

## Affirmative Action Plan

Effective July 1, 2019 through June 30, 2020



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Scott R. Jensen, Director

Rhode Island Department of Labor and Training  
1511 Pontiac Avenue  
Cranston, RI 02920

Accepted by: \_\_\_\_\_

Date: 10/25/19

Approved by: \_\_\_\_\_

Date: 10/30/2019

State Equal Opportunity Office

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## **B. AGENCY ORGANIZATION AND STRUCTURE**

The Department of Labor and Training (DLT) was established in 1996, pursuant to R. I. General Laws §§ 42-16.1-1 et seq. DLT is headquartered at Center General Complex, 1511 Pontiac Avenue, Cranston, RI. The Department's primary responsibility is the protection and advancement of Rhode Island's workforce. DLT helps connect people with meaningful employment through *netWORKri* Centers when they are unemployed, underemployed or simply want to change careers; Real Jobs RI bridges the gap between employees and employers who may need training prior to being hired or during their employment by creating sector-led workforce development partnerships. DLT provides income support through the Unemployment Insurance, Temporary Disability/Caregiver Insurance, Police and Fire Relief Fund and Worker's Compensation programs to assist workers during difficult periods. The Department's goal is to facilitate a rapid return to work and to help Rhode Island employers remain competitive. Another function of the Department is to protect workers by enforcing rigorous safety regulations and to monitor wage standards and employment practices.

The key to making Rhode Island a better place to live and work is economic vibrancy. The Department provides grants, specialized employee training, tax credits, assistance during temporary slowdowns, effective recruiting, planning information and instruction on regulatory compliance. The Department works to strengthen partnerships (Employer Services) between the business community and state and local workforce systems and to foster industry clusters to speed the development of promising growth sectors.

Additional information may be found on the Department's website at [www.dlt.ri.gov](http://www.dlt.ri.gov).

### **BRIEF OUTLINE OF AGENCY UNITS**

**Income Support** – oversees Unemployment and Temporary Disability Insurance and Workshare programs.

**Unemployment Insurance (UI)** — provides temporary support to workers who lose their jobs through no fault of their own. Claims are filed by telephone by contacting the UI Call Center or online at <http://www.dlt.ri.gov/ui/>.

**Temporary Disability Insurance/Temporary Caregivers Insurance (TDI/TCI)** — TDI provides income support to eligible workers who sustain a wage loss resulting from a non-work-related illness or injury; TCI provides income support to eligible workers who are out of work to care for a seriously ill child, spouse, domestic partner, parent, parent-in-law or grandparent, or to bond with a newborn child, newly adopted child or new foster-care child.

**Workshare Program** — provides an alternative to traditional layoffs. During temporary business slowdowns, an employer reduces work hours for employees, who in turn become eligible for pro-rated Unemployment Insurance benefits.

**Police & Fire Relief Fund** — if a police officer or firefighter, crash rescue person or correctional officer receive a total disabling injury or dies in the performance of their duty, the Police and Fire Unit offers financial support to them and their dependents by providing a monthly annuity and/or tuition reimbursement at any Rhode Island college or university.

**Workers' Compensation** — provides benefits to workers injured on the job. The division monitors procedures and payments made by insurance carriers to employees as well as collecting and disseminating statistical data, responding to compliance/fraud issues and conducting educational and procedural seminars.

Rehabilitation Center — the Chief Judge Robert F. Arrigan Rehabilitation Center, located in Providence, provides broad-based rehabilitation programs for individuals in the Workers' Compensation system, including evaluations,

therapy, counseling and vocational services.

**Workforce Development** —The Workforce Services Division is the single point of contact for information on the wide range of employment and training services available to job seekers and employers. The programs seek to connect individuals to employment, workforce information, education and training. The Workforce Development Services division is a partnership of federal, state and local services and agencies. The unit furnishes administrative and technical support, ensuring that programs are administered according to laws and regulations, as well as agency goals and objectives.

**neWORKri - One Stop Career Centers** — Employers, job seekers and those with special needs can visit any one of the neWORKri Career Centers throughout the state and receive seamless and comprehensive services. These career centers provide a full range of employment and training services to both job seekers and employers at no charge. Services are in Providence, Wakefield, West Warwick and Woonsocket. neWORKri is an innovative partnership of professional, labor, training, education and economic development organizations. The Department of Labor is the primary partner offering employment services in each center.

**Executive** — The Executive Division includes the Director's Office, Marketing/Communications, the Office of Legal Services and Operations Management. The Marketing/Communications Unit is responsible for the Department's internal and external communications including news releases, advertising and promotion.

**Workforce Partnership of Greater RI** — This division is the federally mandated Workforce Investment Board (WIB) for 37 of Rhode Island's 39 cities and towns. It directs and oversees a variety of federal and state workforce development activities throughout the region.

**Governor's Workforce Board (GWB)** — The Board serves as the federally mandated State Workforce Board and incorporates the role of the RI Human Resource Investment Council to drive the development of policies and systems to ensure alignment of all RI's workforce and economic development related programs and services. The Board develops RI's Statewide Job Training Plan, administers the Job Development Fund and creates strategic priorities built on short and long-term goals with measurable outcomes. It is the primary advisor to the Governor in all matters related to the State's workforce development strategies.

**Labor Market Information (LMI)** — The Labor Market Information (LMI) Unit is the central state resource for the collection, analysis, and dissemination of information pertaining to the Rhode Island labor market. LMI is responsible for a wide range of labor market analysis and research involving industry trends, occupational projections, wage rates, labor force movements, population shifts, and demographics.

LMI operates four federal/state programs in cooperation with the Bureau of Labor Statistics (BLS). These data collection programs include: Local Area Unemployment Statistics (LAUS), Occupational Employment Statistics (OES), Current Employment Statistics (CES) and Quarterly Census of Employment & Wages (QCEW). Information gathered from these programs is the basis for most LMI products. LMI also extracts statistical information from Unemployment Insurance and Temporary Disability Insurance administrative records to assemble reports on the diverse activities of the Department.

**Workforce Regulation and Safety** — oversees Apprenticeship, Labor Standards, Professional Regulation and Occupational Safety.

Apprenticeship – works to promote apprenticeship programs, combining on-the-job training and classroom learning in various occupations.

Professional Regulation - responsible for testing and licensing technical professions, ensuring compliance with prevailing wage laws and regulating and safeguarding apprenticeships in the licensed trades.

Occupational Safety and Health - enforces state safety standards by performing and reviewing inspections, issuing certificates of operation, and imposing standardized measures as established by the federal government.



Labor Standards - enforces laws on minimum wage, child labor, overtime, industrial homework, Sunday/holiday pay and parental and family medical leave.

**Business Affairs** — Responsible for maintaining a comprehensive financial management system covering all programs, grants and contracts administered by the Department. Major activities include administrative and grant accounting, budgeting, procurement and mail room and other office service operation.

**Office of Legal Services** — The Office of Legal Services represents the Department in court proceedings, administrative hearings and provides legal advice and counsel to staff on issues arising under both state and federal law as they relate to DLT programs. The Legal Office also initiates prosecution on unemployment compensation fraud and benefit overpayments and workers' compensation lack of insurance. The Legal Office provides advice on DLT legal matters, renders written and oral legal opinions, appears before various courts, boards and commissions and attends in an advisory position at board meetings.

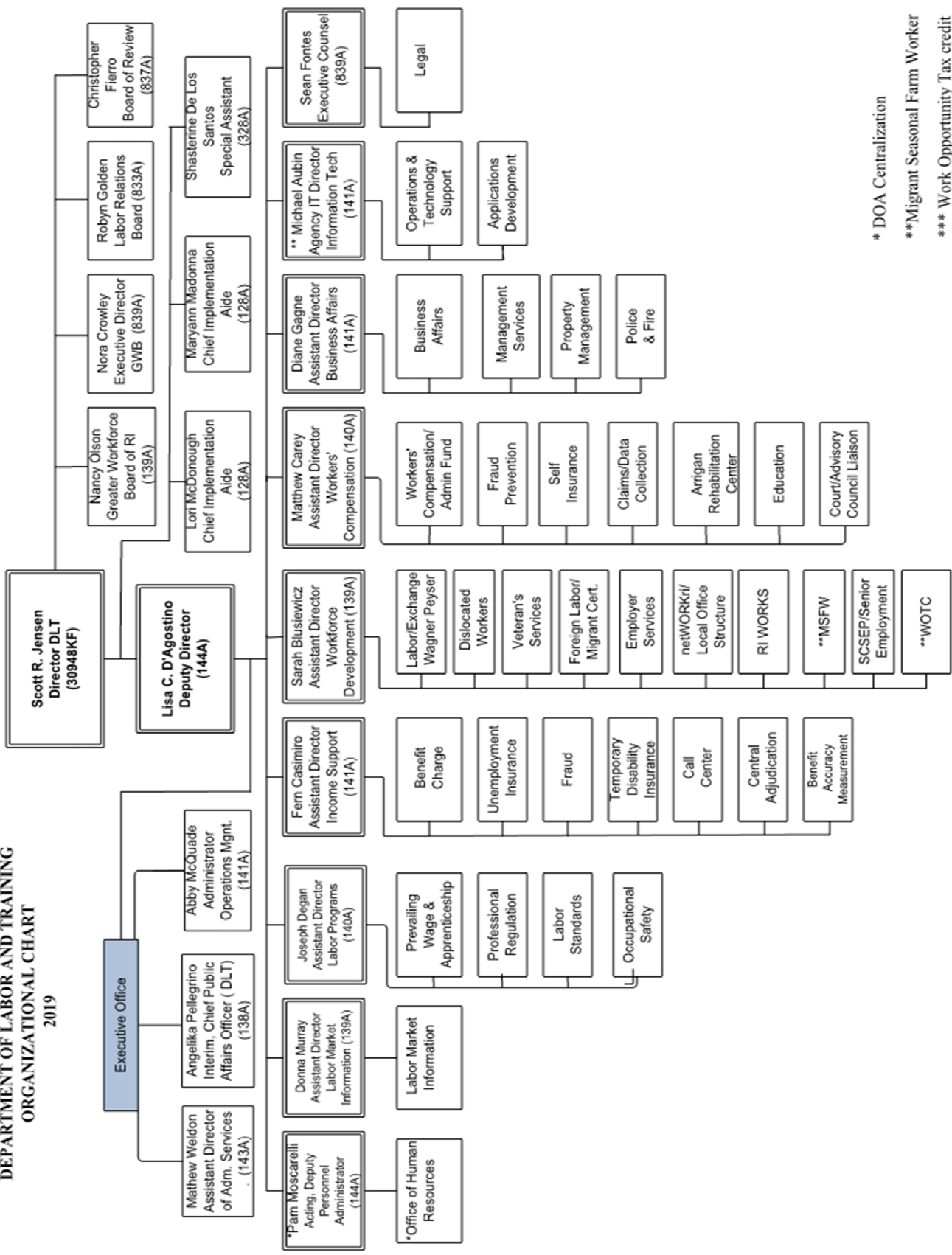
**Board of Review** — Hears and renders decisions on appeals arising from the Department of Labor and Training (DLT), Unemployment Compensation and Temporary Disability Insurance divisions and from employers on certain contested tax status issues.

**Human Resources** (Part of General Government Service Center, Department of Administration) — Responsible for employee relations, labor relations, payroll, staff development and training programs.

Processes personnel actions; administers personnel policies; monitors position classification and compensation; prepares and monitors the annual internal affirmative action plan, assists in the preparation of personnel service budgets and maintains employee benefit programs.

**Department of Information Technology** (Department of Administration) —develops and maintains DLT applications and implements technologies to support all the business units and their functions mentioned above. This includes systems design, programming, maintenance and support. Mainframe, mid-range, server and desktop hardware platforms are installed, operated and maintained. Network administration and security functions are also supported. This includes; email, internet and secure data transmission.

**DEPARTMENT OF LABOR AND TRAINING  
ORGANIZATIONAL CHART  
2019**



\* DOA Centralization  
 \*\*Migrant Seasonal Farm Worker  
 \*\*\* Work Opportunity Tax credit

## **A. PLAN ADMINISTRATION**

### **Sexual Harassment Policy, Human Resources 2018**



*STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS*  
**DEPARTMENT OF ADMINISTRATION**  
**Enterprise Policy**

#### **Human Resources 2018**

##### **Sexual Harassment Policy**

04-02-18

**Kyle Adamonis**

401-222-5664

[Kyle.Adamonis@hr.ri.gov](mailto:Kyle.Adamonis@hr.ri.gov)

#### **1. Scope**

This policy applies to all State Executive Branch agencies and employees whether permanent, non-permanent, temporary, seasonal, full or part-time. Employees are also required to familiarize themselves with agency-specific sexual harassment policies.

#### **2. Introduction**

The State of Rhode Island promotes a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings related to their employment is unlawful and will not be tolerated. Any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve a workplace free from sexual harassment, there are procedures by which inappropriate conduct will be dealt.

The State of Rhode Island takes allegations of sexual harassment seriously, and will promptly respond to complaints of sexual harassment. Where it is determined that such inappropriate conduct has occurred, action shall be taken to prevent further offending conduct and impose timely corrective action as is necessary, up to and including disciplinary action where appropriate.

Please note that while this policy sets forth goals of promoting a workplace that is free of sexual harassment, the policy is not designed or intended to limit the authority to immediately impose discipline or take remedial action for workplace conduct deemed unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

#### **3. Definition of Sexual Harassment**

In Rhode Island, "sexual harassment" means any unwelcome sexual advances or requests for sexual favors or any other verbal or physical conduct of a sexual nature when:

- (1) Submission to that conduct or those advances or requests is made either explicitly or implicitly a term or condition of an individual's employment; or
- (2) Submission to or rejection of the conduct or advances or requests by an individual is used as the basis for employment decisions affecting the individual; or

(3) The conduct or advances or requests have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. (*R.I. Gen. Laws Section 28-51-1 and Title VII, Civil Rights Act of 1964*).

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual, promised or implied job benefits, such as favorable reviews, salary increases, job opportunities and promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, *may* constitute sexual harassment depending upon the totality of the circumstances, including the frequency and/or severity of the conduct and its pervasiveness:

- unwelcome sexual advances, whether they involve physical touching or not;
- sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures, cartoons;
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- inquiries into one's sexual experiences; and
- discussion of one's sexual activities or those of another person.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. For example, the complainant can be an employee who is denied an employment opportunity or benefit where employment opportunities or benefits are granted because of another individual's submission to the employer's sexual advances or requests for sexual favors. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by the State of Rhode Island. Retaliation includes threats, intimidation, reprisals, and/or adverse employment actions against 1) a person in response to a complaint that employee has made about discrimination or harassment; 2) a person who assists in filing a complaint about discrimination or harassment; and/or 3) a person who has testified about discrimination or harassment.





#### **4. Supervisor's Responsibilities**

Supervisors who observe, witness, or are informed of inappropriate behavior of a sexual nature or incidents of sexual harassment must immediately report such behavior or incidents to the Division of Human Resources. The supervisor is required to report the behavior or incident regardless of whether a complaint is made or the conduct appears to be unwelcome, and even if the person providing information requests that no action be taken.

#### **5. Complaints of Sexual Harassment**

If any State employee believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint. This may be done in writing or orally.

