

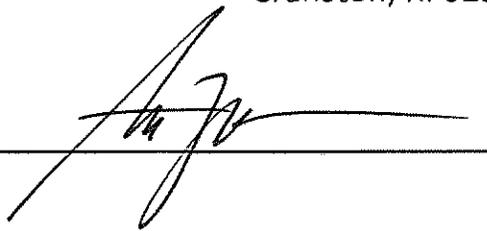
The Rhode Island Department of Labor and Training's Affirmative
Action Plan

Effective Dates: July 1, 2015 through June 30, 2016

Scott R. Jensen, Director

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

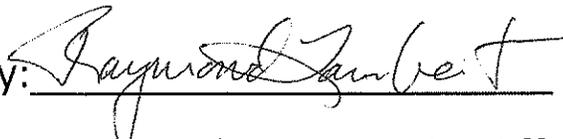
Accepted by: _____



Date: _____

12/11/15

Approved by: _____



Date: _____

4/6/16

State Equal Opportunity Office

AGENCY ORGANIZATION AND STRUCTURE

The Department of Labor and Training (DLT) was established in 1996, pursuant to R. I. Gen. 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. DLT provides income support through the Unemployment Insurance, Temporary Disability, 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 employer's 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 <http://www.dlt.ri.gov/>.

BRIEF OUTLINE OF AGENCY UNITS

Income Support

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.

Temporary Disability Insurance (TDI) — provides income support to eligible workers who sustain a wage loss resulting from a non-work related illness or injury.

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 John E. Donley 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 & 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.

netWORKri - One Stop Career Centers — Employers, job seekers and those with special needs can visit any one of the netWORKri Career Centers throughout the state and receive seamless and comprehensive services. These career centers throughout the state provide a full range of employment and training services to both job seekers and employers at no charge. Services are located in Pawtucket, Providence, Wakefield, West Warwick and Woonsocket. netWORKri 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 Marketing/Communications Unit, is responsible for the Department's internal and external communications such as 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

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

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 six 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), Quarterly Census of Employment & Wages (QCEW), Mass Layoff Statistics (MLS), and Occupational Safety and Health (OSH). The 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

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 health and safety standards for all state agencies, public buildings, and city and town educational facilities and imposes 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.

The Legal Office acts as Departmental Hearing Officers in matters relating to labor standards, prevailing wage and employee grievance hearings. The Legal Office also represents the Department in the following areas: motions to quash filed when subpoenas for Department records are served; objections to court ordered counsel fees; appeals to the District Court from the Board of Review; and, appeals under the APA.

Labor Relations Board

Makes bargaining unit determinations for public sector employees presently unionized or seeking to be unionized, oversees collective bargaining elections, and investigates and resolves charges of unfair labor practices.

Board of Review

Hears and renders decisions on appeals arising from the Department of Labor & 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)

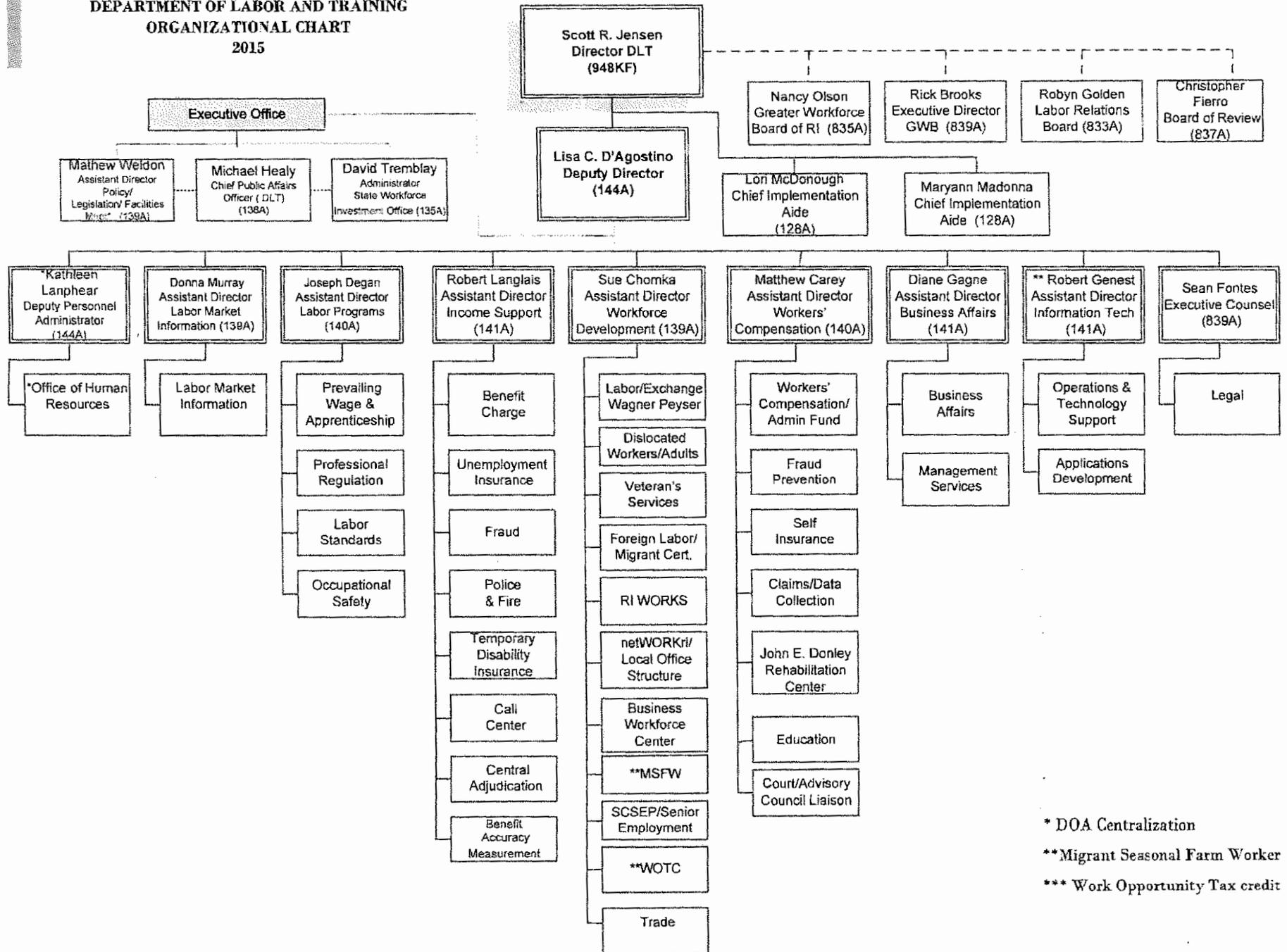
Responsible for employee relations, labor relations, payroll, staff development and training programs.

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.

Information Services Department — (Part of DOIT — Department of Administration)

The Information Systems Division develops and maintains the applications and implements the 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 transfers.

**DEPARTMENT OF LABOR AND TRAINING
ORGANIZATIONAL CHART
2015**



* DOA Centralization

** Migrant Seasonal Farm Worker

*** Work Opportunity Tax credit

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PLAN ADMINISTRATION

DEPARTMENT OF LABOR AND TRAINING'S 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 supports affirmative action and equal opportunity.

The Department 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 coworkers 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 Angelyne E. Cooper, Esq.

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.

