.
3. We shall demonstrate the highest ethical and professional standards in all our operations.
4. We are accountable to the public for our operations. Public safety is enhanced through, and shall be maintained by, cooperation, open communications and partnerships with law enforcement, governmental entities, human services agencies, community leaders and members, and faith-based organizations.
5. We seek to foster a spirit of teamwork, unity, and dedication. We actively strive to maintain a diverse and culturally aware workforce. We shall provide staff with opportunities for personal and professional growth through staff development, recognition of staff achievements, and encouragement.
6. Outcomes need to be measured and the results should direct data-driven decision making, and evidence-based policy and planning.

¹ from RIDOC Policy #1.02, revised 3/13/2017

The activities of the RIDOC are organized to fulfill this mission. The Department provides a comprehensive correctional program for all adult offenders requiring incarceration or other forms of supervision. The population under departmental jurisdiction includes all pretrial detainees, sentenced inmates and offenders on probation, parole, and home confinement.

PART II

PLAN ADMINISTRATION



Department of Corrections

PATRICIA A. COYNE-FAGUE

Director

STATEMENT OF POLICY ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

It is the policy of this department to promote fair and equitable treatment of all employees and applicants, and to fully comply with federal and state legislation and executive orders. Therefore, the Department will strive to ensure that all employees adhere to the following directives.

The Department of Corrections supports affirmative action and equal opportunity. The Department of Corrections pledges that it will post all vacancies, including transfers and will recruit, hire, train, and promote persons in all job classifications without regard to race, color, sex, religion, sexual orientation, gender identity or expression, age, national origin, disability, or veteran status.

All employees and applicants have a right to equal opportunity in all terms, conditions, or privileges of employment, including but not limited to: recruitment, hiring, certification, appointments, working conditions, work assignments, promotions, benefits, compensation, training, transfers, layoffs, recall from layoffs, disciplinary actions, terminations, demotions, or requests for leave. The Department will not discriminate on the basis of race, color, religion, age, sex, national origin, disability, veteran status, sexual orientation, or gender identity or expression. The Department is committed to employ qualified members of both protected and non-protected groups.

All employees have a right to a workplace free from harassment by supervisors or co-workers based on race, color, sex, sexual orientation, gender identity or expression, religion, national origin, age, disability or any other protected status. Harassment is defined as verbal or physical conduct, interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment includes unwanted verbal or physical conduct of a sexual nature as well as sexual advances or requests for sexual favors. Any form of harassment is unlawful, lowers the morale and efficiency of the employees, and will absolutely not be tolerated.

Employees and applicants have a right to reasonable accommodations based on disability. Such accommodations include but are not limited to, making facilities accessible, job restructuring, and acquisition of special equipment.

The Americans with Disabilities Act/504 Coordinator for the Department is Karen Zambarano, Human Resources Analyst III.

The Department is committed to identifying and eliminating past and present effects of discrimination in employment. In order to achieve this, we will identify those classes of individuals which are underrepresented in our workforce, set goals and timetables for increasing

our employment of those underrepresented groups, and implement an Affirmative Action Plan of outreach, recruitment, training, and other similarly designed programs.

The Human Resources Administrator is responsible for ensuring that the program is coordinated within the Department of Corrections.

As the Director of Corrections, I assume the responsibility for ensuring that this equal opportunity policy will be carried out within the Department.

Patricia A. Coyne-Fague, Esq.
Director, Department of Corrections

Date: _____

APPOINTMENT OF EQUAL OPPORTUNITY ADVISORY COMMITTEE

Department of Corrections

EEO Committee Membership

Name	Race/Sex	Position	Location
Lynda Aul – <i>Co-Chair</i>	5F	Chief Investigator - SIU	ADB
Eliza Bajakian	2F	Office Manager	ISC
Rachel Bray	5F	Correctional Officer Lt.	ISC
Heather Butler	5F	Correctional Officer Hospital II - Nurse	ISC
Ricky Charlemagne	1M	Correctional Officer	ISC
Moses Craig - <i>Chairperson</i>	1M	Correctional Officer	ISC
Julie DaRosa	5F	Correctional Officer Training Instructor	DIX/ TA
Brian Fortes	7M	Correctional Officer	ISC
Danielle Gelinis	5F	Correctional Officer	MAX
Tiffini Isom	2F	Correctional Officer Lt.	ISC
Lisa Leveillee	5F	Correctional Officer	WOM
Raymond Morissette	5M	Correctional Officer Capt.	ISC
Colin Powell	1M	Correctional Officer	ISC
Pratt, Alyssa	5F	Correctional Officer	MAX
Maria Richards – <i>EEOC Coord.</i>	2F	Correctional Officer Training Instructor	DIX/ TA

EQUAL OPPORTUNITY ADVISORY COMMITTEE MISSION:

TO PROVIDE TWO-WAY COMMUNICATION AND SUGGESTIONS ON VARIOUS ASPECTS OF THE EQUAL OPPORTUNITY PROGRAM TO THE AGENCY HEAD AND EQUAL OPPORTUNITY COORDINATOR IN AN AGENCY IN STATE GOVERNMENT.

1. **ESTABLISHING THE COMMITTEE:**

- A. All employees should be informed of opportunities to serve on the committee.
- B. Agency head appoints the committee from a list of volunteers.
- C. Volunteers
 - 1. Each Division of Agency
 - 2. Various job levels
 - 3. Diverse, to include varying members of protected classes.

2. **STRUCTURE:**

- A. Terms of membership
- B. Elections of officers
- C. How many members
- D. Alternates
- E. Sub-committees
- F. Meetings
- G. Minutes

3. **FUNCTIONS (ROLE):**

- A. Advise – not perform
- B. Develop short-term objectives
- C. Identify areas of possible discrimination
- D. Assist the designee of the agency head with preparing the affirmative action plan
- E. Monitor the progress of the action goals and programs, if necessary, make recommendations to improve
- F. Review monthly progress reports
- G. Issue a progress report to agency head quarterly

4. **CHAIRPERSON (DUTIES)**

- A. Prepare agenda for meeting
- B. Preside over committee meetings
- C. Submit any committee recommendations to the agency head

5. **SECRETARY (DUTIES)**

- A. Preside over meeting in absence of Chairperson
- B. Record minutes of the meeting
- C. Prepare minutes for distribution

6. **EQUAL OPPORTUNITY COORDINATOR:**

Ex-Officio
Advisor

7. **EQUAL OPPORTUNITY OFFICER/LIAISON:**

Ex-Officio
Advisor

8. **AGENCY HEAD:**

Should make a commitment that all recommendations will be reviewed and acknowledged

9. **EMPLOYEES SHOULD BE INFORMED OF AGENCY POLICY:**

1. Email announcement
2. Policy Index on Department's intranet
3. Newsletter
4. Employee handbooks
5. The Affirmative Action Plan with policy statements are on the Department's web page

10. THE STATE EQUAL OPPORTUNITY OFFICE MAY ISSUE SUCH GUIDELINES, DIRECTIVES OR INSTRUCTIONS AS NECESSARY TO CARRY OUT RI GENERAL LAW 28-5-1.

DIVISION HEADS, SUPERVISORS, PERSONNEL, HUMAN RESOURCES OFFICERS

It shall be the responsibility of all RIDOC personnel to enforce the Department's commitment to Affirmative Action and Equal Employment Opportunity in the administration and application of Department policies, rules and practices.

In addition, all managers and supervisors are responsible for working with the Department's Affirmative Action Officer/Human Resources Analyst, in the development of goals and practices for affirmative action, and for demonstrating positive results in employment, appointment, and delivery of services while assisting in the Equal Opportunity and Affirmative Action Program for the Department. This includes direct responsibility such as conducting training sessions, taking positive steps in preventing the harassment of employees, communicating to employees the importance of the agency's EEO and Affirmative Action policies, and review of agency's programs to remove impediments to goal attainment.

All employees are reminded that it is their responsibility to apply all laws, rules, regulations, policies and procedures fairly and impartially to all persons, without regard to race, color, sex, age, national origin, sexual orientation or gender identity or expression, physical or mental disability, religious affiliation.

In addition, all employees are expected to exhibit an attitude of respect, courtesy and cooperation towards fellow employees and the public. Employees are expected to aid supervisors and managers in carrying out their responsibilities with regard to equal employment opportunity and affirmative action, and should be familiar with the Department's Affirmative Action Plan and, in a good faith effort, adhere to their assigned responsibilities within the plan.

DIVERSITY LIAISON

Name: Jayne DelSesto

Title: Interdepartmental Project Manager

Diversity Liaison Roles and Responsibilities (condensed version December 2015)

In accordance with recommendations approved following the issuance of former Governor Lincoln Chafee's Executive Order 13-05, issued in May 2013, "**Promotion of Diversity, Equal Opportunity and Minority Business Enterprises in Rhode Island**", (21) Executive Department agencies appointed a Diversity Liaison (DL). The DL, working in partnership with ODEO and his/her Human Resources hiring managers and purchasing staff, will assist with developing, implementing and monitoring diversity hiring goals and measuring and monitoring department Minority Business Enterprise (MBE), Women-Owned Business Enterprises (WBE) and Disability Business Enterprises (DBE) participation as related to department procurements and contracts.

Some of the specific responsibilities for DL's include but are not limited to:

- Developing relationship with his/her department director to keep the director informed and updated as related to diversity and MBE/WBE goals and progress;
- Developing key relationships with Human Resources (HR) hiring managers and other HR staff as appropriate;
- Receiving e-mail notification from HR of all Personnel Action Request (PAR) notices approved for their respective department, with a focus on positions that may show underutilization in terms of diversity in particular job categories;
- The PAR Notification email will provide the job title, agency/department number, pay grade of the position, name and email address of the PAR initiator, and union code; checking PAR information against their respective department goals, current statistics and utilization and/or underutilization information related to the position noted in the PAR.
- Being familiar with his/her Equal Employment Opportunity (EEO) reports and statistics reflecting the demographic makeup of their department's staff; When reviewing department statistics, DLs should pay attention to the overall "minority population" stats but also, pay even closer attention to the stats that reflect representation within each ethnic group.
- In speaking with and building a working relationship with the hiring manager, the DL should know about and discuss such information as application period (date job is posted and date the posting period closes); any supplemental questions/requirements

for the position (if any); specific job categories that may be underrepresented within the department;

- Based on the constituents that the department serves, the DL should also encourage the hiring manager to consider whether the hiring of bilingual personnel or personnel with other skill sets would enhance the ability of the department not only to help meet diversity goals but to also assist departments to better serve diverse clients; consider use of bilingual and minority lists from civil service exam roster
- Once the DL has identified a position(s) that may require his/her attention, that open position will show up on the weekly EEO Summary Report. The Summary Report will show the diversity breakdown of the entire applicant pool for each open position and this information can be shared with the hiring manager so that the hiring manager will be aware of the diversity breakdown of the position being discussed.
- DL's will work closely with ODEO staff and hiring managers to directly assist with targeted partnerships and expanded outreach efforts. This may include advertising through minority media outlets and/or identifying community-based organizations and other community resources that could help identify diverse candidates;
- Each DL should be part of each department's Equal Opportunity Advisory Committee and attend regularly scheduled meetings or other education/training opportunities scheduled by ODEO;
- DL's should also develop a relationship with internal purchasing staff or staff responsible for procurement and contract activities to record and monitor department contracts, MBE/WBE and Disability Business participation.

AMERICANS WITH DISABILITIES ACT/504 COORDINATOR

Name: Karen Zambarano
Title: Human Resources Analyst II

Rhode Island Department of Corrections has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by (ADA/504).

Complaints should be addressed to Karen Zambarano, Human Resources Analyst III, Department of Administration, Disability Management Unit, One Capitol Hill, Providence, RI 02908; Karen has been designated to coordinate ADA/504 Compliance efforts.

A complaint should be filed in writing or verbally. They should contain the name and address of the person filing the complaint and a brief description of the alleged violations of the regulation.

A complaint should be filed within **ten (10) days** after the complainant becomes aware of the alleged violation.

An investigation, as may be appropriate, will follow the filing of a complaint. The investigation will be conducted by Karen Zambarano. These rules contemplate informal but thorough investigations affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by Karen Zambarano and a copy forwarded to the complainant no later than **fourteen (14) days**.

The ADA/504 Coordinator will maintain the files and records relating to the complaints filed.

DISSEMINATION OF EQUAL OPPORTUNITY POLICY AND AFFIRMATIVE ACTION PLAN

The Equal Opportunity Policy and Affirmative Action Plan for the Department of Corrections will be publicized both internally and externally via the internet at www.doc.ri.gov.

Employees will be notified of their rights and the availability of equal opportunity counseling by the Affirmative Action Officer or by reviewing the current version of DOC's [Affirmative Action policy #3.03](#).

The Director has assigned the staff to ensure total agency commitment to affirmative action and equal opportunity. All agency Administrators, Wardens and personnel officers, will be kept abreast of all current equal opportunity policies. All information regarding equal opportunity will be transmitted to staff via the Policy Unit while utilizing the Policy Index (located on the department's intranet), departmental e-mail notifications, bulletin boards, roll call and inter-office memos.

Reports on appointments, promotions, transfers, and terminations will be recorded on a regular basis. There shall be a formal system for processing grievances and appeals alleging discrimination due to race, color, sex, age, religion, national origin, disability status, sexual orientation/preference or gender identity or expression.

Externally, we will disseminate, as necessary and appropriate, the Department's affirmative action plan, policies and procedures to all those providing contractual services to the Department, interested organizations, all other appropriate persons, agencies in the Federal, State or municipal service, members of the general citizenry, those who may be interested in employment within the Department and those who may assist in our recruitment efforts.



Department of Corrections

PATRICIA A. COYNE-FAGUE

Director

POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION

The Department of Corrections fully endorses and cooperates with the State’s Office of Diversity, Equity & Opportunity grievance procedure which provides for prompt and fair resolution of complaints alleging discrimination in any area of employment on the basis of race, color, sex, religion, age, national origin, sexual orientation, gender identity or expression or disability. You may contact the State’s Office of Diversity, Equity & Opportunity for further information at 222-3090.

Patricia A. Coyne-Fague, Esq.
Director, Department of Corrections

Date



Department of Corrections

PATRICIA A. COYNE-FAGUE

Director

POLICY ON SERVICE DELIVERY

The Department is committed to providing fair, courteous, and equitable service to the public. The Department will make every effort to provide interpretive services to the non-English speaking public. As per Rhode Island General Law (RIGL) § 28-5.1 of the State of Rhode Island, all Divisions of the Department of Corrections shall render services to all persons without discrimination based on race, color, religion, sex, age, national origin, sexual orientation, gender identity or expression, or disability. Each Division is further responsible for making sure that discrimination does not exist in any programs and activities it assists. This includes grants, contracts, and all areas where the State dollar is spent.

If any person feels that he/she has been discriminated against, he/she may contact the Office of Personnel Administration/ Office of Diversity, Equity & Opportunity, One Capitol Hill, Providence, Rhode Island 02908-5865. The telephone number is 222-3090.

Patricia A. Coyne-Fague, Esq.

Director, Department of Corrections

Date



Department of Corrections

PATRICIA A. COYNE-FAGUE

Director

POLICY ON CONTRACTS

In accordance with Rhode Island General Law (RIGL) § 28-5.1, the Department of Corrections shall require that all contractors and suppliers of goods and services sign contracts containing an Equal Opportunity Clause. The clause shall state that the parties agree to adhere to the provisions of all applicable laws, rules and regulations, both State and Federal, including, but not limited to RIGL § 28-5.1, Title VII of the Civil Rights Act of 1964, Rehabilitation Act 1973 and Executive Orders 11246 and 11375. Every effort will be made to solicit bids from Minority Business Enterprises and Women's Business Enterprises. This policy is and will continue to be posted in conspicuous areas.

Patricia A. Coyne-Fague, Esq.

Director, Department of Corrections

Date



Department of Corrections

PATRICIA A. COYNE-FAGUE

Director

POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES AND VETERANS

The Department of Corrections is fully committed to meet the specialized affirmative action requirements to employ and advance individuals with disabilities and veterans in accordance with the Americans with Disabilities Act of 1990, Rhode Island General Law (RIGL) § 28-5.1, Executive Order 92-2 and the Vietnam Era Veterans Readjustment Assistance Act of 1974.

It is the policy and practice of the Department of Corrections to provide equal opportunity for every employee. The Department encourages qualified individuals with disabilities, disabled veterans and qualified veterans to participate fully in all employment opportunities. This policy applies to all decisions about recruitment, hiring, compensation, benefits, transfers, promotions, layoffs and other conditions of employment.

Accordingly, all employment decisions shall be consistent with the principles of equal employment opportunity.

The Department will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities, and covered veterans, in such a way as to ensure understanding and acceptance.

The Department will contact recruiting sources such as Vocational Rehabilitation Services, the Department of Human Services and appropriate educational or training institutions to assist in recruiting qualified individuals with disabilities and covered veterans.

Karen Zambarano, Human Resources Analyst III, Disability Management Unit is the designated 504 Coordinator for the Department of Corrections. This entails coordination of all divisions in the implementation of all Federal rules and regulations affecting the Department in terms of compliance with mandates of Section 504 of Title V of the Rehabilitation Act of 1973.

Patricia A. Coyne-Fague, Esq.
Director, Department of Corrections

Date



Department of Corrections

PATRICIA A. COYNE-FAGUE, ESQ.

Director

COMPLIANCE WITH GUIDELINES ON DISCRIMINATION BECAUSE OF
RELIGION OR NATIONAL ORIGIN

The Department will fully comply with all laws and executive orders. The Department will strive to fulfill requests for religious accommodation through voluntary substitutions, flexible work schedules, changes in job assignments, or transfers. The Department offers employees four “personal days” of paid leave per year that may be used for accommodating religious holidays or obligations.

The Department does not discriminate against any qualified person in any facet of hiring or employment because of their religion or national origin.

Patricia A. Coyne-Fague, Esq.
Director, Department of Corrections

Date



Department of Corrections

PATRICIA A. COYNE-FAGUE, ESQ.

Director

COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

In our efforts to comply with federal law, state law, and executive orders on discrimination based on sex, the department will comply with the following procedures and practices:

1. Candidates from both sexes will be recruited for all jobs.
2. Advertisements will not express a preference for applicants of a particular sex when placed for recruitment of personnel.
3. Written personnel policies indicate that there will be no discrimination on the basis of sex.
4. No distinction based on sex will be made in employment opportunities, wages, and hours of work, employee benefits or any other condition of employment.
5. Mandatory or optional ages for retirement will be equal for both males and females.
6. Appropriate physical facilities will be provided for both sexes. Lack of facilities will not be used to reject applicants of either sex.
7. Pregnancy leaves of absence for female employees are granted on an individual basis, depending on an individual's physical condition, under the Department's leave of absence policy. Parental leave is afforded to all employees for the purpose of child raising in accordance with Personnel Rule 5.0661 (d) and State and Federal FMLA provisions.
8. Where seniority lists, or lines of progression are used, they shall not be based on an employee's sex.
9. Salaries and wage schedules will not be based on an employee's sex.

10. As openings occur, the department will take affirmative action to recruit and place women in those jobs in which we have determined that females are under-represented.

11. Women will have equal opportunity to participate in training programs sponsored by the department to the extent that they are under-represented. Special efforts will be made to include women in any management training programs that are offered.

12. The Department recognizes its obligation to provide a work atmosphere free of harassment and intimidation. Any forms of sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature, will not be tolerated. Violations of this policy will be handled appropriately as part of the department's disciplinary procedures and its posted policy letter in support of the federal guidelines on sexual harassment.

Patricia A. Coyne-Fague, Esq.
Director, Department of Corrections

Date

PART III

PROGRAM STATISTICS

TRAINING PARTICIPATION SUMMARY

AGENCY: Rhode Island Department of Corrections						DATE: 7/1/18-6/30/19																											
EEO Job Categories	Total Trainees	Number Disabled	Number Veterans	Number Minority	Number Female	Male														Female													
						1 Black	%	2 Hispanic or Latino	%	3 A/IAN	%	4 Asian	%	5 White	%	6 NHOPI	%	7 Two or More Races	%	1 Black	%	2 Hispanic or Latino	%	3 A/IAN	%	4 Asian	%	5 White	%	6 NHOPI	%	7 Two or More Races	%
Officials/Managers Administrators	58	0	23	8	20	2	3%	1	2%	0	0%	0	0%	35	60%	0	0%	0	0%	3	5%	2	3%	0	0%	0	0%	15	26%	0	0%	0	0%
Professionals	634	0	130	51	121	11	2%	12	2%	0	0%	11	2%	475	75%	0	0%	0	0%	11	2%	2	0%	0	0%	0	0%	108	17%	0	0%	0	0%
Faculty	0	0	0	0	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!
Technicians	2	0	0	0	1	0	0%	0	0%	0	0%	0	0%	1	50%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	50%	0	0%	0	0%
Protective Services	6670	0	1210	1423	728	679	10%	406	6%	15	0%	101	2%	4741	71%	0	0%	0	0%	82	1%	112	2%	12	0%	16	0%	506	8%	0	0%	0	0%
Para-Professionals	15	0	0	0	15	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	15	100%	0	0%	0	0%
Administrative Support	36	0	0	8	35	0	0%	0	0%	0	0%	0	0%	1	3%	0	0%	0	0%	5	14%	0	0%	0	0%	3	8%	27	75%	0	0%	0	0%
Skilled Craft	7	0	0	1	0	0	0%	1	14%	0	0%	0	0%	6	86%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Service Maintenance	8	0	1	1	0	1	13%	0	0%	0	0%	0	0%	7	88%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Totals	7430	0	1364	1492	920	693	9%	420	6%	15	0%	112	2%	5266	71%	0	0%	0	0%	101	1%	116	2%	12	0%	19	0%	672	9%	0	0%	0	0%
Total Percent:						Race/Ethnicity Description:																											
Minority: 20%						1 Black or African American (Not Hispanic or Latino)												5 White (Not Hispanic or Latino)															
Female: 12%						2 Hispanic or Latino												6 Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)															
Disabled: 0%						3 American Indian or Alaska Native (Not Hispanic or Latino)												7 Two or More Races (Not Hispanic or Latino)															
Veterans: 18%						4 Asian (Not Hispanic or Latino)																											

DISCIPLINARY ACTION

AGENCY: <u>Rhode Island Department of Corrections</u>																		DATE: <u>7/1/18-6/30/19</u>	
DISCIPLINARY ACTION																			
DISCIPLINARY ACTION TAKEN	1 Black or African American (NHL*)		2 Hispanic or Latino		3 American Indian or Alaska Native (NHL*)		4 Asian (NHL*)		5 White (NHL*)		6 Native Hawaiian or Other Pacific Islander (NHL*)		7 Two or More Races (NHL*)		Disabled		Veterans		
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	
Suspension (Indefinitely)																			
Suspension (Specified Time)	3	0	0	0	0	0	1	0	22	10	0	0	0	0	0	0	0	0	
Loss of Pay																			
Written Reprimand	1	0	0	0	0	0	0	0	16	3	0	0	0	0	0	0	0	0	
Duty On Off Days																			
Oral Reprimand	0	0	0	1	0	0	0	0	13	4	0	0	0	0	0	0	0	0	
Termination	1	1	0	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	
Counseling	4	0	1	0	1	0	0	0	30	7	0	0	0	0	0	0	0	0	
TOTAL	9	1	1	1	1	0	1	0	84	24	0	0	0	0	0	0	0	0	

*** Not Hispanic or Latino**

The disproportionate treatment of any class should be a warning to an administrator that counseling of supervisors is necessary.