Complaints may be filed by contacting your supervisor or the agency Human Resources liaison listed on the attached Agency Liaison Contact List and posted on the State of Rhode Island Division of Human Resources website at [www.hr.ri.gov](http://www.hr.ri.gov).

#### **6. Complaint Process**

When a state agency receives a complaint, it will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted by Human Resources in such a way as to maintain confidentiality to the extent practicable under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. Human Resources will also interview the person alleged to have committed sexual harassment.

When a person who has presented an internal complaint requests the status of the complaint, Human Resources will provide a timely answer in writing to the complainant.

When the investigation is completed, the agency will, to the extent appropriate, inform in writing the person who filed the complaint and the person alleged to have committed the conduct of the results of that investigation.

#### **7. Additional Remedy**

In addition to filing a complaint with Human Resources, employees also may file complaints with the Associate Director for the Office of Diversity Equity and Opportunity (ODEO) in the Department of Administration or a member of staff within the ODEO/State Equal Opportunity Office ([www.odeo.ri.gov](http://www.odeo.ri.gov)). ODEO will investigate the complaint and also maintain confidentiality to the extent practicable (other than notification to the Agency Director, when appropriate):

If ODEO makes a determination that there is probable cause of discrimination, it will try to conciliate the complaint. If ODEO is unable to conciliate the complaint, ODEO will schedule a formal hearing. If, after a hearing, the Hearing Officer determines that sexual harassment occurred, the ODEO will present its findings and recommend corrective action. (Please note that if a



complainant files a charge with either or both agencies specified in Section 8 below, the ODEO will defer to the Rhode Island Commission for Human Rights (RICHR) or Equal Employment Opportunity Commission (EEOC) for investigation and/or resolution of the complaint).

## **8. State and Federal Remedies**

In addition to the above, if an employee of the State of Rhode Island believes he or she has been subjected to sexual harassment, he or she may file a formal complaint with either or both government agencies set forth below in accordance with applicable time limits. Using the State of Rhode Island's complaint filing process does not prohibit an employee from filing a complaint with these agencies.

The United States Equal Employment Opportunity Commission (EEOC)

[www.eeoc.gov](http://www.eeoc.gov)

John F. Kennedy Federal Building

475 Government Center, Boston, MA 02203

Phone: 1-800-669-4000

TTY: 1-800-669-6820

The Rhode Island Commission for Human Rights (RICHR)

[www.richr.ri.us](http://www.richr.ri.us)

180 Westminster Street, 3d Floor

Providence, RI 02903

Phone: 401-222-2661

TTY: 7-1-1

Where it is determined that inappropriate conduct has occurred, the agency will act promptly to prevent further offending conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

## **9. Disciplinary Action**

If it is determined that an employee has engaged in inappropriate conduct, the state agency will take action as is appropriate under the circumstances. Such action may range from counseling and training to disciplinary actions, including termination from employment.

## **10. Legal References**

This policy is administered in accordance with the following:

### Federal Law:

Title VII of the Civil Rights Act of 1964, as amended.

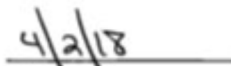


Rhode Island General Laws:

Title 28, Chapters 5, 5.1, 6 and 51.

11. Signatures

  
Division Director

  
Date

  
Director of Administration

  
Date



**RI Department of Labor and Training**  
**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 Labor and Training supports affirmative action and equal opportunity. The Department of Labor and Training 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 Matthew D. Weldon. 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 Labor and Training.

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

\_\_\_\_\_, Director Department of RI Dept. of Labor and Training

Date: \_\_\_\_\_



**EQUAL OPPORTUNITY ADVISORY COMMITTEE  
of the RI DEPARTMENT OF LABOR AND TRAINING**

**Duties and Responsibilities:**

The Committee shall monitor issues and concerns relating to the presentation and implementation of the Affirmative Action Plan of the Department of Labor and Training and to advise the Director of the Department of Labor and Training accordingly. Such issues and concerns shall include, but not necessarily be limited to:

- a) promoting the objectives of all state and federal laws within the Department in the spirit of equal opportunity;
- b) achieving equality of opportunity and due process in recruiting, hiring, training, promoting, transferring and terminating employees;
- c) achieving employee equity in entitlement to benefits and educational incentives.

**Schedule of Meetings July 1, 2018 through June 30, 2019:**

September 5, 2018  
December 5, 2018  
April 10, 2019  
June 5, 2019

**Schedule of Meetings July 1, 2019 through June 30, 2020:**

September 4, 2019  
December 4, 2019  
March 4, 2020  
June 10, 2020  
September 9, 2020  
December 9, 2020

## COMMITTEE MEMBERS – 2019

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**Sandra Miller-Becton** (F) -- Chairperson -- African-American  
E&T Manager  
Income Support

**Linda Prince** (F) -- Vice-Chair – African-American  
Senior Research Analyst  
Labor Market Information

**Deanne McNeill** (F) – Secretary -- African-American  
Sr. Word Processing Typist  
Workers' Compensation – Arrigan Rehabilitation Center

**Ana Crimmins** (F) -- Portuguese  
Benefit Claims Specialist  
Income Support -- Overpayment Unit

**J. Jack Andrade** (M), TSC -- Cape Verdean  
Local Veterans Employment Representative  
Veterans Services Unit

**Carlos Tillett** (M) -- Hispanic  
Caucasian  
Investigator  
Income Support -- Fraud Unit  
Adjudication Unit

**Patricia Vespia** (F) –  
Benefit Claims Specialist  
Income Support –

**Victoria Alves Salabert** (F) -- Caucasian  
Benefit Claims Specialist  
Income Support -- TDI

**Yolanda Benavides** (F) -- Hispanic  
Principal E&T Interviewer  
*netWORKri*

**Maria Pilon** (F) – Cape Verdean  
Business Service Specialist  
Business Workforce Center

**Francine Lepizzera** (F) – Hispanic/Caucasian  
Workforce Supervisor  
Providence/Cranston

**Lauren Pitit-Moses** (F) – Caucasian  
Program Analyst  
Workforce Partnership of Greater RI

## Equal Opportunity Advisory Committee Meeting Minutes

**Date: September 5, 2018**

Location: Center General Complex, Bldg. 73-2

Attendees

Sandra Miller-Becton                      Victoria Alves Salabert

Ana Crimmins                                Yolanda Benavides

Jack Andrade                                Lauren Pitit-Moses

Patricia Vespia                                Dee McNeill

Absent:

Carlos Tillett                                Francine Lepizzera

Maria Pilon                                    Linda Prince

Sandra Miller-Becton (Chair) called the meeting to order at 3:30 p.m.

First order of business:

Sandra asked all members to review the meeting minutes and afterwards made a motion to accept them. Ana Crimmins accepted it and Jack Andrade seconded it.

Sandra then announced that one of the new members, Aiyah JosiahFaeduwor, resigned as well as Angelyne Cooper.

Sandra indicated that elections will have to be held next year to comply with the by-laws of having elections on odd numbered years.

Sandra indicated that she would like to send something out, like a census questionnaire, asking state workers "What would you like the EOAC committee to do?" A discussion ensued surrounding this topic. Also discussed, was the difference between the functions of the EOAC compared to the Union with respect to issues and knowing which entity to go to for resolution.

The next meeting/luncheon will be held on December 5, 2018 from 1:30-3:30 p.m., at the Center General Complex, Conference Rm. 73-2.

At approximately 3:30 p.m. Sandra made the motion to adjourn the meeting, Ana Crimmins accepted it, and Jack Andrade seconded it.

**Minutes prepared by:** Dee McNeill 09/05/18  
Secretary

## Equal Opportunity Advisory Committee Meeting Minutes

**Date: December 5, 2018**

Location: Center General Complex, Bldg. 73-2

### Attendees

Sandra Miller-Becton

Jack Andrade

Dee McNeill

Carlos Tillett

Patricia Vespia

Lauren Petit-

Francine

Moses

Lepizzera

Maria Pilon

Linda Prince

### Absent:

Victoria Salabert

Ana Crimmins

Yolanda  
Benavides

Sandra Miller-Becton (Chair) called the meeting to order at approximately

2:00 p.m. First order of business:

Sandra asked members to review the Meeting Minutes and afterwards made a motion to accept it. Lauren accepted it and Carlos Tillett seconded it.

Sandra pointed out that the name on the EOAC posters currently has Angylene Cooper's name on them and she noted that Angelyne is no longer employed here, so she will address this matter with Matt Weldon.

Jack asked Sandra for clarification as to the role of the EOAC and noted that it is not defined in the By-laws. Linda mentioned that the Plan is a federally regulated system to keep track of minority appointments. Human Resources uses a formula which looks at the demographics to get an idea of minorities in our service area in order to come up with the statistics. This Committee is supposed to be a representative of our service area.

Some members pointed out that not all departments are comprised of minorities, so it was agreed that a letter should be written pointing this out. Sandra proposed writing a data request as outlined below:

1. Who is in charge of minority statistics for the EOAC Plan now?
2. What are the names of minority employees and their titles in the network?
3. Where are the Affirmative Action cards?
4. Who is handling the Affirmative Action Plan now? Lisa Kearns used to do it. Is she still doing it or has someone else taken over this assignment?
5. What happened to the semi-annual report? Can we obtain a copy of it?
6. Who has been appointed the State EEO Officer?

A discussion ensued about state employees with grievances. Francine recommended having an option for state employees with issues to talk to a committee of their peers to air out their grievances which may make them feel more comfortable.

Later, Jack inquired about the voting election of officers. Sandra stated that she will send out an email to address changing the By-laws again in response to his inquiries.

Lastly, Sandra proposed setting up a “kitty pot”, asking members to contribute to it for bereavement gifting purposes.

The next meeting will be held on April 10, 2019 from 1:30-3:30 p.m., at the Center General Complex, Conference Rm. 73-2.

At 3:30 p.m., Sandra made the motion to adjourn the meeting. Jack Andrade accepted it, and Linda Prince seconded it.

**Minutes prepared by:** Dee McNeill 12/05/18  
Secretary

**\*This space intentionally left blank\***

## Equal Opportunity Advisory Committee Meeting Minutes

**Date: April 10, 2019**

Location: Center General Complex, Bldg. 73-2

### Attendees

Sandra Miller-Becton  
Ana Crimmins  
Jack Andrade

Francine Lepizzera  
Yolanda Benavides  
Linda Prince

Patricia Vespia  
Dee McNeill

### Absent:

Carlos Tillett  
Maria Pilon

Victoria Alves Salabert  
Lauren Moses

Sandra Miller-Becton (Chair) called the meeting to order at approximately 1:30 p.m.

### First order of business:

Sandra asked all members to review the meeting minutes and afterwards made a motion to accept them. Ana Crimmins accepted it and Linda Prince seconded it.

Sandra told the committee that she noticed good size posters in Bldg. 72 with Matt Weldon's name on it.

Sandra then announced that Juana De Los Santos is the new EOAC Administrator. She reached out to Sandra and invited her to a training session. She will relay more information about it later. Maria Ferreira is now handling the EOAC Plan. Sandra noted that we have been without a Plan now for nearly 3 years. The last EOAC Plan was dated July 1, 2015 – June 30, 2016. Going forward, Sandra indicated that we should ask for a semi-annual report.

A question was raised – Is it still mandatory to have all applicants complete an Affirmative Action card during the interviewing/hiring process? Sandra will reach out to Matt Weldon regarding this and questions about the stats.

At 3:30 p.m., Sandra made a motion to adjourn the meeting. Ana Crimmins accepted it, and Dee McNeill seconded it.

The next meeting/luncheon will be held on June 5, 2019 from 1:30-3:30 p.m., at the Center General Complex, Conference Rm. 72-1. **Please note:** It will be held in the Fireplace Room this time.

**Minutes prepared by:** Dee McNeill 4/10/19  
Secretary

## Equal Opportunity Advisory Committee Meeting Minutes

**Date: June 5, 2019**

Location: Center General Complex, Bldg. 72-1

### Attendees

|                      |                         |                  |
|----------------------|-------------------------|------------------|
| Sandra Miller-Becton | Francine Lepizzera      | Patricia Vespia  |
| Ana Crimmins         | Yolanda Benavides       | Dee McNeill      |
| Jack Andrade         | Linda Prince            | Juana DeLoSantos |
| Carlos Tillet        | Victoria Alves Salabert | Vilma Peguero    |
| Maria Pilon          | Lauren Moses            |                  |

Sandra Miller-Becton (Chair) called the meeting to order at approximately 1:00 p.m. Sandra announced the guest speakers: Juana DeLosSantos, EEO Administrator for ODEO and Vilma Peguero, Programming Services Officer for ODEO. They briefly explained their roles. A third scheduled guest, Chandini Yadav, Administrator at Eleanor Slater Hospital could not make it to today's meeting. Sandra then asked the members to introduce themselves. She informed the guests that we are a diverse group with different backgrounds and different viewpoints.

### First order of business:

Sandra asked all members to review the meeting minutes and afterwards made a motion to accept them. Ana Crimmins accepted it and Linda Prince seconded it.

Sandra passed out packets of information pertaining to the training she attended at the ODEO. She indicated that the DEM, courts, and BHDDH reached out to her to obtain the By-laws so that they can start committees of their own. When Sandra attended the meeting, she spoke to Juana about the semi-annual report which shows statistics where the departments are with regards to diversity goals. Data is captured July 1<sup>st</sup> of the previous year to June 30<sup>th</sup> and uses previous data for areas of opportunity. Plans are to do a training and EEO Plan by September 30<sup>th</sup>. Roles of the committee were then explained with regards to the EEO Plan.

She then asked members if they had any questions for Juana. Questions asked:

1. One member questioned if it was still mandatory to have all applicants complete an Affirmative Action card because she did not notice it on the ApplyRI website? She will check and let Juana know. Juana indicated that the process of an applicant filling out the card is voluntary. An applicant cannot be forced to fill out the card, however, they must be given the opportunity to fill it out during the application process and upon hire. If DLT hosts all of its applications via ApplyRI then the applicant will be afforded the opportunity to self-disclose upon creating a profile. She also noted that the categories were changed from 5 to 7.
2. How can one determine who applies for a job (the demographics)?
3. What are the processes for hiring and selecting applicants?
4. Where does it show in the EEO Plan where we are lacking with respect to diversity?

Juana spoke briefly about the different categories (statistics) because she had to leave for another scheduled meeting. However, she offered to come back to the next meeting to give us a more detailed account of how analysis is formulated.

**New business:**

Sandra told the committee to look at the By-laws, specifically Page 11, Section 1 – Term limits for Officers. We discussed election voting of officers and how to conduct the vote in accordance with the By-laws. By-laws stipulate that nominations be conducted in August in an odd-numbered year. Jack made a motion to amend the By-laws and presented petitions to do so. However, Linda said that we will discuss this matter at the next meeting. Sandra will contact the membership in August to see if you want to run for an office.

At 3:30 p.m., Linda made a motion to adjourn the meeting. Ana Crimmins accepted it, and Carlos Tillett seconded it.

The next meeting will be held on September 4, 2019 from 1:30-3:30 p.m., at the Center General Complex, Conference Rm. 72-1. **Please note:** It will be held in the Fireplace Room.