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



Scott R. Jensen
Director, Department of Labor and Training



Date

**BY-LAWS
EQUAL OPPORTUNITY ADVISORY COMMITTEE
RI DEPARTMENT OF LABOR AND TRAINING**

**ARTICLE I
NAME**

This organization shall be known as the Equal Opportunity Advisory Committee of the Department of Labor and Training, hereinafter referred to as the Committee.

**ARTICLE II
PURPOSE**

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.

**ARTICLE III
ORGANIZATION**

- Section 1.** The Committee shall be composed of the general membership and the officers.
- Section 2.** The officers shall consist of the chair, vice-chair, and the secretary.
- Section 3.** The general membership shall consist of not less than nine (9) nor more than twenty (20) members, not including the officers.
- Section 4.** One union representative will be appointed as a non-voting member, but shall not be counted among the general membership.

**ARTICLE IV
SELECTION OF THE GENERAL MEMBERSHIP**

- Section 1.** Applicants for general membership on the Committee shall be recruited annually in September/October from department employees as necessary to maintain required membership numbers promote membership diversity, and ensure operational effectiveness.
- Section 2.** Applicants shall be interviewed by the officers, who shall designate from the pool of applicants a list of eligibles for general membership to be drawn from in filling vacancies.
- Section 3.** Applicants designated to the list of eligibles shall remain active on the list for two years.

Section 4. General members shall be appointed to the Committee from the list of eligible candidates by the director with the advice of the chair. Such appointments shall be made in accordance with the objectives of maintaining Committee membership at the required numbers, promoting membership diversity and ensuring operational effectiveness.

**ARTICLE V
GENERAL MEMBERSHIP TERM OF SERVICE**

Section 1. Each general member shall serve a minimum term of three consecutive years provided the member remains in good standing throughout such term. The minimum term will begin September 1 following the date of selection and will end August 31 three years hence.

Section 2. Following expiration of the minimum term, the general member may serve renewable one-year terms subject to annual appointment by majority consensus of the officers, who shall make such appointments to with ensure the operational effectiveness and membership diversity of the Committee.

Section 3. General members who leave the Committee in good standing may reapply for membership during the next recruitment cycle.

Section 4. In the event a general member does not complete their term, a replacement shall be appointed by the director with the advice of the Chair from the active list of designated eligible applicants. Time served by the replacement general member during their first year shall be considered as a full year towards the three-year minimum term if the replacement is installed during September through February inclusive. Installations taking place during March through August, inclusive, shall not be considered part of the three-year minimum term.

Section 5. A general member may be discharged from service on the Committee at any time for good cause by majority consensus of the officers, which majority shall include the chair.

**ARTICLE VI
DUTIES OF THE GENERAL MEMBERSHIP**

Each member shall:

Section 1. Be responsible for attending all Committee and assigned subcommittee meetings, with notice to the chair if unable to be present. A pattern of absences that is detrimental to the effectiveness of the Committee may result in discharge in accordance with Article V, Section 5.

Section 2. Act as liaison between department employees and the Committee.

Section 3. be knowledgeable about the department's Affirmative Action Plan and required reports.

Section 4. Work with due diligence toward achieving the purpose of the Committee as stated in Article II.

**ARTICLE VII
WITHDRAWAL FROM THE COMMITTEE**

A general member may withdraw from the Committee by submitting a letter of resignation to the chair.

**ARTICLE VIII
TERMS OF OFFICE**

- Section 1. The offices of chair, vice-chair and secretary shall operate in cycles of two-year terms.
- Section 2. Each term shall begin in September immediately following the election of officers and shall end on August 31st two years hence.
- Section 3. Any officer who does not complete their term of office shall be replaced for the remainder of their term in accordance with Article XI.
- Section 4. Officers shall hold office until a successor is duly elected or a replacement is designated in accordance with the provisions of Article X and/or Article XI as applicable to the circumstances of the succession.
- Section 5. Time served as an officer shall not be counted as general membership time. An officer leaving office in good standing shall assume the status of annual renewable general membership.

**ARTICLE IX
DUTIES OF OFFICERS**

- Section 1. The chair shall: a) prepare the agenda for Committee meetings; b) preside at all Committee meetings; c) transmit Committee recommendations to the department director; and d) appoint subcommittees, designate their chairs, and assign members to them as necessary.
- Section 2. The vice-chair shall preside at Committee meetings in the absence of the chair.
- Section 3. The secretary shall record and distribute the minutes of each Committee meeting to each member.
- Section 4. Officers may assume additional duties as necessary to the operation of the Committee.

**ARTICLE X
ELECTION OF OFFICERS**

- Section 1. During the August meeting of each odd numbered year, the Chairperson will notify the committee of nomination and election of officers.
- Section 2. Nominations for office shall be accepted and voted upon during the September meetings of each odd numbered year.
- Section 3. The election shall be by secret ballot.

- Section 4.** At least two-thirds of the full Committee shall be present to constitute an election quorum. If an election quorum is not present, a special election meeting shall be held on the next date on which an election quorum shall be present.
- Section 6.** A plurality of the vote shall decide each election.
- Section 6.** The chair shall not vote in any election of officers unless the result is a tie, in which case the chair shall render the deciding vote.

**ARTICLE XI
REPLACEMENT OF OFFICERS**

- Section 1.** If the office of chair becomes vacant, the vice-chair shall succeed to chair.
- Section 2.** If the office of vice-chair becomes vacant, the secretary shall succeed to vice-chair.
- Section 3.** If the office of secretary becomes vacant, a special election meeting shall be held to fill that office on the next date on which an election quorum shall be present. Such special elections shall be conducted according to Sections 3 through 6 of Article X.
- Section 4.** Replacement of the chair and/or vice-chair shall be effective immediately upon office vacancy; replacement of the secretary shall be effective immediately upon election of a successor.

**ARTICLE XII
REMOVAL FROM OFFICE**

- Section 1.** The Committee may elect, at any regularly scheduled meeting at which an election quorum of at least two-thirds of the full Committee is present, to remove an officer from office.
- Section 2.** The removal shall be by secret ballot.
- Section 3.** Removal from office shall require that a majority of those present votes affirmatively.
- Section 4.** If there is a tie vote, the officer shall remain in office.

**ARTICLE XIII
COMMITTEE MEETINGS**

- Section 1.** The Committee shall meet on the first Wednesday of each month unless otherwise stipulated.
- Section 2.** One-third of the full Committee shall constitute a general business quorum for purposes of conducting regular Committee business other than election or removal of officers an enactment or amendment of by-laws, which shall require an election quorum of two-thirds of the full Committee.
- Section 3.** Minutes shall be kept of each Committee meeting.
- Section 4.** Cancellation of any Committee meeting for good cause shall be the prerogative of the Chair.

**ARTICLE XIV
ENACTMENT AND AMENDMENT OF BYLAWS**

- Section 1.** These by-laws and amendments thereto, are effective upon approval of a two-thirds majority in the presence of an election quorum of two-thirds of the full Committee.
- Section 2.** Any group consisting of at least one-third of the Committee may petition to amend the bylaws. Petitioners shall submit in writing to the chair their reasons for seeking amendment, the proposed amended language.
- Section 3.** The chair shall appoint a bylaws subcommittee, which shall, within one month of its appointment, formulate recommendations for presentation to the full Committee at the next subsequent regularly scheduled Committee meeting. The by-laws subcommittee may support or reject the proposed petitioners' amendment(s) or itself submit proposed amendments to address the issues raised by the petitioners.
- Section 4.** The full Committee shall consider the proposed amendment(s) of the petitioners and the recommendations of the by-laws subcommittee and shall vote on each amendment proposal before it according to Section **1** of this Article.