Oral reprimands, including those noted in supervisors' reviews or written reprimands, should be included in the graph.

OTHER: Counseling

APPLICATION DATA

AGENCY:		Rhode Island Department of Corrections										DATE:		7/1/18-6/30/19		
Applicants																
Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	White Male	Minority	Female	Disabled	Veterans	Hire	Promotion	Transfer Within	Terminations	Pay Grade
ADMINISTRATIVE OFFICER	138013200-500	A	Yes			Yes	29	89	202	4	6	2F				24
CORRECTIONAL OFFICER HOSPITAL II	138013201-030	D	Yes			Yes	4	10	19	1	1	2F				51
INFORMATION SERVICES TECHINICAN II	139210000-0004	F		Yes		Yes	12	28	54	3	0	4F				20
PRINCIPAL	138013400-018	A		Yes		Yes	6	4	11	0	0	5F				40
CLINICAL SOCIAL WORKER	138013205-004	B	Yes			Yes	10	19	42	1	3	5F				27
MARKETING/SALES MANAGER (PRISON INDUSTRIES)	721041200-032	B	Yes			Yes	48	11	39	1	2	5F				26
SYSTEMS SUPPORT TECHNICIAN I	136013100-009	C	Yes			Yes	46	36	15	4	6	5F				18
CORRECTIONAL OFFICER HOSPITAL II	138013201-532	D	Yes			Yes	4	10	19	1	1	5F				51
CORRECTIONAL OFFICER HOSPITAL II	138013201-511	D	Yes			Yes	4	10	19	1	1	5F				51
DENTAL ASSISTANT (CORRECTIONS)	138013202-020	E	Yes			Yes	0	7	21	0	0	5F				14
INFORMATION AIDE	139014000-109	E	Yes			Yes	43	139	271	6	11	5F				15
INFORMATION AIDE	13901400-227	E	Yes			Yes	43	139	271	6	11	5F				15
INFORMATION AIDE	13901400-122	E	Yes			Yes	43	139	271	6	11	5F				15
HEALTH UNIT CLERK	138012302-019	F	Yes			Yes	23	161	379	3	5	5F				15
PROBATION AND PAROLE AIDE	139014000-134	F	Yes			Yes	101	207	381	6	27	5F				18
PROBATION AND PAROLE AIDE	13901400-099	F	Yes			Yes	76	163	303	4	18	5F				18
PROBATION AND PAROLE AIDE	13901400-119	F	Yes			Yes	76	163	303	4	18	5F				18
PHYSICIAN II (GENERAL)	138013204-504	B	Yes			Yes	1	1	0	1	1	5M				40
SUPERVISING ACCOUNTANT	136011100-012	B		Yes		Yes	10	16	23	0	2	5M				31
CORRECTIONAL OFFICER HOSPITAL II	138013201-519	D	Yes			Yes	4	10	19	1	1	5M				51
CORRECTIONAL OFFICER HOSPITAL II	138013201-522	D	Yes			Yes	4	10	19	1	1	5M				51
CORRECTIONAL OFFICER HOSPITAL II	138013201-553	D	Yes			Yes	4	10	19	1	1	5M				51
SENIOR STORES CLERK	136011500-032	F	Yes			Yes	45	35	61	1	4	5M				11
WAREHOUSE WORKER	138090101-401	H	Yes			Yes	68	44	18	2	8	5M				13
DEPUTY WARDEN CORRECTIONS	137011200-533	A		Yes		Yes	24	13	17	1	10		1M			40
ADMINISTRATOR OF CLASSIFICATION SERVICES	138012600-00001	A		Yes		Yes	13	21	41	1	5		5F			40
ADMINISTRATOR OF HEALTH SERVICES	138013200-013	A		Yes		Yes	13	27	40	3	1		5F			41
ASSISTANT DIRECTOR OF ADMINISTRATION	136010000-00001	A		Yes		Yes	18	14	36	2	6		5F			44
DEPUTY WARDEN CORRECTIONS	137011200-066	A		Yes		Yes	24	13	17	1	10		5F			40

Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Terminations	Pay Grade
							White Male	Minority	Female	Disabled	Veterans					
DEPUTY WARDEN CORRECTIONS	137011200-534	A		Yes		Yes	24	13	17	1	10		5F			40
DEPUTY WARDEN CORRECTIONS	137011200-552	A		Yes		Yes	24	13	17	1	10		5M			40
CORRECTIONAL OFFICER LIEUTENANT	137010100-1118	B	Yes		Yes		7	1	1	0	0		1M			30
ASSISTANT BUSINESS MANAGEMENT OFFICER	136011300-034	B	Yes			Yes	29	42	97	2	3		5F			19
CLINICAL SOCIAL WORKER	138013205-508	B	Yes			Yes	7	13	37	1	1		5F			27
COUNSELING SERVICES COORDINATOR	138013304-531	B	Yes			Yes	13	40	68	2	2		5F			32
DEPARTMENTAL GRIEVANCE COORDINATOR	131010000-460	B		Yes		Yes	36	39	91	3	5		5F			28
INTERDEPARTMENTAL PROJECT MANAGER	131010000-470	B		Yes		Yes	20	11	44	2	2		5F			39
INTERDEPARTMENTAL PROJECT MANAGER	138012302-044	B		Yes		Yes	17	10	20	3	2		5F			39
PAROLE COORDINATOR	138013300-503	B	Yes			Yes	42	64	144	2	11		5F			27
PROBATION AND PAROLE OFFICER	138014000-233	B	Yes		Yes		2	0	12	0	0		5F			27
PROBATION AND PAROLE OFFICER	138014000-241	B	Yes		Yes		3	1	9	0	0		5F			27
PROBATION AND PAROLE OFFICER	138014000-541	B	Yes		Yes		3	1	9	0	0		5F			27
CORRECTIONAL OFFICER (HOSPITAL SUPERVISOR)	138013201-040	B	Yes			Yes	6	4	10	0	1		5M			55
CORRECTIONAL OFFICER LIEUTENANT	137010100-3006	B	Yes		Yes		7	1	1	0	0		5M			30
CORRECTIONAL OFFICER LIEUTENANT	137010100-437	B	Yes		Yes		7	1	1	0	0		5M			30
INTERDEPARTMENTAL PROJECT MANAGER	138013200-047	B		Yes		Yes	15	15	37	1	2			5F		39
PROBATION AND PAROLE OFFICER	138014000-236	B	Yes		Yes		3	1	9	0	0			5F		27
PROBATION AND PAROLE OFFICER	138014000-240	B	Yes		Yes		3	1	9	0	0			5M		27
PROBATION AND PAROLE OFFICER	138014000-242	B	Yes		Yes		3	1	9	0	0			1F		27
PROBATION AND PAROLE OFFICER	139014000-243	B	Yes		Yes		2	0	12	0	0			5F		27
PROBATION AND PAROLE OFFICER	139014000-229	B	Yes		Yes		2	0	12	0	0			5F		27
SENIOR LEGAL COUNSEL	131010100-00008	B		Yes		Yes	8	1	6	1	15			5F		34
TEACHER (ACADEMIC)	138013400-016	B	Yes			Yes	2	1	11	0	0			5F		1
SUPERVISOR OF CORRECTIONAL OFFICER TRAINING	136012500-141	C	Yes			Yes	10	12	16	0	9		5M			27
CORRECTIONAL OFFICER TRAINING INSTRUCTOR	136012500-289	D	Yes			Yes	25	9	11	0	8		4M			24
CORRECTIONAL OFFICER STEWARD	138012100-507	D	Yes			Yes	25	37	25	0	7		5F			24
CORRECTIONAL OFFICER TRAINING INSTRUCTOR	136012500-00004	D	Yes			Yes	21	11	12	0	8		5F			24
CORRECTIONAL OFFICER STEWARD	138012100-511	D	Yes			Yes	25	33	19	0	9		5M			24
CORRECTIONAL OFFICER STEWARD	138012100-522	D	Yes			Yes	25	33	19	0	9		5M			24
CORRECTIONAL OFFICER STEWARD	138012100-500	D	Yes			Yes	25	33	19	0	9		5M			24
CORRECTIONAL OFFICER STEWARD	138012100-504	D	Yes			Yes	23	28	19	0	9		5M			24
CORRECTIONAL OFFICER TRAINING INSTRUCTOR	136012500-287	D	Yes			Yes	25	9	11	0	8		5M			24

Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Terminations	Pay Grade
							White Male	Minority	Female	Disabled	Veterans					
CORRECTIONAL OFFICER TRAINING INSTRUCTOR	136012500-288	D	Yes			Yes	25	9	11	0	8		5M			24
FIELD INVESTIGATOR (CORRECTIONS)	1398010100-01	D	Yes			Yes	131	88	175	4	25		5M			20
IMPLEMENTATION AIDE	139810000-007	E	Yes			Yes	36	74	171	3	2		5F			22
MEDICAL RECORDS TECHNICIAN	138012302-012	F	Yes			Yes	20	71	182	2	3		5F			20
MOTOR EQUIPMENT OPERATOR (ACI)	721041200-00051	G	Yes			Yes	40	9	3	1	8		5M			13
ASSISTANT BUILDING AND GROUNDS OFFICER	138012200-530	H	Yes			Yes	79	24	17	1	12		5M			24
MAINTENANCE SUPERINTENDENT(CORRECTIONS)	138012200-524	H	Yes			Yes	20	1	0	1	0		5M			27
Administrative Officer	139210000-3	A													5F	
Administrative Officer	138013200-500	A													5F	
Clinical Director Psychologist	138013205-2	A													5M	
Probation & Parole Officer I	139014000-229	B													1M	
Clinical Social Worker	138013205-4	B													2F	
Adult Counselor (Corrections)	138013304-524	B													5F	
Parole Coordinator	138013300-503	B													5F	
Probation & Parole Supervisor	139014000-127	B													5F	
Correctional Officer Lieutenant	137010100-3006	B													5M	
Correctional Officer Lieutenant	137010100-1123	B													5M	
Correctional Officer Lieutenant	137010100-1118	B													5M	
Correctional Officer Lieutenant	137010100-770	B													5M	
Correctional Officer Lieutenant	137010100-437	B													5M	
Marketing/Sales Manager (Prison Industries)	721041200-32	B													5M	
Probation & Parole Officer II	139014000-529	B													5M	
Systems Support Technician I	139810000-3	C													5F	
Correctional Officer	137010100-1151	D													1F	
Correctional Officer	137010100-1036	D													1F	
Correctional Officer	137010100-179	D													1M	
Correctional Officer	137010100-3012	D													1M	
Correctional Officer	137010100-814	D													1M	
Correctional Officer	137010100-162	D													1M	
Correctional Officer	137010100-3060	D													1M	
Correctional Officer Steward	138012100-504	D													1M	
Correctional Officer	137010100-1181	D													2F	
Correctional Officer	137010100-1232	D													2M	

Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Terminations	Pay Grade
							White Male	Minority	Female	Disabled	Veterans					
Correctional Officer	137010100-82	D													5F	
Correctional Officer	137010100-478	D													5F	
Correctional Officer	137010100-231	D													5F	
Correctional Officer	137010100-276	D													5F	
Correctional Officer	137010100-459	D													5F	
Correctional Officer Hospital II	138013201-30	D													5F	
Correctional Officer	137010100-1315	D													5M	
Correctional Officer	137010100-373	D													5M	
Correctional Officer	137010100-594	D													5M	
Correctional Officer	137010100-481	D													5M	
Correctional Officer	137010100-92	D													5M	
Correctional Officer	137010100-360	D													5M	
Correctional Officer	137010100-1111	D													5M	
Correctional Officer	137010100-116	D													5M	
Correctional Officer	137010100-240	D													5M	
Correctional Officer	137010100-1201	D													5M	
Correctional Officer	137010100-799	D													5M	
Correctional Officer	137010100-3011	D													5M	
Correctional Officer	137010100-1029	D													5M	
Correctional Officer	137010100-1053	D													5M	
Correctional Officer	137010100-99	D													5M	
Correctional Officer	137010100-61	D													5M	
Correctional Officer	137010100-575	D													5M	
Correctional Officer	137010100-131	D													5M	
Correctional Officer	137010100-1282	D													5M	
Correctional Officer Hospital II	138013201-519	D													5M	
Correctional Officer Hospital II	138013201-522	D													5M	
Correctional Officer Steward	138012100-507	D													5M	
Correctional Officer Steward	138012100-500	D													5M	
Information Aide	139014000-227	E													4F	
Probation & Parole Aide	139014000-99	F													5F	
Probation & Parole Aide	139014000-134	F													5F	
Licensed Steamfitter (Corrections)	138012200-66	G													5M	

Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Terminations	Pay Grade
							White Male	Minority	Female	Disabled	Veterans					
Plumber (Corrections)	138012200-68	G													5M	
Chief of Motor Pool & Maintenance	137010000-510	H													5M	
Warehouse Worker (Corrections)	138090101-525	H													5M	
Totals			0	0	0	0	1636	2304	4323	97	369					
<u>EEO Category</u>			<u>Race/Ethnic Code :</u>									<u>Gender Code</u>				
A - Officials/Managers/Administrators	E - Paraprofess		1 - Black or African American (Not Hispanic or Latino)									F - Female				
B - Professionals	F - Administrati		2 - Hispanic or Latino									M - Male				
C - Technicians	G - Skilled Craf		3 - American Indian or Alaska Native (Not Hispanic or Latino)													
CF - Faculty	H - Service Mai		4 - Asian (Not Hispanic or Latino)									<u>Disabled Code</u>				
D - Protective Services			5 - White (Not Hispanic or Latino)									D - Disabled				
			6 - Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)													
			7 - Two or More Races (Not Hispanic or Latino)									<u>Veteran Code</u>				
												V - Veteran				

APPLICANT FLOW DATA

AGENCY: Rhode Island Department of Corrections		APPLICANT FLOW DATA																DATE: 7/1/18-6/30/19	
	TOTAL APPLICANTS	MALE							FEMALE							**DISABLED	VETERANS		
		BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)				
APPLICANTS																			
OFFICIALS/ADMINISTRATORS	687	25	19	9	1	175	0	14	38	72	9	1	259	0	19	14	58		
PROFESSIONALS	1096	29	16	2	1	306	0	11	73	99	19	4	519	0	39	20	52		
TECHNICIANS	140	9	13	7	0	56	0	5	6	6	2	0	17	0	0	4	15		
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
PROTECTIVE SERVICES	1078	78	53	14	3	374	0	5	75	83	11	11	242	0	13	10	106		
PARA-PROFESSIONALS	1008	32	54	10	4	165	0	10	120	199	8	27	617	0	34	21	35		
ADMINISTRATIVE SUPPORT	2306	98	56	21	5	353	1	17	184	276	30	19	1027	1	126	23	75		
SKILLED CRAFT	60	3	4	0	1	40	0	0	0	1	0	0	2	0	0	1	8		
SERVICE/MAINTENANCE	283	15	26	3	3	167	0	10	4	6	0	0	23	0	2	4	20		
TOTAL	6658	289	241	66	18	1636	1	72	500	742	79	62	2706	1	233	97	369		
HIRES																			
OFFICIALS/ADMINISTRATORS	2	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0		
PROFESSIONALS	4	0	0	0	0	2	0	0	0	0	0	0	2	0	0	0	0		
TECHNICIANS	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0		
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
PROTECTIVE SERVICES	6	0	0	0	0	3	0	0	0	1	0	0	2	0	0	0	0		
PARA-PROFESSIONALS	4	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0		
ADMINISTRATIVE SUPPORT	6	0	0	0	0	1	0	0	0	0	1	0	4	0	0	0	0		
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
SERVICE/MAINTENANCE	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0		
TOTAL	24	0	0	0	0	7	0	0	0	2	1	0	14	0	0	0	0		
PROMOTIONS																			
OFFICIALS/ADMINISTRATORS	7	1	0	0	0	1	0	0	0	0	0	0	5	0	0	0	0		
PROFESSIONALS	14	1	0	0	0	3	0	0	0	0	0	0	10	0	0	0	0		
TECHNICIANS	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0		
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
PROTECTIVE SERVICES	10	0	0	1	0	7	0	0	0	0	0	0	2	0	0	0	0		
PARA-PROFESSIONALS	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0		
ADMINISTRATIVE SUPPORT	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0		
SKILLED CRAFT	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0		
SERVICE/MAINTENANCE	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0		
TOTAL	37	2	0	1	0	15	0	0	0	0	0	0	19	0	0	0	0		
TERMINATIONS																			
OFFICIALS/ADMINISTRATORS	3	0	0	0	0	1	0	0	0	0	0	0	2	0	0	0	0		
PROFESSIONALS	12	1	0	0	0	7	0	0	0	1	0	0	3	0	0	0	0		
TECHNICIANS	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0		
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
PROTECTIVE SERVICES	39	6	1	0	0	23	0	0	2	1	0	0	6	0	0	0	0		
PARA-PROFESSIONALS	1	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0		
ADMINISTRATIVE SUPPORT	2	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0		
SKILLED CRAFT	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0		
SERVICE/MAINTENANCE	2	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0		
TOTAL	62	7	1	0	0	35	0	0	2	2	1	0	14	0	0	0	0		

* Not Hispanic or Latino

** Include disabled in appropriate job categories

AFFIRMATIVE ACTION STATISTICAL SUMMARY

Annual Affirmative Action Statistical Summary

AGENCY: Department of Corrections		Date: July 1, 2018-June 30, 2019																																														
EEO-4 Job Categories	CURRENT												LAST YEAR'S WORKFORCE												DIFFERENCE +/-												HIRING GOALS				GOALS MET							
	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK OR AFRICAN AMERICAN (NA1)	HISPANIC OR LATINO	ASIAN (NA1)	AMERICAN INDIAN/ALASKAN NATIVE (NA1)	NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER (NA1)	TWO OR MORE RACES (NA1)	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK OR AFRICAN AMERICAN (NA1)	HISPANIC OR LATINO	ASIAN (NA1)	AMERICAN INDIAN/ALASKAN NATIVE (NA1)	NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER (NA1)	TWO OR MORE RACES (NA1)	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK OR AFRICAN AMERICAN (NA1)	HISPANIC OR LATINO	AMERICAN INDIAN/ALASKAN NATIVE (NA1)	ASIAN (NA1)	NATIVE HAWAIIAN/OTHER PACIFIC ISLANDER (NA1)	TWO OR MORE RACES (NA1)	MINORITY	FEMALE	DISABLED	VETERANS	MINORITY	FEMALE	DISABLED	VETERANS				
Officials/Managers Administrators	65	23	11	37	0	0	5	6	0	0	0	0	59	24	9	31	0	0	4	5	0	0	0	0	6	-1	2	6	0	0	1	1	0	0	0	0	0	1	1					A	P			
Professionals	266	106	40	148	0	0	24	14	2	0	0	0	265	105	41	147	0	0	24	15	2	2	0	0	1	1	-1	1	0	0	0	-1	-2	0	0	0	0	1									N	
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	4	3	0	1	0	0	0	0	0	0	0	0	6	2	0	4	0	0	0	0	0	0	0	0	-2	1	0	-3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Protective Services	921	646	185	127	0	0	103	67	11	4	0	0	965	674	194	135	0	0	111	68	11	4	0	0	-44	-28	-9	-8	0	0	-8	-1	0	0	0	0	0	0	15	5	1					N	N	P
Para-Professionals	18	0	4	18	0	0	1	1	1	1	0	0	18	0	5	18	0	0	1	2	2	0	0	0	0	0	0	-1	0	0	0	-1	1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	
Administrative Support	55	5	9	50	0	0	5	2	2	0	0	0	52	6	7	46	0	0	5	1	1	0	0	3	-1	2	4	0	0	0	1	0	1	0	0	0	1	1					A+	A+				
Skilled Craft	12	10	2	0	0	0	1	1	0	0	0	0	13	11	2	0	0	0	1	1	0	0	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Service Maintenance	22	21	1	0	0	0	1	0	0	0	0	0	25	24	1	0	0	0	1	0	0	0	0	-3	-3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total Employees	1363	814	252	381	0	0	140	91	16	5	0	0	1403	846	259	381	0	0	147	92	16	6	0	0	-40	-32	-7	0	0	0	0	-7	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0		

Current Workforce: As of June 30th, 2018
 Last Year's Workforce: As of June 30th, 2017
 Difference: Increases or Decreases
 Goals: Numerical projections, July 1st, 2018 to June 30th, 2019 for employment of minorities and women.