**Minutes prepared by:** Dee McNeill 6/5/19  
Secretary

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## **B. DIVISION HEADS, SUPERVISORS, HUMAN RESOURCES LIAISON**

**Mission:** To assist the Agency's Diversity Liaison in implementing the Affirmative Action Plan whenever the opportunity presents; to recommend changes which will enhance the Agency's Plan; to be responsive to any special concerns of minority, female and disabled employees.

### **Functions/Summary of Responsibilities:**

1. Be knowledgeable of the goals for the Agency's Affirmative Action Plan.
2. Interview applicants for employment, transfer and promotion on the duties of the position only.
3. Be constantly aware of maintaining harmonious work relationships among employees.
4. Verify that policies and procedure manuals are available to all employees for review.
5. Assess training needs of all employees within sphere of supervision.
6. Be knowledgeable of employee discipline procedures and philosophy.

**The Director** is responsible for ensuring the Equal Opportunity Policy is implemented and adhered to by the Department.

**Assistant Directors** have the responsibility to read, understand and share the plan with current and newly hired, union and non-union employees. Assistant Directors will also establish any necessary procedures needed to comply with the plan and encourage employees to apply for training and promotional opportunities. When serving on an interview panel, Assistant Directors will ensure fairness and equality in hiring decisions.

**Supervisors** must be familiar with the plan and ensure all employees act in accordance with the policies and procedures. Supervisors are responsible for maintaining a workplace free from discrimination, harassment and / or bullying. When serving on an interview panel, Supervisors will ensure fairness and equality in hiring decisions. Supervisors are also responsible for ensuring all newly hired staff attend Orientation and Equal Employment Opportunity (EEO) / Sexual Harassment and Diversity Training.

The **Human Resources Liaison** will supply affirmative action table data and assist with statistical reporting as needed.

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**Diversity Liaison/EO Officer:**

Matthew D. Weldon  
RI Department of Labor and Training  
1511 Pontiac Avenue  
Cranston, RI 02920

**Mission:** To advise and assist the Department in developing policies, programs and systems which will ensure equal opportunity in all phases of state agency operations. To maintain continuing responsibilities for equal opportunity within the agency including Job Service, Temporary Disability Insurance, Job Training Partnership, Unemployment Insurance, Labor Standards, Professional Regulation, Occupational Safety, Labor Relations, Weights and Measures, Workers' Compensation and Rehabilitation and all other programs and functions within the agency's mandate.

**Functions:**

1. Develop a positive plan for the accomplishment of the agency's Equal Employment Opportunities in hiring, retention and promotion of minority, handicapped and female employees.
2. Promote the elimination of discriminatory employment practices through programs designed to familiarize employers with Equal Employment Opportunity requirements; that is, employment without regard to race, creed, color, sex, age, national origin, disability status or religious affiliation.
3. Serve as the focal point for all Equal Opportunity activity regarding service to clients.
4. Review and evaluate local office operations for conformity to Equal Opportunity policies and legislation concerning services to applicants and employers and arranges for and/or recommends remedial action.
5. Develop and conduct Equal Opportunity training for agency staff to promote a fuller understanding of the meaning and implications of Titles VI and VII.

**\*This space intentionally left blank\***

## **Americans with Disabilities Act/504 Complaint Procedure:**

The Department of Labor and Training has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act.

Complaints should be addressed to:

Matthew D. Weldon  
Department of Labor and Training  
1511 Pontiac Avenue  
Cranston, RI 02920

Aggrieved individuals may file a complaint as follows:

1. A complaint should be filed in writing or verbally, containing the name and address of the person filing it, and briefly describe the alleged violation(s) of the regulation.
2. A complaint should be filed within five (5) days after the complainant becomes aware of the alleged violation(s).
3. An investigation, as may be appropriate, will follow a filing of complaint. Matthew D. Weldon will conduct the investigation. These rules contemplate informal but thorough investigation affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by the Director and a copy forwarded to the complainant no later than thirty (30) days after conclusion of the investigation.
5. The ADA/504 Coordinator will maintain the files and records relating to the complaints filed.

**\*This space intentionally left blank**

**Duties and Responsibilities of 504 Coordinator:**

Matthew D. Weldon  
RI Department of Labor and Training  
1511 Pontiac Avenue  
Cranston, RI 02920

**Mission:** To oversee the Agency's efforts in adhering to the prescribed physical environment of all DLT occupied facilities and accommodation needs for employees and customers; and to direct physical plant changes as warranted.

**Functions/Responsibilities:**

1. Be knowledgeable of the provisions of the ADA;
2. Conduct studies of all DLT physical facilities and evaluate for compliance;
3. Recommend changes to comply with the Act;
4. Maintain a schedule of construction changes and needs;
5. Attend periodic meetings to keep current on ADA provisions and necessary actions.

**\*This space intentionally left blank\***

## **Dissemination of Plan and Policy:**

***Internally***, a copy of the Affirmative Action Policy will be posted in the Office of Human Resources and available for distribution. All policies, procedures, grievance procedures, posters on equal opportunity, sexual harassment, unbiased work environment, veterans and individuals with disabilities will be posted on all bulletin boards throughout the Department. All Executive Orders pertaining to equal opportunity and vacancy notices will also be posted for all employees.

The Affirmative Action Plan and Equal Opportunity policies will be disseminated as follows:

- a. The Director shall issue a memorandum to all executive directors, associate directors and chiefs stating the importance of their support in this endeavor.
- b. All new employees will be notified of the Equal Opportunity policies at the time of hire.
- c. The Equal Opportunity Advisory Committee will assist in the communication of this program and help in the dissemination of information.
- d. Equal Opportunity posters and information will be posted on bulletin boards and in various offices, including the Office of Personnel Administration.
- e. A copy of the plan will be distributed to all supervisors and to any employee (for review) upon request.


***Externally***, the Department's Plan will be accessible on the Department's website under the Equal Opportunity tab.


If the above measures are taken, applicants and employees should be aware of the Department's procedures and policies related to discrimination. However, it is imperative that the Department follow through and ensure that the AAP is made available, both internally and externally, in the manner described above.

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**POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION**

The Department of Labor and Training fully endorses and cooperates with the State Equal Opportunity Office's 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 Equal Opportunity Office for further information at 222-3090.

  
\_\_\_\_\_  
Scott R. Jensen  
Director, Department of Labor and Training

  
\_\_\_\_\_  
Date

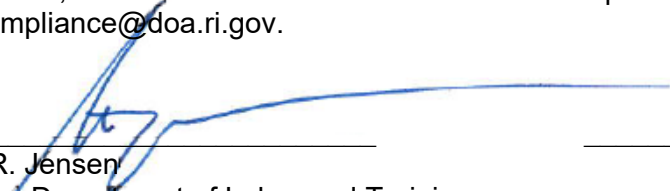
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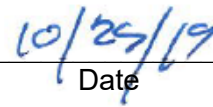
**POLICY ON SERVICE DELIVERY**

The Department of Labor and Training 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 28-5.1 of the State of Rhode Island, all Divisions of the Department 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/State Equal Opportunity Office, One Capitol Hill, Providence, Rhode Island 02908-5865. The telephone number is 401-222-3090 or [eo.compliance@doa.ri.gov](mailto:eo.compliance@doa.ri.gov).


  
\_\_\_\_\_  
Scott R. Jensen  
Director, Department of Labor and Training

  
\_\_\_\_\_  
Date

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**POLICY ON CONTRACTS**

In accordance with Rhode Island General Law 28-5.1, the Department of Labor and Training 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 Rhode Island General Law 28-5.1, Title VII of the Civil Rights Act of 1964, Rehabilitation Act of 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.

  
\_\_\_\_\_  
Scott R. Jensen  
Director, Department of Labor and Training

  
\_\_\_\_\_  
Date

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

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The Department will comply with all the requirements set forth in the Americans with Disabilities Act of 1990, Rhode Island General Law 28-5.1, Executive Order 92-2 and the Vietnam Era Veterans Readjustment Act of 1974 to take Affirmative Action to employ and advance individuals with disabilities and veterans.

All Department employment policies will comply with the goals of affirmative recruitment of individuals with disabilities and covered Veterans. The Department will maintain contact with agencies and organizations that serve this special population for the purposes of encouraging individuals with disabilities, disabled veterans and covered veterans to apply for employment within our agency.

In accordance with the acts, statutes and state executive order, the Department will make every effort to provide reasonable accommodation which may include modifying the job site, equipment, schedules or procedures to enable the individual to function at their optimum level when hired. Where possible, the job will be restructured to accommodate the employee's special needs.

The education and training program will be encouraged as an incentive to anyone in this population to develop and implement their own career development plan.

The person responsible for overseeing this program is Matthew D. Weldon Assistant Director/EO Officer, Department of Labor and Training.

Mr. Weldon is also the designated 504 Coordinator. In this role, one of Mr. Weldon's responsibilities is to monitor the Department's grantee agencies for 504 accessibility.

All employment related brochures, recruitment and job postings will contain "Equal Opportunity/Diversity Employer M/F/D" statements.

Internally, copies of the Department's Affirmative Action Plan will be available in each division or office, in addition to the Office of the Director. External dissemination of the policy and plan includes the State Equal Opportunity Office and other state agencies. Copies are available on request from the Office of Human Resources.

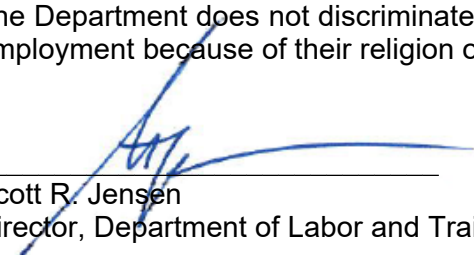
  
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Scott R. Jensen, Director  
Department of Labor and Training

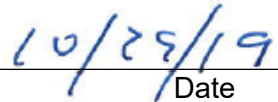
  
\_\_\_\_\_  
Date

**COMPLIANCE WITH GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION OR NATIONAL ORIGIN**

The Department of Labor and Training 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.

  
\_\_\_\_\_  
Scott R. Jensen  
Director, Department of Labor and Training


  
\_\_\_\_\_  
Date

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## 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.

  
\_\_\_\_\_  
Scott R. Jensen  
Director, Department of Labor and Training

  
\_\_\_\_\_  
Date

## **POLICY ON SEXUAL HARRASSMENT**

It is the policy of the Department of Labor and Training to maintain a working environment that is free from sexual harassment.

It shall be a violation of this policy for any employee of the Department of Labor and Training to harass another employee through conduct or communications of a sexual nature as defined herein.

### **DEFINITION**

Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by an employee:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or when:
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or when:
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include but is not limited to, the following:

1. pressure for sexual activity,
2. repeated remarks to a person, with sexual or demanding implications,
3. unwelcome touching,
4. suggested or demanding sexual involvement accompanied by implied or explicit threats concerning one's work, etc.

### **PROCEDURES**

Any person who alleges sexual harassment by any employee in the Department of Labor and Training may use the procedure detailed in the employee handbook or may complain directly to his or her immediate supervisor or Human Resource Personnel. Filing of a grievance or reporting sexual harassment will not reflect upon the individual's status, nor will it affect future employment or work assignments.

The right to confidentiality, both for the complainant and the accused, will be consistent with the Department of Labor legal obligations, and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

## **SANCTIONS**

A substantiated charge by a customer, coworker or supervisor against an employee in the Department of Labor and Training shall subject such employee to disciplinary action. If, after investigation by appropriate staff, it is determined that an employee has engaged in inappropriate conduct, the Department will take the necessary steps to remedy the situation. Steps may include counseling, training, relocation and potential termination from employment.

## **NOTIFICATION**

Notice of this policy will be circulated to all facilities and departments of the Department of Labor and Training on an annual basis and incorporated in the employee handbook. Training sessions on this policy and the prevention of sexual harassment shall be held for employees and become part of our new employee orientation program to ensure that the practices and procedures outlined in the plan are adhered to.

**\*This space intentionally left blank\***

## **RETALIATION OR COERCION STATEMENT**

An employee or agent of the Rhode Island Department of Labor and Training 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) of 1990 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.



# Training Participation Summary:

| AGENCY:                           |                | LABOR AND TRAINING                                   |                 |                      |               |   |                        |                                  |           |                                    |           | 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/AN %                         | 4 Asian % | 5 White %                          | 6 NHOPI % | 7 Two or More Races %  | 1 Black %  | 2 Hispanic or Latino %                       | 3 A/AN %  | 4 Asian % | 5 White % | 6 NHOPI % | 7 Two or More Races % |          |           |            |          |          |           |  |  |
| Officials/Managers/Administrators | 28             | 0  | 0               | 2                    | 23            | 1   | 4%                     | 0%                               | 0%        | 0%                                 | 4         | 14%  | 0%         | 0%   | 0%        | 0%        | 1         | 4%        | 0%                    | 0%       | 22        | 79%        | 0%       | 0%       | 0%        |  |  |
| Professionals                     | 116            | 0  | 0               | 27                   | 84            |   | 0%                     | 3%                               | 0%        | 29                                 | 25%       | 0%   | 0%         | 0%   | 0%        | 13        | 11%       | 11        | 9%                    | 0%       | 60        | 52%        | 0%       | 0%       | 0%        |  |  |
| Faculty                           | 0              | 0  | 0               | 0                    | 0             |   |                        |                                  |           |                                    |           |  |            |  |           |           |           |           |                       |          |           |            |          |          |           |  |  |
| Technicians                       | 19             | 0  | 0               | 1                    | 3             |   | 0%                     | 0%                               | 0%        | 16                                 | 84%       | 0%   | 0%         | 0%   | 0%        | 0         | 0%        | 1         | 5%                    | 0%       | 2         | 11%        | 0%       | 0%       | 0%        |  |  |
| Protective Services               | 0              | 0  | 0               | 0                    | 0             |   |                        |                                  |           |                                    |           |  |            |  |           |           |           |           |                       |          |           |            |          |          |           |  |  |
| Para-Professionals                | 7              | 0  | 0               | 3                    | 2             | 2   | 29%                    | 0%                               | 0%        | 3                                  | 43%       | 0%   | 0%         | 0%   | 0%        | 0         | 0%        | 1         | 14%                   | 0%       | 1         | 14%        | 0%       | 0%       | 0%        |  |  |
| Administrative Support            | 12             | 0  | 0               | 1                    | 8             |   | 0%                     | 0%                               | 0%        | 4                                  | 33%       | 0%   | 0%         | 0%   | 0%        | 0         | 0%        | 1         | 8%                    | 0%       | 7         | 58%        | 0%       | 0%       | 0%        |  |  |
| Skilled Craft                     | 0              | 0  | 0               | 0                    | 0             |   |                        |                                  |           |                                    |           |  |            |  |           |           |           |           |                       |          |           |            |          |          |           |  |  |
| Service Maintenance               | 0              | 0  | 0               | 0                    | 0             |   |                        |                                  |           |                                    |           |  |            |  |           |           |           |           |                       |          |           |            |          |          |           |  |  |
| <b>Totals</b>                     | <b>182</b>     | <b>0</b>   | <b>0</b>        | <b>34</b>            | <b>120</b>    | <b>3</b>  | <b>2%</b>              | <b>3</b>                         | <b>2%</b> | <b>0</b>                           | <b>0%</b> | <b>56</b>  | <b>31%</b> | <b>0</b>                                     | <b>0%</b> | <b>14</b> | <b>8%</b> | <b>14</b> | <b>8%</b>             | <b>0</b> | <b>92</b> | <b>51%</b> | <b>0</b> | <b>0</b> | <b>0%</b> |  |  |
| <b>Total Percent:</b>             |                | Minority: 19%  |                 | Female: 66%          |               | Disabled: 0%  |                        | Veterans: 0%                     |           | <b>Race/Ethnicity Description:</b> |           |  |            |  |           |           |           |           |                       |          |           |            |          |          |           |  |  |
|                                   |                | 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) |           |           |           |           |                       |          |           |            |          |          |           |  |  |