DLT - EEO/AFFIRMATIVE ACTION ADVISORY

COMMITTEE MEMBERS - 2015

Sandra Miller-Becton -- Chairperson -- African-American
E&T Manager
Income Support
1511 Pontiac Avenue
Cranston, RI 02920

Linda Prince -- Vice-Chair -- African-American
Senior Research Technician
Labor Market Information
1511 Pontiac Avenue
Cranston, RI 02920

Ana Crimmins -- Portuguese
Benefit Claims Specialist
Income Support -- Overpayment Unit
1511 Pontiac Avenue
Cranston, RI 02920

J. Jack Andrade, TSC -- Cape Verdean
Local Veterans Employment Representative (LVER)
Veterans Services Unit
1511 Pontiac Avenue
Cranston, RI 02920

Carlos Tillett -- Hispanic
Investigator
Income Support -- Fraud Unit
1511 Pontiac Avenue
Cranston, RI 02920

Patricia Vespia -- Caucasian
Benefit Claims Specialist
Income Support -- Central Adj. Unit
1511 Pontiac Avenue
Cranston, RI 02920

Daniel Brown -- African-American
Chief Implementation Aide
Governor's Workforce Board
1511 Pontiac Avenue
Cranston, RI 02920

Deanne McNeill -- African-American
Sr. Word Processing Typist
Workers' Compensation -- Donley Center
249 Blackstone Boulevard
Providence, RI 02906

Gail I. Rezendes -- African-American
Clerk Secretary -- Professional Regulation
1511 Pontiac Avenue
Cranston, RI 02920

Victoria Alves Salabert -- African-American
Benefit Claims Specialist
Income Support -- TDI
1511 Pontiac Avenue
Cranston, RI 02920

Lauren Moses -- Caucasian
Program Analyst
Workforce Partnership of Greater RI
1511 Pontiac Avenue
Cranston, RI 02920

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:

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.

Diversity Liaison/EO Officer:

Angelyne E. Cooper, Esq.
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 and the principles of Merit System employment; 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 in order to promote a fuller understanding of the meaning and implications of Titles VI and VII.

Americans with Disabilities Act/504 Coordinator:

Angelyne E. Cooper, Esq.
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:

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.

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 the disabled 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.

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

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.

AMERICANS WITH DISABILITIES ACT GRIEVANCE 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:

Angelyne E. Cooper, Esq.
Department of Labor and Training
1511 Pontiac Avenue
Cranston, RI 02920

Ms. Cooper has been designated to coordinate ADA compliance efforts.

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. Angelyne E. Cooper, Esq., 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 Coordinator will maintain the files and records relating to the complaints filed.

504 GRIEVANCE 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 504.

Complaints should be addressed to:

Angelyne E. Cooper, Esq.
Department of Labor and Training
1511 Pontiac Avenue
Cranston, RI 02920

Ms. Cooper has been designated to coordinate 504 compliance efforts for the department. 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. Angelyne E. Cooper, Esq. 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 Angelyne E. Cooper, Esq. and a copy forwarded to the complainant no later than thirty (30) days after conclusion of the investigation.
5. The 504 Coordinator will maintain the files and records relating to the complaints filed.

POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION

The Department 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



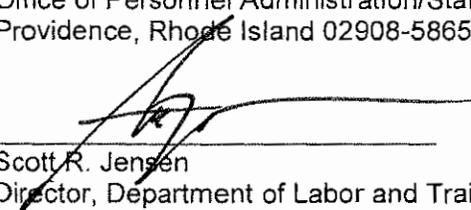
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POLICY ON SERVICE DELIVERY

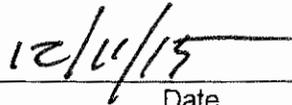
The Department is committed to providing fair, courteous, and equitable service to the public. The Department will make every effort to provide interpretive services to the non-English speaking public. As per Rhode Island General Law 28-5.1 of the State of Rhode Island, all Divisions of the Department 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 222-3090.



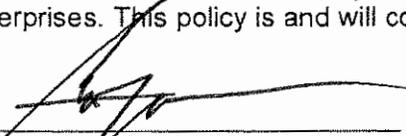
Scott R. Jensen
Director, Department of Labor and Training



Date

POLICY ON CONTRACTS

In accordance with Rhode Island General Law 28-5.1, the Department 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

**POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES
AND VETERANS**

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 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.

Angelyne E. Cooper, Esq. is designated as the 504 Coordinator for the Department. 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.



Scott R. Jensen
Director, Department of Labor and Training



Date

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

The Department will fully comply with all laws and executive orders. The Department will strive to fulfill requests for religious accommodation through voluntary substitutions, flexible work schedules, changes in job assignments, or transfers. The Department offers employees four "personal days" of paid leave per year that may be used for accommodating religious holidays or obligations. The Department does not discriminate against any qualified person in any facet of hiring or employment because of their religion or national origin.



Scott R. Jensen
Director, Department of Labor and Training

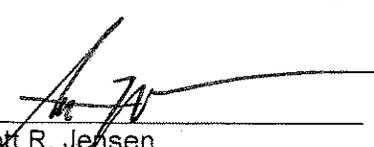


Date

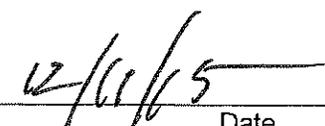
COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

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 underrepresented.
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

THE POLICY

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 against an employee in the Department of Labor and Training shall subject such employee to disciplinary action, including discharge.

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.

JOB GROUP ANALYSIS SUMMARY

Agency: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

EEO Job Categories	Total Employees	Total Minorities	Total Disabled	Total Veterans	Male						Female					
					Total Males	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Females	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
Officials/Managers/Administrators	37	2	0	2	20	19	1	0	0	0	16	15	1	0	0	0
Professionals	231	47	3	5	70	55	6	8	1	0	161	129	12	16	4	0
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	28	4	1	0	16	15	1	0	0	0	12	9	0	3	0	0
Protective Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Para-Professionals	98	30	4	6	37	28	5	2	1	1	61	40	7	12	1	1
Administrative Support	21	4	1	1	4	4	0	0	0	0	17	13	3	1	0	0
Skilled Craft	1	0	0	0	1	1	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
GRAND TOTAL	416	87	9	14	148	123	13	10	2	1	267	206	21	32	5	1

Percentages by Category:	20.91%	2.16%	3.37%	35.58%	29.57%	3.13%	2.40%	0.48%	0.24%	64.18%	49.52%	5.05%	7.69%	1.20%	0.24%
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Black 8.17%
 Hispanic 10.10%
 American Indian 0.48%
 Asian Pacific 1.68%

JOB GROUP ANALYSIS

EEO JOB Category Officials Managers & Administrators

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
DEPUTY DIRECTOR (DLT)	0%	1										1	1				
DIRECTOR; DEPT OF LBR & TRNG	0%	1				1	1										
EXECUTIVE COUNSEL	0%	1	1			1		1									
EXECUTIVE DIRECTOR; GWB						1	1										
LABOR RELATIONS BOARD MEMBER						3	3					1	1				
MEMBER; BOARD OF REVIEW (ES)	835	2				2	2										
SUPERVISING DLT BUSINESS OFFIC	132	1										1	1				
SUPERVISOR VOCATIONAL COUNSLR	329	1										1	1				
SUBTOTAL		32	2	0	2	20	19	1	0	0	0	16	15	1	0	0	0