<p>Percent</p> <p>34.60% Minority Applicants 64.93% Female Applicants 12.50% Minority Hiring 70.83% Female Hiring</p>	<p>Termination Percent</p> <p>20.97% Minority 22.58% White Female 56.45% White Male</p>	<p>Total Current Workforce Percent</p> <p>59.72% White Male 18.49% Minority 27.95% Female 0.00% Disabled 0.00% Veterans 10.27% Black or African American (*Not Hispanic or Latino) 6.68% Hispanic or Latino 0.37% American Indian or Alaska Native (*Not Hispanic or Latino) -1.17% Asian (*Not Hispanic or Latino) 0.00% Native Hawaiian or Other Pacific Islander (*Not Hispanic or Latino) 0.00% Two or More Races (*Not Hispanic or Latino)</p>	<p>Goals Met</p> <p>A =Achieved A+ =Achieved Plus N =Did Not Achieve P =Partially Achieved</p>
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JOB GROUP ANALYSIS SUMMARY

Agency:				RI Department Of Corrections													DATE:				6/30/2019												
EEO Job Categories	Total Employees	Total Minorities	%	Male														Female															
				1 Black (NHL)	%	2 Hispanic or Latino	%	3 AI/AN (NHL)	%	4 Asian (NHL)	%	5 White (NHL)	%	6 NH/OPI (NHL)	%	7 Two or More Races (NHL)	%	1 Black (NHL)	%	2 Hispanic or Latino	%	3 AI/AN (NHL)	%	4 Asian (NHL)	%	5 White (NHL)	%	6 NH/OPI (NHL)	%	7 Two or More Races (NHL)	%		
Officials/Managers, Administrators	65	11	17%	2	3%	3	5%	0	0%	0	0%	23	35%	0	0%	0	0%	3	5%	3	5%	0	0%	0	0%	31	48%	0	0%	0	0%		
Professionals	266	40	15%	6	2%	4	2%	0	0%	2	1%	106	40%	0	0%	0	0%	18	7%	10	4%	0	0%	0	0%	120	45%	0	0%	0	0%		
Faculty	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!		
Technicians	4	0	0%	0	0%	0	0%	0	0%	0	0%	3	75%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	25%	0	0%	0	0%		
Protective Services	921	185	20%	83	9%	53	6%	3	0%	9	1%	646	70%	0	0%	0	0%	20	2%	14	2%	1	0%	2	0%	90	10%	0	0%	0	0%		
Para-Professionals	18	4	22%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	6%	1	6%	1	6%	1	6%	14	78%	0	0%	0	0%		
Administrative Support	55	9	16%	0	0%	0	0%	0	0%	0	0%	5	9%	0	0%	0	0%	5	9%	2	4%	0	0%	2	4%	41	75%	0	0%	0	0%		
Skilled Craft	12	2	17%	1	8%	1	8%	0	0%	0	0%	10	83%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%		
Service Maintenance	22	1	5%	1	5%	0	0%	0	0%	0	0%	21	95%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%		
GRAND TOTAL	1363	252	18%	93	7%	61	4%	3	0%	11	1%	814	60%	0	0%	0	0%	47	3%	30	2%	2	0%	5	0%	297	22%	0	0%	0	0%		

NOTE: NHL means Not Hispanic or Latino

Race/Ethnic Code :

- 1 - Black or African American (Not Hispanic or Latino)
- 2 - Hispanic or Latino
- 3 - American Indian or Alaska Native (Not Hispanic or Latino)
- 4 - Asian (Not Hispanic or Latino)
- 5 - White (Not Hispanic or Latino)
- 6 - Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)
- 7 - Two or More Races (Not Hispanic or Latino)

JOB GROUP ANALYSIS – OFFICIALS & ADMINISTRATORS

EEO JOB Category:		Officials Managers & Administrators											DATE:		11-Jul-05									
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female										
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)				
Administrative & Legal Support Services	45	1	0	0%	0								1							1				
Administrative Officer	24	8	1	13%	0								8		1					7				
Administrator Classification	40	1	0	0%	0								1							1				
Administrator Community Confinement	39	1	1	100%	0								1		1									
Administrator Financial Management	37	1	0	0%	0								1							1				
Administrator of Health Care Services	41	1	0	0%	0								1							1				
Administrator Physical Resources	35	1	0	0%	1						1		0											
Assistant Chief Distribution Officer	28	1	0	0%	1						1		0											
Assistant Director Administration	44	1	0	0%	0								1							1				
Assistant Director Financial&Contract Mgmt	41	1	0	0%	0								1							1				
Assistant Director Institutions/Operations	44	1	0	0%	1						1		0											
Assistant Director Rehabilitative Services	44	1	0	0%	1						1		0											
Assistant Probation & Parole Administrator	38	1	0	0%	0								1							1				
Associate Director Community Corrections	41	1	0	0%	0								1							1				
Associate Director Financial Management	44	1	0	0%	0								1							1				
Associate Director Food Services	34	1	0	0%	0						1		0											
Associate Director Industries (Corr.)	37	1	0	0%	1						1		0											
Associate Director Maintenance (Corr.)	39	1	0	0%	1						1		0											
Associate Director Planning & Research	36	1	0	0%	1						1		0											
Chairperson Parole Board	41	1	0	0%	0								1							1				
Chief Distribution Officer	31	1	0	0%	1						1		0											
Chief Inspector (Office of Inspections)	41	1	0	0%	1						1		0											
Chief of Information & Public Relations	29	1	1	100%	1						1		0											
Chief of Program Development	34	3	0	0%	1						1		2							2				
Deputy Asst. Director Adult Ser. Warden	15	6	0	0%	4						4		2							2				
Deputy Chief of Legal Services	37	1	0	0%	1						1		0											
Deputy Warden Corrections	40	9	3	33%	4	1					3		5	2						3				
Director Department of Corrections	51	1	0	0%	0								1							1				
Industries General Supvr. (Corr.)	28	2	0	0%	2						2		0											
Inspector, Office of Inspections	36	4	1	25%	3	1					2		1							1				
Medical Program Director (Corr.)	54	1	0	0%	0								1							1				
Member-Parole Board	10	6	4	67%	2						2		4	1	1					2				
Principal	40	1	0	0%	0								1							1				
Programming Services Officer	31	1	0	0%	0								1							1				
SUBTOTAL		65	11	17%	27	2	3	0	0	23	0	0	37	3	3	0	0	31	0	0	0	0	0	0

JOB GROUP ANALYSIS – PROFESSIONALS

EEO JOB Category:		Professionals										DATE: 2019								
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Adult Counselor	27	22	1	5%	7	1				6		15					15			
Assistant Administrator Financial Management	34	2	0	0%	0							2					2			
Assistant Business Management Officer	19	4	0	0%	0							4					4			
Business Management Officer	26	2	0	0%	0							2					2			
Classification Counselor (Corrections)	26	1	0	0%	1					1		0								
Clinical Social Worker	27	13	1	8%	2					2		11	1				10			
Community Program Counselor	27	6	1	17%	1					1		5	1				4			
Correctional Officer Captain	30	13	0	0%	13					13		0								
Correctional Officer Hospital Supervisor	55	5	0	0%	4					4		1					1			
Correctional Officer Lieutenant	26	55	3	5%	51	1	1			49		4	1				3			
Counseling Services Coordinator (Corr)	32	4	0	0%	1					1		3					3			
Deputy Compact Administrator (Adult P & P)	31	1	1	100%	0							1		1						
Economic and Policy Analyst I	30	1	0	0%	0							1					1			
Environmental Health Coordinator (Corr.)	30	1	0	0%	1					1		0								
Executive Secretary Parole Board	34	1	0	0%	1					1		0								
Fiscal Management Officer	26	4	0	0%	0							4					4			
Home Confinement Coordinator	33	1	0	0%	0							1					1			
Interdepartmental Project Manager	39	3	0	0%	1					1		2					2			
Librarian (Corrections)	20	2	0	0%	0							2					2			
Marketing/Sales Manager (Prison Industries)	26	1	0	0%	0							1					1			
Physician Extender (Corrections)	59	2	1	50%	0							2	1				1			
Physician II (General)	40	2	0	0%	2					2		0								
Planner	22	1	0	0%	0							1					1			
Principal Planner (Corrections)	31	2	0	0%	0							2					2			
Principal Public Health Promotion Specialist	33	1	1	100%	0							1	1							
Principal Research Technician	27	1	0	0%	1					1		0								
Probation & Parole Officer I	27	10	2	20%	3	1				2		7	1				6			
Probation & Parole Officer II	29	68	24	35%	14	2	3		1	8		54	11	7			36			
Probation & Parole Supervisor	33	10	4	40%	2				1	1		8	1	2			5			
Public Health Education Specialist (Corr)	31	1	0	0%	0							1					1			
Records & Identification Officer Captain	28	1	0	0%	1					1		0								
Records & Identification Officer Lieutenant	24	7	0	0%	6					6		1					1			
Senior Legal Counsel	34	2	0	0%	1					1		1					1			
Senior Public Health Promotion Specialist	31	1	0	0%	1					1		0								
Substance Abuse Coordinator	32	1	0	0%	0							1					1			
Supervising Accountant	31	1	0	0%	1					1		0								
Teacher Academic	1	9	0	0%	2					2		7					7			
Teacher Academic (Spec Ed)	1	3	0	0%	0							3					3			
Work Rehabilitation Program Supervisor	28	1	1	100%	1	1						0								
SUBTOTAL		266	40	15%	118	6	4	0	2	106	0	0	148	18	10	0	0	120	0	0

JOB GROUP ANALYSIS – TECHNICIANS

EEO JOB Category: Technicians					DATE: 11-Jul-05																
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female							
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	
Locksmith II	20	1	0	0%	1					1			0								
Senior X-Ray Technician Corrections	20	1	0	0%	0								1					1			
Correctional Officer Training Supervisor	27	1	0	0%	1					1			0								
Senior Inspector (Div of Purchase)	18	1	0	0%	1					1			0								
SUBTOTAL		4	0	0%	3	0	0	0	0	3	0	0	1	0	0	0	0	1	0	0	

JOB GROUP ANALYSIS – PROTECTIVE SERVICES

EEO JOB Category: Protective Services					DATE: 11-Jul-05															
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Correctional Officer	21	829	167	20%	740	80	52	3	8	597			89	10	11	1	2	65		
Correctional Officer Hospital II	51	33	11	33%	8	1	1			6			25	8	1			16		
Correctional Officer Hospital	24	9	2	22%	2					2			7	2				5		
Correctional Officer Training Instructor	24	9	2	22%	7				1	6			2		1			1		
Field Investigator (Corrections)	20	3	1	33%	2					2			1		1					
Correctional Officer Investigator II	28	1	0	0%	0								1					1		
Correctional Officer Steward	24	20	2	10%	18	2				16			2					2		
Correctional Officer (Canine)	24	3	0	0%	3					3			0							
Correctional Officer Security Specialist	28	5	0	0%	5					5			0							
Fire Safety Technician (Corrections)	18	1	0	0%	1					1			0							
Correctional Officer Armorer	24	1	0	0%	1					1			0							
Correctional Officer Investigator I	24	7	0	0%	7					7			0							
SUBTOTAL		921	185	20%	794	83	53	3	9	646	0	0	127	20	14	1	2	90	0	0

JOB GROUP ANALYSIS – PARA PROFESSIONALS

EEO JOB Category		Para-Professionals										DATE:		2019						
					Male								Female							
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	TOTAL FEMALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Information Aide	15	11	4	36%	0								11	1	1	1	1	7		
Dental Assistant (Corrections)	14	3	0	0%	0								3					3		
Implementation Aide	22	3	0	0%	0								3					3		
Pharmacy Aide	16	1	0	0%	0								1					1		
SUBTOTAL		18	4	22%	0	0	0	0	0	0	0	0	18	1	1	1	1	14	0	0

JOB GROUP ANALYSIS – ADMINISTRATIVE SUPPORT

Administrative Support						DATE: 2019														
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Executive Assistant	18	8	1	13%	0								8				1	7		
Data Control Clerk	15	5	1	20%	1					1			4	1				3		
Senior Word Processing Typist	12	5	1	20%	0								5	1				4		
Health Unit Clerk	15	7	1	14%	0								7	1				6		
Office Manager	23	4	1	25%	0								4	1				3		
Billing Specialist	18	1	1	100%	0								1		1					
Probation and Parole Aide	18	8	1	13%	0								8		1			7		
Administrative Asst./Confidential Secretary	24	1	0	0%	0								1					1		
Central Mail Services Supervisor (DOA)	16	1	0	0%	1					1			0							
Clerk Secretary	16	2	0	0%	0								2					2		
Fiscal Clerk	14	1	0	0%	0								1					1		
Information Services Technician I	16	1	0	0%	0								1					1		
Medical Records Technician	20	2	0	0%	0								2					2		
Reconciliation Clerk	10	1	0	0%	0								1					1		
Senior Reconciliation Clerk	14	2	0	0%	0								2					2		
Senior Teller	18	1	0	0%	1					1			0							
Senior Stores Clerk	11	2	0	0%	2					2			0							
Information Services Technician II	20	3	2	67%	0								3	1			1	1		
SUBTOTAL		55	9	16%	5	0	0	0	0	5	0	0	50	5	2	0	2	41	0	0

JOB GROUP ANALYSIS – SKILLED CRAFT

EEO JOB Category		Skilled Craft											DATE:		2019						
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female							
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	
Carpenter Supervisor (Corrections)	20	1	0	0%	1					1			0								
Electrician Supervisor (Corrections)	22	2	0	0%	2					2			0								
Plumber (Corrections)	18	1	0	0%	1					1			0								
Automobile Body Shop Supervisor (Corr)	22	1	0	0%	1					1			0								
Automobile Service Shop Supervisor (Corr)	21	1	1	100%	1	1							0								
Furniture/Upholstery Repair Shop Supervisor	22	2	0	0%	2					2			0								
Garment Shop Supervisor (Corrections)	21	1	1	100%	1		1						0								
Metal Stamp Shop Supervisor Warehouse & Maintenance	24	1	0	0%	1					1			0								
Printing Shop Supervisor (Corrections)	23	2	0	0%	2					2			0								
SUBTOTAL		12	2	17%	12	1	1	0	0	10	0	0	0	0	0	0	0	0	0	0	0

JOB GROUP ANALYSIS – SERVICE MAINTENANCE

EEO JOB Category		Service Maintenance				DATE:								2019						
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Storekeeper (Corrections)	17	3	1	33%	3	1				2			0							
Assistant Building & Grounds Officer	24	2	0	0%	2					2			0							
Building Maintenance Supervisor (Corr)	20	1	0	0%	1					1			0							
C.O. Food Services Supervisor (Corrections)	27	2	0	0%	2					2			0							
Chief of Motor Pool and Maintenance	26	1	0	0%	1					1			0							
Janitorial/Maintenance Supervisor (Corr)	21	2	0	0%	2					2			0							
Maintenance Superintendent (Corrections)	27	2	0	0%	2					2			0							
Motor Equipment Operator (Corrections)	13	1	0	0%	1					1			0							
Property Control and Supply Officer (Corr)	19	1	0	0%	1					1			0							
Senior Maintenance Technician (Corrections)	16	3	0	0%	3					3			0							
Warehouse Worker (Corrections)	13	4	0	0%	4					4			0							
SUBTOTAL		22	1	5%	22	1	0	0	0	21	0	0	0	0	0	0	0	0	0	0

DETERMINING UNDERREPRESENTATION & GOAL SETTING

DETERMINING UNDERREPRESENTATION & GOAL SETTING																																						
AGENCY: Department of Corrections												DATE: JULY 1, 2018-JUNE 30, 2019																										
EEO-4 Job Categories	WORKFORCE												UNDERREPRESENTATION										AAP HIRING GOALS															
	TOTAL EMPLOYEES	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL)	ASIAN (NHL)	WHITE (NHL)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL)	TWO OR MORE RACES (NHL)	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL)	ASIAN (NHL)	WHITE (NHL)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL)	TWO OR MORE RACES (NHL)	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL)	ASIAN (NHL)	WHITE (NHL)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL)	TWO OR MORE RACES (NHL)				
Officials/ Managers Administrators	65	11	37	0	0	5	6	0	0	54	0	0	9	-4	4	5	0	4	1	2	-7	0	2	1														
Professionals	266	40	148	0	0	24	14	0	2	226	0	0	44	-11	16	19	-2	27	3	8	-33	1	7	1														
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0															
Technicians	4	0	1	0	0	0	0	0	0	4	0	0	1	1	0	0	0	1	0	0	-1	0	0															
Protective Services	921	185	127	0	0	103	67	4	11	736	0	0	104	346	54	64	-27	76	5	23	-68	2	26	11	5	1		5				1						
Para-Professionals	18	4	18	0	0	1	1	1	1	14	0	0	2	-9	1	1	0	2	-1	0	-1	0	1															
Administrative Support	55	9	50	0	0	5	2	0	2	46	0	0	8	-22	3	4	0	7	1	0	-6	0	2	1	1													
Skilled Craft	12	2	0	0	0	1	1	0	0	10	0	0	2	6	1	1	0	1	0	0	-1	0	0			1												
Service Maintenance	22	1	0	0	0	1	0	0	0	21	0	0	6	11	1	2	1	3	0	1	-5	0	1															

PART IV

*IDENTIFICATION AND
ANALYSIS OF PROBLEM
AREAS*

SELF-EVALUATION OF AFFIRMATIVE ACTION PROGRAM PERFORMANCE

The Department of Corrections prides itself on hiring a diverse workforce and this is shown through our interview process. The initial phase of the interview process is the screening of resumes. The department will create a list of criteria of skills needed and/or degrees/certificates obtained for the position. Each resume is then reviewed and scored using this criterion. Interviews are held with a four- or five-panel team to include not less than one female and one minority employee (the minority and female cannot be the same employee). The panel uses an interview questionnaire to separately score each candidate. (The same interview questionnaire is used for each candidate being interviewed.) The hiring manager will then schedule second interviews with the highest scoring candidates.

The Department of Corrections has developed policies regarding Affirmative Action and Disabled and Covered Veterans dating back to 1983; however, the department has since revised and merged these policies into RIDOC Policy #3.03; Equal Employment Opportunity – Affirmative Action. This merged policy has been effective since 12/25/1995.

The Department has also developed a policy regarding its selection, retention and promotion processes. RIDOC Policy #3.06 DOC; Selection, Retention and Promotion, is reviewed annually by department personnel to update pertinent information provided by the Office of Diversity, Equity & Opportunity (ODEO). The department appreciates its partnership with ODEO and participates in the Diversity Liaison program.

INTER-OFFICE MEMORANDUM AFFIRMATIVE ACTION SELECTION

TO: All Interview Panel Chairpersons

FROM: Patricia A. Coyne-Fague, Esq.
Director

SUBJECT: Affirmative Action Selection & Hiring Process

I have made an unwavering commitment to Affirmative Action within the Rhode Island Department of Corrections. If you have not made yourself familiar with the Department's Affirmative Action Plan, I strongly suggest that you become familiar with said document, which is available in the Office of Human Resources, on the Department's Intranet and the Department's Web Page.

The following protocol in the selection and hiring process remains in effect:

When scheduling an Interview Panel for promotion and/or entry-level hiring of individuals within the Department of Corrections, the Interview Panel must include a minority representative and a woman (the minority representative and woman shall not be the same person). The size of the panel should be no less than four (4) individuals, inclusive of the two protected group categories that are mentioned above.

If you have any questions or comments regarding this directive, please feel free to contact the Office of Human Resources (401-462-3250).

WORKFORCE COMPOSITION

In State Fiscal Year 2018-2019 (SFY18-19), the Rhode Island Department of Corrections (RIDOC) employed 1,363 people. Minorities maintained 18% of the total workforce with 252 of the RIDOC workforce in SFY18-19. Of the 1,363 employees, 381 were female, 84 of which were minority. For both male and female RIDOC employees, the largest number of minorities was African American with 7% male and 3% female that is consistent with last fiscal year SFY 17-18 data. The Native Hawaiian or Other Pacific Islander, American Indian or Alaska Native and Two or More Races are the minority populations that are currently underrepresented at RIDOC for both males and females.

The 2019-2020 Affirmative Action Plan, indicates that for all EEO Job Categories many hiring goals within the Department are influenced by the budget. In 2019, we completed our application process for a new Correctional Officer Class 83. Class 83's will begin with 61, within that 10 are females, 4 of which are minority. Since then, RIDOC has continued rolling recruitment and have begun recruitment of our next Correctional Officer Class 84.

Officials/Managers, Administrators

RIDOC's administration and management ranks total 65 employees (28 males, 37 females), with 17% of that total being minority, 5 African American (2 males/ 3 females), 6 Latinos (3 males/ 3 females) for a total of 5 minority males and 6 minority females.

Professionals

There are 266 RIDOC employees in the professional category, 15% of which are minority with the breakdown reflecting, 24 African American (6 male/ 18 female), 14 Latino (4 male/ 10 female) and 2 Asian males no females. In total RIDOC employs 118 males and 148 females in this category.

Technicians

The RIDOC employs 4 technicians at the Department, 3 white males and 1 white female. There are no minorities employed under the Technicians category for SFY19-20.

Protective Services

RIDOC employs 921 people in its Protective Services category (794 male, 127 female) it is the largest category of employees. 20% of the Protective Services Category are minorities, 103 African American (83 male/20 females), 67 Latinos (53 male/ 14 female), 4 American Indian or Alaska Native (3 male/ 1 female) and 11 Asian (9 males/ 2 females), which is a total of 148 minority males and 37 minority females).

Para-Professionals

There are 18 Para-Professionals employed in this category, with a 22% minority rate. This category is made up of all females, including 4 minorities (1 African American, 1 Latina, 1 American Indian or Alaska Native and 1 Asian).

Administrative Support

There are 55 Administrative Support staff at RIDOC (5 males, 50 females). Of the 46 female administrative support staff, 5 are African American, 2 are Latina and 2 are Asian.

Skilled Craft

RIDOC employs 12 people in the Skilled Craft category. All 12 employees are male. There is 1 African American and 1 Latino.

Service Maintenance

The Service Maintenance category at RIDOC is comprised of 22 males. Of the 22, there is 1 African American.