# Disciplinary Action:

AGENCY: LABOR AND TRAINING

DATE: 7/1/18-6/30/19

## DISCIPLINARY ACTION

| DISCIPLINARY ACTION TAKEN   | 1<br>Black or African American (NHL*) |        | 2<br>Hispanic or Latino |        | 3<br>American Indian or Alaska Native (NHL*) |        | 4<br>Asian (NHL*) |        | 5<br>White (NHL*) |        | 6<br>Native Hawaiian or Other Pacific Islander (NHL*) |        | 7<br>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) |                                       |        |                         |        |  |        |                   |        | 2                 |        |   |        |                               |        |          |        |          |        |
| Loss of Pay                 |                                       |        |                         |        |  |        |                   |        |                   |        |   |        |                               |        |          |        |          |        |
| Written Reprimand           |                                       |        |                         |        |  |        |                   |        |                   |        |   |        |                               |        |          |        |          |        |
| Duty On Off Days            |                                       |        |                         |        |  |        |                   |        |                   |        |   |        |                               |        |          |        |          |        |
| Oral Reprimand              |                                       |        |                         |        |  |        |                   |        |                   |        |   |        |                               |        |          |        |          |        |
| Termination                 |                                       |        |                         |        |  |        |                   |        | 1                 |        |   |        |                               |        |          |        |          |        |
| Other (Explain)             |                                       |        |                         |        |  |        |                   |        |                   |        |   |        |                               |        |          |        |          |        |
| <b>TOTAL</b>                | 0                                     | 0      | 0                       | 0      | 0  | 0      | 0                 | 0      | 3                 | 0      | 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

# Applicant Data, part 1:

| AGENCY:   |                      | Labor and Training |       |           |      |         |            |          |        |          |          | 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                            | 01680-50101-04138    | A                  |       | X         |      | X       | 39         | 82       | 181    | 3        | 6        | 5F               |           |                 |              | 24A       |
| ADMINSTRTR OPERATIONS MANAGEMEM                   | 01680-50101-04093    | A                  |       | X         |      | X       | 48         | 24       | 45     | 4        | 11       |                  | 5F        |                 |              | 41A       |
| CHIEF, PROGRAM DEVELOPMENT                        | 01680-50101-04046    | A                  |       | X         |      | X       | 14         | 13       | 30     | 1        | 2        |                  | 5F        |                 |              | 34A       |
| CHIEF, PROGRAM DEVELOPMENT                        | 01680-50101-04135    | A                  |       | X         |      | X       | 18         | 13       | 22     | 1        | 3        |                  | 5F        |                 |              | 34A       |
| LABOR & TRAINING ADMINISTRATOR                    | 01680-50101-04118    | A                  |       | X         |      | X       | 35         | 40       | 69     | 3        | 6        |                  | 5F        |                 |              | 38A       |
| ASSISTANT ADMINISTRATOR, FINANCIAL MANAGEMENT     | 1680-50101-04143     | B                  |       | X         |      | X       | 23         | 37       | 73     | 0        | 2        |                  | 5F        |                 |              | 34A       |
| BENEFIT CLAIMS SPECIALIST                         | 8010-00100-00311     | B                  | X     |           |      | X       | 49         | 104      | 185    | 6        | 11       |                  |           | 2M              |              | 23A       |
| BENEFIT CLAIMS SPECIALIST                         | 8010-00100-565-568   | B                  | X     |           |      | X       | 1          | 7        | 23     | 0        | 0        |                  |           | 4F              |              | 23A       |
| BENEFIT CLAIMS SPECIALIST                         | 8010-00100-565-568   | B                  | X     |           |      | X       |            |          |        |          |          |                  |           | 5F              |              | 23A       |
| BENEFIT CLAIMS SPECIALIST                         | 8010-00100-565-568   | B                  | X     |           |      | X       |            |          |        |          |          |                  |           | 2F              |              | 23A       |
| BENEFIT CLAIMS SPECIALIST                         | 8010-00100-00110     | B                  | X     |           |      | X       | 1          | 4        | 10     | 0        | 0        |                  |           | 5F              |              | 23A       |
| BENEFIT CLAIMS SPECIALIST                         | 8010-00100-00126     | B                  | X     |           |      | X       | 2          | 6        | 13     | 1        | 0        |                  |           | 5F              |              | 23A       |
| CHIEF HOISTING ENGINEER INVESTIGATOR              | 1625-10000-00001     | B                  | X     |           |      | X       | 7          | 0        | 0      | 0        | 1        | 5M               |           |                 |              | 328A      |
| COORDINATOR OF EMPLOYMENT AND TRAINING PROGRAMS   | 1680-50101-3300      | B                  |       | X         |      | X       | 53         | 58       | 114    | 6        | 12       |                  | 5F        |                 |              | 31A       |
| COORDINATOR OF EMPLOYMENT AND TRAINING PROGRAMS   | 1680-50101-3665, 404 | B                  |       | X         |      | X       | 42         | 54       | 129    | 4        | 8        |                  | 5M        |                 |              | 31A       |
| COORDINATOR OF EMPLOYMENT AND TRAINING PROGRAMS   | 1680-50101-3665, 404 | B                  |       |           |      |         |            |          |        |          |          |                  | 5F        |                 |              | 31A       |
| COORDINATOR OF EMPLOYMENT AND TRAINING PROGRAMS   | 1680-50101-041369    | B                  |       | X         |      | X       | 63         | 79       | 155    | 7        | 12       | 5F               |           |                 |              | 31A       |
| COORDINATOR OF EMPLOYMENT AND TRAINING PROGRAMS   | 1680-50101-03677     | B                  |       | X         |      | X       | 40         | 51       | 106    | 5        | 11       |                  | 1M        |                 |              | 31A       |
| DATA ANALYST I                                    | 1652-80100-25        | B                  | X     |           |      | X       | 41         | 41       | 46     | 1        | 5        | 5M               |           |                 |              | 34A       |
| DLT BUSINESS OFFICER                              | 1652-80300-00090     | B                  | X     |           |      | X       | 15         | 30       | 40     | 1        | 0        |                  | 5F        |                 |              | 21A       |
| DLT BUSINESS OFFICER                              | 1680-50101-03695     | B                  | X     |           |      | X       | 11         | 23       | 44     | 0        | 0        |                  | 5F        |                 |              | 21A       |
| DLT BUSINESS OFFICER                              | 1680-50101-00208     | B                  | X     |           |      | X       | 12         | 22       | 45     | 0        | 1        |                  | 5M        |                 |              | 21A       |
| EMPLOYMENT AND TRAINING ADMINISTRATOR             | 1640-10000-00091     | B                  |       | X         |      | X       | 61         | 50       | 113    | 4        | 14       |                  | 5M        |                 |              | 35A       |
| EMPLOYMENT AND TRAINING MANAGER                   | 1680-50101-3663      | B                  |       | X         |      | X       | 50         | 38       | 100    | 2        | 12       |                  | 5F        |                 |              | 26A       |
| INVESTIGATOR WORKERS COMPENSATION FRAUD PREV UNIT | 1652-80200-00039     | B                  | X     |           |      | X       | 148        | 85       | 165    | 7        | 38       |                  | 1F        |                 |              | 30A       |



### Applicant Data, part 3:

| EEO Category                          |                            | Race/Ethnic Code :   |  |  |  |               | Gender Code |
|---------------------------------------|----------------------------|--|--|--|--|---------------|-------------|
| A - Officials/Managers/Administrators | E - Paraprofession         | 1 - Black or African American (Not Hispanic or Latino)                 |  |  |  | F - Female    |             |
| B - Professionals                     | F - Administrative Support | 2 - Hispanic or Latino   |  |  |  | M - Male      |             |
| C - Technicians                       | G - Skilled Craft          | 3 - American Indian or Alaska Native (Not Hispanic or Latino)          |  |  |  |               |             |
| CF - Faculty                          | H - Service Maintainer     | 4 - Asian (Not Hispanic or Latino)                                     |  |  |  | Disabled Code |             |
| 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)                         |  |  |  | Veteran Code  |             |
|                                       |                            |  |  |  |  | V - Veteran   |             |

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# Applicant Flow Data:

AGENCY: Labor and Training

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*) |            |            |
| <b>APPLICANTS</b>        |                  |                                  |                    |              |   |              |  |                          |                                  |                    |              |   |              |  |                          |            |            |
| OFFICIALS/ADMINISTRATORS | 541              | 21                               | 20                 | 2            | 1                                       | 154          | 0  | 5                        | 39                               | 60                 | 9            | 5                                       | 175          | 0  | 10                       | 12         | 28         |
| PROFESSIONALS            | 3415             | 91                               | 92                 | 33           | 6                                       | 888          | 0  | 26                       | 188                              | 404                | 56           | 20                                      | 1316         | 0  | 49                       | 65         | 181        |
| TECHNICIANS              | 764              | 24                               | 16                 | 2            | 0                                       | 182          | 0  | 8                        | 46                               | 100                | 21           | 1                                       | 292          | 0  | 29                       | 9          | 34         |
| FACULTY                  | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| PROTECTIVE SERVICES      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| PARA-PROFESSIONALS       | 337              | 6                                | 47                 | 1            | 0                                       | 69           | 0  | 1                        | 10                               | 117                | 2            | 0                                       | 63           | 0  | 10                       | 3          | 8          |
| ADMINISTRATIVE SUPPORT   | 877              | 17                               | 19                 | 3            | 0                                       | 85           | 0  | 2                        | 61                               | 137                | 22           | 7                                       | 484          | 0  | 14                       | 14         | 12         |
| SKILLED CRAFT            | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| SERVICE/MAINTENANCE      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| <b>TOTAL</b>             | <b>5934</b>      | <b>159</b>                       | <b>194</b>         | <b>41</b>    | <b>7</b>                                | <b>1378</b>  | <b>0</b>   | <b>42</b>                | <b>344</b>                       | <b>818</b>         | <b>110</b>   | <b>33</b>                               | <b>2330</b>  | <b>0</b>   | <b>112</b>               | <b>103</b> | <b>263</b> |
| <b>HIRES</b>             |                  |                                  |                    |              |   |              |  |                          |                                  |                    |              |   |              |  |                          |            |            |
| OFFICIALS/ADMINISTRATORS | 1                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 1            | 0  | 0                        | 0          | 0          |
| PROFESSIONALS            | 6                | 0                                | 1                  | 0            | 0                                       | 2            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 3            | 0  | 0                        | 0          | 0          |
| TECHNICIANS              | 2                | 0                                | 0                  | 0            | 0                                       | 1            | 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      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| PARA-PROFESSIONALS       | 2                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 1                  | 0            | 0                                       | 1            | 0  | 0                        | 0          | 0          |
| ADMINISTRATIVE SUPPORT   | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 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      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| <b>TOTAL</b>             | <b>11</b>        | <b>0</b>                         | <b>1</b>           | <b>0</b>     | <b>0</b>                                | <b>3</b>     | <b>0</b>   | <b>0</b>                 | <b>0</b>                         | <b>1</b>           | <b>0</b>     | <b>0</b>                                | <b>6</b>     | <b>0</b>   | <b>0</b>                 | <b>0</b>   | <b>0</b>   |
| <b>PROMOTIONS</b>        |                  |                                  |                    |              |   |              |  |                          |                                  |                    |              |   |              |  |                          |            |            |
| OFFICIALS/ADMINISTRATORS | 4                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 4            | 0  | 0                        | 0          | 0          |
| PROFESSIONALS            | 18               | 1                                | 0                  | 0            | 0                                       | 5            | 0  | 0                        | 2                                | 0                  | 0            | 0                                       | 10           | 0  | 0                        | 0          | 0          |
| TECHNICIANS              | 4                | 0                                | 1                  | 0            | 0                                       | 1            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 2            | 0  | 0                        | 0          | 0          |
| FACULTY                  | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| PROTECTIVE SERVICES      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 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   | 3                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 1                  | 0            | 0                                       | 2            | 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      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| <b>TOTAL</b>             | <b>30</b>        | <b>1</b>                         | <b>1</b>           | <b>0</b>     | <b>0</b>                                | <b>6</b>     | <b>0</b>   | <b>0</b>                 | <b>2</b>                         | <b>1</b>           | <b>0</b>     | <b>0</b>                                | <b>19</b>    | <b>0</b>   | <b>0</b>                 | <b>0</b>   | <b>0</b>   |
| <b>TERMINATIONS</b>      |                  |                                  |                    |              |   |              |  |                          |                                  |                    |              |   |              |  |                          |            |            |
| OFFICIALS/ADMINISTRATORS | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| PROFESSIONALS            | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 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      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| PARA-PROFESSIONALS       | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| ADMINISTRATIVE SUPPORT   | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 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      | 0                | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0                                | 0                  | 0            | 0                                       | 0            | 0  | 0                        | 0          | 0          |
| <b>TOTAL</b>             | <b>1</b>         | <b>0</b>                         | <b>0</b>           | <b>0</b>     | <b>0</b>                                | <b>0</b>     | <b>0</b>   | <b>0</b>                 | <b>0</b>                         | <b>0</b>           | <b>0</b>     | <b>0</b>                                | <b>1</b>     | <b>0</b>   | <b>0</b>                 | <b>0</b>   | <b>0</b>   |

\* Not Hispanic or Latino

\*\* Include disabled in appropriate job categories.