PERCENTAGES BY CATEGORY:	6.25%	0.00%	6.25%	62.50%	59.38%	3.13%	0.00%	0.00%	0.00%	50.00%	46.88%	3.13%	0.00%	0.00%	0.00%
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Black 6.25%
 Hispanic 6.26%
 American Indian 0.00%
 Asian Pacific 0.00%

JOB GROUP ANALYSIS

EEO JOB Category Professionals

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
BENEFIT CLAIMS SPECIALIST	323	51	20			10	5		4	1		41	26	4	8	3	
BUSINESS SERVICES SPECIALIST	324	12	1			5	5					7	6	1			
CHF HOISTING ENGINEER INVEST	328	2				2	2										
CHF LIC EXAM DIV OF COM LIC RG	333	2				2	2										
CHF PLMB INV (BD OF PLMB EXAM)	330	2				2	2										
CHIEF OF LABOR & TRNG OPER	134	7	2		1	2	1		1			5	4	1			
CHIEF OF RESEARCH AND ANALYSIS	134	1										1	1				
CHIEF PREVAILING WAGE INVESTIG	330	2										2	2				
COMPENSATION CLAIMS ANALYST	322	3										3	3				
COORD EMPLOY & TRNG PGRMS	131	14	4			3	1	2				11	9		1	1	
COORD OF E & T PROGRAMS	131	2				1	1					1	1				
COORD OF U.I. PROGRAMS	131	1				1	1										
DLT BUSINESS OFFICER	321	2										2	2				
EDUCATION UNIT REPRESENTATIVE	326	1										1	1				
EMPLOYMENT & TRAINING MANAGER	126	11	1			2	1	1				9	9				
EMPLOYMENT & TRNG ADMINISTRATO	135	6				2	2					4	4				
FISCAL MANAGEMENT OFFICER	B26	3		2		1	1					2	2				
FRAUD & OVERPAYMENT INVESTIGTR	321	5	3			4	2		2			1			1		

JOB GROUP ANALYSIS

EEO JOB Category Professionals

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female						
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	
INVEST W/C FRAUD PREV UNIT	B30	5																
LABOR BOARD CASE AGENT	128	1										1	1					
LEGAL COUNSEL	0%	2				2	2											
LEGAL COUNSEL-BOARD OF REVIEW	0%	1				1	1											
LEGAL COUNSEL-ES	0%	4	1		1	1	1					3	2	1				
MANAGEMENT ASSISTANCE SUPERVIS												1	1					
NURSING CARE EVALUATOR												2	2					
PRIN EMPLOY & TRNG MANAGER	130	4	1			2	1		1			2	2					
PRINCIPAL DLT BUSINESS OFFICER	127	2	1									2	1		1			
PRINCIPAL E & T INTERVIEWER	323	45	10	1		11	9	2				34	26	3	5			
PRINCIPAL RESEARCH TECHNICIAN	127	2			1	2	2											
PROGRAMMING SERVICES OFFICER	131	1				1	1											
REFEREE - BOARD OF REVIEW	137	6	1		1	4	4					2	1	1				
SENIOR DLT BUSINESS OFFICER	324	4										4	4					
SENIOR E & T MANAGER	128	5										5	5					
SENIOR RESEARCH TECHNICIAN	323	2	1									2	1	1				
SPECIAL ASSISTANT	829	1										1	1					
SR E & T MONIT & EVAL SPEC	126	9	1			4	3	1				5	5					

JOB GROUP ANALYSIS

EEO JOB Category Professionals

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
SUPERVISOR OF OFFICE SVS (DLT)	131	1				1	1										
SUPRVSR APPRNTICSHIP TRNG PROG	327	2				2	2										
UNIT CLAIMS MANAGER	326	1										1	1				
W.C. PATIENT CARE COORDINATOR	520	3										3	3				
SUBTOTAL		228	47	3	4	68	53	6	8	1	0	158	126	12	16	4	0
PERCENTAGES BY CATEGORY:			20.61%	1.32%	1.75%	29.82%	23.25%	2.63%	3.51%	0.44%	0.00%	336.17%	55.26%	5.26%	7.02%	1.75%	0.00%

Black 7.89%
 Hispanic 10.53%
 American Indian 0.00%
 Asian Pacific 2.19%

JOB GROUP ANALYSIS

EEO JOB Category Faculty

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PERCENTAGES BY CATEGORY:	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
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Black 0.00%
 Hispanic 0.00%
 American Indian 0.00%
 Asian Pacific 0.00%

JOB GROUP ANALYSIS SUMMARY

Agency: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

EEO Job Categories	Total Employees	Total Minorities	Total Disabled	Total Veterans	Male						Female					
					Total Males	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Females	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
Officials/Managers/Administrators	37	2	0	2	20	19	1	0	0	0	16	15	1	0	0	0
Professionals	231	47	3	5	70	55	6	8	1	0	161	129	12	16	4	0
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	28	4	1	0	16	15	1	0	0	0	12	9	0	3	0	0
Protective Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Para-Professionals	98	30	4	6	37	28	5	2	1	1	61	40	7	12	1	1
Administrative Support	21	4	1	1	4	4	0	0	0	0	17	13	3	1	0	0
Skilled Craft	1	0	0	0	1	1	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
GRAND TOTAL	416	87	9	14	148	123	13	10	2	1	267	206	21	32	5	1

Percentages by Category:	20.91%	2.16%	3.37%	35.58%	29.57%	3.13%	2.40%	0.48%	0.24%	64.18%	49.52%	5.05%	7.69%	1.20%	0.24%
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Black	<u> 8.17% </u>
Hispanic	<u> 10.10% </u>
American Indian	<u> 0.48% </u>
Asian Pacific	<u> 1.68% </u>

JOB GROUP ANALYSIS

EEO JOB Category Officials Managers & Administrators

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
DEPUTY DIRECTOR (DLT)	0%	1										1	1				
DIRECTOR; DEPT OF LBR & TRNG	0%	1				1	1										
EXECUTIVE COUNSEL	0%	1	1			1		1									
EXECUTIVE DIRECTOR; GWB						1	1										
LABOR RELATIONS BOARD MEMBER						3	3					1	1				
MEMBER; BOARD OF REVIEW (ES)	635	2				2	2										
SUPERVISING DLT BUSINESS OFFIC	132	1										1	1				
SUPERVISOR VOCATIONAL COUNSLR	329	1										1	1				
SUBTOTAL		32	2	0	2	20	19	1	0	0	0	16	15	1	0	0	0

PERCENTAGES BY CATEGORY:	6.25%	0.00%	6.25%	62.50%	59.38%	3.13%	0.00%	0.00%	0.00%	50.00%	46.88%	3.13%	0.00%	0.00%	0.00%
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Black 6.25%
 Hispanic 6.26%
 American Indian 0.00%
 Asian Pacific 0.00%