The following procedures are implemented in order to select the most qualified individuals within the department, which consists of a robust recruitment and selection process for all positions within the RIDOC.

A list of criteria of skills needed and/or degrees/certificates obtained is created for every open position. Each resume is then reviewed and scored using this criterion. All interviews for open positions are conducted using interview panels. These panels must include a minority representative and a female, with the size of the panel being no less than four (4) individuals total. Interview panels are held for those applicants who have met the review criterion. The interview panel uses an interview questionnaire (the same interview questions are used for each interviewee) to separately score each candidate.

Once the interview panel process is completed, the hiring manager schedules second interviews with the highest scoring candidates. After second interviews are completed the hiring manager makes his/her recommendation to hire the best candidate based on a review of the candidate's interview panel questionnaire and second interview answers.

To achieve greater equity within the RIDOC workforce the following recommendations have been made:

- The Department should continue to advertise for vacancies in a variety of minority newspapers and professional publications, as well as applicable websites.
- Provide the Office of Diversity, Equity & Opportunity with the vacancy postings of the Department.
- Advertisements placed by the Department should continue to include the statements "an equal opportunity employer" and "females and minorities are encouraged to apply".
- Utilize NEOGOV in order to communicate with management that it is important to select a diverse interview schedule.
- The Personnel Action Request (PAR) System has been updated to include a question as to whether "a specific linguistic background or skill" is needed for all positions being filled

within the department. This requires hiring managers to determine whether the position would be better filled with minority candidates.

- An underrepresentation spreadsheet has also been added to the PAR system. This spreadsheet allows hiring managers to determine whether this EEO category is underrepresented within the Department.

EMPLOYMENT RECRUITMENT AND SELECTION PROCESS

The Department must continue to aggressively recruit minorities and females to those positions for which no civil service list or union contract exists, and to retain those individuals in order to afford these candidates promotional opportunities.

The Department should continue to reinforce the efforts currently being made by the Director and the Office of Human Resources to bring equity into the interview process by maintaining the interview panel concept for vacancies within the department.

The Office of Human Resources should provide members of the interview panel with information regarding underrepresented females and minorities in job categories as well as the Affirmative Action Plan's Hiring Goals.

The individuals who participate in the interview panel process will continue to be aware of the interviewing process and be required to sign a confidentiality acknowledgement.

The Department should continue attending job fairs and other means of recruitment for qualified minorities and women to be employed within the department in all areas.

EXIT INTERVIEWS / TERMINATIONS

The Department of Corrections, Human Resources Office will continue to provide all employees who separate from the department, the opportunity to fill out an Exit Interview form. This form is done in private by the employee and sent in a sealed envelope to the Office of Diversity, Equity & Opportunity for review.

The Department has all separating employees sign a form certifying that they have received the Exit Interview form from the Human Resources Office.

POSTING OF POSITIONS

The Equal Opportunity Advisory Committee has reviewed the practices and procedures of the Office of Employee Relations and recommends that all vacancies, including "Acting" "Temporary" & "Vacant" positions be posted by the Department.

The Warden of each facility will utilize the locked bulletin boards to post RIBCO jobs and Civil Service testing notices to ensure the continued availability of such notices.

The department has also reinstated a department-wide email blast with current RIBCO jobs posted on NEOGOV.

TRANSFER AND PROMOTION PRACTICES

The Rhode Island Department of Corrections' promotion practices are mainly governed by union contracts including RIBCO, RIPPA, AFSCME Council 94, HUT/AFT and Physician's Association. These contracts normally offer promotions by seniority based on experience and skills. Captains and Lieutenants promotions are based on test scores and interviews.

All other promotions in the Department occur when a position becomes available, posted on NeoGOV, applied for and the normal interview process is conducted.

APPLICANT FLOW DATA

The Equal Opportunity Advisory Committee has examined the composition of applicants who have applied for positions within the Department of Corrections and have identified that 35% were minority, and 65% were female applicants of which 25% were women of color.

Every individual who is interviewed by the Department is requested to complete an RIEEO-3-78 Card. The cards for applicants not selected for various positions should be submitted to the Office of Diversity, Equity and Opportunity on a monthly basis.

TECHNICAL COMPLIANCE

All policies and procedures pertaining to Equal Opportunity and Affirmative Action are posted throughout the Department of Corrections.

All materials received from the Office of Diversity, Equity and Opportunity concerning discrimination and sexual harassment are posted in all work areas within the Department of Corrections by the Equal Opportunity Advisory Committee. All position vacancy notices are posted in accessible areas in each facility within the Department.

The Department of Corrections continues to maintain all employment applications for a period of two (2) years.

TRAINING PROGRAMS

The Department of Corrections encourages staff to participate in Incentive-Credit training programs offered by the Department of Administration.

The Department of Corrections Training Academy offers Pre-Service, In-Service, CPR Certification training, New Employee Orientation and PREA training courses. The majority of these trainings however, are for uniformed staff members including Correctional Officer, Correctional Officer Training Instructors, Lieutenants and Captains.

Due to budgetary constraints the Department of Corrections is unable to offer many trainings for non-uniform staff members. However, throughout the past year we have offered PREA training, Cultural Competency, Diversity and Inclusion, Building High Performance Teams Leadership Training and Core Competency training. Non-uniformed staff greatly enjoyed the opportunity to be part of these experiences and we hope to have the funds to offer many more in the future.

PART V

**AFFIRMATIVE ACTION FOR INDIVIDUALS
WITH DISABILITIES, DISABLED VETERANS
AND COVERED VETERANS**



Department of Corrections

PATRICIA A. COYNE-FAGUE

Director

POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES AND VETERANS

The Department of Corrections is fully committed to meet the specialized affirmative action requirements to employ and advance individuals with disabilities and veterans in accordance with the Americans with Disabilities Act of 1990, RI General Law 28-5.1, Executive Order 92-2 and the Vietnam Era Veterans Readjustment Assistance Act of 1974.

It is the policy and practice of the Department of Corrections to provide equal opportunity for every employee. The Department encourages qualified individuals with disabilities, including veterans, to participate fully in all employment opportunities. This policy applies to all decisions about recruitment, hiring, compensation, benefits, transfers, promotions, layoffs and other conditions of employment.

Accordingly, all employment decisions shall be consistent with the principles of equal employment opportunity.

The Department will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities, and covered veterans, in such a way as to ensure understanding and acceptance.

The Department will contact recruiting sources such as Vocational Rehabilitation Services, the Department of Human Services and appropriate educational or training institutions to assist in recruiting qualified individuals with disabilities and covered veterans.

Karen Zambarano, Human Resources Analyst III, Disability Management Unit is the designated 504 Coordinator for the Department of Corrections. This entails coordination of all divisions in the implementation of all Federal rules and regulations affecting the Department in terms of compliance with mandates of Section 504 of Title V of the Rehabilitation Act of 1973.

Patricia A. Coyne-Fague, Esq.
Director, Department of Corrections

Date

POLICIES AND PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

OUTREACH RECRUITMENT

Vacancy notices are sent to Veteran Associations who request copies of vacancy announcements. The Department provided brochures and posters for our most recent recruitment for Correctional Officer staff to the RI National Guard, Center for Southeast Asia, NAACP Providence Branch, Rhode Island Indian Council, any many more. The Department of Corrections is committed to ensuring that veterans, individuals with disabilities and minorities are given equal opportunities for department vacancies.

PHYSICAL AND MENTAL QUALIFICATIONS

Disabled persons, disabled veterans and covered veterans with minimum physical and mental abilities to perform a job will be given equal consideration with other applicants for positions.

WORK ENVIRONMENT

The workplace will be free of discriminatory insults, intimidation, or any other forms of harassment. A copy of the Americans with Disabilities/504 Grievance procedure will be posted on the bulletin boards throughout the Department.

REASONABLE ACCOMMODATIONS

The Department of Corrections will provide a reasonable accommodation to a disabled employee with a workable job site.

The Department of Corrections will offer reasonable support services, job-site modifications and equipment needed.

The Department of Corrections, if reasonable and necessary, will restructure the job to fit the particular talents and abilities which the employee possesses.

REPORT ON LAST YEAR'S ACTIVITIES

The Department of Corrections will begin to elect for a new Equal Employment Opportunity Committee. This Committee will consist of a diverse pool of staff. The Committee will meet two times per year. During the meetings discussion will emphasize the importance of equal opportunity and affirmative action, and ways in which the department can achieve its goals. The Committee hopes to allow other agencies and community individuals to come in and share their stories.

REPORT ON THIS YEAR'S PLAN

The Department of Corrections will continue to ensure all staff are knowledgeable on its Affirmative Action Policy. Individuals with disabilities on staff will be informed that should they require any modifications, support services, special equipment, or job restructuring they should contact Ms. Karen Zambarano in the Office of Human Resources, Department of Administration.



PROCEDURE FOR AN INDIVIDUAL WITH A DISABILITY TO REQUEST A REASONABLE ACCOMMODATION FOR SERVICES



Rhode Island Department of Corrections

A qualified individual with a disability (who meets all the prerequisites for performing the essential functions of a job or eligibility requirements for services) except any that cannot be met because of a disability, is entitled to a reasonable accommodation* if there is a reasonable accommodation that will enable the individual to perform the essential functions of a job or participate in this agency's services.

The reasonable accommodation must be an effective accommodation.

The reasonable accommodation obligation applies only to accommodations to reduce barriers to employment or agency services related to a person's disability, it does not apply to accommodations that a person with a disability may request for some other reason.

A reasonable accommodation need not be the best accommodation available, as long as it is effective for the purpose; that is, it gives the person with a disability an equal opportunity to be considered for a job, to perform the essential functions of a job, or to enjoy equal benefits and privileges of the job or agency services.

This agency is not required to provide an accommodation that is primarily for personal use, imposes an undue hardship on the nature of operations or resources of the Department, or infringes on the rights of other staff members.

To request a reasonable accommodation, either related to employment at this agency or to participate in this agency's services contact either:

Personnel

Karen Zambarano
Human Resource Analyst III
Department of Administration
Division of Human Resources
Disability Management
[voice] (401) 574-8395
[fax] (401) 574-8524
[tty] RI Relay 711
[e-mail] Karen.Zambarano@hr.ri.gov

Offender Population

Pauline Marcussen, Associate Director
Administrator, Health Care Services
[voice] (401) 462-3880
[fax] (401) 462-3222
[tty] RI Relay 711
[e-mail] pauline.marcussen@doc.ri.gov

Governor's Commission on Disabilities

John O. Pastore Center, 41 Cherry Dale Court, Cranston, RI 02920-3049
[voice] (401) 462-0100
[tty] (401) 462-0101
[fax] (401) 462-0106
[e-mail] GDC.disabilities@gcd.ri.gov
[website] www.gdc.ri.gov

* Includes the modification of agency policies or the provision of auxiliary aids and services, such as an interpreter for the deaf, audiotapes of printed material, etc.

PART VI

DETERMINING UNDERREPRESENTATION & GOAL SETTING

DETERMINING UNDERREPRESENTATION & GOAL SETTING

DETERMINING UNDERREPRESENTATION & GOAL SETTING																																				
AGENCY:		Department of Corrections										DATE: JULY 1, 2018-JUNE 30, 2019																								
EEO-4 Job Categories	WORKFORCE											UNDERREPRESENTATION											AAP HIRING GOALS													
	TOTAL EMPLOYEES	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL)	ASIAN (NHL)	WHITE (NHL)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL)	TWO OR MORE RACES (NHL)	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL)	ASIAN (NHL)	WHITE (NHL)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL)	TWO OR MORE RACES (NHL)	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL)	ASIAN (NHL)	WHITE (NHL)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL)	TWO OR MORE RACES (NHL)		
Officials/ Managers Administrators	65	11	37	0	0	5	6	0	0	54	0	0	9	-4	4	5	0	4	1	2	-7	0	2	1						1						
Professionals	266	40	148	0	0	24	14	0	2	226	0	0	44	-11	16	19	-2	27	3	8	-33	1	7		1											
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Technicians	4	0	1	0	0	0	0	0	0	4	0	0	1	1	0	0	0	1	0	0	-1	0	0													
Protective Services	921	185	127	0	0	103	67	4	11	736	0	0	104	346	54	64	-27	76	5	23	-68	2	26	11	5	1		5			1					
Para-Professionals	18	4	18	0	0	1	1	1	1	14	0	0	2	-9	1	1	0	2	-1	0	-1	0	1													
Administrative Support	55	9	50	0	0	5	2	0	2	46	0	0	8	-22	3	4	0	7	1	0	-6	0	2	1	1											
Skilled Craft	12	2	0	0	0	1	1	0	0	10	0	0	2	6	1	1	0	1	0	0	-1	0	0			1										
Service Maintenance	22	1	0	0	0	1	0	0	0	21	0	0	6	11	1	2	1	3	0	1	-5	0	1													

PART VI

APPENDIX

DESCRIPTION OF JOB CATEGORIES

OFFICIALS AND ADMINISTRATORS

Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies or direct individual departments or social phases of the agency's operations or provide specialized consultation on a regional, district or area basis. Includes: Department heads, Bureau Chiefs, Division Chiefs, Directors, Deputy Directors, Controllers, Wardens, Superintendents, Sheriffs, Police and Fire Chiefs and Inspectors, Examiners (Bank, Hearing, Motor Vehicle, Warehouse), Inspectors (Construction, Building, Safety, Rent-and-Housing, Fire, A.B.C. Board, License, Dairy, Livestock, Transportation), Assessors, Tax Appraisers and Investigators, Coroners, Farm Managers and kindred workers.

PROFESSIONALS

Occupations which require specialized and theoretical knowledge which is usually acquired through college training or through work experience and other training which provides comparable knowledge. Includes: Personnel and Labor Relations workers, Social Workers, Doctors, Psychologists, Registered Nurses, Economists, Dieticians, Lawyers, Systems Analysts, Accountants, Engineers, Employment and Vocational Rehabilitation Counselors, Teachers or Instructors, Police & Fire Captains and Lieutenants, Librarians, Management Analysts, Airplane Pilots and Navigators, Surveyors & Mapping Scientists and kindred workers.

TECHNICIANS

Occupations which require a combination of basic scientific or technical knowledge and manual skill which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. Includes: Computer Programmers, Drafters, Survey and Mapping Technicians, Licensed Practical Nurses, Photographers, Radio Operators, Technical Illustrators, Highway Technicians, Technicians (Medical, Dental, Electronic, Physical Sciences), Police and Fire Sergeants, Inspectors (Production or Processing Inspectors, Testers and Weighers) and kindred workers.

PROTECTIVE SERVICE WORKERS

Occupations in which workers are entrusted with Public Safety, Security and Protection from destructive forces. Includes: Police Patrol Officers, Fire Fighters, Guards, Deputy Sheriffs, Bailiffs, Correctional officers, Detectives, Marshals, Harbor Patrol Officers, Game and Fish Wardens, Park Rangers (except Maintenance) and kindred workers.

PARAPROFESSIONALS

Occupations in which workers perform some of the duties of a professional or technician in a supportive role, which usually require less formal training and/or experience that is normally required for professional or technical status. Such positions may fall within an identified pattern of staff development and promotion under a "New Careers" concept. Includes: Research Assistants, Medical Aids, Child Support Workers, Policy Auxiliary, Welfare Service Aids, Recreation Assistants, Homemakers Aides, Home Health Aides, Library Assistants and Clerks, Ambulance Drivers and Attendants and kindred workers.

ADMINISTRATIVE SUPPORT

Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes:

Bookkeepers, Messengers, Clerk Typists, Stenographers, Court Transcribers, Hearing Reporters, Statistical Clerks, Dispatchers, License Distributors, Payroll Clerks, Office Machine and Computer Operators, Telephone Operators, Legal Assistants, Sales Workers, Cashiers, Toll Collectors and kindred workers.

SKILLED CRAFT WORKERS

Occupations in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the processes involved in the work which is acquired through on-the-job training and experience or through apprenticeship or other formal training programs. Includes: Mechanics and Repairers, Electricians, Heavy Equipment Operators Stationary Engineers, Skilled Machining Occupations, Carpenters, Compositors and Typesetters, Power Plant Operators, Water and sewage Treatment Plant Operators and kindred workers.

SERVICE/MAINTENANCE

Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene of safety of the general public or which contribute to the upkeep and care of group may operate machinery. Includes: Chauffeurs, Laundry and Dry Cleaning Operatives, Truck Drivers, Bus Drivers, Garage Laborer, Custodial Employees, Gardeners and Groundskeepers, Refuse Collectors and Construction Laborers, Park Ranger Maintenance, Farm Workers (except Managers), Craft Apprentices/Trainees/Helpers and kindred workers.

RACIAL / ETHNIC DESIGNATIONS MINORITY GROUP

An employee may be included in the group by which he or she appears to belong, identifies with or is regarded in the community as belonging. However, no person should be counted in more than one racial/ethnic group.

BLACK OR AFRICAN AMERICAN (Not Hispanic or Latino): A person having origins in any of the black racial groups of Africa.

HISPANIC OR LATINO: A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin regardless of race.

NATIVE AMERICAN OR ALASKA NATIVE (Not Hispanic or Latino): A person having origins in any of the original peoples of North and South America (including Central America), and who maintain tribal affiliation or community attachment.

ASIAN (Not Hispanic or Latino): A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian Subcontinent, including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

WHITE (Not Hispanic or Latino): A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

NATIVE HAWAIIAN OR PACIFIC ISLANDER (Not Hispanic or Latino): A person having origins in any of the peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

TWO OR MORE RACES (Not Hispanic or Latino): All persons who identify with more than one of the above five races.

Standards adopted by the United States Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Program.

PRIVATE EMPLOYMENT
STATE AND LOCAL GOVERNMENTS
EDUCATIONAL INSTITUTIONS
RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment, on the basis of race, color, religion, sex or national origin.

The law covers applicants to and employees of most private employers, state and local governments and public or private educational institutions. Employment agencies, labor unions, and apprenticeship programs are also covered.

AGE:

The Age Discrimination in Employment Act of 1967, as amended, prohibits age discrimination and protects applicants and employees 40 years of age or older from discrimination on account of age in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment. The law covers applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations.

SEX (WAGES):

In addition to sex discrimination prohibited by Title VII of the Civil Rights Act (see above), the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment. The law covers applicants to and employees of most private employers, state and local governments and educational institutions. Labor organizations cannot cause employers to violate the law. Many employers not covered by Title VII, because of size, are covered by the Equal Pay Act.

DISABILITY:

The Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability, and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants employees with disabilities with reasonable accommodations that do not impose undue hardship. The law covers applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:

Executive Order 11246, as amended, prohibits job discrimination on the basis of race, color, religion, sex, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

INDIVIDUALS WITH DISABILITIES:

On September 24, 2013, the U.S. Department of Labor's Office of Federal Contract Compliance Programs published a Final Rule in the *Federal Register* that makes changes to the regulations implementing Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) at 41 CFR Part 60-741. Section 503 prohibits federal contractors and subcontractors from discriminating in employment against individuals with disabilities (IWDs), and requires these employers to take affirmative action to recruit, hire, promote, and retain these individuals. The new rule strengthens the affirmative action provisions of the regulations to aid contractors in their efforts to recruit and hire IWDs, and improve job opportunities for individuals with disabilities. The new rule also makes changes to the nondiscrimination provisions of the regulations to bring them into compliance with the ADA Amendments Act of 2008. The new Section 503 regulations became effective on March 24, 2014. However, contractors with a written affirmative action program (AAP) already in place on the effective date have additional time to come into compliance with the AAP requirements. This compliance structure seeks to provide contractors the opportunity to maintain their current AAP cycle.

Highlights of the New Regulations

Utilization goal: The new regulations establish a nationwide 7% utilization goal for qualified IWDs. Contractors apply the goal to each of their job groups, or to their entire workforce if the contractor has 100 or fewer employees. Contractors must conduct an annual utilization analysis and assessment of problem areas, and establish specific action-oriented programs to address any identified problems.

Data collection: The new regulations require that contractors document and update annually several quantitative comparisons for the number of IWDs who apply for jobs and the number of IWDs they hire. Having this data will assist contractors in measuring the effectiveness of their outreach and recruitment efforts. The data must be maintained for three years to be used to spot trends.

Invitation to Self-Identify: The new regulations require that contractors invite applicants to self-identify as IWDs at both the pre-offer and post-offer phases of the application process, using language prescribed by OFCCP. The new regulations also require that contractors invite their employees to self-identify as IWDs every five years, using the prescribed language. This language is posted in the Self-Identification Form, below.

Incorporation of the EO Clause: The new regulations require that specific language be used when incorporating the equal opportunity clause into a subcontract by reference. The mandated language, though brief, will alert subcontractors to their responsibilities as Federal contractors.

Records Access: The new regulations clarify that contractors must allow OFCCP to review documents related to a compliance check or focused review, either on-site or off-site, at OFCCP's option. In addition, the new regulations require contractors, upon request, to inform OFCCP of all formats in which it maintains its records and provide them to OFCCP in whichever of those formats OFCCP requests.

ADAAA: The new regulations implement changes necessitated by the passage of the ADA Amendments Act (ADAAA) of 2008 by revising the definition of "disability" and certain nondiscrimination provisions.

COVERED VETERANS AND DISABLED VETERANS:

38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended, prohibits job discrimination and requires affirmative action to employ and advance in employment qualified covered veterans.

Covered veterans means any of the following:

- 1) Disabled veterans;
- 2) Veterans who served on active duty in the Armed Forces during a war or in a campaign or expedition for which a campaign badge has been authorized;
- 3) Veterans who, while serving on active duty with the Armed Forces, participated in a United States military operation for which an Armed Forces Service Medal (AFSM) was awarded pursuant to Executive Order 12985; and
- 4) Recently separated veterans.