# Applicant Refusal of Position Offered:

| AGENCY:                           | Labor and Training |                  |                          |                 |               |           |                        |          |           |           |            |                 |           |                        | DATE: 7/1/18-6/30/19 |           |           |            |                 |    |    |    |    |    |    |    |
|-----------------------------------|--------------------|------------------|--------------------------|-----------------|---------------|-----------|------------------------|----------|-----------|-----------|------------|-----------------|-----------|------------------------|----------------------|-----------|-----------|------------|-----------------|----|----|----|----|----|----|----|
|                                   | EEO Job Categories | Total Applicants | Number Disabled Veterans | Number Minority | Number Female | Male      |                        |          |           |           |            |                 | Female    |                        |                      |           |           |            |                 |    |    |    |    |    |    |    |
|                                   |                    |                  |                          |                 |               | 1 Black % | 2 Hispanic or Latino % | 3 A/AN % | 4 Asian % | 5 White % | 6 NH/OPI % | 7 Two or More % | 1 Black % | 2 Hispanic or Latino % | 3 A/AN %             | 4 Asian % | 5 White % | 6 NH/OPI % | 7 Two or More % |    |    |    |    |    |    |    |
| Officials/Managers/Administrators | 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% |    |
| Professionals                     | 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% |
| 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% |
| Technicians                       | 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% |
| Protective Services               | 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% |
| Para-Professionals                | 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% |
| Administrative Support            | 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% |
| Skilled Craft                     | 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% |
| Service Maintenance               | 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% |
| Totals                            | 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  |

| Total Percent: |   | Race/Ethnicity Description:  |  |  |  |  |  |  |
|----------------|---|--|--|--|--|--|--|--|
| Minority:      | - | 1 Black or African American (Not Hispanic or Latino)                 |  |  |  |  |  |  |
| Female:        | - | 2 Hispanic or Latino   |  |  |  |  |  |  |
| Disabled:      | - | 3 American Indian or Alaska Native (Not Hispanic or Latino)          |  |  |  |  |  |  |
| Veterans:      | - | 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)                         |  |  |  |  |  |  |

# Affirmative Action Statistical Summary, part 1:

| EEO-4 Job Categories              | AGENCY: Labor and Training |            |          |        |          |          |  |                                       |                          |   | Date: July 1, 2018-June 30, 2019                          |                                      |                 |            |          |        |          |          |  |                                       |                          |   |   |                                      |
|-----------------------------------|----------------------------|------------|----------|--------|----------|----------|--|---------------------------------------|--------------------------|---|---|--------------------------------------|-----------------|------------|----------|--------|----------|----------|--|---------------------------------------|--------------------------|---|---|--------------------------------------|
|                                   | CURRENT                    |            |          |        |          |          |  |                                       |                          |   | LAST YEARS WORKFORCE                                      |                                      |                 |            |          |        |          |          |  |                                       |                          |   |   |                                      |
|                                   | TOTAL EMPLOYEES            | WHITE MALE | MINORITY | FEMALE | DISABLED | VETERANS | BLACK OR AFRICAN AMERICAN (NH <sup>1</sup> ) | HISPANIC OR LATINO (NH <sup>1</sup> ) | ASIAN (NH <sup>1</sup> ) | AMERICAN INDIAN ALASKAN NATIVE (NH <sup>1</sup> ) | NATIVE HAWAIIAN OTHER PACIFIC ISLANDER (NH <sup>1</sup> ) | TWO OR MORE RACES (NH <sup>1</sup> ) | TOTAL EMPLOYEES | WHITE MALE | MINORITY | FEMALE | DISABLED | VETERANS | BLACK OR AFRICAN AMERICAN (NH <sup>1</sup> ) | HISPANIC OR LATINO (NH <sup>1</sup> ) | ASIAN (NH <sup>1</sup> ) | AMERICAN INDIAN ALASKAN NATIVE (NH <sup>1</sup> ) | NATIVE HAWAIIAN OTHER PACIFIC ISLANDER (NH <sup>1</sup> ) | TWO OR MORE RACES (NH <sup>1</sup> ) |
| Officials/Managers/Administrators | 38                         | 12         | 3        | 26     | 0        | 1        | 2  | 1                                     | 0                        | 0   | 0   | 41                                   | 14              | 3          | 26       | 0      | 1        | 3        | 0  | 0                                     | 0                        | 0   | 0   | 0                                    |
| Professionals                     | 258                        | 62         | 60       | 176    | 1        | 4        | 27   | 29                                    | 4                        | 0   | 0   | 224                                  | 59              | 44         | 152      | 1      | 4        | 15       | 25   | 4                                     | 0                        | 0   | 0   | 0                                    |
| 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                                    |
| Technicians                       | 28                         | 12         | 6        | 16     | 0        | 0        | 2  | 4                                     | 0                        | 0   | 0   | 32                                   | 10              | 10         | 19       | 0      | 0        | 1        | 6  | 0                                     | 3                        | 0   | 0   | 0                                    |
| Protective Services               | 0                          | 0          | 0        | 0      | 0        | 0        | 0  | 0                                     | 0                        | 0   | 0   | 0                                    | 0               | 0          | 0        | 0      | 0        | 0        | 0  | 0                                     | 0                        | 0   | 0   | 0                                    |
| Para-Professionals                | 45                         | 8          | 16       | 37     | 3        | 6        | 1  | 13                                    | 1                        | 0   | 0   | 98                                   | 22              | 32         | 67       | 3      | 6        | 12       | 19   | 0                                     | 1                        | 0   | 0   | 0                                    |
| Administrative Support            | 16                         | 5          | 7        | 11     | 0        | 0        | 2  | 5                                     | 0                        | 0   | 0   | 18                                   | 5               | 4          | 13       | 0      | 0        | 2        | 2  | 0                                     | 0                        | 0   | 0   | 0                                    |
| Skilled Craft                     | 0                          | 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               | 0                          | 0          | 0        | 0      | 0        | 0        | 0  | 0                                     | 0                        | 0   | 0   | 0                                    | 0               | 0          | 0        | 0      | 0        | 0        | 0  | 0                                     | 0                        | 0   | 0   | 0                                    |
| Total Employees                   | 385                        | 99         | 92       | 266    | 4        | 11       | 34   | 52                                    | 5                        | 0   | 0   | 413                                  | 110             | 93         | 277      | 4      | 11       | 33       | 52   | 4                                     | 4                        | 0   | 0   | 0                                    |

## Affirmative Action Statistical Summary, part 2:

| July 1, 2018-June 30, 2019 |            |          |        |          |          |                                  |                    |   |              |  |                          |              |        |          |          |           |        |          |          |  |
|----------------------------|------------|----------|--------|----------|----------|----------------------------------|--------------------|---|--------------|--|--------------------------|--------------|--------|----------|----------|-----------|--------|----------|----------|--|
| DIFFERENCE +/-             |            |          |        |          |          |                                  |                    |   |              |  |                          | HIRING GOALS |        |          |          | GOALS MET |        |          |          |  |
| TOTAL EMPLOYEES            | WHITE MALE | MINORITY | FEMALE | DISABLED | VETERANS | BLACK OR AFRICAN AMERICAN (NHL*) | HISPANIC OR LATINO | AMERICAN INDIAN OR ALASKA NATIVE (NHL*) | ASIAN (NHL*) | NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*) | TWO OR MORE RACES (NHL*) | MINORITY     | FEMALE | DISABLED | VETERANS | MINORITY  | FEMALE | DISABLED | VETERANS |  |
| -3                         | -2         | 0        | 0      | 0        | 0        | -1                               | 1                  | 0                                       | 0            | 0  | 0                        | 1            |        |          |          | N         |        |          |          |  |
| 34                         | 3          | 16       | 24     | 0        | 0        | 12                               | 4                  | 0                                       | 0            | 0  | 0                        | 2            |        |          |          | A         |        |          |          |  |
| 0                          | 0          | 0        | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0  | 0                        |              |        |          |          |           |        |          |          |  |
| -4                         | 2          | -4       | -3     | 0        | 0        | 1                                | -2                 | -3                                      | 0            | 0  | 0                        |              |        |          |          |           |        |          |          |  |
| 0                          | 0          | 0        | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0  | 0                        |              |        |          |          |           |        |          |          |  |
| -53                        | -14        | -16      | -30    | 0        | 0        | -11                              | -6                 | 0                                       | 1            | 0  | 0                        |              |        |          |          |           |        |          |          |  |
| -2                         | 0          | 3        | -2     | 0        | 0        | 0                                | 3                  | 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                        |              |        |          |          |           |        |          |          |  |
| -28                        | -11        | -1       | -11    | 0        | 0        | 1                                | 0                  | -3                                      | 1            | 0  | 0                        |              |        |          |          |           |        |          |          |  |

|                            |  |
|----------------------------|--|
| Current Workforce:         | As of June 30th, 2019  |
| Last Year's Workforce:     | As of June 30th, 2018  |
| Difference:                | Increases or Decreases   |
| Goals:                     | Numerical projections, July 1st, 2019 to June 30th, 2020 for employment of minorities and women. |
| <u>Percent</u>             |  |
| 31.34% Minority Applicants | 63.14% Female Applicants   |
| 18.18% Minority Hiring     | 63.64% Female Hiring   |
| <u>Termination Percent</u> |  |
|                            | 0.00% Minority   |
|                            | 100.00% White Female   |
|                            | 0.00% White Male   |

| <u>Total Current Workforce Percent</u> |   | <u>Goals Met</u> |                     |
|--|---|------------------|---------------------|
| 25.71%                                 | White Male  |                  |                     |
| 23.90%                                 | Minority  | A                | =Achieved           |
| 69.09%                                 | Female  | A+               | =Achieved Plus      |
| 1.04%                                  | Disabled  | N                | =Did Not Achieve    |
| 2.86%                                  | Veterans  | P                | =Partially Achieved |
| 8.83%                                  | Black or African American (*Not Hispanic or Latino)                 |                  |                     |
| 13.51%                                 | Hispanic or Latino  |                  |                     |
| 0.26%                                  | American Indian or Alaska Native (*Not Hispanic or Latino)          |                  |                     |
| -1.30%                                 | Asian (*Not Hispanic or Latino)                                     |                  |                     |
| 0.00%                                  | Native Hawaiian or Other Pacific Islander (*Not Hispanic or Latino) |                  |                     |
| 0.00%                                  | Two or Move Races (*Not Hispanic or Latino)                         |                  |                     |





## Job Group Analysis by Classification: Officials Managers and Administrators

| EEO JOB Category: Officials Managers & Administrators |         |                 |                  |           | DATE: 30-Jun-19 |               |                      |              |               |               |               |                           |              |               |                      |              |               |               |               |                           |          |  |
|---|---------|-----------------|------------------|-----------|-----------------|---------------|----------------------|--------------|---------------|---------------|---------------|---------------------------|--------------|---------------|----------------------|--------------|---------------|---------------|---------------|---------------------------|----------|--|
| JOB TITLE   | GRADE   | TOTAL EMPLOYEES | TOTAL MINORITIES | %         | TOTAL MALE      | Male          |                      |              |               |               |               |                           | TOTAL FEMALE | Female        |                      |              |               |               |               |                           |          |  |
|   |         |                 |                  |           |                 | 1 Black (NHL) | 2 Hispanic or Latino | 3 AIAN (NHL) | 4 Asian (NHL) | 5 White (NHL) | 6 NH/PI (NHL) | 7 Two or More Races (NHL) |              | 1 Black (NHL) | 2 Hispanic or Latino | 3 AIAN (NHL) | 4 Asian (NHL) | 5 White (NHL) | 6 NH/PI (NHL) | 7 Two or More Races (NHL) |          |  |
| ADMIN FINANCIAL MANAGEMENT                            | 00137 A | 2               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 2            |               |                      |              |               |               |               | 2                         |          |  |
| ADMINISTRATIVE OFFICER                                | 00124 A | 4               | 1                | 25%       | 1               |               |                      |              |               | 1             |               |                           | 3            | 1             |                      |              |               |               |               | 2                         |          |  |
| ADMINISTRATIVE OFFICER                                | 00324 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| ADMINISTR LABOR RELATIONS BOARD                       | 00833 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| ADMINSTRTR OPERATIONS MANAGEME                        | 00141 A | 4               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 3            |               |                      |              |               |               |               | 3                         |          |  |
| APPRTCSPH TRAIN COORDNTR                              | 00324 A | 1               | 1                | 100%      | 0               |               |                      |              |               |               |               |                           | 1            |               | 1                    |              |               |               |               |                           |          |  |
| ASSISTANT CHIEF OF PLANNING                           | 00137 A | 2               | 1                | 50%       | 1               |               |                      |              |               | 1             |               |                           | 1            | 1             |                      |              |               |               |               |                           |          |  |
| ASST ADMIN OF VOC REHAB(REHAB)                        | 00132 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| ASST DIR ADMINISTRATIVE SERVIC                        | 00143 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| ASST DIR DEPT LABOR&TRNG(W R S                        | 00140 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| ASST DIR FINANCIAL & CNTR MGMT                        | 00141 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| ASST DIR FOR BUSINESS AFF(DLT)                        | 00139 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| ASST DIR LABOR MKT INFO & MGMT                        | 00139 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| ASST DIR PL & PGM DEV (DET)                           | 00139 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| CHAIRPERSON MBR BD OF REVW(ES)                        | 00837 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| CHF ADM DIV OF REHAB & EDUC DLT                       | 00140 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| CHF INVEST WRKS COMP(FRD PREVT                        | 0AB38 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| CHF LIC EXAMR DIV COMM LIC REG                        | 00333 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| CHF OF INFO & PUBLIC RELATIONS                        | 00129 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| CHIEF DATA OPERATIONS                                 | 00333 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| CHIEF REFEREE, BOARD OF REVIEW                        | 00138 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| CHIEF, PROGRAM DEVELOPMENT                            | 00134 A | 3               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 3            |               |                      |              |               |               |               | 3                         |          |  |
| DEPUTY DIRECTOR (DLT)                                 | 00144 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| DIR, DEPT OF LABOR & TRAINING                         | 30948KF | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| EXEC DIR GOVNRS WORKFORCD BD                          | 00839 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| LABOR & TRAINING ADMINISTRATOR                        | 00138 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| PREVAILING WAGE INVESTIGATOR                          | 00322 A | 1               | 0                | 0%        | 1               |               |                      |              |               | 1             |               |                           | 0            |               |                      |              |               |               |               |                           |          |  |
| SUPVRG DET BUSINESS OFFICER                           | 00132 A | 1               | 0                | 0%        | 0               |               |                      |              |               |               |               |                           | 1            |               |                      |              |               |               |               | 1                         |          |  |
| <b>SUBTOTAL</b>                                       |         | <b>38</b>       | <b>3</b>         | <b>8%</b> | <b>12</b>       | <b>0</b>      | <b>0</b>             | <b>0</b>     | <b>0</b>      | <b>12</b>     | <b>0</b>      | <b>0</b>                  | <b>26</b>    | <b>2</b>      | <b>1</b>             | <b>0</b>     | <b>0</b>      | <b>23</b>     | <b>0</b>      | <b>0</b>                  | <b>0</b> |  |