JOB GROUP ANALYSIS

EEO JOB Category Professionals

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
BENEFIT CLAIMS SPECIALIST	323	51	20			10	5		4	1		41	26	4	8	3	
BUSINESS SERVICES SPECIALIST	324	12	1			5	5					7	6	1			
CHF HOISTING ENGINEER INVEST	328	2				2	2										
CHF LIC EXAM DIV OF COM LIC RG	333	2				2	2										
CHF PLMB INV (BD OF PLMB EXAM)	330	2				2	2										
CHIEF OF LABOR & TRNG OPER	134	7	2		1	2	1		1			5	4	1			
CHIEF OF RESEARCH AND ANALYSIS	134	1										1	1				
CHIEF PREVAILING WAGE INVESTIG	330	2										2	2				
COMPENSATION CLAIMS ANALYST	322	3										3	3				
COORD EMPLOY & TRNG PGRMS	131	14	4			3	1	2				11	9		1	1	
COORD OF E & T PROGRAMS	131	2				1	1					1	1				
COORD OF U.I. PROGRAMS	131	1				1	1										
DLT BUSINESS OFFICER	321	2										2	2				
EDUCATION UNIT REPRESENTATIVE	326	1										1	1				
EMPLOYMENT & TRAINING MANAGER	126	11	1			2	1	1				9	9				
EMPLOYMENT & TRNG ADMINISTRATO	135	6				2	2					4	4				
FISCAL MANAGEMENT OFFICER	B26	3		2		1	1					2	2				
FRAUD & OVERPAYMENT INVESTIGTR	321	5	3			4	2		2			1			1		

JOB GROUP ANALYSIS

EEO JOB Category Professionals

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female						
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	
INVEST W/C FRAUD PREV UNIT	B30	5																
LABOR BOARD CASE AGENT	128	1										1	1					
LEGAL COUNSEL	0%	2				2	2											
LEGAL COUNSEL-BOARD OF REVIEW	0%	1				1	1											
LEGAL COUNSEL-ES	0%	4	1		1	1	1					3	2	1				
MANAGEMENT ASSISTANCE SUPERVIS												1	1					
NURSING CARE EVALUATOR												2	2					
PRIN EMPLOY & TRNG MANAGER	130	4	1			2	1			1		2	2					
PRINCIPAL DLT BUSINESS OFFICER	127	2	1									2	1			1		
PRINCIPAL E & T INTERVIEWER	323	45	10	1		11	9	2				34	26	3	5			
PRINCIPAL RESEARCH TECHNICIAN	127	2			1	2	2											
PROGRAMMING SERVICES OFFICER	131	1				1	1											
REFEREE - BOARD OF REVIEW	137	6	1		1	4	4					2	1	1				
SENIOR DLT BUSINESS OFFICER	324	4										4	4					
SENIOR E & T MANAGER	128	5										5	5					
SENIOR RESEARCH TECHNICIAN	323	2	1									2	1	1				
SPECIAL ASSISTANT	829	1										1	1					
SR E & T MONIT & EVAL SPEC	126	9	1			4	3	1				5	5					

JOB GROUP ANALYSIS

EEO JOB Category Professionals

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
SUPERVISOR OF OFFICE SVS (DLT)	131	1				1	1										
SUPRVSR APPRNTICSHIP TRNG PROG	327	2				2	2										
UNIT CLAIMS MANAGER	326	1										1	1				
W.C. PATIENT CARE COORDINATOR	520	3										3	3				
SUBTOTAL		228	47	3	4	68	53	6	8	1	0	158	126	12	16	4	0

PERCENTAGES BY CATEGORY:	20.61%	1.32%	1.75%	29.82%	23.25%	2.63%	3.51%	0.44%	0.00%	336.17%	55.26%	5.26%	7.02%	1.75%	0.00%
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Black	<u>7.89%</u>
Hispanic	<u>10.53%</u>
American Indian	<u>0.00%</u>
Asian Pacific	<u>2.19%</u>

Applicant Flow Data

TOTAL APPLICANTS	**DISABLED	VETERANS	MALE					FEMALE				
			WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ ALASKAN NATIVE	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ ALASKAN NATIVE

APPLICANTS													
	TOTAL	**DIS	VETS	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE
OFFICIALS/ADMINISTRATORS	442	10	12	102	17	8	3	0	222	32	53	2	3
PROFESSIONALS	4048	48	154	1013	172	185	19	12	1645	309	549	99	45
TECHNICIANS	498	7	41	175	29	16	6	1	169	33	61	7	1
PROTECTIVE SERVICES	0	0	0	0	0	0	0	0	0	0	0	0	0
PARA-PROFESSIONALS	789	10	16	113	24	78	3	0	230	40	294	5	2
ADMINISTRATIVE SUPPORT	626	9	18	84	12	17	2	0	380	43	65	19	4
SKILLED CRAFT	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
TOTAL	6403	84	241	1487	254	304	33	13	2646	457	1022	132	55

HIRES													
	TOTAL	**DIS	VETS	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE
OFFICIALS/ADMINISTRATORS	5			3					2				
PROFESSIONALS	5			1					4				
TECHNICIANS	0			0					0				
PROTECTIVE SERVICES	0			0					0				
PARA-PROFESSIONALS	18			4	1	4			5		4		
ADMINISTRATIVE SUPPORT	3			0					3				
SKILLED CRAFT	0			0					0				
SERVICE/MAINTENANCE	0			0					0				
TOTAL	31	0	0	8	1	4	0	0	14	0	4	0	0

PROMOTIONS													
	TOTAL	**DIS	VETS	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE
OFFICIALS/ADMINISTRATORS	5			4					0	1			
PROFESSIONALS	53			9	2	4			35		3		
TECHNICIANS	5			3					2				
PROTECTIVE SERVICES	0			0					0				
PARA-PROFESSIONALS	17			5	2	1	1		5		3		
ADMINISTRATIVE SUPPORT	2			0					1		1		
SKILLED CRAFT	0			0					0				
SERVICE/MAINTENANCE	0			0					0				
TOTAL	82	0	0	21	4	5	1	0	43	1	7	0	0

TERMINATIONS													
	TOTAL	**DIS	VETS	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE
OFFICIALS/ADMINISTRATORS	5			3					2				
PROFESSIONALS	16			6					6	1	3		
TECHNICIANS	1			1					0				
PROTECTIVE SERVICES	0			0					0				
PARA-PROFESSIONALS	6			1	2				2				
ADMINISTRATIVE SUPPORT	2			1					1				
SKILLED CRAFT	0			0					0				
SERVICE/MAINTENANCE	0			0					0				
TOTAL	30	0	0	12	2	0	0	0	11	1	3	0	0

**Also includes disabled in appropriate job categories.

JOB GROUP ANALYSIS

EEO JOB Category Technicians

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
APPRENTICESHP TRNG COORD	324	2	2									2			2		
ASST COOR OF EMP & TRNG PROG	129	7				1	1					6	6				
ASST COOR OF U/I PROGRAMS	129	1										1	1				
CHF ELEC INV-BD OF EX OF ELEC	330	2				2	2										
CHF MECHANICAL INVEST (BME)	330	2				2	2										
CHIEF BOILER AND PRESSURE VESS	330	1		1		1	1										
CHIEF ELEVATOR INSPECTOR	330	1				1	1										
CHIEF LABOR STANDARDS EXAMINER	330	1										1	1				
INDUSTRIAL SAFETY SPEC (OCCUPA	322	1				1	1										
INDUSTRIAL SAFETY SPEC. OCCUPA	322	1				1	1										
LABOR STANDARDS EXAMINER	322	1	1									1			1		
PREVAILING WAGE INVESTIGATOR	322	4				4	4										
RESEARCH TECHNICIAN	319	2				1	1					1	1				
SENIOR COMPUTER OPERATOR	318	1	1			1		1									
SR INDUSTRIAL SAFETY SPEC (DLT	328	1				1	1										
SUBTOTAL		28	4	1	0	16	15	1	0	0	0	12	9	0	3	0	0