Applicants to and employees of companies with a Federal government contract or subcontract are protected under the authorities above. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under Executive Order 11246, as amended, Section 503 of the Rehabilitation Act or 38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act should immediately contact:

The Office of Federal Contract Compliance Programs (OFCCP) Employment Standards Administration, U.S. Department of Labor,
200 Constitution Avenue, N.W., Washington, D.C. 20210, (202) 523-9368,
or an OFCCP regional or district office, listed in most directories under U.S. Government, Department of Labor.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

RACE, COLOR, NATIONAL ORIGIN, SEX:

In addition to the protection of Title VII of the Civil Rights Act of 1964, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities that receive Federal assistance.

If you believe you have been discriminated against in a program of any institution that receives Federal assistance, you should contact immediately the Federal agency providing such assistance.

INDIVIDUALS WITH DISABILITIES:

Section 504 of the Rehabilitation Act of 1973 is a national law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency, including the U.S. Department of Health and Human Services (DHHS). These organizations and employers include many hospitals, nursing homes, mental health centers and human service programs.

Section 504 forbids organizations and employers from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services. It defines the rights of individuals with disabilities to participate in, and have access to, program benefits and services.

TITLE 28

Labor and Labor Relations

CHAPTER 28-5.1

Equal Opportunity and Affirmative Action

SECTION 28-5.1-1

§ 28-5.1-1 Declaration of policy. – (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities, and in the classified, unclassified, and non-classified services of state employment. This policy applies in all areas where the state dollar is spent, in employment, public service, grants and financial assistance, and in state licensing and regulation.

(2) All policies, programs, and activities of state government shall be periodically reviewed and revised to assure their fidelity to this policy.

(3) Each department head shall make a report to the governor and the general assembly not later than September 30 of each year on the statistical results of the implementation of this chapter and to the state equal opportunity office; provided, that the mandatory provisions of this section do not apply to the legislative branch of state government.

(b) The provisions of this chapter shall in no way impair any contract or collective bargaining agreement currently in effect. Any contract or collective bargaining agreements entered into or renewed after July 6, 1994 shall be subject to the provisions of this chapter.

SECTION 28-5.1-2

§ 28-5.1-2 State equal opportunity office. – (a) There shall be a state equal opportunity office. This office, under the direct administrative supervision of the director of administration/human resources, shall report to the governor and to the general assembly on state equal opportunity programs. The state equal opportunity office shall be responsible for assuring compliance with the requirements of all federal agencies for equal opportunity and shall provide training and technical assistance as may be requested by any company doing business in Rhode Island and all state departments as is necessary to comply with the intent of this chapter.

(b) The state equal opportunity office shall issue any guidelines, directives or instructions that are necessary to effectuate its responsibilities under this chapter, and is authorized to investigate possible discrimination, hold hearings, and direct corrective action to the discrimination.

SECTION 28-5.1-3

§ 28-5.1-3 Affirmative action. – (a) The state equal opportunity office shall assign an equal opportunity officer as a liaison to agencies of state government.

(b) Each state department or agency, excluding the legislative branch of state government, shall annually prepare an affirmative action plan. These plans shall be prepared in accordance with the criteria and deadlines set forth by the state equal opportunity office. These deadlines shall provide, without limitation, that affirmative action plans for each fiscal year be submitted to the state equal opportunity office and the house fiscal advisor no later than March 31. These plans shall be submitted to and shall be subject to review and approval by the state equal opportunity office.

(c) Any affirmative action plan required under this section deemed unsatisfactory by the state equal opportunity office shall be withdrawn and amended according to equal opportunity office criteria, in order to attain positive measures for compliance. The state equal opportunity office shall make every effort by informal conference, conciliation and persuasion to achieve compliance with affirmative action requirements.

(d) The state equal opportunity office shall effect and promote the efficient transaction of its business and the timely handling of complaints and other matters before it, and shall make recommendations to appropriate state officials for affirmative action steps towards the achievement of equal opportunity.

(e) The state equal opportunity administrator shall serve as the chief executive officer of the state equal opportunity office, and shall be responsible for monitoring and enforcing all equal opportunity laws, programs, and policies within state government.

(f) No later than July 1 each state department or agency, excluding the legislative branch of state government, shall submit to the state equal opportunity office and the house fiscal advisor sufficient data to enable the state equal opportunity office and the house fiscal advisor to determine whether the agency achieved the hiring goals contained in its affirmative action plan for the previous year. If the hiring goals contained in the previous year's plan were not met, the agency shall also submit with the data a detailed explanation as to why the goals were not achieved.

(g) Standards for review of affirmative action plans shall be established by the state equal opportunity office, except where superseded by federal law.

(h) For purposes of this section, "agency" includes, without limitation, all departments, public and quasi-public agencies, authorities, boards, and commissions of the state, excluding the legislative branch of state government.

(i) The state equal opportunity office shall continually review all policies, procedures, and practices for tendencies to discriminate and for institutional or systemic barriers for equal opportunity, and it shall make recommendations with reference to any tendencies or barriers in its annual reports to the governor and the general assembly.

(j) Relevant provisions of this section also apply to expanding the pool of applicants for all positions where no list exists. The equal opportunity administrator is authorized to develop and implement recruitment plans to assure that adequate consideration is given to qualified minority applicants in those job categories where a manifest imbalance exists, excluding those job categories in the legislative branch of state government.

SECTION 28-5.1-3.1

§ 28-5.1-3.1 Appointments to state boards, commissions, public authorities, and quasi-public corporation. –

(a) The general assembly finds that, as a matter of public policy, the effectiveness of each appointed state board, commission, and the governing body of each public authority and quasi-public corporation is enhanced when it reflects the diversity, including the racial and gender composition, of Rhode Island's population. Consequently, each person responsible for appointing one or more individuals to serve on any board or commission or to the governing body of any public authority or board shall endeavor to assure that, to the fullest extent possible, the composition of the board, commission, or governing body reflects the diversity of Rhode Island's population.

(b) During the month of January in each year the boards, agencies, commissions, or authorities are requested to file with the state equal opportunity office a list of its members, designating their race, gender, and date of appointment.

(c) Of the candidates considered for appointment by the governor and the general assembly, the governor and the general assembly shall give due consideration to recommendations made by representatives of Rhode Island's minority community based organizations through the Rhode Island Affirmative Action Professionals (RIAAP). The human resources outreach and diversity office shall act as the RIAAP's liaison with state government and shall forward the recommendations to appointing authorities.

(d) The appointing authority, in consultation with the equal employment opportunity administrator and the human resources outreach and diversity administrator within the department of administration, shall annually conduct a utilization analysis of appointments to state boards, commissions, public authorities and quasi-public corporations based upon the annual review conducted pursuant to § 28-5.1-3.

(e) The equal employment opportunity administrator shall report the results of the analysis to the Rhode Island commission for human rights and to the general assembly by or on January 31 and July 31 of each year consistent with § 28-5.1-17. The report shall be a public record and shall be made available electronically on the secretary of state's website.

SECTION 28-5.1-3.2

§ 28-5.1-3.2 Enforcement. – (a) The state equal opportunity administrator is authorized to initiate complaints against any agencies, administrators, or employees of any department or division within state government, excluding the legislative branch, who or which willfully fail to comply with the requirements of any applicable affirmative action plan or of this chapter or who or which fail to meet the standards of good faith effort, reasonable basis, or reasonable action, as defined in guidelines promulgated by the federal Equal Employment Opportunity Commission as set forth in 29 CFR 1607.

(b) Whenever the equal employment opportunity administrator initiates a complaint, he or she shall cause to be issued and served in the name of the equal employment opportunity office a written notice, together with a copy of the complaint, requiring that the agency, administrator, agent, or employee respond and appear at a hearing at a time and place specified in the notice. The equal employment opportunity office shall follow its lawfully adopted rules and regulations concerning hearings of discrimination complaints.

(c) The equal employment opportunity office shall have the power, after a hearing, to issue an order requiring a respondent to a complaint to cease and desist from any unlawful discriminatory practice and/or to take any affirmative action, including, but not limited to, hiring, reinstatement, transfer, or upgrading employees, with or without back pay, or dismissal, that may be necessary to secure compliance with any applicable affirmative action plan or with state or federal law.

(d) A final order of the equal employment opportunity office constitutes an "order" within the meaning of § 42-35-1(j); is enforceable as an order; is to be rendered in accordance with § 42-35-12; and is subject to judicial review in accordance with § 42-35-15.

SECTION 28-5.1-4

§ 28-5.1-4 Employment policies for state employees. – (a) Each appointing authority shall review the recruitment, appointment, assignment, upgrading, and promotion policies and activities for state employees without regard to race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. All appointing authorities shall hire and promote employees without discrimination.

(b) Special attention shall be given to the parity of classes of employees doing similar work and the training of supervisory personnel in equal opportunity/affirmative action principles and procedures.

(c) Annually, each appointing authority shall include in its budget presentation any necessary programs, goals and objectives that shall improve the equal opportunity aspects of their department's employment policies.

(d) Each appointing authority shall make a monthly report to the state equal opportunity office on persons hired, disciplined, terminated, promoted, transferred, and vacancies occurring within their department.

SECTION 28-5.1-5

§ 28-5.1-5 Personnel administration. – (a) The office of personnel administration of the department of administration shall prepare a comprehensive plan indicating the appropriate steps necessary to maintain and secure

the equal opportunity responsibility and commitment of that division. The plan shall set forth attainable goals and target dates based upon a utilization study for achievement of the goals, together with operational assignment for each element of the plan to assure measurable progress.

(2) The office of personnel administration shall:

(i) Take positive steps to insure that the entire examination and testing process, including the development of job specifications and employment qualifications, is free from either conscious or inadvertent bias, and

(ii) Review all recruitment procedures for all state agencies covered by this chapter for compliance with federal and state law, and bring to the attention of the equal opportunity administrator matters of concern to its jurisdiction.

(3) The division of budget shall indicate in the annual personnel supplement progress made toward the achievement of equal employment goals.

(4) The division of purchases shall cooperate in administering the state contract compliance programs.

(5) The division of statewide planning shall cooperate in assuring compliance from all recipients of federal grants.

(b) The office of labor relations shall propose in negotiations the inclusion of affirmative action language suitable to the need for attaining and maintaining a diverse workforce.

(c) There is created a five (5) member committee which shall monitor negotiations with all collective bargaining units within state government specifically for equal opportunity and affirmative action interests. The members of that committee shall include the director of the Rhode Island commission for human rights, the equal opportunity administrator, the personnel administrator, one member of the house of representatives appointed by the speaker, and one member of the senate appointed by the president of the senate.

SECTION 28-5.1-6

§ 28-5.1-6 Commission for human rights. – The Rhode Island commission for human rights shall exercise its enforcement powers as defined in chapter 5 of this title and in this chapter, and shall have the full cooperation of all state agencies. Wherever necessary, the commission shall, at its own initiative or upon a complaint, bring charges of discrimination against those agencies and their personnel who fail to comply with the applicable state laws and this chapter. This commission also has the power to order discontinuance of any departmental or division employment pattern or practice deemed discriminatory in intent by the commission, after a hearing on the record, and may seek court enforcement of such an order. The commission shall utilize the state equal opportunity office as its liaison with state government. The Rhode Island commission for human rights is authorized to make any rules and regulations that it deems necessary to carry out its responsibilities under this chapter, and to establish any sanctions that may be appropriate within the rules and regulations of the state.

SECTION 28-5.1-7

§ 28-5.1-7 State services and facilities. – (a) Every state agency shall render service to the citizens of this state without discrimination based on race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. No state facility shall be used in furtherance of any discriminatory practice nor shall any state agency become a party to any agreement, arrangement, or plan which has the effect of sanctioning those patterns or practices.

(b) At the request of the state equal opportunity office, each appointing authority shall critically analyze all of its operations to ascertain possible instances of noncompliance with this policy and shall initiate sustained, comprehensive programs based on the guidelines of the state equal opportunity office to remedy any defects found to exist.

SECTION 28-5.1-8

§ 28-5.1-8 Education, training, and apprenticeship programs. – (a) All educational programs and activities of state agencies, or in which state agencies participate, shall be open to all qualified persons without regard to race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. The programs shall be conducted to encourage the fullest development of the interests, aptitudes, skills, and capacities of all participants.

(b) Those state agencies responsible for educational programs and activities shall take positive steps to insure that all programs are free from either conscious or inadvertent bias, and shall make quarterly reports to the state equal opportunity office with regard to the number of persons being served and to the extent to which the goals of the chapter are being met by the programs.

(c) Expansion of training opportunities shall also be encouraged with a view toward involving larger numbers of participants from those segments of the labor force where the need for upgrading levels of skill is greatest.

SECTION 28-5.1-9

§ 28-5.1-9 State employment services. – (a) All state agencies, including educational institutions, which provide employment referral or placement services to public or private employees, shall accept job orders, refer for employment, test, classify, counsel and train only on a nondiscriminatory basis. They shall refuse to fill any job order which has the effect of excluding any persons because of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability.

(b) The agencies shall advise the commission for human rights promptly of any employers, employment agencies, or unions suspected of practicing unlawful discrimination.

(c) The agencies shall assist employers and unions seeking to broaden their recruitment programs to include qualified applicants from minority groups.

(d) The department of labor and training, the governor's commission on disabilities, the advisory commission on women, and the Rhode Island economic development corporation shall fully utilize their knowledge of the labor market and economic conditions of the state, and their contacts with job applicants, employers, and unions, to promote equal employment opportunities, and shall require and assist all persons within their jurisdictions to initiate actions which remedy any situations or programs which have a negative impact on protected classes within the state.

SECTION 28-5.1-10

§ 28-5.1-10 State contracts. – The division of purchases shall prepare any rules, regulations, and compliance reports that shall require of state contractors the same commitment to equal opportunity as prevails under federal contracts controlled by federal executive orders 11246, 11625 and 11375. Affirmative action plans prepared pursuant to those rules and regulations shall be reviewed by the state equal opportunity office. The state equal opportunity office shall prepare a comprehensive plan to provide compliance reviews for state contracts. A contractor's failure to abide by the rules, regulations, contract terms, and compliance reporting provisions as established shall be ground for forfeitures and penalties as established by the department of administration in consultation with the state equal opportunity office.

SECTION 28-5.1-11

§ 28-5.1-11 Law enforcement. – The attorney general, the department of corrections, and the Rhode Island justice commission shall stress to state and local law enforcement officials the necessity for nondiscrimination in the control of criminal behavior. These agencies shall develop and publish formal procedures for the investigation of citizen complaints of alleged abuses of authority by individual peace officers. Employment in all state law

enforcement and correctional agencies and institutions shall be subject to the same affirmative action standards applied under this chapter to every state unit of government, in addition to applicable federal requirements.

SECTION 28-5.1-12

§ 28-5.1-12 **Health care.** – The state equal opportunity office shall review the equal opportunity activity of all private health care facilities licensed or chartered by the state, including hospitals, nursing homes, convalescent homes, rest homes, and clinics. These state licensed or chartered facilities shall be required to comply with the state policy of equal opportunity and nondiscrimination in patient admissions, employment, and health care service. The compliance shall be a condition of continued participation in any state program, or in any educational program licensed or accredited by the state, or of eligibility to receive any form of assistance.

SECTION 28-5.1-13

§ 28-5.1-13 **Private education institutions.** – The state equal opportunity office shall review all private educational institutions licensed or chartered by the state, including professional, business, and vocational training schools. These state licensed or chartered institutions shall at the request of the board of regents of elementary and secondary education be required to show compliance with the state policy of nondiscrimination and affirmative action in their student admissions, employment, and other practices as a condition of continued participation in any state program or of eligibility to receive any form of state assistance.

SECTION 28-5.1-14

§ 28-5.1-14 **State licensing and regulatory agencies.** – State agencies shall not discriminate by considering race, color, religion, sex, sexual orientation, gender, identity or expression, age, national origin, or disability in granting, denying, or revoking a license or charter, nor shall any person, corporation, or business firm which is licensed or chartered by the state unlawfully discriminate against or segregate any person on these grounds. All businesses licensed or chartered by the state shall operate on a nondiscriminatory basis, according to equal employment treatment and access to their services to all persons, except unless otherwise exempted by the laws of the state. Any licensee, charter holder, or retail sales permit holder who fails to comply with this policy is subject to any disciplinary action that is consistent with the legal authority and rules and regulations of the appropriate licensing or regulatory agency. State agencies which have the authority to grant, deny, or revoke licenses or charters will cooperate with the state equal opportunity office to prevent any person, corporation, or business firm from discriminating because of race, color, religion, sex, sexual orientation, gender, identity or expression, age, national origin, or disability or from participating in any practice which may have a disparate effect on any protected class within the population. The state equal opportunity office shall monitor the equal employment opportunity activities and affirmative action plans of all such organizations.

SECTION 28-5.1-15

§ 28-5.1-15 **State financial assistance.** – State agencies disbursing financial assistance, including, but not limited to, loans and grants, shall require recipient organizations and agencies to undertake affirmative action programs designed to eliminate patterns and practices of discrimination. At the request of the state equal opportunity office, state agencies disbursing assistance shall develop, in conjunction with the state equal opportunity office, regulations and procedures necessary to implement the goals of nondiscrimination and affirmative action and shall be reviewed for compliance according to state policy.

SECTION 28-5.1-16

§ 28-5.1-16 **Prior executive orders – Effect.** – All executive orders shall, to the extent that they are not inconsistent with this chapter, remain in full force and effect.

SECTION 28-5.1-17

§ 28-5.1-17 Utilization analysis. – (a) The personnel administrator, in consultation with the equal employment opportunity administrator, and the human resources outreach and diversity administrator within the department of administration, shall annually conduct a utilization analysis of positions within state government based upon the annual review conducted pursuant to §§ 28-5.1-3 and 28-5.1-4.

(2) To the extent the analysis determines that minorities as currently defined in federal employment law as Blacks, Hispanics, American Indians (including Alaskan natives), Asians (including Pacific Islanders), are being underrepresented and/or underutilized, the personnel administrator shall, through the director of administration, direct the head of the department where the under-representation and/or under-utilization exists to establish precise goals and timetables and assist in the correction of each deficiency, to the extent permitted by law and by collective bargaining agreements.

(3) The initial analysis shall be directed toward service oriented departments of the state, state police, labor and training, corrections, children, youth and families, courts, transportation, and human services.

(4) The equal employment opportunity administrator shall be consulted in the selection process for all positions certified as underrepresented and/or underutilized and shall report the results of progress toward goals to the governor and to the general assembly by January 31 and July 31 of each year. A copy of these results which shall be referred to the Rhode Island commission for human rights which may, in its discretion, investigate whether a violation of chapter 28-5 has occurred. The results shall be a public record and shall be made available electronically on the secretary of state's website.

(b) In the event of a reduction in force, the personnel administrator, in consultation with the equal employment opportunity administrator and director of the department(s) where the reduction is proposed, shall develop a plan to ensure that affirmation action gains are preserved to the extent permitted by law and by collective bargaining agreements. A copy of this plan shall be referred to the Rhode Island commission for human rights which may, in its discretion, investigate whether a violation of chapter 28-5 has occurred. The plan shall be a public record and shall be made available electronically on the secretary of state's website.

(2) The equal employment opportunity administrator shall report the results of the plans and their subsequent actions to the governor and to the general assembly by January 31 and July 31 of each year, to the Rhode Island commission for human rights. The report shall be a public record and shall be made available electronically on the secretary of state's website. Consistent with § 28-5.1-6, the Rhode Island commission for human rights shall have the power to order discontinuance of any department or division employment pattern or practice deemed discriminatory in intent or result by the commission.

(3) The equal opportunity administrator shall notify the commission of reports and results under this chapter

TITLE 28

Labor and Labor Relations

CHAPTER 28-5

Fair Employment Practices

SECTION 28-5-41.1

§ 28-5-41.1 Right to fair employment practices – Gender identity or expression. – Whenever in this chapter there appears the terms "race or color, religion, sex, disability, age, country of ancestral origin, or sexual orientation" there shall be inserted immediately thereafter the words "gender identity or expression."

STATE EXECUTIVE ORDERS

EXECUTIVE ORDER 13-05

Promotes Diversity, Equal Opportunity and Minority Business Enterprises in Rhode Island

EXECUTIVE ORDER 05-02

Establishes the Human Resources Outreach and Diversity Office and their responsibilities

EXECUTIVE ORDER 05-01

Promotes Equal Opportunity and the Prevention of Sexual Harassment in State Government

EXECUTIVE ORDER 94-22

Promotes Minority Business Enterprises in Rhode Island State Government.

EXECUTIVE ORDER 93-1

Equal Opportunity and Affirmative Action Policy for units in State Government.

EXECUTIVE ORDER 92-2

Compliance with Americans with Disabilities Act.

EXECUTIVE ORDER 86-10

Establishes the Refuge Policy for the State.

EXECUTIVE ORDER 85-16

Designates the State 504 coordinator to create policies, practices and programs regarding accessibility of State buildings and properties to disabled persons.



State of Rhode Island and Providence Plantations
State House, Room 224
Providence, Rhode Island 02903
401-222-2080

2013 MAY -9 PM 1:11

SECRETARY OF STATE
PROVIDENCE, RHODE ISLAND

Lincoln D. Chafee
Governor

EXECUTIVE ORDER

13-05

May 9, 2013

PROMOTION OF DIVERSITY, EQUAL OPPORTUNITY AND
MINORITY BUSINESS ENTERPRISES IN RHODE ISLAND

WHEREAS, Rhode Island was founded on the principles of tolerance and diversity;
and

WHEREAS, for generations, minority populations have enriched the fabric of our
State, strengthened our economy, and made Rhode Island a better place to live; and

WHEREAS, it is vitally important for the State to acknowledge the changing
demographics of our population and actively recruit minority talent to the workforce; and

WHEREAS, it is a priority of the Chafee Administration to reflect these changing
demographics through substantial minority employment in State government and
increased opportunities for minority business enterprises to participate in State
procurement and construction projects; and

WHEREAS, by drawing from the entire pool of human resources and talent, and by
creating a culture that values diversity and inclusion, we strengthen our collective
performance as a State workforce and thereby improve the State's ability to serve the
people of Rhode Island; and

WHEREAS, over the past 30 years, Rhode Island's population has increased from
seven percent (7%) to twenty-four percent (24%) people of color. In addition, in just the
last decade, Rhode Island's Latino population grew forty-four percent (44%), adding
almost 40,000 residents. The Asian-American and African-American populations also grew
by twenty-eight percent (28%) and twenty-three percent (23%), respectively, over the
same time period; and

Executive Order 13-05
May 9, 2013
Page 2

WHEREAS, by the year 2040 the population of the State as a whole is projected to be forty-one percent (41%) people of color; and

WHEREAS, R.I. Gen. Laws § 37-14.1-1 *et seq.*, enacted in 1986, declared a State policy by which minority business enterprises (MBEs), which include minority-owned, women-owned and disadvantaged business enterprises, shall be awarded a minimum of ten percent (10%) of all dollars in State procurement and construction projects and a preference in State contracts and subcontract awards; and

WHEREAS, R.I. Gen. Laws § 28-5.1-1 *et seq.*, the Equal Opportunity and Affirmative Action Act, enacted in 1988, declared a policy of affirmative action to achieve equal opportunity in all units of State government, and established a State Equal Opportunity Office within the Department of Administration.