## Technicians:

| EEO JOB Category:               |         | Technicians     |                  |      |            |               |                      |               |               |               |               | DATE:                     |              | 30-Jun-19     |                      |               |               |               |               |                           |
|---------------------------------|---------|-----------------|------------------|------|------------|---------------|----------------------|---------------|---------------|---------------|---------------|---------------------------|--------------|---------------|----------------------|---------------|---------------|---------------|---------------|---------------------------|
| JOB TITLE                       | GRADE   | TOTAL EMPLOYEES | TOTAL MINORITIES | %    | TOTAL MALE | Male          |                      |               |               |               |               |                           | TOTAL FEMALE | Female        |                      |               |               |               |               |                           |
|                                 |         |                 |                  |      |            | 1 Black (NHL) | 2 Hispanic or Latino | 3 A/IAN (NHL) | 4 Asian (NHL) | 5 White (NHL) | 6 NH/OP (NHL) | 7 Two or More Races (NHL) |              | 1 Black (NHL) | 2 Hispanic or Latino | 3 A/IAN (NHL) | 4 Asian (NHL) | 5 White (NHL) | 6 NH/OP (NHL) | 7 Two or More Races (NHL) |
| ASST COORD EMPLOY & TRNG PGRMS  | 00129 A | 12              | 1                | 8%   | 2          |               | 1                    |               |               | 1             |               |                           | 10           |               |                      |               |               | 10            |               |                           |
| ASST COORD UNEMPLOY INSUR PROG  | 00129 A | 1               | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| CERTFED OCCUP THERAPY ASSTCOTA  | 00320 A | 2               | 0                | 0%   | 1          |               |                      |               |               | 1             |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| CHF BOILER & PRES VESSEL INSPC  | 00330 A | 1               | 1                | 100% | 1          |               | 1                    |               |               |               |               |                           | 0            |               |                      |               |               |               |               |                           |
| CHF ELEC INVEST(BD EXAM ELECR)  | 00330 A | 1               | 0                | 0%   | 1          |               |                      |               |               | 1             |               |                           | 0            |               |                      |               |               |               |               |                           |
| CHF LABOR STANDARD EXAMINER     | 00330 A | 1               | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| CHIEF ELEVATOR INSPECTOR        | 00330 A | 1               | 0                | 0%   | 1          |               |                      |               |               | 1             |               |                           | 0            |               |                      |               |               |               |               |                           |
| CHIEF MECH INVESTIGATOR(B ME)   | 00330 A | 1               | 0                | 0%   | 1          |               |                      |               |               | 1             |               |                           | 0            |               |                      |               |               |               |               |                           |
| INDUS SFTYTECH (BOILER INSP)    | 00322 A | 1               | 0                | 0%   | 1          |               |                      |               |               | 1             |               |                           | 0            |               |                      |               |               |               |               |                           |
| LABOR STANDARDS EXAMINER        | 00322 A | 5               | 3                | 60%  | 2          | 1             |                      |               |               | 1             |               |                           | 3            |               | 2                    |               |               | 1             |               |                           |
| SR COMPUTER OPERATOR            | 00318 A | 1               | 1                | 100% | 1          | 1             |                      |               |               |               |               |                           | 0            |               |                      |               |               |               |               |                           |
| SR INDUSTRIAL SAFETY SPEC (DLT) | 00328 A | 1               | 0                | 0%   | 1          |               |                      |               |               | 1             |               |                           | 0            |               |                      |               |               |               |               |                           |
| SUBTOTAL                        |         | 28              | 6                | 21%  | 12         | 2             | 2                    | 0             | 0             | 8             | 0             | 0                         | 16           | 0             | 2                    | 0             | 0             | 14            | 0             | 0                         |

## Paraprofessionals:

| EEO JOB Category:                |         | Para-Professionals |                  |      |            |               |                      |               |               |               |               | DATE:                     |              | 30-Jun-19     |                      |               |               |               |               |                           |
|----------------------------------|---------|--------------------|------------------|------|------------|---------------|----------------------|---------------|---------------|---------------|---------------|---------------------------|--------------|---------------|----------------------|---------------|---------------|---------------|---------------|---------------------------|
| JOB TITLE                        | GRADE   | TOTAL EMPLOYEES    | TOTAL MINORITIES | %    | TOTAL MALE | Male          |                      |               |               |               |               |                           | TOTAL FEMALE | Female        |                      |               |               |               |               |                           |
|                                  |         |                    |                  |      |            | 1 Black (NHL) | 2 Hispanic or Latino | 3 A/IAN (NHL) | 4 Asian (NHL) | 5 White (NHL) | 6 NH/OP (NHL) | 7 Two or More Races (NHL) |              | 1 Black (NHL) | 2 Hispanic or Latino | 3 A/IAN (NHL) | 4 Asian (NHL) | 5 White (NHL) | 6 NH/OP (NHL) | 7 Two or More Races (NHL) |
| CHIEF IMPLEMENTATION AIDE        | 00128 A | 7                  | 1                | 14%  | 1          |               |                      |               | 1             |               |               |                           | 6            |               |                      |               |               | 6             |               |                           |
| EMPLOY & TRNG ASSISTANT          | 00316 A | 4                  | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 4            |               |                      |               |               | 4             |               |                           |
| INTERPRETER (SPANISH)            | 00316 A | 3                  | 3                | 100% | 1          |               | 1                    |               |               |               |               |                           | 2            |               | 2                    |               |               |               |               |                           |
| DISABLED VETERANS JOB ASSIST     | 00320 A | 3                  | 0                | 0%   | 2          |               |                      |               |               | 2             |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| EMP & TRNG INT & INTRP (SPANISH) | 00320 A | 10                 | 9                | 90%  | 0          |               |                      |               |               |               |               |                           | 10           |               | 9                    |               |               | 1             |               |                           |
| EMP&TRNG INTVR &INTRPRT (POR)    | 00320 A | 3                  | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 3            |               |                      |               |               | 3             |               |                           |
| LOCAL VETERANS EMPLOY. REP       | 00320 A | 2                  | 1                | 50%  | 2          | 1             |                      |               |               | 1             |               |                           | 0            |               |                      |               |               |               |               |                           |
| PHYSICAL THERAPY ASSISTANT       | 00320 A | 5                  | 1                | 20%  | 2          |               |                      | 1             |               | 1             |               |                           | 3            |               |                      |               |               | 3             |               |                           |
| ASST ADM OFF                     | 00321 A | 1                  | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| IMPLEMENTATION AIDE              | 00322 A | 4                  | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 4            |               |                      |               |               | 4             |               |                           |
| CONFIDENTIAL SECRETARY           | 00818 A | 1                  | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| IMPLEMENTATION AIDE              | 0A22 A  | 1                  | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| EMP & TRNG INT & INTRP (SPANISH) | 20320 A | 1                  | 1                | 100% | 0          |               |                      |               |               |               |               |                           | 1            |               | 1                    |               |               |               |               |                           |
| SUBTOTAL                         |         | 45                 | 16               | 36%  | 8          | 1             | 1                    | 1             | 1             | 4             | 0             | 0                         | 37           | 0             | 12                   | 0             | 0             | 25            | 0             | 0                         |

## Administrative Support:

| EEO JOB Category        |         | Administrative Support |                  |      |            |               |                      |               |               |               |               |                           |              |               |                      | DATE:         |               | 30-Jun-19     |               |                           |
|-------------------------|---------|------------------------|------------------|------|------------|---------------|----------------------|---------------|---------------|---------------|---------------|---------------------------|--------------|---------------|----------------------|---------------|---------------|---------------|---------------|---------------------------|
| 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/PI (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/PI (NHL) | 7 Two or More Races (NHL) |
| CENTRAL MAIL ROOM CLERK | 00311 G | 2                      | 1                | 50%  | 1          |               |                      |               |               | 1             |               |                           | 1            |               | 1                    |               |               |               |               |                           |
| CLERK SECRETARY         | 00B16 A | 1                      | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| INV AIDE WRK COMP FRAUD | 00315 A | 1                      | 0                | 0%   | 1          |               |                      |               |               | 1             |               |                           | 0            |               |                      |               |               |               |               |                           |
| LEGAL ASSISTANT         | 00319 A | 1                      | 1                | 100% | 0          |               |                      |               |               |               |               |                           | 1            |               | 1                    |               |               |               |               |                           |
| MEDICAL RECORDS TECHN   | 00320 A | 1                      | 1                | 100% | 0          |               |                      |               |               |               |               |                           | 1            |               | 1                    |               |               |               |               |                           |
| OFFICE MANAGER          | 00123 A | 2                      | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 2            |               |                      |               |               | 2             |               |                           |
| PRIN CLERK-TYPIST       | 00312 A | 1                      | 0                | 0%   | 0          |               |                      |               |               |               |               |                           | 1            |               |                      |               |               | 1             |               |                           |
| SR WORD PROCESSING TYP  | 00312 A | 7                      | 4                | 57%  | 3          |               | 1                    |               |               | 2             |               |                           | 4            | 2             | 1                    |               |               | 1             |               |                           |
| SUBTOTAL                |         | 16                     | 7                | 44%  | 5          | 0             | 1                    | 0             | 0             | 4             | 0             | 0                         | 11           | 2             | 4                    | 0             | 0             | 5             | 0             | 0                         |

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# Determining Underrepresentation and Goal Setting

| AGENCY: Labor and Training         |                 |          |        |          |          |                                  |                    |   |              |              |  |                          |
|------------------------------------|-----------------|----------|--------|----------|----------|----------------------------------|--------------------|---|--------------|--------------|--|--------------------------|
| WORKFORCE                          |                 |          |        |          |          |                                  |                    |   |              |              |  |                          |
| EEO-4 Job Categories               | 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*) |
| Officials/ Managers Administrators | 38              | 3        | 26     | 1        | 0        | 2                                | 1                  | 0                                       | 0            | 35           | 0  | 0                        |
| Professionals                      | 258             | 60       | 176    | 4        | 1        | 27                               | 29                 | 0                                       | 4            | 198          | 0  | 0                        |
| Faculty                            | 0               | 0        | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |
| Technicians                        | 28              | 6        | 16     | 0        | 0        | 2                                | 4                  | 0                                       | 0            | 22           | 0  | 0                        |
| Protective Services                | 0               | 0        | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |
| Para-Professionals                 | 45              | 16       | 37     | 6        | 3        | 1                                | 13                 | 1                                       | 1            | 29           | 0  | 0                        |
| Administrative Support             | 16              | 7        | 11     | 0        | 0        | 2                                | 5                  | 0                                       | 0            | 9            | 0  | 0                        |
| Skilled Craft                      | 0               | 0        | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |
| Service Maintenance                | 0               | 0        | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |

| UNDERREPRESENTATION |        |          |          |                                  |                    |   |              |              |  |                          |
|---------------------|--------|----------|----------|----------------------------------|--------------------|---|--------------|--------------|--|--------------------------|
| 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*) |
| 9                   | -6     | 1        | 3        | 1                                | 5                  | 0                                       | 1            | -7           | 0  | 1                        |
| 21                  | -43    | 11       | 17       | -6                               | 11                 | 3                                       | 6            | -11          | 1  | 7                        |
| 0                   | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |
| 3                   | -2     | 2        | 2        | 0                                | 0                  | 0                                       | 1            | -2           | 0  | 1                        |
| 0                   | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |
| -2                  | -14    | -3       | 0        | 3                                | -6                 | -1                                      | 1            | 4            | 0  | 1                        |
| -2                  | -3     | 1        | 1        | -1                               | -3                 | 0                                       | 1            | 3            | 0  | 0                        |
| 0                   | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |
| 0                   | 0      | 0        | 0        | 0                                | 0                  | 0                                       | 0            | 0            | 0  | 0                        |

| AAP HIRING GOALS                   |          |        |          |          |                                  |                    |   |              |              |  |                          |
|------------------------------------|----------|--------|----------|----------|----------------------------------|--------------------|---|--------------|--------------|--|--------------------------|
| EEO-4 Job Categories               | 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 | 1        |        | 1        | 1        |                                  |                    |   |              |              |  |                          |
| Professionals                      | 1        |        | 1        | 1        |                                  |                    |   |              |              |  |                          |
| Faculty                            |          |        |          |          |                                  |                    |   |              |              |  |                          |
| Technicians                        |          |        | 1        | 1        |                                  |                    |   |              |              |  |                          |
| Protective Services                |          |        |          |          |                                  |                    |   |              |              |  |                          |
| Para-Professionals                 |          |        | 1        | 1        |                                  |                    |   |              |              |  |                          |
| Administrative Support             |          |        | 1        | 1        |                                  |                    |   |              |              |  |                          |
| Skilled Craft                      |          |        |          |          |                                  |                    |   |              |              |  |                          |
| Service Maintenance                |          |        |          |          |                                  |                    |   |              |              |  |                          |

**E. IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS**

**Self-Evaluation of Affirmative Action Program Performance:**

- a) The Department has numerous policies in place, with several mentioned in this Plan, to ensure equal employment opportunity for all current and potential employees. A review of past years’ plans shows that the Department has steadily made gains in the employment of women, minorities and individuals with disabilities, however, employment over the current year is down in all categories except Veterans and Individuals with Disabilities, which remained constant. The Department hopes that through its partnerships with community-based organizations, there will be an increase in the number of individuals with disabilities, minorities and veteran applicants and hires at all levels. Union rules and procedures for hiring and promotions sometimes prevail over the Department’s efforts for diversity. For those positions that are non-union, the Department will continue to advertise these positions through channels that will be accessed by minority communities, as well as veterans and individuals with disabilities, actively recruiting qualified candidates from within these categories and supporting them once they have been hired with training and promotional opportunities.

**Officials/Managers/Administrators:** 38 total, 3 minorities (2 Black, no disabled, 1 Hispanic, no American Indian or Asian/Pacific Islander), 0 two or more races, 1 veteran, 12 males, 26 females.

**Professionals:** 258 total, 60 minorities (27 Black, 29 Hispanic, 4 Asian, no American Indian), 0 two or more races, 1 disabled, 4 veterans, 62 males, 176 females.

**Technicians:** 28 total, 6 minorities (2 Black, 4 Hispanic, no American Indian/Alaska Native), 0 two or more races, 0 disabled, 0 veteran, 12 males, 16 females.

**Para-Professionals:** 45 total, 16 minorities (1 Black, 13 Hispanic, 1 American Indian/Alaska Native, 1 Asian/Pacific Islander), 0 two or more races, 3 disabled, 6 veterans, 8 males, 37 females.

**Administrative Support:** 16 total, 7 minorities (2 Black, 5 Hispanic), 0 two or more races, no disabled, no veterans, 5 males, 11 females.

**There are no DLT staff classified as faculty, skilled craft, protective services or service maintenance.**

- b) **Officials/Managers/Administrators:** Underrepresentation in minority, veteran, disabled, Hispanic and Asian/Pacific Islander categories.

**Professionals:** Underrepresentation in minority, veteran, disabled, Hispanic and Asian/Pacific Islander categories.

**Technicians:** Underrepresentation in veteran and disabled categories.

**Para-professionals:** Underrepresented in veteran and disabled categories.

**Administrative Support:** Underrepresented in veteran and disabled categories.

We will work with our Human Resource professionals and anticipate setting hiring goals for all underrepresented categories.

The Department continues to make progress in some areas -- job categories that were once underrepresented are now balanced and, in some cases, well represented. For example, women are well-represented in the Professionals, Technicians, Paraprofessionals and Administrative Support job categories. Minorities are not underrepresented in three job categories (Technicians, Paraprofessionals and Administrative Support). Black or African Americans are well-represented in the Administrative Support category. Veterans are no longer underrepresented in Paraprofessionals category.

The Department is underrepresented in minority individuals, individuals with disabilities and veteran categories particularly in upper level positions. The same is true for Hispanics and Asian Pacific Islanders.

There were 11 new hires this year; 7 were women and 2 was Hispanic or Latino. There were 30 promotions this year; 5 were filled by minorities; 22 were female. The more positions that open in the Department each year, the more likely it is that minorities, veterans and individuals with disabilities will get some of those jobs.

In reviewing the applicant data for the various job categories, the number of minorities applicants increased +13% over the last year (1,509 for 2017-2018 up to 1,706 for 2018-2019), as did the number of people with disabilities (+16%) and the number of Veterans (up almost +60% over the year). There were 154 applicants who identified as being two or more races in the 2018-2019 timeframe. The Department hopes that with continued outreach and partnership with these communities, these numbers will continue to increase each year, with more applicants obtaining employment.