PERCENTAGES BY CATEGORY:	14.29%	3.57%	0.00%	57.14%	53.57%	3.57%	0.00%	0.00%	0.00%	0.00%	300.00%	32.14%	0.00%	10.71%	0.00%	0.00%
	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Black 3.57%
 Hispanic 10.71%
 American Indian 0.00%
 Asian Pacific 0.00%

JOB GROUP ANALYSIS

EEO JOB Category Protective Services

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female						
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PERCENTAGES BY CATEGORY:	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
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Black _____ 0.00%
 Hispanic _____ 0.00%
 American Indian _____ 0.00%
 Asian Pacific _____

JOB GROUP ANALYSIS

EEO JOB Category Para-Professionals

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
ASST ADMINISTRATIVE OFFICER	321	1										1	1				
CHIEF IMPLEMENTATION AIDE	128	6	1			3	2	1				3	3				
CONFIDENTIAL SECRETARY	818	1										1	1				
DISABLED VETERANS JOB ASSISTANT	320	3			3	3	3										
E & T INTER & INTERPRETER (SPANISH)	320	5	4									5			4		
E & T INTER & INTERPTR (PORT)	320	1				1	1										
EMPLOY & TRAINING ASSISTANT	316	5		1		1	1					4	4				
IMPLEMENTATION AIDE	B22	7				2	2					5	5				
INTERPRETER (SPANISH)	316	5	5			1			1			4			4		
LOCAL VETERANS EMPLOYMENT REP	320	2	1	1	2	1		1				1	1				
PHYSICAL THERAPY ASSISTANT	320	5	1			2	1				1	3	3				
SENIOR E & T INTERVIEWER	320	58	18	2	1	23	18	3	1	1		35	22	7	4	1	1
SUBTOTAL		99	30	4	6	37	28	5	2	1	1	62	40	7	12	1	1

PERCENTAGES BY CATEGORY:	30.30%	4.04%	6.06%	37.37%	28.28%	5.05%	2.02%	1.01%	1.01%	206.67%	40.40%	7.07%	12.12%	1.01%	1.01%
	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Black _____ 12.12%
 Hispanic _____ 14.16%
 American Indian _____ 2.02%
 Asian Pacific _____ 2.02%

EEO JOB Category Skilled Craft

JOB GROUP ANALYSIS

Date: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female						
						Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
MGR OF PRINTING & OTHER SERV	125	1				1	1										
SUBTOTAL		1	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0

PERCENTAGES BY CATEGORY:	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
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Black _____ 0.00%
 Hispanic _____ 0.00%
 American Indian _____ 0.00%
 Asian Pacific _____

JOB GROUP ANALYSIS

EEO JOB Category Faculty

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female						
						Total Male	White	Bleck	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PERCENTAGES BY CATEGORY:	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
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Black 0.00%
 Hispanic 0.00%
 American Indian 0.00%
 Asian Pacific 0.00%

JOB GROUP ANALYSIS

EEO JOB Category Technicians

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
APPRENTICESHP TRNG COORD	324	2	2									2			2		
ASST COOR OF EMP & TRNG PROG	129	7				1	1					6	6				
ASST COOR OF U/I PROGRAMS	129	1										1	1				
CHF ELEC INV-BD OF EX OF ELEC	330	2				2	2										
CHF MECHANICAL INVEST (BME)	330	2				2	2										
CHIEF BOILER AND PRESSURE VESS	330	1		1		1	1										
CHIEF ELEVATOR INSPECTOR	330	1				1	1										
CHIEF LABOR STANDARDS EXAMINER	330	1										1	1				
INDUSTRIAL SAFETY SPEC (OCCUPA	322	1				1	1										
INDUSTRIAL SAFETY SPEC. OCCUPA	322	1				1	1										
LABOR STANDARDS EXAMINER	322	1	1									1			1		
PREVAILING WAGE INVESTIGATOR	322	4				4	4										
RESEARCH TECHNICIAN	319	2				1	1					1	1				
SENIOR COMPUTER OPERATOR	318	1	1			1		1									
SR INDUSTRIAL SAFETY SPEC (DLT	328	1				1	1										
SUBTOTAL		28	4	1	0	16	15	1	0	0	0	12	9	0	3	0	0

PERCENTAGES BY CATEGORY:	14.29%	3.57%	0.00%	57.14%	53.57%	3.57%	0.00%	0.00%	0.00%	0.00%	300.00%	32.14%	0.00%	10.71%	0.00%	0.00%
	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%

Black 3.57%
 Hispanic 10.71%
 American Indian 0.00%
 Asian Pacific 0.00%

JOB GROUP ANALYSIS

EEO JOB Category Protective Services

DATE: July 1, 2014 thru June 30, 2015

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male						Female					
						Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

PERCENTAGES BY CATEGORY:	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
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Black 0.00%
 Hispanic 0.00%
 American Indian 0.00%
 Asian Pacific 0.00%

TRAINING PARTICIPATION SUMMARY

AGENCY: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

EEO Job Categories	Total Trainees	Number Disabled	Number Veterans	Number Minority	Number Female	Male										Female											
						White	%	Black	%	Hispanic	%	Asian/Pacific Islander	%	American Indian Alaskan	%	White	%	Black	%	Hispanic	%	Asian/Pacific Islander	%	American Indian Alaskan	%		
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%	0	0%
Professionals	8	0	0	4	6	2	%	0	0%	0	0%	0	0%	0	0%	2	25%	2	25%	2	25%	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	0%
Technicians	1	0	0	0	0	1	100%	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	0%
Para-Professionals	2	0	1	1	1	1	50%	0	0%	0	0%	0	0%	0	0%	0	0%	1	50%	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	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	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	0%
Totals	11	0	1	5	7	4	36%	0	0%	0	0%	0	0%	0	0%	2	18%	3	27%	2	18%	0	0%	0	0%	0	0%

Total Percent:

Minority: 45%
 Female: 64%
 Disabled: 0%
 Veterans: 9%

AGENCY: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

DISCIPLINARY ACTION

DISCIPLINARY ACTION TAKEN	White		Black		Hispanic		Asian/Pacific Islander		American Indian Alaskan Native		Disabled		Veterans	
	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		1	1	1				1						
Duty On Off Days														
Oral Reprimand		4	1	1				1						
Termination			1											
Other (Explain) Resignation			1											
TOTAL	0	5	6	2	0	0	0	2	0	0	0	0	0	0

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

Oral reprimands, if noted in supervisors' ratings or written reprimands, should be included in the graph.