NOW, THEREFORE, I, LINCOLN D. CHAFEE, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. The Director (Director) of the Department of Administration (Department), shall review all divisions and offices within the Department charged with facilitating equal opportunity employment and MBEs, including, but not limited to, the Division of Human Resources, the State Equal Opportunity Office, the Human Resources Outreach and Diversity Office, the Division of Purchases, and the MBE Program, and shall make recommendations to the Governor to improve collaboration between these offices and all executive departments to ensure these programs are more effective. These recommendations shall encourage measures of quality and accountability in equal opportunity and affirmative action hiring and MBE procurement as allowed by law. In addition, these recommendations shall include strategies for recruiting, hiring, promoting and retaining a more diverse workforce. The Director shall submit these recommendations to the Governor for approval on or before August 1, 2013. All executive departments shall comply with the Director's recommendations and shall cooperate fully with taking steps to increase minorities in the State's workforce and increase the usage of MBEs with State contracts.
2. Every State agency, in partnership with the Office of Equal Opportunity, shall track and maintain hiring data as part of the agency's performance management functions. Each agency shall provide the Office of Equal Opportunity, which shall coordinate with the Office of Management and Budget's Office of Performance Management and the Office of Outreach and Diversity, with a plan for improving minority hiring no later than October 1, 2013.

3. The Division of Purchases MBE Compliance Office shall identify State contracts and sub-contracts that could increase the number of minority-owned businesses participating in State work where strategic efforts can be undertaken. Each agency shall provide a list of contracts and sub-contracts that should be reviewed for MBE recruiting potential as part of the plan which shall coordinate with the Office of Management and Budget's Office of Performance Management and the Division of Purchases MBE Compliance Office on or before December 1, 2013.
4. The Director shall prepare an annual report to the Governor due on August 1, 2013 and every August 1 thereafter, for the prior fiscal year, demonstrating the State's progress in minority employment and MBE procurement and any recommendations for continued improvements in these programs. This report shall take into account the Affirmative Action Plans that are submitted by every State agency on an annual basis, as required under R.I. Gen. Laws Chapter 28-5.1.
5. The Department and the Human Resources Outreach and Diversity Office shall develop and conduct a diversity training program within one year of the effective date of this Order. For future hires, such training may be part of the standardized orientation provided to new employees.

This Order shall take effect immediately.

So Ordered:



Lincoln D. Chafee



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05 JAN 14 PM 3: 54

State of Rhode Island and Providence Plantations

State House
Providence, Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

EXECUTIVE ORDER

05-02

January 17, 2005

PROMOTION OF A DIVERSE STATE GOVERNMENT WORKFORCE

WHEREAS, Rhode Island State Government is committed to fostering a competitive and diverse workforce composed of highly skilled and capable employees through the recruitment, training, retention, and promotion of qualified men and women from diverse racial, ethnic, linguistic, socioeconomic, and educational backgrounds as well as individuals with disabilities; and

WHEREAS, it is in the best interests of business and government to create an open, inclusive and equitable human resources paradigm that capitalizes on workforce excellence and the strength of individual differences; and

WHEREAS, the Rhode Island General Assembly has determined there exists a compelling interest in promoting equal opportunity; and

WHEREAS, diversity requires leadership commitment and accountability, along with the assessment and development of policies and practices to assure that the State's operating system is based on principles of equity and inclusion; and

WHEREAS, the state's commitment to equal opportunity, diversity, and conduct that fosters respect in the workplace is unwavering.

NOW, THEREFORE, I, DONALD L. CARCIERI, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. There shall be established within the Department of Administration a Human Resources Outreach and Diversity Office. This Office shall report directly to the Director of the Department of Administration or designee on the state of diversity in Rhode Island State government and shall work towards developing a business case for equity with an emphasis on building a diverse workforce to guarantee fair and reasonable opportunities for public service.
2. The Human Resources Outreach and Diversity Office responsibilities shall include:
 - Developing guidelines to effectuate its mission;
 - Researching and developing best practices for the promotion of diversity throughout State government;
 - Providing guidance and technical support to state entities;
 - Developing a strategic and focused recruitment and tracking initiative for individuals interested in state employment including fostering relationships with community-based organizations to strengthen and support recruitment and outreach activities;
 - Initiating training seminars including a diversity awareness program to share the benefits of diversity and to encourage a culturally sensitive workforce environment;
 - Submitting an annual benchmark report to the Director of the Department of Administration or designee.
3. To assist the Office in carrying out its responsibilities there shall be established a Diversity Advisory Council, selected and appointed by the Governor, and comprised of fifteen (15) members, consisting of four (4) members of the public and one (1) member from each of the following governmental entities:

Office of the Governor
Human Resources Outreach and Diversity Office
Department of Labor & Training
Office of Personnel Administration Human Resources
Office of Labor Relations
Office of Equal Opportunity
Governor's Commission on Women

Executive Order 05-02
January 17, 2005
Page 3

Governor's Commission on Disabilities
Office of Higher Education
Rhode Island Commission on the Deaf and Hard of Hearing
Division of Legal Services within the Department of Administration

The Director of Administration or designee shall chair the Council. The Council shall meet quarterly.

This Executive Order supersedes and rescinds Executive Order No. 00-4, and is effective immediately upon the date hereof.

So Ordered:


Donald L. Carcieri

Dated: January 17, 2005



State of Rhode Island and Providence Plantations
State House
Providence Rhode Island 02903-1196
401-222-2080

Donald L. Carcieri
Governor

EXECUTIVE ORDER

05-01

January 17, 2005

**PROMOTION OF EQUAL OPPORTUNITY AND
THE PREVENTION OF SEXUAL HARASSMENT IN STATE GOVERNMENT**

WHEREAS, there is a compelling interest in the promotion and achievement of equal opportunity; and concerted commitment is necessary to prevent discrimination and sexual harassment in all departments and agencies of Rhode Island state government; and

WHEREAS, Rhode Island has an unwavering commitment to providing equal employment opportunity in state government to all qualified individuals without sexual harassment or discrimination on the basis of race, color, creed, religion, age, sex, ethnicity, national origin, veteran status, marital status, sexual orientation, gender identity, or the presence of a sensory, mental, or physical disability; and

WHEREAS, the prevention and elimination of discrimination and sexual harassment requires continued action to ensure that all employment opportunities existing in or through state government are available to all qualified individuals; and

WHEREAS, to provide equal opportunity for all employees and applicants in all aspects of employment including, but not limited to recruitment, hiring, retention, training, compensation, benefits, leave, assignment, transfer, promotion, discipline, demotion, terminations, and layoffs, and to ensure reasonable steps are taken to actively promote employment opportunities to all qualified individuals that historically have been underutilized in the state government workforce there is a need to reaffirm policies, practices consistent with State and Federal law.

NOW, THEREFORE, I, DONALD L. CARCIERI, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. All Directors, their senior staff and all supervisory employees of agencies, departments, state boards, commissions, public authorities and quasi-public corporations of state government (“Agencies”) are responsible for ensuring that all aspects of state programs for which they manage are available without discrimination or sexual harassment.
2. Pursuant to all applicable Federal and State law, all Agencies are to develop, promote, monitor, implement, and maintain equal employment opportunity policies and practices that:
 - a) do not discriminate against any employees or applicants for state employment in all aspects of employment including contract procurement and service delivery;
 - b) establish guidelines to prevent discrimination and sexual harassment of any employees or applicants for state employment;
 - c) identify and actively promote employment opportunities for qualified individuals that historically have been underutilized in the state government workforce;
 - d) describe the notice and filing provisions that enable any employee or applicant for state employment who believes he/she has been discriminated against or sexually harassed to immediately report such conduct to appropriate official(s).
3. All Agency Directors shall designate an individual as the Agency’s Equal Employment Opportunity Officer and American with Disabilities Act Coordinator (the Officer). Such Officers, with the assistance of the State Equal Opportunity Office (EEO) as set forth in Title 28, Chapter 5.1 et seq. of the Rhode Island General Laws, shall be responsible for the formulation, drafting and reporting of plans and policies relating to nondiscrimination as well as the prevention of sexual harassment as required by Title 28, Chapter 51-2.

All Agency Officers shall annually attend one (1) Equal Employment Opportunity training session and one (1) training session on the prevention of sexual harassment. Each Agency Officer shall work cooperatively with the Diversity Advisory Council as established by Executive Order 05-02 and the State EEO to conduct a semi-annual review and evaluation of hiring/promotion activity within their unit.

All Agency Directors shall work cooperatively with the Agency Officer to monitor and maintain compliance according to the guidelines outlined in the Agency’s EEO plan.

4. All Agencies shall comply with Federal laws pertaining to the promotion of equal opportunity for all qualified individuals and the prevention of sexual harassment including but not limited to the following provisions:
 - f* Title VII of the Civil Rights Act of 1964, as amended, that prohibits employment discrimination on the basis of race, color, religion, sex or national origin;
 - f* The Age Discrimination in Employment Act of 1967, as amended, that prohibits employment discrimination against individuals 40 years of age or older;
 - f* The Equal Pay Act of 1963 that prohibits discrimination on the basis of gender in compensation for substantially similar work under similar conditions;

- f* Title I of the Americans with Disabilities Act of 1990, as amended, that prohibits employment discrimination on the basis of disability in both the public and private sector, excluding the federal government;
- f* The Civil Rights Act of 1991, as amended, that provides for monetary damages in case of intentional discrimination;
- f* Section 501 of the Rehabilitation Act of 1973, as amended, that prohibits employment discrimination against federal employees with disabilities;
- f* Title IX of the Education Act of 1972, as amended, that forbids gender discrimination in education programs, including athletics that receive federal dollars;
- f* The Pregnancy Discrimination Act of 1978, as amended, that makes it illegal for employers to exclude pregnancy and childbirth from their sick leave and health benefits plans; and
- f* 38 U.S.C. 4212 Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended that prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans and qualified special disabled veterans.

5. All Agencies of Rhode Island State Government shall also comply with State laws pertaining to the promotion of equal opportunity for all qualified individuals and the prevention of sexual harassment including but not limited to Article 1, Section 2 of the Rhode Island Constitution; all applicable provisions of Rhode Island General Laws Chapter 5 through 6, and Chapter 51 of Title 28. These statutes require Fair Employment Practices regardless of race, color, religion, sex, sexual orientation, gender identity, expression, disability, age, or country of origin; positive action be taken to affirm the civil rights of protected classes of individuals; promote nondiscrimination, and prohibit sexual harassment.

6. Pursuant to Rhode Island General Laws Title 28, Chapter 5.1, the State EOO shall be responsible for assuring compliance with State and Federal laws prohibiting discrimination and all applicable provisions of this Executive Order.

7. Pursuant to Rhode Island General Laws Title 28 Chapter 51, the Office of Labor Relations within the Department of Administration shall be responsible for assuring compliance with State and Federal laws prohibiting sexual harassment and all applicable provisions of this Executive Order.

8. Pursuant to Rhode Island General Laws Title 28, Chapter 5 Sections 8 through 40, the Rhode Island Commission for Human Rights shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.

9. Pursuant to Rhode Island General Laws Title 42, Chapter 51, the Governor's Commission on Disabilities shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.

10. Pursuant to Rhode Island General Laws Title 23 Chapter 23-1.8, the Commission on Deaf and Hard-of-Hearing shall be responsible for assuring compliance with all applicable provisions of this Executive Order.

11. Pursuant to Rhode Island General Laws Title 28-5.1-5 and Title 36 Chapter 4-26.1, the Office of Personnel Administration within the Department of Administration and the State EOO

shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.

12. Pursuant to Rhode Island General Laws Title 28-5.1-3.1 each Agency of State Government is responsible for assuring compliance with all applicable provisions of this Executive Order.

Individuals believing that they have been discriminated against or sexually harassed in employment by or through state government should immediately contact:

Rhode Island State Equal Opportunity Office
Department of Administration, Personnel Office
One Capitol Hill
Providence, RI 02908
Tel (401) 222-3090; Fax (401) 222-6391; TTD (401) 222-6144

Rhode Island Commission for Human Rights

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180 Westminster Street, 3rd Floor Providence, RI 02903 Tel (401) 222-2661; Fax (401) 222-2616; TTY (401) 222-2664

Governor's Commission on Disabilities
41 Cherry Dale Court
Cranston, RI 02920
Tel (401) 462-0100; Fax (401) 462-0106; TTY (401) 462-0101

This Executive Order supersedes and rescinds Executive Order No. 96-14 and No. 95-11, and is effective immediately upon the date hereof.
So Ordered:



Donald L. Carcieri
Dated: January 17, 2005

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor



State House,
Providence

EXECUTIVE ORDER

No. 94-22

December 23, 1994

MINORITY BUSINESS ENTERPRISE

WHEREAS, it is the policy of the State of Rhode Island and of this administration that Minority Business Enterprises and Women Business Enterprises, (herein defined as "MBEs") shall have the fullest possible opportunity to participate in State funded and State directed public construction programs and projects and in State purchases of goods and services; and

WHEREAS, the General Assembly in 1986 enacted Title 37, Chapter 14.1, (herein defined as the MBE statute) and therein authorized the Director of the Department of Administration to establish rules and regulations for giving MBEs a preference in contract and subcontract awards; and

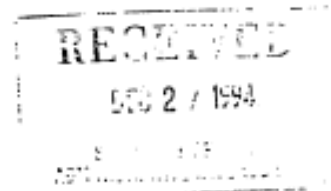
WHEREAS, on June 23, 1994, I signed Executive Order 94-9, reorganizing and enhancing the powers and duties of the MBE Program, and there is now a need to restructure and clarify the responsibilities of the MBE program; and

WHEREAS, as Governor, I intend to affirm and carry out the State's policy of encouraging full compliance with the MBE statute throughout State government;

NOW, THEREFORE, I, BRUCE SUNDLUN, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

Article I - Applicability

This Executive Order shall apply to any and all State purchasing, including but not limited to construction projects or contracts, professional services, and purchase of goods and services funded in whole or in part by State funds, or funds which the State expends or administers as the recipient of a federal grant, or in which the State is a signatory to the contract.



Article II - Minority Business Enterprise Program

(A) The Director of the Department of Administration shall assume overall responsibility for the MBE Compliance Program. The Director of Administration shall create the position of Administrator - MBE Compliance and shall delegate day to day operational responsibility to that official. The Administrator - MBE Compliance shall serve as the primary operational officer of the MBE Program and shall be supported by staff as determined by the Director, Department of Administration. The Administrator - MBE Compliance shall assume responsibility as the Executive Director of the MBE Commission and provide staff support for the Commission. The Administrator - MBE Compliance shall, with the support of the MBE Program staff, advise and assist the Governor, the Director of Administration, the Purchasing Agent, and other entities and individuals directly affected by the contract and procurement practices of State government. The Administrator - MBE Compliance shall assist in the development of effective and innovative strategies for promoting MBE participation in the State's procurement, construction, professional, consulting, and legal service contracts in order to comply with R.I. General Laws Section 37-14.1-7.

(B) The MBE Program shall:

1. Assist the Director of Administration to issue rules, regulations and reporting requirements necessary to implement the objective of this Executive Order.
2. Monitor the progress of each department, agency, and quasi-state authority or corporation in the attainment of MBE policy objectives, participation goals, and requirements.
3. Conduct such activities as visits to job sites, public hearings and examination of records and practices of various departments as may be necessary to ensure compliance with the requirements of this Executive Order.
4. Arrange for technical assistance, support and resource identification to assist the various department, agency and quasi-state authority or corporation purchasing entities in attaining the objectives of this Executive Order.
5. Identify and seek assistance from various community based organizations, local, state and federal agencies active in the field of MBE development as well as offices in other state and federal jurisdictions.

RECEIVED

DEC 23 1994

6. Act as a coordinating body to bring MBEs into active participation in the purchasing procedures of the various departments of the State.

7. Develop a statewide reporting system for all MBE activities under R.I. General Laws Section 37-14.1.

8. Conduct research and analysis to strengthen the State's MBE Program.

9. Develop for the Director of the Department of Administration recommended rules and regulations to insure compliance and sanctions for non-compliance by departments, agencies and quasi-state authorities or corporations.

10. Submit an Annual Report to the Governor, by November 30th of each year (for the prior fiscal year) recommending procedures, activities, etc. to improve the program.

(C) The MBE Program shall certify MBEs:

The responsibility for MBE certification has been assumed by the Department of Administration:

1. Pursuant to R.I. General Laws Section 37-14.1 (relating to MBE) and Section 42-35-1 (relating to Administrative Procedures), the Department of Administration shall adopt, transfer and/or modify rules and regulations for the certification of MBEs.

2. Develop a database of certified MBEs to be maintained as a public record.

3. Notify the purchasing agent of the State and quasi-state authorities or corporations of any determination of non-compliance with the requirements of this Executive Order or a removal of the certification of an MBE.

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Article III - MBE Commission

(A) There is hereby established a Minority Business Enterprise Commission (herein defined as the "MBE Commission") to advise and assist the MBE Program, the Director, Department of Administration and the Administrator - MBE Compliance in meeting and carrying out the MBE compliance rules and regulations promulgated by the Department of Administration.

(B) The following officials and individual persons are hereby appointed as members of the MBE Commission, to serve at the pleasure of the Governor:

A cabinet level official to be appointed by the Governor

Director of the Department of Administration (or designee), Chair

Representative Joseph Newsome

Executive Director, Commission for Human Rights

Casby Harrison, III
Licht & Semenov

President (or designee)
Black Contractors Association of Rhode Island

Executive Director (or designee)
Rhode Island Commission on Women

President (or designee)
Hispanic Contractors Association

(C) The following officials shall serve as non voting advisors to the MBE Commission:

Director of Policy
Governor's Office

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December 23, 1994
Page 5

Associate Director and Purchasing Agent
Department of Administration - Division of Purchasing

Associate Director - Department of Administration
Division of Human Resources

State Controller
Department of Administration - Office of Accounts and Control

Chief Civil Rights Officer
Department of Transportation

(D) The following official shall serve as the Executive Director of the MBE Commission:

Administrator - MBE Compliance
Department of Administration - Division of Human Resources

The MBE Commission shall meet no less than six times per year and upon the call of the Chairperson or four (4) Commission members to consider whatever business the Chairperson or Commission members may deem appropriate. Four (4) members shall constitute a quorum of the Commission.

Article IV - Responsibility of Departments, Agencies, and Quasi-State
Authorities or Corporations Empowered to Expend State Funds

(A) Each governmental department, agency and quasi-state authority or corporation empowered to expend or administer State funds shall develop and submit as part of its annual budget, an MBE plan to meet the goal of awarding 10% of the dollar value of all procurements and construction projects to certified MBEs.

(B) The Director of each department, agency or quasi-state authority or corporation empowered to expend State funds, shall designate a highly placed official ("MBE Coordinator") to have overall responsibility for promoting greater participation of MBE in his or her department or agency or quasi-state authority or corporation.

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Page 5

Associate Director and Purchasing Agent
Department of Administration - Division of Purchasing

Associate Director - Department of Administration
Division of Human Resources

State Controller
Department of Administration - Office of Accounts and Control

Chief Civil Rights Officer
Department of Transportation

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Administrator - MBE Compliance
Department of Administration - Division of Human Resources

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(B) The Director of each department, agency or quasi-state authority or corporation empowered to expend State funds, shall designate a highly placed official ("MBE Coordinator") to have overall responsibility for promoting greater participation of MBE in his or her department or agency or quasi-state authority or corporation.

3. Providing information to minority suppliers and conducting outreach and information sessions for existing and potential MBEs.
4. Monitoring the utilization of MBEs in the area of Utility Order Purchases.
5. Provide such information as may be requested by the MBE Commission.
6. Performing any such other activities that generally support objectives of this Executive Order and R.I. General Laws Section 37-14.1 et seq.

This Executive Order effectively rescinds, supersedes and replaces Executive Order No. 94-9.

This Executive Order shall take effect immediately upon the date hereof.

DATE

12/27/94


GOVERNOR

RECEIVED

DEC 27 1994

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 93-1

JANUARY 18, 1993

RECEIVED

JAN 19 1993

SECRETARY OF STATE
ADMINISTRATIVE RECORDS DIV.



AFFIRMATIVE ACTION POLICY STATEMENT

State House. I, BRUCE SUNDLUN, by the authority vested in me as Governor of Providence the State of Rhode Island and Providence Plantations, do hereby order as follows:

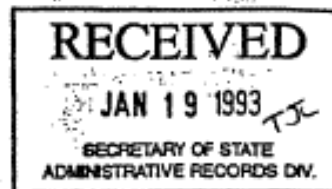
1. Equal Opportunity and Affirmative Action towards its achievement is the firm and unwavering policy of all units of Rhode Island State Government.

2. Rhode Island State Government is committed to providing equal opportunity in every aspect of its programs and will not discriminate because of race, sex, national origin, age, religion, sexual orientation, or disability. Because my administration recognizes the need to eliminate the vestiges of past societal discrimination, it will take affirmative action to ensure that its employment opportunities are available to every qualified Rhode Islander.