### **Employment, Recruitment, and Selection Process:**

This agency will continue to make a concerted effort to identify and encourage qualified minority, veteran and individuals with disabilities to apply for vacancies, especially in underrepresented job categories. The Department will also continue to work closely with the Office of Diversity, Equity, and Opportunity (ODEO) receiving referrals from qualified applicants from underrepresented communities. Through our partnership with ODEO, we have increased the representation of females and minorities in several job categories. The employment selection process has been reviewed to facilitate the goals and objectives of the Affirmative Action Plan. All personnel involved in recruiting, screening, selection and promotion will be carefully selected and trained to insure the elimination of possible discrimination in all personnel actions. The process will be reviewed to make certain that women, minority group members and individuals with disabilities are not bypassed or overlooked for discriminatory reasons.

### **Exit Interviews:**

All terminating/transferring employees have *the option of an Exit Interview* with the ODEO/State Equal Opportunity Office. It is the policy of the Department to ask all terminating employees to participate in an informal exit interview to ascertain what positive and negative work climate experiences they encountered. Each terminating employee is given an Equal Opportunity Exit Interview Form and asked to return it to the Equal Opportunity Office. A copy of the Exit Interview Sign-Off Form and Confidential Exit Survey Inquiry are included in the Appendix.

### **Flex-Time:**

The Department does not use flex-time practices for salaried or employees. Hourly employees work 7-hour shift between 8 AM and 4 PM.

### **Posting of Positions:**

This agency will continue to post all position vacancies on the state ApplyRI website (<https://www.governmentjobs.com/careers/rhodeisland>). We will distribute and send all position vacancies to all state agencies and all organizations that represent minority groups, women, individuals with disabilities, disabled veterans, and all other veterans' groups. Union positions are posted on ApplyRI for a minimum of seven days.

### **Transfer and Promotion Practices:**

DLT abides by union contract provisions regarding the hiring and promotion of staff. In addition, there is in place an open interviewing process from the pool of qualified applicants who meet the stated education and experience necessary for transfers/promotions.

### **Technical Compliance:**

The Director's non-discrimination policies will be disseminated to all employees. These policies, along with all posters pertaining to equal opportunity are posted in conspicuous areas throughout the Department. The Department sends its policies on Service Delivery and Contracts to appropriate users and vendors. All job vacancy notices are currently posted in a timely fashion in a central location within the Department. The current mailing list was reviewed to ensure that all external postings are sent to all Units within the Department. The Office of Human Resources also maintains all employment applications for a period of three (3) years. The Department will continue to monitor these procedures to be sure that our commitment

to Affirmative Action is understood and complied with. The ***EEO is the Law*** poster can be found on the DLT website at <http://www.dlt.ri.gov/eoe.htm>.

### **Terminations:**

Terminations include retirement, voluntary resignation, involuntary resignation (job abandonment) and dismissals. For employees in the Classified service who are dismissed, it is the final step in a progressive disciplinary model where all employees are afforded due process. This process typically includes verbal reprimands, written reprimands, suspensions and then dismissal except in cases where the offense rises to the level of immediate dismissal. In the event an employee is facing possible suspension or termination, they are afforded a Loudermill meeting, more commonly referred to as a pre-disciplinary meeting, where they are given the opportunity to respond to allegations prior to a disciplinary decision being rendered. The employee's responses are taken into consideration by representatives of the Division of Human Resources and Department management in determining what level of discipline, if any, is appropriate. In the event it is determined that disciplinary action, to include termination, is appropriate and executed, employees have recourse through various processes. Employees in the Classified service who maintain Union affiliation may appeal their disciplinary action through the grievance hearing process conducted by the Division of Human Resources, Labor Relations Unit and ultimately, the Arbitration process as outlined in their respective collective bargaining agreements. Employees in the Classified service who do not maintain Union affiliation may seek recourse through the Personnel Appeal Board. Any employee who voices concerns regarding discrimination is referred to the Office of Diversity, Equity and Opportunity thus, individuals who are involuntarily terminated have a full process for protecting their rights against unreasonable dismissal.

### **Training Programs:**

This year's Training Participation Summary (p.32) has been compiled from two sources, the new ePath Learning System, and from data obtained from Human Resources from employees seeking incentive credit. Of the 182 employees trained, 120 were female, and 34 were minorities (17 Black or African American, 17 Hispanic or Latino).

The Department of Labor and Training encourages employees to participate in training activities sponsored by the Office of Training and Development, the Department's internal training unit and other job related pre-approved college courses which will prepare staff for promotional opportunities. To this end, training opportunities are publicized by bulletin board notices and email notifications from the Diversity Liaison to Division Administrators and Management/Supervisory personnel.

### **Media:**

All Department of Labor and Training communications, including web sites, brochures, flyers, forms and any other materials disseminated to customers and contractors must contain the following tag lines: DLT is an equal opportunity employer/program - auxiliary aids and services available upon request. TTY via RI Relay: 711

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

The Department of Labor and Training administers a specialized veteran grant program within its American Job Center delivery system known as the Jobs for Veteran State Grant (JVSG). The JVSG program employs seven veterans within the agency and utilizes Title 38 veteran preference in its hiring practice which prioritizes protected veteran status. The JVSG program provides veterans assistance to find meaningful employment, including state employment.

In reviewing the affirmative action statistics of the Department for the period of July 1, 2018 through June 30, 2019, the Department's current workforce of approximately 385 employees is comprised of just 11 veterans (3%) and 4 people with disabilities (1%). This is significantly less than RI's civilian workforce (8% veterans and 7% disabled). These numbers are the same as the prior year's data. While we did see an increase in applicants in these categories, there were no new hires in these categories. The Department must continue to prioritize outreach to disabled veterans, covered veterans and individuals with disabilities and actively recruit qualified individuals. One way it can do so is by ensuring that agency job postings include specific language encouraging veterans and individuals with disabilities to apply.

Additionally, DLT facilitates veteran job fairs, recruitments and hiring events throughout the state multiple times a year. RI Dept. of Administration is invited to attend these events to actively recruit and provide a list of all its employment openings in ApplyRI. Additionally, in DLT's *netWORKri* offices, veterans can access information on open positions within the agency and receive assistance to apply, if needed.

When a veteran is requesting reasonable accommodations, the veteran can self-identify to his or her immediate supervisor or make a request directly to the EEO Coordinator. A veteran may request a reasonable accommodation at any time, orally or in writing. When a request for accommodations is made by a veteran to supervisor, the supervisor must forward the request immediately to the EEO Coordinator. Reasonable accommodations will be made to enable a veteran or person with a disability to function at their optimum level. These accommodations include restructuring the job, modifying the job site, offering support services, and/or providing special equipment. In the past reporting year, accommodations were made for individuals with both permanent and temporary disabilities.

Regarding physical and mental qualifications, when physical or mental qualifications were in question, the Department considered evaluations from licensed physicians regarding the individual's ability to perform in relation to the established job description. The Department followed established policies and procedures where psychological evaluations were required.

Copies of the Affirmative Action Plan are disseminated to all divisions, offices and field locations within the Department and made available on the Department's website. Hard copies of the plan are available to any applicant or employee upon request.

Finally, regarding work environment, the Department strives to promote a climate within the workplace that is free from all discrimination and/or harassment, including discrimination-based disability or veteran status.

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

The Department of Labor and Training 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 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.

Matthew D. Weldon of the Executive Office is designated as the 504 Coordinator for the Department of Labor and Training. This entails coordination of all divisions in the implementation of all Federal rules and regulations affecting the Department in terms of compliance with the mandates of Section 504 of Title V of the Rehabilitation Act of 1973.

It is the policy of the Department of Labor and Training to comply with Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, to take affirmative action to employ and advance disabled veterans and veterans of the Vietnam Era at all job levels. This action will involve all personnel activities, including hiring, promotion, condition of employment, recruitment advertising, layoff or termination, rates of pay or other forms of compensation, selection for training and benefits.

It is the policy of the Department of Labor and Training to comply with Section 503 of the Rehabilitation Act of 1973, to take affirmative action to employ and advance in employment qualified handicapped individuals at all job levels. This action will involve all personnel activities including hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, selection for training and benefits.

Matthew D. Weldon is the individual responsible for implementation of the policy. Those responsibilities include:

1. Hold regular discussions with management, supervisors and employees to ensure their compliance with the program.
2. Identify problem areas.
3. Serve as a liaison between the Department and government agencies.
4. Serve as a liaison between the Department and organizations of and for disabled veterans and covered veterans. Also, to be available as the Department representation in their service activities.

5. Disabled veterans and covered veterans will be provided with the same career counseling as other employees of the Department of Labor and Training.
6. Ensure that employees placed through affirmative action efforts will not be subject to harassment designed to interfere with the filing of a complaint, furnishing information, or participating in any manner with the administration of the act.

**Internal Dissemination:**

1. Invite all applicants and employees who are individuals with disabilities, disabled veterans and covered veterans to identify themselves to the Agency so that they may benefit under the program.
2. Include the policy statement in the Agency policy manual.
3. Conduct special meetings with management and supervisors to explain the intent of the policy and individual responsibility for its effectiveness.
4. Discuss the policy with employees through training and orientation programs.
5. Include a statement in the policy manual that employees and applicants are protected from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an investigation under the pursuant to all laws/acts mentioned in this Affirmative Action Plan.

**External Dissemination:**

1. Contact and work with recruiting sources to provide meaningful employment opportunities to qualified disabled veterans and covered veterans.
2. Contact the appropriate veteran's service organizations to obtain advice on accommodating, properly placing and recruiting disabled veterans and covered veterans.

**PRACTICES AND PROCEDURES**

**Outreach Recruitment:**

A review of the Department of Labor and Training personnel procedures has been conducted to assure that careful consideration is given to the job qualifications of individuals with disabilities, disabled veterans and covered veterans.

The job qualifications of individuals with disabilities, disabled veterans and covered veterans are given proper consideration and these individuals receive equal opportunity to participate in Labor and Training sponsored training programs.

**Physical and Mental Qualifications:**

The Department of Labor and Training does not apply any general physical or mental job qualifications that would tend to screen out the qualified individuals with disabilities, disabled veterans and covered veterans. All job qualifications are related to the specific job or jobs for which the individual is being considered and are consistent with business necessity and the safe performance of the job.

**Reasonable Accommodations:**

The Department of Labor and Training makes reasonable accommodations to the physical and mental limitations of an employee or applicant within the limits imposed by business necessity, costs and expenses. The Department will make such changes when appropriate and make an effort to accommodate individuals with disabilities on an individual basis.

**Work Environment:**

The Department strives to maintain a working environment free of discrimination, intimidation and harassment. The Department also maintains the general work area where the disabled, disabled veteran and covered veteran work is conducive to continued employment and upward mobility.

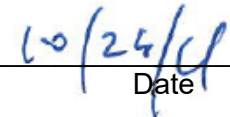
**Report on 2017 - 2018 plans** - The Department plans to continue its work to identify and remove barriers that would affect individuals with disabilities and will continue to work with individuals with disabilities to meet reasonable accommodation requests.

The Department will apply the definition of "Covered Veteran" for the purpose of employment as set forth in "Covered" Veterans as defined by the Vietnam-Era Veteran's Readjustment Assistance Act (VEVRAA) of 1974, (VEVRAA) amended by the Jobs for Veteran's Act of 2002. The Department will work to achieve the Department of Labor and Training's aspirational goal of 7% for persons with disabilities and 8% for veterans, reflecting the percentage of veterans making up the current workforce nationally.

Management understands that the data gathered concerning veterans and individuals with disabilities should be handled with specific concerns for the issues of self-identification and legal confidentiality.

The Department of Labor and Training will continue its efforts to meet any identified needs of employees or potential employees who are disabled, disabled veterans, and covered veterans.

  
\_\_\_\_\_  
Scott R. Jensen  
Director, Department of Labor and Training

  
\_\_\_\_\_  
Date

## **G. DETERMINING UNDERREPRESENTATION & GOAL SETTING 2019-2020**

During the 2019-2020 Plan Year, eight (8) new employees joined the Department of Labor and Training staff. The Equal Employment Opportunity Job Category analysis of these new hires is detailed below.

| <b>EEO<br/>Job Category</b> | <b>Total<br/>Employees</b> | <b>White<br/>Male</b> | <b>Minority</b> | <b>Female</b> |
|-----------------------------|----------------------------|-----------------------|-----------------|---------------|
| Officials, Mgrs., Admin.    | 1                          |                       |                 | 1             |
| Professionals               | 6                          | 2                     | 1               | 3             |
| Technicians                 | 0                          |                       |                 |               |
| Paraprofessionals           | 1                          |                       |                 | 1             |
| Total                       | 8                          | 2                     | 1               | 5             |

The Department of Labor and Training continues to keep the minority community informed of job openings in the department through posting job vacancies via the state ApplyRI notification and application system. This way we are guaranteed to reach those agencies and organizations on the official State EEO list and beyond.

The Department's commitment to the "Spirit" of Equal Opportunity Employment has produced the following results:

Of the eight persons hired, five are female and one male is Hispanic or Latino. Most of the new hires (six) were in the Professional category, one was an Official/Administrator and one was in the Para-Professional category.

It should be noted that the Department continues to build on its commitment to diversity in hiring practices overall. The Department strives to focus on the higher paying professional categories, which include non-union managerial and supervisory positions over which the agency exercises greater flexibility in hiring.

### **Achievements:**

In terms of promotional opportunities, it should be noted that during the Plan Year, 30 employees were promoted, 22 were female, two were Hispanic or Latino and three were Black or African American. One Female was promoted from the Technician category to the Professional category, three females were promoted from the Professional category into the Officials/Managers Administrators category, and one female was promoted from Administrative Support category to Paraprofessionals. Two Hispanic or Latino male employees were promoted; one in the Technicians category and one Paraprofessional. Three minority females were promoted; one Black or African American in the Paraprofessional category and two Hispanic or Latino (one in Paraprofessional and one in Administrative Support). The remaining individuals were promoted within their current EEO job category.

The number of individuals participating in training sponsored by the Department of Administration, Office of Training and Development and the Department of Human Resources RI Learning & Development office was 182; 2 Black or African Americans in the Officials/Manager Administrators category, 13 Black or African American and 14 Hispanic or Latino in the Professionals category, 2 Black or African American and 1 Hispanic or Latino in the Paraprofessionals category and 1 Hispanic or Latino in the Administrative Support category. Of the remaining 120 females that received training, 1 is Black or African American from the Officials/Managers Administrators category, 13 Black or African American and 11 Hispanic or Latino from the Professionals category, 1 Hispanic or Latino from the Technicians, Paraprofessionals and Administrative Support categories.

## **Plan Year 2019-2020 Goals - Plan to Improve Minority Hiring and Workplace Inclusion**

During the 2019-2020 Plan Year the Rhode Island Department of Labor and Training will:

### **1. GOAL: Hire more candidates from underrepresented categories**

Assuming vacancies occur, the Department will aspire to hire employees in the underrepresented categories delineated on page 47 of this report. Currently, minorities, veterans and individuals with disabilities are underrepresented in the Officials, Managers/ Administrators, Professionals and Administrative Support categories. Veterans and individuals with disabilities are underrepresented in all categories.

### **2. GOAL: Bolster minority recruiting activity**

The Department will continue to post vacancy notices through ApplyRI, the online state jobs application system. Additionally, we have found it beneficial to advertise in national publications for those positions with unique requirements.

### **3. GOAL: Increased emphasis on promulgating this plan to current employees and new hires.**

Assistant Directors and supervisors will promote policies and procedures in this plan to all current and newly appointed staff.