APPLICANT REFUSAL OF POSITIONS OFFERED

AGENCY: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

EEO Job Categories	Total Applicants	Number Disabled	Number Veterans	Number Minority	Number Female	Male					Female				
						White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
Officials/ Managers Administrators	0			0	0										
Professionals	0			0	0										
Faculty	0			0	0										
Technicians	0			0	0										
Protective Services	0			0	0										
Para- Professionals	62	0	2	44	43								1		
Administrative Support	0			0	0										
Skilled Craft	0			0	0										
Service Maintenance	0			0	0										
Totals	62	0	2	44	43	0	0	0	0	0	0	0	1	0	0

Total Percent:

Minority: 71.0%
 Female: 69.4%
 Disabled: 0.0%
 Veterans: 3.2%

Annual Affirmative Action Statistical Summary

AGENCY: Labor & Training

Date: July 1, 2014 thru June 30, 2015

EEO-4 Job Categories	CURRENT										LAST YEAR'S WORKFORCE										DIFFERENCE +/-										HIRING GOALS				GOALS MET												
	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/PACIFIC	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/PACIFIC	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/PACIFIC	MINORITY	FEMALE	DISABLED	VETERANS	MINORITY	FEMALE	DISABLED	VETERANS									
Office Managers Administrators	37	2	2	16	0	2	2	0	0	31	17	1	13	0	2	2	0	0	0	6	-15	1	3	0	0	0	0	0	0																		
Professionals	231	55	47	161	3	5	18	24	0	221	53	70	158	3	5	18	24	0	5	10	2	-23	3	0	0	0	0	0	0	1	1									N	A+						
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0																		
Technicians	28	15	4	12	1	0	1	3	0	28	16	4	11	1	0	1	3	0	0	0	-1	0	1	0	0	0	0	0	0	1	2									N	A						
Professional 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	0	0	0																		
Para-Professionals	98	28	30	62	4	6	12	14	2	104	29	27	65	4	5	12	14	2	2	-6	-1	3	-3	0	1	0	0	0	0																		
Administrative Support	21	4	4	17	1	1	1	1	0	20	5	3	15	1	1	3	5	0	0	1	-1	1	2	0	0	-2	-4	0	0	1										A							
Skilled Craft	1	1	0	0	0	0	0	0	0	1	1	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	0	0	0																		
Total Employees	418	123	87	268	9	14	34	42	2	405	121	105	262	9	13	36	46	2	7	11	-16	-18	10	0	1	-2	-4	0	0																		

Current Workforce: As of June 30th, 2015
 Last Year's Workforce: As of June 30th, 2014
 Difference: Increases or Decrease
 Goals: Numerical projections, July 1st, 2015 To June 30th, 2016
 for employment of minorities and women.

 Percent
76.78% Minority Applicants 67.34% Female Applicants
74.19% Minority Hiring 58.06% Female Hiring

 Termination Percent
20.00% Minority
36.67% White Female
40.00% White Male

 Total Current Workforce Percent
20.91% Minority
64.42% Female
2.16% Disabled
3.37% Veterans
8.17% Black
10.10% Hispanic
0.48% American Indian
1.68% Asian Pacific

 Goals Met
 A =Achieved
 A+ =Achieved Plus
 N =Did Not Achieve
 P =Partially Achieved

APPLICANT DATA

AGENCY: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Grade
							White Male	Minority	Female	Disabled	Veterans				
ADMINISTRATOR, OPERATIONS MANAGEMENT	4093	A		X		X	9	15	11	0	0	5M			141A
ADMINISTRATOR, OPERATIONS MANAGEMENT	4094	A		X		X	8	22	18	1	0	5M			141A
ASSISTANT ADMINISTRATOR OF VOCATIONAL REHAB (REHAB)	87	A		X		X	4	19	18	2	4		5M		132A
ASSISTANT CHIEF OF PLANNING	57	A		X		X	8	19	16	1	1	5F			137A
CHIEF PROGRAM DEVELOPMENT	4061	A		X		X	12	22	18	0	0	5M			134A
DIRECTOR, DEPARTMENT OF LABOR & TRAINING	3704	A		X		X	1					5M			948K
BENEFIT CLAIMS SPECIALIST	3757	B	X			X	27	73	65	2	4		5M		323A
BENEFIT CLAIMS SPECIALIST	3688,170	B	X			X	23	94	83	1	1		5M,5F		323A
BENEFIT CLAIMS SPECIALIST	110	B	X			X	22	67	60	1	1			5F	323A
BENEFIT CLAIMS SPECIALIST	3487, 3767	B	X			X	34	92	81	1	6	5F	5M,5F		323A
BENEFIT CLAIMS SPECIALIST	810	B	X			X	24	83	73	1	3		2M		323A
BENEFIT CLAIMS SPECIALIST	173, 3992	B	X			X	51	199	174	2	7		5F		323A
BENEFIT CLAIMS SPECIALIST	3376	B	X			X	31	106	94	1	4		5F		323A
BENEFIT CLAIMS SPECIALIST	5992	B	X			X	28	90	77	0	2		5F		323A
BENEFIT CLAIMS SPECIALIST	3688	B	X			X	33	107	89	3	7		2F		323A
BENEFIT CLAIMS SPECIALIST	6 P0s	B	X			X	46	204	181	3	10		2F,5M,5F 5F,5F	2M	323A
BUSINESS SERVICES SPECIALIST	3631	B	X			X	21	46	36	0	3			5F	323A
CHIEF OF RESEARCH AND ANALYSIS	4086	B		X		X	2	11	10	0	0		5F		134A
COORDINATOR OF EMPLOYMENT AND TRAINING PROGRAMS	4071	B		X		X	33	100	82	3	8	5F			131A
DLT BUSINESS OFFICER	3997	B	X			X	15	32	26	0	2		5F		321A
EMPLOYMENT & TRAINING MANAGER	259	B		X		X	16	76	66	2	5		5F		126A
EMPLOYMENT AND TRAINING MANAGER	3530	B		X		X	13	42	36	2	1		5F		126A
EMPLOYMENT AND TRAINING MANAGER	3921	B		X		X	16	55	48	0	2		5F		126A
FISCAL MANAGEMENT OFFICER	69	B	X			X	16	25	19	0	0			5F	B26A
FRAUD AND OVERPAYMENT INVESTIGATOR	352	B		X		X	64	101	76	1	10		5M		321A
LEGAL COUNSEL (EMPLOYMENT SECURITY)	4074	B		X		X	17	17	17	1	3	5F			889F