3. Within agencies, departments of state government, and those agencies created by legislative statute, the following areas will be administered without regard to race, color, sex, age, religion, sexual orientation, or disability:

Hirings	Work Assignments
Salary/Wage	Leave
Lay-offs	Training
Transfers	Recall From Lay-offs
Promotions	Appointments
Demotions	Discipline

4. In addition, my administration will not tolerate discrimination by any recipient of state government funds. This includes lending institutions, developers, contractors, sub-contractors and entities doing business with the State. Deliberate or persistent violation of the affirmative action policies set forth herein may result in the withdrawal of State support or involvement in a project and/or debarment from further State involvement. Any person or corporation doing business with the State shall cooperate with the monitoring of this policy. The Director of Administration shall promulgate such rules and regulations as are necessary to effectuate compliance with this paragraph.



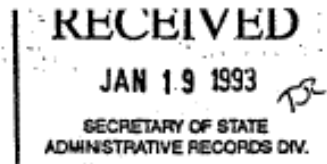
5. In addition to Rhode Island State Government, each and every employee of state government is responsible for assuring that all aspects of State programs for which he/she is responsible for are available without discrimination. Department Directors and their senior staff are responsible for the implementation of this policy and they will be evaluated as to their role in this implementation.

6. All Department Directors and appointing authorities shall appoint a highly placed person, who shall report to the Department Director and who shall be designated as the Departmental Affirmative Action Officer. The Departmental Affirmative Action Officer shall attend at least one EEO training session annually and the Officer shall assist in the development and enforcement of affirmative action plans. Each Departmental Affirmative Action Officer shall work cooperatively with the Personnel Administrator to conduct a quarterly review of hiring/promotion activity within their unit to evaluate and report to his/her Department Director on affirmative action progress or lack thereof. Each Departmental Affirmative Action Officer shall submit information on the status of their plans twice annually to their respective Department Directors.

7. The Governor's Executive Committee for Affirmative Action is hereby established and its membership shall hereafter consist of the following: the EEO Administrator, the Executive Director of the Human Rights Commission, the Executive Secretary of the Governor's Commission on the Handicapped, the Director of the Commission on Women, the Executive Director of the Minority Business Enterprise Commission, the Chief of the Merit Selection and Classification Unit, the Administrator of Purchasing Systems, and the Personnel Administrator who shall Chair this Committee.

8. The Committee shall advise the Governor in the formulation and coordination of plans, policies and programs relating to equal opportunity and affirmative action in all State departments and agencies and in assuring effective implementation of such policies, plans and programs by such agencies.

9. Upon the request of the Executive Committee, the Department Director of each State agency and the Departmental Affirmative Action Officer shall meet with the Committee and report in person to such Committee on the agency's affirmative action program. It shall be the Executive Committee Chair's responsibility to schedule such meetings, and it shall be the duty of every agency head to comply



with such requests for data or other information or reports as the Executive Committee may deem appropriate for analysis and review in advance of such meeting.

10. In addition to the duties of the State EEO Office set forth in Title 28, Chapter 5.1 of the Rhode Island General Laws, the State EEO Office shall:

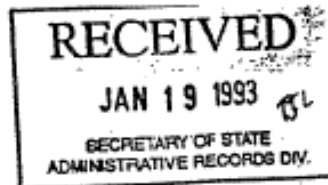
- A) review the Affirmative Action plans submitted annually by each state department or agency and prepare a comparative analysis of the strengths and weaknesses of the plans;
- B) make recommendations to the departments on proactive policy initiatives that may enhance affirmative action plan objectives;
- C) prepare an Executive Summary of the departmental plans for submission to the Governor annually on November 15th; and
- D) work cooperatively and in conjunction with the Departmental Affirmative Action Officers, Departmental MBE Coordinators, and State Officials serving on the Governor's Executive Committee for Affirmative Action.

11. The State Equal Opportunity Office shall be responsible for assuring compliance with Rhode Island General Laws Title 28, Chapter 5.1 and the provisions of this Executive Order.

12. The Rhode Island Commission for Human Rights shall be responsible for assuring compliance with Rhode Island General Laws Title 28, Chapter 5, Sections 8 through 40 and the provisions of this Executive Order.

13. The Rhode Island Governor's Commission on the Handicapped shall be responsible for assuring compliance with Rhode Island General Laws Title 42, Chapter 51 and the provisions of this Executive Order.

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Executive Order 93-1
Affirmative Action Policy Statement



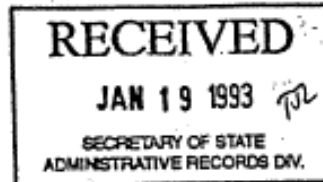
14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

Rhode Island Fair Employment Practices Act,
Rhode Island Handicapped Products Procurement Act,
Rhode Island AIDS Discrimination Act,
Federal Executive Order 11246, as amended,
Title VI and Title VII of the Civil Rights Act of 1964, as amended,
Age Discrimination in Employment act of 1967,
Equal Pay Act of 1963,
Rehabilitation Act of 1973, Section 504,
Americans with Disabilities Act (ADA) of 1990,
Vietnam Era Veterans Act of 1974,
Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991,
Age Discrimination Act of 1975,
Education Amendments Act of 1972 (Title IX),
Civil Rights Act of 1991,
Rhode Island Executive Order 92-2 (Americans with Disabilities Act),
Rhode Island Executive Order 91-39 (Sexual Harassment),
Rhode Island Executive Order 92-4 (Minority Business Enterprise Commission), and
Rhode Island Executive Order 93-1 (Affirmative Action Policy Statement).

15. Persons with disabilities requesting reasonable accommodation should contact their own department/agency's personnel office or ADA Coordinator.

16. Persons having questions or needing assistance for minority or women business enterprises should contact the Executive Director of the Minority Business Enterprise Commission at 277-6246(v) 277-3090 (tdd).

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Executive Order 93-1
Affirmative Action Policy Statement



17. Citizens of Rhode Island believing that they have been discriminated against in the pursuit of achieving the quality of life as aforementioned should contact:

Governor's Commission on the Handicapped
555 Valley Street, Building #51
Providence, RI 02908-5686
TEL. #277-3731
TDD #277-3701
FAX #277-2833

RI Commission for Human Rights
10 Abbott Park Place
Providence, RI 02903-3768
TEL. #277-2661
TDD #277-2664
FAX #277-2616

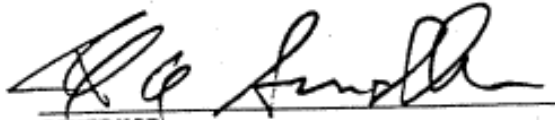
RI State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-5865
TEL. #277-3090
TDD #277-6144
FAX #277-6378

This Executive Order shall supercede and rescind Executive Order No. 85-11, and become effective immediately on the date hereof.

DATE

1-12-93

GOVERNOR



State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

NO. 92-2

JANUARY 23, 1992



COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

State House,
Providence

WHEREAS, the Americans with Disabilities Act ("ADA") was enacted by the United States Congress on July 26, 1990 to expand the civil rights of individuals with disabilities in the areas of employment, transportation, public accommodations and communications; and

WHEREAS, the primary objective of the ADA is to require employers and public service providers to eliminate any and all barriers, practices or policies that may discriminate against or otherwise deprive individuals with disabilities of the full use and enjoyment of public accommodations, public transportation, telecommunication systems and employment opportunities; and

WHEREAS, it was anticipated that the process of removing any and all such barriers would best be effectuated by developing a comprehensive statewide plan; and

WHEREAS, in June of 1991, I directed the Governor's Commission on the Handicapped to create a Coordinating Committee on the ADA that would bring representatives from all segments of State government together to participate in joint self evaluation and ADA compliance planning; and

WHEREAS, the Coordinating Committee, chaired by Nancy Husted-Jensen has developed and presented me with a statewide plan for meeting the mandates of the ADA entitled "AMERICANS WITH DISABILITIES ACT; SELF EVALUATION AND COMPLIANCE PLAN FOR THE STATE OF RHODE ISLAND;" (hereinafter "ADA Compliance Plan")

NOW, THEREFORE, I, BRUCE SUNDLUN, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

1. The Rhode Island State ADA Compliance Plan shall be implemented forthwith so that individuals with disabilities may be fully integrated into all aspects of Rhode Island life in the most expeditious manner possible.

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Executive Order 92-2
January 23, 1992



2. There shall be a State ADA Coordinator to assume overall, day-to-day responsibility for implementing the ADA Compliance Plan.

3. The Chairperson of the Governor's Commission on the Handicapped is hereby designated to serve at the Governor's pleasure as the State ADA Coordinator. The Executive Secretary of the Governor's Commission on the Handicapped is hereby designated to serve as Deputy Coordinator.

4. The duties of the ADA Coordinator shall include:

- A. monitoring the State's compliance with all federal and state laws and regulations affecting individuals with handicaps, including but not limited to Section 504 of the 1973 Rehabilitation Act and the Americans with Disabilities Act;
- B. establishing a technical assistance program to inform and advise State and local government agencies, human service providers, providers of public accommodations, real estate agents, brokers, developers, architects, landlords, builders, and other affected entities and individuals on their obligations under the ADA;
- C. establishing a grievance procedure to promptly and equitably resolve complaints of noncompliance with the ADA involving departments, agencies or divisions of State government;
- D. establishing a procedure for initiating complaints against any department, agency or division within State government that willfully fails to comply with the requirements of the ADA or the ADA Compliance Plan.
- E. developing, making periodic revisions to, and overseeing implementation of an ADA Transition Plan for the removal of environmental and communication barriers in State owned facilities;
- F. presiding at future meetings of the State Coordinating Committee on the ADA.

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Executive Order 92-2
January 23, 1992



5. The State Coordinating Committee on the ADA shall continue to exist and shall continue to be staffed by the Governor's Commission on the Handicapped. The Committee shall advise and assist the ADA Coordinator in the implementation of the ADA Compliance Plan. It shall also prepare a status report to the Governor on or before October 1, 1992, and annually thereafter.

6. The Governor's Commission on the Handicapped, the State Building Commission and the Commission for Human Rights shall, whenever possible and appropriate, cooperate with and assist the ADA Coordinator to:

- A. Assure compliance with the building accessibility and public accommodations sections of the ADA; and
- B. carry out the duties of the ADA Coordinator enumerated above.

This Executive Order shall take effect on the date hereof.

Date

1-23-92

Governor

A handwritten signature in cursive script, appearing to read 'Roy S. Sullivan', written over a horizontal line.



Edward D. DiPrete
Governor

State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REFUGEE POLICY

WHEREAS, the State of Rhode Island has been a home and a haven for immigrants and refugees since the beginning of its recorded history; and

WHEREAS, for more than three centuries people driven from their homelands by various forms of persecution have come to Rhode Island and found the opportunity and the means to establish a new life here; and

WHEREAS, the United States Refugee Act of 1980, Pub. L. No. 96-212, authorizes the grant of asylum to refugees who are defined as any person outside his or her country of nationality "who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion"; and

WHEREAS, Rhode Island accepts and welcomes the opportunity to take part in our national refugee resettlement program and to carry out our state's exemplary historical role in assisting people fleeing dangers and undue hardships; and

WHEREAS, the refugee experience is a major upheaval in the lives of these individuals, and in order for them to adjust successfully to a new country and culture, a period of transition is necessary to learn a new language and culture; and

WHEREAS, Rhode Island recognizes that refugees have great potential to contribute to the state and its communities, and that it is in the interest of all that their potential be nurtured and encouraged; and

Executive Order 86-10
Page Two
April 15, 1986

WHEREAS, the Rhode Island Office of Refugee Resettlement was created for the purpose of implementing the requirements of the Refugee Act of 1980 (P.L.96-212) to assist refugees in the state to become self-sufficient as rapidly as possible; and

WHEREAS, the Governor's Advisory Council on Refugee Resettlement, created by Executive Order 85-24, was established for the purpose of forging a linkage between the refugee community and the larger Rhode Island society; and

NOW, THEREFORE, I, Edward D. DiPrete, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, hereby order and direct the following:

1. The Rhode Island Office of Refugee Resettlement shall be authorized to coordinate consultations among the following entities and agencies: voluntary agencies ("VOLAGs") and their national offices; local officials; state departments; namely, the Department of Employment Security, the Department of Health, the Department of Human Services, the Department of Mental Health, Retardation and Hospitals, the Department for Children and Their Families, the Department of Economic Development, the Department of Transportation, the Department of Education, the Office of the Attorney General and other appropriate public and private agencies.
2. The above consultations shall be to determine the availability of needed services such as housing availability and community responsiveness; to evaluate economic conditions, and to determine the proximity of organizations and institutions which provide support.
3. All transitional services shall be provided with a view to maximize their accessibility and cultural appropriateness. The characteristics and concerns of the refugee communities should be taken into account in the shaping of specific service delivery procedures and mechanisms and the determination of their cultural and linguistic sensitivity.

4. Those state agencies as previously stated that conduct programs and activities directly or indirectly relating to the service needs of the refugee population shall immediately undertake an affirmative planning process with regard to refugees. This planning process shall be completed by October 1, 1986, and shall include the following elements:
 - A. Needs Assessment: Determining the current and potential requirements refugees have for the agencies' services;
 - B. Current Use: Measuring and documenting the extent to which refugees now use the services;
 - C. Agency Service Plan for Refugees: Formulating a plan, including a timetable for implementation, that ensures that delivery of the agencies' services to refugees meets the needs identified in the needs assessment and are in compliance with Title VI of the United States Civil Rights Act of 1964.

5. Rhode Island Office of Refugee Resettlement and Rhode Island Equal Opportunity Office Assistance -

The Rhode Island Office of Refugee Resettlement and the Rhode Island Office of Equal Opportunity shall provide technical assistance to the agencies throughout the planning process and shall monitor the agencies' progress in the implementation of their plans. Technical assistance when necessary will be requested from the Federal Offices for Civil Rights Compliance.

6. State Agencies Preparing Agency Service Plans -

The following state agencies shall engage in the planning process: the Department of Human Services, The Department of Health, the Department of Employment Security, The Department of Mental Health, Retardation and Hospitals, the Department for Children and Their Families, the Department of Education,

the Department of Economic Development, and the Department of Transportation.

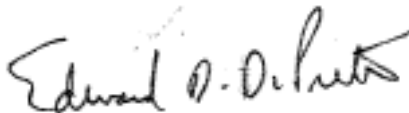
7. Transitional Education Program -

RIORR shall meet regularly with the Department of Education to coordinate the provision of the transitional program for refugee children, bilingual education programs, adult education services, and other educational programs of special concern to the refugee communities.

8. Consultation with Attorney General -

RIORR shall work with the Office of the Attorney General, specifically the Civil Rights Division and the Division of Consumer Protection, in its effort to ensure that necessary state protection and services are available to the refugee population.

This Executive Order shall take effect on the date hereof.



Edward D. DiPrete
Governor



Edward D. DiPrete
Governor

State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 85-16

JULY 23, 1985

SECTION 504 COORDINATOR

WHEREAS, Title V of the Rehabilitation Act of 1973 sets forth the civil rights of handicapped persons; and

WHEREAS, handicapped persons have a right to expect and gain access to various buildings and properties which exist for the betterment of all persons; and

WHEREAS, under Section 504 of Title V of the Rehabilitation Act of 1973 the State has been mandated to create policies, practices and programs regarding accessibility of State buildings and properties to handicapped persons; and

WHEREAS, such a designation would allow for the expedient compliance with the mandate of Section 504 thereby serving the needs of handicapped persons in the best possible manner;

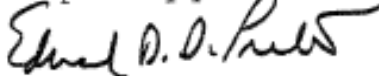
NOW, THEREFORE, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, it is ordered as follows:

1. The Director of Administration is hereby designated the State's 504 Coordinator and shall delegate operational control to the State Building Code Commissioner as his designee.
2. The duties of the Coordinator shall be to coordinate all State agencies in the implementation of all federal rules and regulations affecting the State in terms of compliance with the mandates of Section 504 of Title V of the Rehabilitation Act of 1973.
3. The Coordinator's duties shall include:
 - a. Authority to order departments to prepare and complete transition plans in accordance with 504 regulations.

- b. Coordinating the formulation and review of transition plans with advisory panels who may represent handicapped organizations.
- c. Granting final approval of transition plans and department use of program accessibility.
- d. Managing the construction, design or alterations of buildings and sites necessary to bring all programs into compliance.
- e. Authorization to coordinate and mediate matters concerning 504 compliance.
- f. Assisting public and private sectors through the use of proper agencies on technical, employment and architectural matters concerning 504 compliance.
- g. Establishment of a consumer³ complaint procedure necessary to resolve all complaints to agencies pertaining to 504.
- h. The State 504 Coordinator or the State Building Code Commissioner as his designee is hereby authorized to initiate complaints against those agencies, administrators, agents or employees of any department or division within state government who willfully fail to comply with the requirements.
- i. The 504 Coordinator and the State Building Code Commissioner as his designee shall consult with the Chairman of the Governor's Commission on the Handicapped with respect to implementation of the above duties and responsibilities.

This Executive Order shall take effect on the date hereof. This Executive Order rescinds Executive Order No. 80-16 dated September 29, 1980.

Respectfully yours



Edward D. DiPrete
GOVERNOR

PUBLIC LAW 97-118

AN ACT

RELATING TO SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

CHAPTER 51

SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

§ 28-51-1. Definitions. — (a) As used in this chapter the term “sexual harassment” means any unwelcome sexual advances or requests for sexual favors or any other verbal or physical conduct of a sexual nature when submission to such conduct or such advances or requests is made either explicitly or implicitly a term or condition of an individual’s employment.

(b) As used in this chapter, the term “employer” means any entity employing fifty (50) or more employees.

§ 28-51-2. Adoption of workplace policy and statement. — (a) All employers and employment agencies shall promote a workplace free of sexual harassment.

(b) Every employer shall:

(1) adopt a policy against sexual harassment which shall include:

- (i) a statement that sexual harassment in the workplace is unlawful;
- (ii) a statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment;
- (iii) a description and examples of sexual harassment;
- (iv) a statement of the range of consequences for employees who are found to have committed sexual harassment;
- (v) a description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and
- (vi) the identity of the appropriate state and federal employment, as amended, discrimination enforcement agencies, and directions as to how to contact such agencies as amended.

(2) provide to all employees a written copy of the employer's policy against sexual harassment; provided, however, that a new employee shall be provided such a copy at the time of his or her employment.

(c) Employers are encouraged to conduct an education and training program for new employees and members, within one (1) year of commencement of employment or membership, which includes at a minimum the information set forth in this section. Employers are encouraged to conduct additional training for new supervisory and managerial employees within one (1) year of commencement of employment which shall include at a minimum the information set forth in subsection (b), the specific responsibilities of supervisory and managerial employees and the methods that such employees should take to ensure immediate and appropriate state agencies are encouraged to cooperate in making such training available.

(d) Employers shall provide amended copies of their written policies on sexual harassment to all employees upon their request on or before September 1, 1997.

§ 28-51-3. Education and training programs. — Employers are encouraged to conduct an education and training program on sexual harassment consistent with the aims and purposes of this chapter for all employees, including, but not limited to the supervisory or managerial personnel, on or before September 1, 1997.

(2005)

State of Rhode Island Guidelines For Preventing Sexual Harassment

Harassment on the basis of sex is a violation of RIGL 28-5.1 and Executive Order No. 05-01. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an 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 creating an intimidating, hostile or offensive working environment.

In determining whether alleged conduct constitutes sexual harassment, the State Equal Opportunity Office will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and at the legality of a particular action. A determination of what constitutes sexual harassment will be made from the facts, on a case-by-case basis.

The appointing authority is responsible for the acts of its agents and supervisory employees with respect to sexual harassment, regardless of whether or not the specific acts complained of were authorized or even forbidden by the appointing authority and regardless of whether or not the appointing authority knew or should have known of their occurrence. The State Equal Opportunity Office will examine the circumstances of the particular employment relationship and the job functions performed by the individual in determining whether or not the individual is serving in either a supervisory or agency capacity.

With respect to persons other than those mentioned in the previous paragraph, an appointing authority is responsible for acts of sexual harassment in the workplace where that appointing authority or its agents or supervisory employees knew or should have known of the conduct. An appointing authority may rebut apparent liability for such acts by showing that it took immediate and appropriate corrective action.

Prevention is the best tool for the elimination of sexual harassment. An appointing authority should take all steps necessary to prevent sexual harassment from occurring such as affirmatively raising the subject of sexual harassment, expressing strong disapproval, developing appropriate sanctions, informing the employees of their right to raise and how to raise the issue of harassment and developing methods to sensitize all concerned.

If any State Employee believes that they have been sexually harassed, they may contact:

**STATE EQUAL OPPORTUNITY OFFICE
ONE CAPITOL HILL PROVIDENCE, RI 02908-5865
PHONE (401) 222-3090 FAX (401) 222-2490 RI Relay: 711**

Revised (2005)

**DEPARTMENT OF ADMINISTRATION
OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY
STATE EQUAL OPPORTUNITY OFFICE**

GUIDELINES FOR ENSURING UNBIASED WORK ENVIRONMENTS

Rhode Island General Law 28-5.1, Executive Order No. 05-01 of the State of Rhode Island and Title VII of the 1964 Civil Rights Act, mandates employers to maintain a working environment free of discriminatory insults, intimidation and other forms of harassment. Both an employee's psychological and economic well-being are protected. While an employer cannot be held accountable for the prejudices of its workers clientele, it must take reasonable measures to control or eliminate the overt expression of those prejudices in the workplace. Prompt action by an employer to prevent or correct discriminatory harassment can go a long way in lessening employer liability.

Perhaps the most common type of harassment to which workers are subjected is verbal abuse. Racial and ethnic epithets, slurs or jokes directed at or made in the presence of minority group employees, are not to be tolerated. An example of unlawful race and sex bias in the work environment is the use of the diminutive term "boys" when referring to minority male employees and "girls" when referring to female employees.

Another common type of verbal abuse is either spreading rumors or joking about an employee's assumed sexual preference or orientation. One's personal preference does not determine how one performs at his or her job and therefore, this type of bias does not belong in the workplace.