### **4. GOAL: Encourage the Department of Labor and Training's employees to participate in state sponsored programs to increase job efficiency through training.**

DLT employees will be encouraged to participate in training through the new Learning Management System, ePath. We will continue to present in-house training sessions for staff members on diversity, discrimination, harassment and ethics in the workplace.

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## **H. APPENDIX**

1. Description of Job Categories
2. Racial/Ethnic Identification
3. Laws Governing Equal Opportunity
4. Guidelines for Preventing Sexual Harassment
5. Guidelines for Ensuring Unbiased Work Environments
6. Employee Self-Identification of Disability and Request for Reasonable Accommodation
7. State Equal Opportunity Office Discrimination Complaint Procedure
8. State Equal Opportunity Office – Complaint Information Form
9. Exit Interview
10. Affirmative Action File Card
11. Equal Opportunity Advisory Committee Guidelines
12. Diversity Advisory Committee Guidelines
13. List of Enforcement Agencies

**\*This space intentionally left blank\***

## 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.

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## **Racial/Ethnic Identification**

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 offsite, 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 (AD AAA) 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)(1) 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.

**§ 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 office of diversity, equity and opportunity, shall report to the governor and to the general assembly on state equal opportunity programs. The state equal opportunity office shall be responsible for ensuring 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.

**§ 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.

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

(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 ensure 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. The human resources outreach and diversity office shall act as the 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.

#### **§ 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.

#### **§ 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.

**§ 28-5.1-5. Personnel administration.**

(a)(1) The office of personnel administration of the department of administration, in consultation with the office of diversity, equity and opportunity, 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 ensure 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 ensuring 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 six-member (6) committee that 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 associate director of the office of diversity, equity and opportunity, 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.

**§ 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.

**§ 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.

#### **§ 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.

#### **§ 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.

#### **§ 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.

**§ 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.

**§ 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.

**§ 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.

**§ 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.

**§ 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.

**§ 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.

**§ 28-5.1-17. Utilization analysis.**

(a)(1) 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)(1) 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."

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## STATE EXECUTIVE ORDERS

### EXECUTIVE ORDER 17-02

Promotion of Diversity, Equity and Opportunity

### 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

Gina M. Raimondo  
Governor

EXECUTIVE ORDER

17-02

January 5, 2017

**PROMOTION OF DIVERSITY, EQUITY AND OPPORTUNITY**

WHEREAS, Rhode Island is committed to equal opportunity and equity in all aspects of state government employment, procurement, programs, and activities; and

WHEREAS, diversity and inclusion are core values that are essential to a creative, innovative, and productive workplace, as well as a thriving business climate in Rhode Island; and

WHEREAS, the State of Rhode Island is strengthened by the diversity in our population, and we are at our best when we value and respect the contributions of all members of our society; and

WHEREAS, building a framework for open dialogue and communication between our state government and its people is an important step toward community engagement; and

WHEREAS, this administration is committed to establishing a close and collaborative working relationship with a diverse group of community partners who share in our interest to promote equity and fairness in state government.

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

- A. There is hereby established an Advisory Council ("Council") that shall exist for the purpose of advising the Office of Diversity, Equity and Opportunity ("ODEO") within

SECRETARY OF STATE

2017 JAN -5 PM 3:54

the Department of Administration on ways to enhance diversity, inclusion, equity and opportunity throughout the Executive Branch of Rhode Island State government in the areas of employment, procurement, programs, and activities. The ODEO shall work collaboratively with the Division of Human Resources, the Division of Purchases, the Division of Enterprise Technology Strategy and Services, other divisions within the Department of Administration, and all executive departments to implement approved recommendations.

1. The chair(s) and members of the Council shall be appointed by the Director of the Department of Administration and shall serve a three-year term. Members may be appointed for subsequent terms, and if a member resigns before completion of a term, a new member may be appointed to serve out the remainder of the term. Members shall serve at the pleasure of the Director of the Department of Administration.
2. The Council shall consist of not more than fifteen (15) members from the private and public sector that reflect Rhode Island's diversity along issues of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, disability, and education.
3. The Associate Director of ODEO shall serve as an ex-officio member of the Council and the ODEO shall provide administrative support to the Council.
4. The Council shall serve as a sounding board to the ODEO for new policies, initiatives, and structural changes being proposed, and shall assist the ODEO by providing informed guidance, ideas, and recommendations for best practices that will assist them in carrying out their responsibilities.

- B. The Council shall convene on at least a quarterly basis and said meetings shall be open public meetings.

This Executive Order shall take effect immediately.

So Ordered:

A handwritten signature in black ink, appearing to read "Gina M. Raimondo", written over a horizontal line.

Gina M. Raimondo

Governor



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

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

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



RECORDS & INFORMATION CENTER

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

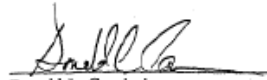
Executive Order 05-02  
January 17, 2005  
Page 3

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. Carcien

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:
  - 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;
  - The Age Discrimination in Employment Act of 1967, as amended, that prohibits employment discrimination against individuals 40 years of age or older;
  - The Equal Pay Act of 1963 that prohibits discrimination on the basis of gender in compensation for substantially similar work under similar conditions;

- 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;
- The Civil Rights Act of 1991, as amended, that provides for monetary damages in case of intentional discrimination;
- Section 501 of the Rehabilitation Act of 1973, as amended, that prohibits employment discrimination against federal employees with disabilities;
- Title IX of the Education Act of 1972, as amended, that forbids gender discrimination in education programs, including athletics that receive federal dollars;
- 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
- 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

Executive Order 05-01 January 17, 2005 Page 5  
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

EXECUTIVE ORDER

No. 94-22

December 23, 1994

MINORITY BUSINESS ENTERPRISE



State House,  
Providence

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

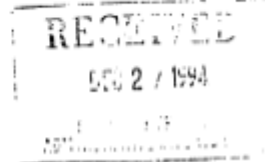
WHEREAS, on June 23, 1994, I signed Executive Order 94-9, reorganizing and enhancing the powers and duties of the MBE Program, and there is now a need to restructure and clarify the responsibilities of the MBE program; and

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.

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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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STATE

PROCURING AGENCY

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

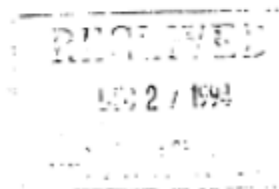
President (or designee)  
Black Contractors Association of Rhode Island

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





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.

(C) If the rules and regulations promulgated by the Department of Administration are not being met, the Department, agency or quasi-state authority or corporation shall submit a report to the Department of Administration's Administrator - MBE Compliance stating the reasons for its inability to comply with such rules and regulations, and identify the remedial steps it shall take. Such remedial steps may include:

1. Targeting some bid invitations to MBEs.
2. Promoting joint ventures between MBEs and non-MBEs.
3. Requiring prime contractors, where subcontracting opportunities exist, to subcontract a minimum amount of work on projects to MBEs.
4. Designating MBEs as suggested vendors when submitting requests to the purchasing agent.
5. Dividing large contracts into smaller units to afford opportunities for MBEs, where legally permissible.
6. Developing a plan to require prime contractors, whenever possible, to purchase supplies, services and equipment from MBEs.

Article V - Responsibility of State Purchasing Agent and Quasi-State Authority or Corporation Purchasing Agents

The State Purchasing Agent and quasi-state authority or corporation purchasing agents will provide maximum support to comply with the requirements of the MBE statute as stated herein. Such efforts will include:

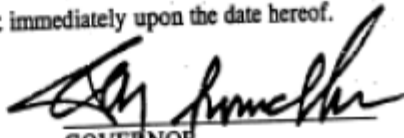
1. Notifying all possible bidders, especially potential MBE suppliers of purchasing for departments, agencies and quasi-state authorities or corporations. Such notification might include direct mail, advertising in media reaching the minority community, and such other outreach efforts as may be necessary.
2. Seeking out MBEs from the list of certified MBEs to be included in prospective bidder lists, and targeting some bid invitations to MBEs.

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.

12/27/94  
DATE

  
GOVERNOR

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DEC 27 1994

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

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

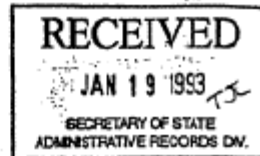
1. Equal Opportunity and Affirmative Action towards its achievement is the firm and unwavering policy of all units of Rhode Island State Government.

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.

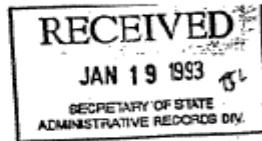
10. In addition to the duties of the State EEO Office set forth in Title 28, Chapter 5.1 of the Rhode Island General Laws, the State EEO Office shall:

- 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.

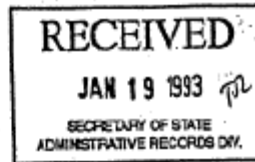


14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

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).



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

A handwritten signature in dark ink, appearing to be "R. G. Smith", written over a horizontal line.



State of Rhode Island  
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

NO. 92-2

JANUARY 23, 1992

EY 92-2



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.



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.



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 black ink, appearing to read "Jay Byrnes", 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

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.

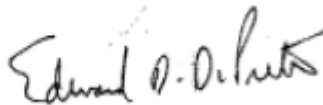
7. Transitional Education Program -

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:

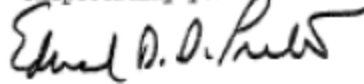
1. The Director of Administration is hereby designated the State's 504 Coordinator and shall delegate operational control to the State Building Code Commissioner as his designee.
2. The duties of the Coordinator shall be to coordinate all State agencies in the implementation of all federal rules and 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 consumer 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.

(2003)

## **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: \_\_\_\_\_

RIEEO 5/09A  
REVISED 7/02/2002  
RI SEEO (401) 222-3090

## 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

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City State Zip Code

Telephone Number(s)/Email Address

Work: \_\_\_\_\_

Cell: \_\_\_\_\_

Home: \_\_\_\_\_

Email: \_\_\_\_\_

**2. Name of Department:**

\_\_\_\_\_

**3. Name of Immediate Supervisor:**

\_\_\_\_\_

**4. Name and title of individual(s) who allegedly discriminated against you**

\_\_\_\_\_  
Name Title

\_\_\_\_\_  
Name Title

\_\_\_\_\_  
Name Title

**5. Date of alleged violation:**

\_\_\_\_\_

**6. Place of alleged violation:**

\_\_\_\_\_

( \_\_\_\_\_ )

Case Number

**7. Basis of alleged Complaint:**

- \_\_\_\_ Race
- \_\_\_\_ Color
- \_\_\_\_ Sex
- \_\_\_\_ Age: (40 or above)
- \_\_\_\_ National Origin
- \_\_\_\_ Disability
- \_\_\_\_ Religion
- \_\_\_\_ Sexual Orientation
- \_\_\_\_ Gender Identity or Expression
- \_\_\_\_ Unlawful Questions (arrest record, criminal conviction, or other)
- \_\_\_\_ Retaliation

Explain Basis: \_\_\_\_\_

\_\_\_\_\_

**8. Nature Change:**

- \_\_\_\_ Refusal to Hiring
- \_\_\_\_ Unequal Pay
- \_\_\_\_ Job Classification
- \_\_\_\_ Discharge/Termination
- \_\_\_\_ Denial of Promotion
- \_\_\_\_ Unequal Access to Training
- \_\_\_\_ Demotion
- \_\_\_\_ Qualifications/testing bias
- \_\_\_\_ Layoff
- \_\_\_\_ Recall
- \_\_\_\_ Seniority
- \_\_\_\_ Intimidation/Reprisal
- \_\_\_\_ Harassment (Sexual or other)
- \_\_\_\_ Maternity
- \_\_\_\_ Discriminatory Treatment/Work Environment
- \_\_\_\_ Failed to Provide Reasonable Accommodation (ADA)

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## DISCRIMINATION COMPLAINT INFORMATION FORM

(Continued)

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9. Explain what happened and how you believe you were discriminated against (attach additional paper as needed). Indicate who was involved. Be sure to include how other persons were treated differently from you. Also attach any written material(s) pertaining to your complaint.

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10. Why do you believe these events occurred?

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

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

---

---

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\_\_\_\_\_  
Complainant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Interviewing Officer

**PLEASE CONTACT ODEO/State Equal Opportunity Office at (401) 222-1452 or RI  
Relay: 711 for assistance if you have a disability and require a reasonable  
accommodation to complete this form.**



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# EXIT INTERVIEW SIGN-OFF FORM

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY (ODEO)

STATE EQUAL OPPORTUNITY OFFICE

One Capitol Hill

Providence, RI 02908-5865

[eo.compliance@doa.ri.gov](mailto:eo.compliance@doa.ri.gov)

Rhode Island Department of:

Labor and Training

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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 [eo.compliance@doa.ri.gov](mailto:eo.compliance@doa.ri.gov), immediately upon completion.

Rev. 7/02

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## Rhode Island State Equal Opportunity Office

### CONFIDENTIAL EXIT SURVEY

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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@doa.ri.gov](mailto:ooo.compliance@doa.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](mailto: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.

NAME   
ADDRESS   
  
TELEPHONE   
E-MAIL

JOB TITLE   
DEPT./AGENCY   
DIVISION/UNIT   
DATE HIRED   
DATE DEPARTED

(Please Check All That Apply - For Equal Opportunity Purposes Only)

Race/Ethnic Categories

White       American Indian or Alaska Native       Hispanic   
Black       Native Hawaiian or Pacific Islander       Two or More Races   
Asian

Gender Categories

Female   
Male

Other Protected Classes

Disabled   
Veteran   
Age: 40 & over

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## CONFIDENTIAL EXIT SURVEY INQUIRY

(continued)

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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: \_\_\_\_\_

\_\_\_\_\_

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**CONFIDENTIAL EXIT SURVEY INQUIRY**  
(continued)

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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

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**

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)  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)  Disabled  Veteran  Disabled Veteran  Age: 40 & Over

**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.

# 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, individuals 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 A. Burrell, Associate Director Department of Administration**

Office of Diversity, Equity and Opportunity One Capitol Hill

Providence, RI 02908

TEL # (401) 222-6397

Rhode Island Relay: 711

FAX # (401) 222-1453

Email: [Cheryl.Burrell@doa.ri.gov](mailto:Cheryl.Burrell@doa.ri.gov)

\* Each agency is required to have an Equal Opportunity Advisory Committee

## 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](mailto:Sabina.Matos@doa.ri.gov)

\* Agencies are not required to have a Diversity Advisory Council but are encouraged to do so.



## ENFORCEMENT AGENCIES

### **Department of Administration**

Office of Diversity, Equity and Opportunity  
State Equal Opportunity Office  
One Capitol Hill  
Providence, RI 02908  
TEL # (401) 222-3090  
FAX # (401) 222-2490  
[Eoo.compliance@doa.ri.gov](mailto:Eoo.compliance@doa.ri.gov)

### **RI Commission for Human Rights**

180 Westminster St., 3<sup>rd</sup> 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  
P.O. Box 66118  
Washington, D.C. 20035-6118  
TEL # (202) 514-0301/ Voice  
TDD # (202) 514-0381  
TDD # (202) 514-0383  
# (202) 514-6193 (Electronic Bulletin Board)