An employer is under a two-pronged duty to maintain a working atmosphere free of national origin bias. First, the employer itself must refrain from ridicule or harassment on the basis of national origin. Second, an employer should not tolerate such behavior by its employees. Ethnic slurs or jokes based on national origin are unlawful.

An employer is also under obligation to maintain a work environment free of religious bias. Permitting a supervisor to espouse his or her beliefs to employees while at work may amount to religious discrimination.

Any unwelcome sexual advances, requests for sexual favors and other verbal and physical conduct of a sexual nature is unlawful sexual harassment when the response or reaction to the advances or requests is permitted to affect the employment decisions. It is also illegal for an employer to permit any conduct that is sexually offensive, intimidating, hostile or interferes with an individual's work performance. Sexual advances by co-workers who have no control over a person's employment may be unlawful if it has such an intimidating effect that job status is affected.

(2005)

EMPLOYEE SELF-IDENTIFICATION OF DISABILITY FORM AND REQUEST FOR REASONABLE ACCOMMODATION

CONFIDENTIAL

In accordance with the Americans with Disabilities Act of 1990, Rhode Island General Laws §28-5.1 et. seq., and Executive Order #92-2, the State Equal Opportunity Office invites a qualified individual with a disability to self-identify to be provided reasonable accommodations if necessary to perform the essential function for the desire position.

NAME: _____ AGENCY: _____

JOB TITLE: _____ DATE: _____

Please Check the category that best describes your disability. (Upon request, verification of disabling condition must be obtained from your physician.)

Disabling conditions include, but are not limited to:

- AIDS
- Alcoholism
- Blindness or Visual Impairment
- Cancer
- Cerebral Palsy
- Deafness or Hearing Impairment
- Diabetes
- Drug Addiction
- Epilepsy
- Heart Disease
- Mental Retardation
- Mental or Emotional Illness
- Multiple Sclerosis
- Muscular Dystrophy
- Orthopedic
- Perceptual Disabilities such as: Dyslexia, Minimal Brain Dysfunction, Development Aphasia or Speech Impairment
- Other

Yes, I request a Reasonable Accommodation Needs Assessment Review

No Reasonable Accommodation is needed at this time

Additional Comments:

Signature: _____ Date: _____

RHODE ISLAND DEPARTMENT OF ADMINISTRATION
OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY/STATE EQUAL OPPORTUNITY OFFICE

AFFIRMATIVE ACTION FILE

* Please note that this is a **voluntary** self-identification card and the information you provide will not be used as a basis for employment decisions *

TO BE COMPLETED BY APPLICANT OR EMPLOYEE ONLY

Applicant or Employee

Address
Number Street City State Zip Code

NOTE: When selecting racial/ethnic category, you must select only one of the boxes numbered 1 through 7.

Female Male

1 – Black or African American (Not Hispanic or Latino) <input type="checkbox"/>	2 – Hispanic or Latino <input type="checkbox"/>	3 – American Indian or Alaska Native (Not Hispanic or Latino) <input type="checkbox"/>
4 – Asian (Not Hispanic or Latino) <input type="checkbox"/>	5 – White (Not Hispanic or Latino) <input type="checkbox"/>	6 – Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino) <input type="checkbox"/>
7 – Two or More Races (Not Hispanic or Latino) <input type="checkbox"/>	Disabled <input type="checkbox"/>	Veteran <input type="checkbox"/>
	Disabled Veteran <input type="checkbox"/>	Age: 40 & Over <input type="checkbox"/>

FOR PERSONNEL USE ONLY

Department _____ Division _____
 Appropriation Account No. _____ Pay Grade _____ Position No. _____
 Incumbent* _____ (Use this selection for current employees who are requesting a change to their demographic designation)
 Promotion _____ Transfer _____ Hired _____ List _____ No List _____ Offered _____ Not Offered _____ Refused _____
 Reason for Action _____
 Interviewer/HR Staff _____ Date _____

RACIAL/ETHNIC CATEGORIES

- 1 – **Black or African American (Not Hispanic or Latino)** – A person having origins in any of the black racial groups of Africa.
- 2 – **Hispanic or Latino** – A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- 3 – **American Indian or Alaska Native (Not Hispanic or Latino)** – A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains tribal affiliation or community attachment.
- 4 – **Asian (Not Hispanic or Latino)** – A person having origins in any of the original peoples of the Far East, Southeast Asian, or the Indian subcontinent including for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- 5 – **White (Not Hispanic or Latino)** – A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- 6 – **Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)** – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- 7 – **Two or More Races (Not Hispanic or Latino)** – A person who primarily identifies with two or more of the above race categories.

DISABLED:

All persons with a physical or mental impairment that substantially limits one or more major life activities. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major bodily function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. A history of such disability, or the belief on the part of others that a person has such a disability, whether it is so or not, also is recognized as a disability by the regulation.

AMERICANS WITH DISABILITIES/504 COMPLAINT PROCEDURE

The Rhode Island Department of Corrections has adopted an internal procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act of 1990.

Complaints should be addressed to: Karen Zambarano, Office of Human Resources who has been designated to coordinate ADA/504 Compliance efforts.

A complaint should be filed in writing or verbally. They should contain the name and address of the person filing the complaint and a brief description of the alleged violations of the regulation.

A complaint should be filed within ten (10) days after the complainant becomes aware of the alleged violation.

An investigation, as may be appropriate, will follow the filing of a complaint. The investigation will be conducted by Karen Zambarano. These rules contemplate informal but thorough investigations affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by Karen Zambarano and a copy forwarded to the complainant no later than fourteen (14) days.

The ADA/504 Coordinator will maintain the files and records relating to the complaints filed.

DISCRIMINATION COMPLAINT PROCEDURE

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY STATE EQUAL OPPORTUNITY OFFICE TELEPHONE: (401) 222-3090 FAX: (401) 222 2490

The State Equal Opportunity Office will accept, from both State Employees and Applicants for State employment, complaints of discrimination that are based on race, sex, age, national origin, religion, color, sexual orientation, gender identity or expression, and sexual harassment.

1. A complaint must be filed formally on the "Complaint Information Form"; available through the State Equal Opportunity Office within ten (10) working days from the knowledge of the alleged incident of discrimination, unless it is an ongoing discrimination.

All complaints will remain confidential except to the extent necessary to conduct a review of the facts.

2. An Equal Opportunity Officer will be assigned to investigate the complaint.
3. The Agency Director (Responder) will be notified of the alleged charge.
4. Upon the completion of the investigation, the State Equal Opportunity Office will make a determination as to probable cause based on the summary of facts.
5. When probable cause is not evident, the parties are so informed by the State Equal Opportunity Office.
6. When there is probable cause of discrimination, the State Equal Opportunity Office will try to conciliate the complaint.
7. If an agreement between both parties is not reached, a formal hearing will be scheduled and a Hearing Officer will be assigned by the State Equal Opportunity Office.
8. If and when it has been determined by the Hearing Officer that discrimination exists, the Hearing Officer will advise the State Equal Opportunity Office in writing. The State Equal Opportunity Office will then, by written notification, present findings and recommended corrective action to both parties.

If the corrective action is not implemented within the specified time frame, the State Equal Opportunity Office will notify the Governor.

An individual may also file a complaint with the Rhode Island Commission for Human Rights or the U.S. Equal Employment Opportunity Commission. If a charge has been filed, either simultaneously or at a later date with Rhode Island Commission for Human Rights or the U.S. Equal Employment Opportunity Commission, the State Equal Opportunity Office will defer to either commission for investigation and any resolution and/or prosecution of any charge.

DISCRIMINATION COMPLAINT INFORMATION FORM

1. Complainant Information:

State your name and address:

City State Zip Code

Telephone Number (S)

Work: _____

Home: _____

Email: _____

Cell Phone: _____

2. Name of Department

3. Name of Immediate Supervisor:

4. Respondent Information:

Name and address of agency involved:

City State Zip Code

5. Name and Title of person(s) charged:

6. Date of alleged violation:

7. Place of alleged violation:

(_____)

Case Number

8. Basis of Alleged Complaint:

____ Race/Color: Specify _____

____ Sex: Male _____ Female _____

____ Age: _____ Date of Birth: _____

____ National Origin: Specify _____

____ Disability: _____

____ Religion: Specify _____

____ Sexual Harassment

____ Sexual Orientation

____ Gender Identity or Expression

Unlawful Questions (arrest
record, criminal conviction, or
other)

____ Retaliation

9. Nature of Change:

____ Refusal to Hire

____ Compensation (unequal pay)

____ Job Classification

____ Discharge/Termination

____ Denial of Promotion

____ Unequal Access to Training

____ Demotion

____ Qualifications/testing bias

____ Layoff

____ Recall

____ Seniority

____ Intimidation/Reprisal

____ Harassment

____ Maternity

____ Discriminatory Treatment/Work
Environment

____ Failed to Provide Reasonable
Accommodation (ADA)

COMPLAINT INFORMATION FORM
(Continued)

10. Explain briefly as possible what happened and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material pertaining you your case.

11. What harm, if any, was caused to you as a result of that action?

12. Have you brought this complaint to anyone else's attention?

13. Please list below any persons (witnesses, fellow employees, supervisors, or others) that we may contact for additional information to support or clarify your complaint.

14. Please provide the name of a person not living with you, who would know how to contact you:

Name: _____ **Telephone:** _____

Address: _____

Complainant Signature

Date

Interviewing Officer

RETALIATION OR COERCION STATEMENT

An employee or agent of State Government who shall discriminate against an individual through the use of retaliation, coercion, intimidation, threats or other such action because such individual has filed a complaint, testified or participated in any way in any investigation proceeding or hearing regarding discrimination in employment or public service or because such individual has opposed any act made unlawful under the Americans with Disabilities Act (ADA) or Rhode Island Fair Employment Practices Act or any rules and regulations issued pursuant to either, shall be subject to disciplinary action. Said action may include suspension from employment or dismissal where the discrimination is found to be willful or repeated.

EXIT INTERVIEW SIGN-OFF FORM

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY (ODEO)
STATE EQUAL OPPORTUNITY OFFICE

One Capitol Hill
Providence, RI 02908-5865
eoo.compliance@doa.ri.gov

Rhode Island Department of:

NAME OF EMPLOYEE (Please print or type)

The Office of Diversity, Equity and Opportunity in collaboration with the Division of Human Resources has established this exit interview process in order to assess the overall employee experience while working for the state, to assure that terminating employees are not leaving because of discriminatory circumstances, and to identify opportunities to improve retention and engagement.

I hereby acknowledge that I have received the Confidential Exit Survey from the Division of Human Resources and that the completed Confidential Exit Survey must be forwarded to the State Equal Opportunity Office. I also understand that a copy of this completed sign-off form (not the Confidential Exit Survey) will be placed in my personnel file.

SIGNATURE OF EMPLOYEE

DATE EMPLOYEE SIGNED

DATE EXIT INTERVIEW WAS
GIVEN TO EMPLOYEE

SIGNATURE OF HUMAN RESOURCES
REPRESENTATIVE

INSTRUCTIONS:

The Human Resources Representative must distribute a copy of the Confidential Exit Survey along with any necessary documents to the terminating employee. The Human Resources Representative must place a copy of the Exit Interview Sign-Off Form in the employee's personnel file and forward a second copy of the Exit Interview Sign-Off Form to the ODEO/State Equal Opportunity Office, via inter-office mail or electronically at eoo.compliance@doa.ri.gov, immediately upon completion.

Rhode Island State Equal Opportunity Office CONFIDENTIAL EXIT SURVEY INQUIRY

As a terminating employee, you have the option of an exit interview with the ODEO/State Equal Opportunity Office to discuss any information related to harassment and/or discrimination, and you also have the option of an exit interview with a Human Resources Representative to share any information regarding your work experience. To schedule an in-person interview please e-mail ooo.compliance@doc.ri.gov for ODEO/State Equal Opportunity Office or the Division of Human Resources directly at (401)-222-2160 or by e-mail at doa.hrcontact@hr.ri.gov

All information obtained from this survey will be handled in a confidential manner and, to the extent possible, will not be divulged to supervisors, co-workers, or anyone inside or outside the agency. Please note however, if there is a claim of discrimination, sexual harassment, or criminal behavior, etc., then we are required to take action and information may need to be confidentially divulged, but will not compromise the departing employee. The information will be used as a tool for change and improvements, and will not be made part of your personnel record and will not be used to respond to reference checks by future employers. We ask that you be as honest and fair as possible. Thank you for your contribution to the improvement of the State of Rhode Island.

<u>NAME:</u>	<u>JOB TITLE:</u>
<u>ADDRESS:</u>	<u>DEPT./AGENCY:</u>
	<u>DIVISION/ UNIT:</u>
<u>TELEPHONE:</u>	<u>DATE HIRED:</u>
<u>E-MAIL:</u>	<u>DATE DEPARTED:</u>

(Please check all that apply – For Opportunity Purposes Only)

Race/ Ethnic Categories

- | | | |
|--------------------------------|--|--|
| <input type="checkbox"/> White | <input type="checkbox"/> American Indian or Alaska Native | <input type="checkbox"/> Hispanic/Latino |
| <input type="checkbox"/> Black | <input type="checkbox"/> Native Hawaiian or Pacific Islander | <input type="checkbox"/> Two or More Races |
| <input type="checkbox"/> Asian | | |

Gender Categories

- Female
 Male

Other Protected Classes

- Disabled
 Veteran
 Age: 40 & over

CONFIDENTIAL EXIT SURVEY INQUIRY

(Continued)

1. What is your main reason for leaving?

2. What did you like best about your job?

3. What did you dislike about your job?

4. Did you find your employment worthwhile in terms of personal growth and achievement?

Yes No Please explain:

5. Do you feel career opportunities were adequately afforded to you?

Yes No Please explain:

6. Did you feel free to go to your supervisor about your job?

Yes No Please explain:

7. Was your supervisor effective in handling problems or complaints?

Yes No Please explain:

8. Did you receive fair treatment while employed?

Yes No Please explain:

9. Do you feel you were discriminated against?

Yes No Please explain:

CONFIDENTIAL EXIT SURVEY INQUIRY

(Continued)

10. Would you seek employment with the State of Rhode Island at a future date?

Yes No Please explain:

11. Would you recommend employment with the State of Rhode Island to your friends and family?

Yes No Please explain:

12. Please complete the following statement: I don't know why the State of Rhode Island doesn't just.....

13. Please complete the following statement: I feel the State of Rhode Island would benefit from changes, such as.....

14. Please complete the following statement: I feel my Department would benefit from changes, such as....

COMMENTS

CONFIDENTIAL EXIT SURVEY INQUIRY

(Continued)

COMMENTS

Submission Instructions

Please e-mail this form to eo.compliance@doc.ri.gov with subject line: Exit interviews For (YOUR AGENCY NAME). This is a confidential e-mail and all correspondence will be treated with the upmost care. If you are completing from online, the form will be sent to our confidential e-mail upon pressing submit.

You may also mail this from to:

ODEO/State Equal Opportunity Office, Once Capitol Hill, Providence, RI 02908

EQUAL OPPORTUNITY ADVISORY COMMITTEE GUIDELINES

MISSION:

To provide two-way communication and suggestions on various aspects of the equal opportunity program to the director in a department or agency in state government.

1. ESTABLISHING THE COMMITTEE:

- A. All employees should be informed of opportunities to serve on the committee.
- B. Agency head appoints the committee from a list of volunteers.
- C. Volunteers should include staff from:
 - 1. Each division of agency
 - 2. Various job levels
 - 3. Diverse group of employees; i.e. minorities, women, persons with disabilities, and veterans

2. STRUCTURE:

- A. Terms of membership
- B. Elections of officers
- C. How many members
- D. Alternates
- E. Sub-committees
- F. Meetings
- G. Minutes

3. FUNCTIONS (ROLE):

- A. Advise – not perform
- B. Develop short-term objectives
- C. Identify areas of possible discrimination
- D. Assist the designee of the agency head with preparing the affirmative action plan
- E. Monitor the progress of the action goals and programs, if necessary, make recommendations to improve
- F. Review monthly progress reports
- G. Issue a progress report to agency head quarterly

4. CHAIRPERSON (DUTIES):

- A. Prepare agenda for meeting
- B. Preside over committee meetings
- C. Submit any committee recommendations to the agency head

5. SECRETARY (DUTIES)

- A. Preside over meeting in absence of chairperson
- B. Record minutes of the meeting
- C. Prepare minutes for distribution.

6. AGENCY HEAD:

Should make a commitment that all recommendations will be reviewed and acknowledged

7. **EMPLOYEES SHOULD BE INFORMED OF AGENCY POLICY:**
 1. Newsletter
 2. Pay envelopes
 3. Employee handbooks
 4. Copies of the affirmative action plan policy statement of key program elements
8. The state equal opportunity office may issue such guidelines, directives, or instructions as necessary to carry out Rhode Island General Laws § 28-5.1.

For additional guidance and/or technical assistance, contact:

Cheryl Burrell, Associate Director
Department of Administration
Office of Diversity, Equity and Opportunity
State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-5865
TEL # (401) 222-3090
Rhode Island Relay: 711
FAX # (401) 222-2490
Email: Cheryl.Burrell@doa.ri.gov

DIVERSITY ADVISORY COUNCIL GUIDELINES

MISSION:

To guide and support a state department or agency director on developing organizational changes and strategies that will advance the goals of diversity and inclusion in the workplace, as well as to assist in the implementation of approved strategies and changes.

1. ESTABLISHING THE COMMITTEE:

- A. All employees should be informed of opportunities to serve on the council.
- B. Agency head appoints the council from a list of volunteers.
- C. Diversity Liaison(s) will serve as ex-officio council member
- D. Volunteers should include staff from:
 - 1. Each division of agency
 - 2. Various job levels
 - 3. Diverse group of employees; i.e. senior leadership, minorities women, persons with disabilities, and veterans.

2. STRUCTURE:

- A. Terms of membership
- B. Elections of officers
- C. How many members
- D. Alternates
- E. Sub-committees
- F. Meetings
- G. Minutes

3. FUNCTIONS (ROLE):

- A. Advise – not perform
- B. Leverage diversity to improve employee and organizational performance
- C. Link diversity strategy with the department's/agency's business strategy
- D. Develop metrics to measure progress
- E. Develop short- and long-term plans for advancing the goals of diversity and inclusion

4. CHAIRPERSON (DUTIES):

- A. Prepare agenda for meeting
- B. Preside over council meetings

- C. Submit any council recommendations to the department/agency director

5. SECRETARY (DUTIES)

- A. Preside over meeting in absence of chairperson
- B. Record minutes of the meeting
- C. Prepare minutes for distribution

6. AGENCY HEAD:

Should make a commitment to support the work of the council and ensure that all recommendations will be reviewed and acknowledged.

For additional guidance and/or technical assistance, contact:

Sabina Matos, Chief Program Development
Department of Administration
Office of Diversity, Equity and Opportunity
Human Resources Outreach and Diversity Office
One Capitol Hill
Providence, RI 02908-5865
TEL # (401) 222-5813
Rhode Island Relay: 711
Email: Sabina.Matos@doa.ri.gov

ENFORCEMENT AGENCIES

Department of Administration

Office of Diversity, Equity and Opportunity
State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-5865
TEL # (401) 222-3090
FAX # (401) 222-2490

RI Commission for Human Rights

180 Westminster St., 3rd Floor
Providence, RI 02903-1918
TEL # (401) 222-2661/ Voice
TDD # (401) 222-2664
FAX # (401) 222-2616

U.S. Equal Employment Opportunity Commission

1801 L Street NW
Washington, D.C. 20507
TEL # (202) 663-4900/ Voice
TDD # (800) 800-3302
TDD # (202) 663-4494 (for all Area Codes)

Department of Justice

Office of the Americans with Disabilities Act
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001
TEL # (202) 514-2000/ Voice
TTY/ASSCII/TDD # (800) 877-8339
(202) 514-6193 (Electronic Bulletin Board)

VI. ADDENDUM – DIVERSITY PLAN TO IMPROVE MINORITY HIRING AND WORKPLACE INCLUSION

According to the U.S. Census Bureau, 2014 American Community Survey (ACS), minorities make up roughly twenty-four percent (24.0%) of Rhode Island's labor force; i.e. twelve point eight percent (12.8%) are Hispanic, six point two percent (6.2%) are Black, three point four percent (3.4%) are Asian/Pacific Islander, point four percent (0.4%) are American Indian/Alaskan Native, and one point two percent (1.2%) are other minorities. It is also important to note that, according to this same ACS report, women make up roughly forty-eight point three percent (48.3%) of Rhode Island's labor force. Additionally, by the year 2040, our state's population as a whole is projected to be forty-one percent (41%) people of color.

It is also important to note that in 2013, the federal government established a workforce goal of seven percent (7%) for persons with disabilities, and eight percent (8%) for veterans. We have incorporated these goals within the statistical portion of this year's plan and will rely on your support to assist us as we work toward the achievement of these goals.

As the diversity of Rhode Island's population continues to increase, it is imperative that each state agency develop and implement a plan to improve the representation of women, minorities, persons with disabilities, and veterans in their overall workforce, and especially in the upper echelon of those job categories where policy decisions are made and managed. Moreover, each agency is encouraged to create a workplace culture that values diversity and inclusion, so that our collective performance and service to others will be enhanced.

Accordingly, please provide a detailed summary of:

- A. Your agency's plan to improve the representation of women, minorities, persons with disabilities, and veterans throughout your workforce, and specifically within the upper echelons of the job categories where they may be underrepresented. When summarizing these efforts, a comparison should be made between the percentages of each racial/ethnic minority group in the labor force to their representation within your workforce. Identify the strategies you will use to address underutilization gaps between the two.
- B. Your agency's plan to create a workplace culture that values diversity and inclusion, and ensures quality customer/client services to the people of Rhode Island.
- C. Your agency's plan to ensure that new and existing employees within your workforce take part in a diversity orientation training program, as well as other training topics related to equity and inclusion, which are facilitated by the Office of Diversity, Equity and Opportunity or their designee.