APPLICANT DATA

AGENCY: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Grade
							White Male	Minority	Female	Disabled	Veterans				
PRINCIPAL EMPLOYMENT AND TRAINING INTERVIEWER	4068	B	x			x	13	47	45	0	3		5M		323A
PRINCIPAL EMPLOYMENT AND TRAINING INTERVIEWER	629	B	x			x	33	74	60	2	8		1M		323A
PRINCIPAL EMPLOYMENT AND TRAINING INTERVIEWER	3497	B	x			x	20	77	65	1	6		5F		323A
SENIOR DLT BUSINESS OFFICER	3702	B	x			x	8	32	30	1	1		5F		324A
SENIOR EMPLOYMENT & TRAINING MANAGER	288	B		x		x	12	41	38	0	2		5F		128A
SENIOR EMPLOYMENT & TRAINING MONITORING & EVAL SPEC	293, 3721	B		x		x	18	57	51	1	2		5F, 5F		126A
SENIOR EMPLOYMENT & TRAINING MONITORING & EVAL SPEC	3993	B		x		x	20	33	32	0	3		5F		126A
SENIOR EMPLOYMENT AND TRAINING INTERVIEWER	270	B	x			x	24	61	54	2	3			5M	320A
SENIOR EMPLOYMENT AND TRAINING INTERVIEWER	501	B	x			x	21	56	51	1	2			4M	320A
SENIOR EMPLOYMENT AND TRAINING INTERVIEWER	546	B	x			x	14	44	42	2	2			5M	320A
SENIOR EMPLOYMENT AND TRAINING INTERVIEWER	8 Pos	B	x			x	27	64	68	1	3	2F, 5M, 5F 5M, 5F, 5F 1M, 2M			320A
SENIOR EMPLOYMENT AND TRAINING INTERVIEWER	506	B	x			x	31	97	85	2	5			5F	320A
SENIOR EMPLOYMENT AND TRAINING INTERVIEWER	229	B	x			x	28	70	56	1	3			1M	320A
SUPERVISOR APPRENTICESHIP TRAINING PROGRAMS	2	B	x			x	26	33	27	1	2		5M		327A
SUPERVISOR OF VOCATIONAL REHABILITATION (DISAB. DETER.)	105	B	x			x	8	16	14	1	1	5F			329A
UNIT CLAIMS MANAGER	22	B	x			x	23	63	53	1	1		5F		326A
ASSISTANT COORDINATOR OF EMPLOYMENT AND TRAINING PROGS	3797	C		x		x	30	80	71	1	8		5F		129A
ASSISTANT COORDINATOR OF EMPLOYMENT AND TRAINING PROGS	4030	C		x		x	28	110	93	5	7		5F		129A
SENIOR INDUSTRIAL SAFETY SPECIALIST (DLT)	103	C	x			x	7	6	4	0	2		5M		322A
CHIEF IMPLEMENTATION AIDE	4087	E		x		x	16	62	58	1	0		5F		128A
EMPLOYMENT & TRAINING INTERVIEWER & INTERPETER (PORTUGUESE)	2993	E	x			x	9	38	33	0	1		5M		320A
EMPLOYMENT & TRAINING INTERVIEWER & INTERPRETER (SPANISH)	550, 551	E	x			x	6	53	41	0	2	2F, 2F			320A
EMPLOYMENT & TRAINING INTERVIEWER & INTERPRETER (SPANISH)	4088, 89, 90	E	x			x	9	86	66	4	3	2F, 2F	2F		320A
IMPLEMENTATION AIDE	73	E	x			x	31	121	111	1	3		5F		322A
INTERPRETER (SPANISH)	541, 545	E	x			x	0	106	80	1	1	2F, 2M			316A
SPECIAL ASSISTANT	4045	E		x		x	41	104	94	3	4	5F			829A

APPLICANT DATA

AGENCY: Labor & Training

DATE: July 1, 2014 thru June 30, 2015

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Grade
							White Male	Minority	Female	Disabled	Veterans				
OFFICE MANAGER	3796	F		x		x	24	91	86	3	3	5F			123A
OFFICE MANAGER	4055	F		x		x	32	163	155	2	6	5F			123A
SENIOR WORD PROCESSING TYPIST	4059	F	x			x	4	61	54	2	2	5F			312A
SENIOR WORD PROCESSING TYPIST	88	F	x			x	6	69	65	1	1		2F		312A
SENIOR WORD PROCESSING TYPIST	4095	F	x			x	6	69	66	1	4		5F		312A
Totals			35	22	0	57	1149	3821	3334	70	241	27	41	9	

EEO Category

A - Officials/Managers/Administrators
 B - Professionals
 C - Technicians
 CF - Faculty
 D - Protective Services

Race/Ethnic Code

E - Paraprofessionals
 F - Administrative
 G - Skilled Craft
 H - Service Main
 1 - Black
 2 - Hispanic
 3 - American Indian/ Alaskan Native
 4 - Asian American/ Pacific Islander
 5 - White

Gender Code

F - Female
 M - Male

Disabled Code

D - Disabled

Veteran Code

V - Veteran

IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS

Self-Evaluation of Affirmative Action Program Performance:

- a) The Department has numerous policies in place (all of which are 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 those who are disabled. The most significant gains have been in the employment of women. The Department hopes that through its partnerships with community based organizations, the Department will see an increase in the number of minority applicants and hires at all levels. Union rules and procedures for hiring and promotions sometimes work contrary to the Department's efforts to diversity. For those positions that are non-union, the Department needs to do a better job of advertising these positions through channels that will be accessed by minority communities.
- b) **Officials/Managers/Administrators:** 36 total, 20 males, 16 females, 2 racial minorities (2 black), no disabled employees, 2 veterans.

Professionals: 231 total, 70 males, 161 females, 47 racial minorities (18 black, 24 Hispanic, 5 Asian/Pacific Islander), 3 disabled, 5 veterans.

No faculty.

Technicians: 28 total, 16 males, 12 females, 4 racial minorities (1 black, 3 Hispanic), 1 disabled, no veterans.

No protective services.

Para-Professionals: 98 total, 37 males, 61 females, 30 racial minorities (12 black, 14 Hispanic, 2 Asian/Pacific Islander, 2 American Indian/Alaskan), 4 disabled, 6 veterans.

Administrative Support: 21 total, 4 males, 17 females, 4 racial minorities (3 black, 1 Hispanic), 1 disabled, 1 veteran.

Skilled Craft: 1 total, 1 white male.

No service maintenance.

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

Professionals: underrepresentation in minority, veteran, disabled, Hispanic, American Indian, and Asian/Pacific Islander categories.

Technicians: underrepresentation in minority, female, veteran, disabled, Black, and Asian/Pacific Islander categories.

Para-professionals: underrepresented in veteran, disabled, and Asian/Pacific Islander categories.

Administrative Support: underrepresented in minority, veteran, Hispanic, and Asian/Pacific Islander categories.

Skilled Craft: no underrepresentation.

Review of the applicable data shows that the Department needs to increase its outreach to minority communities (particularly Asian/Pacific Islander and Hispanic), as well as to individuals with disabilities, and veterans. In addition, once individuals from these underrepresented categories begin to apply, the Department needs to find ways to make sure that qualified candidates are making it through the hiring process. For example, 99 Asian/Pacific Islander female applicants applied for a professional position last year, but not one was hired. This number increases to 118 if male Asian/Pacific Islander applicants are considered. It is unclear how many of these applicants were interviewed, but seems unlikely that all 118 applicants would be unqualified for the position and therefore, unworthy of additional consideration.

Employment, Recruitment, and Selection Process:

This agency will continue to make a concerted effort to identify and encourage qualified applicants from minorities, women and individuals with disabilities to apply for vacancies, especially in underrepresented job categories. The Department will also continue working closely with the Human Resources Outreach and Diversity Office, receiving referrals from qualified applicants from underrepresented communities through our established partnership. Through our partnership, 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:

It is the policy of the Department to ask all terminating employees to participate in an informal exit interview in order 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.

We have designed our own formal exit interview process, and responses generated by terminating employees will be reviewed, investigated and recommended for corrective action, if appropriate.

Flex-Time:

The Department does not use flex-time practices for salaried employees.

Posting of Positions:

This agency will continue to post all position vacancies on the DLT website of the Department of Labor and Training. 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.

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.

Training Programs:

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 should be publicized and advocated by bulletin board notices, email notifications, Division Administrators and all Management/Supervisory personnel.

Workforce Attitude:

The Equal Opportunity Advisory Committee has developed and will maintain programs fostering cultural diversity training, equal opportunity training, sexual harassment awareness, and the Americans with Disabilities Act training throughout the Department.

EEO Performance:

An analysis of the minority and female workforce at the Department shows that our employment and promotion opportunities have greatly improved. There is still room for improvement in the Officials/Managers and Administrators and Technicians categories and it will be important to maintain our representation in the other job categories. The Department of Labor and Training is committed to addressing these issues, and to establish goals to resolve such underutilization. Areas to identify and correct underutilization are as follows:

1. Recruitment (as vacancies arise)
2. Seek out minorities, individuals with disabilities and women who apply for vacant positions in the Department of Labor and Training

On a semi-annual basis, the Department's Equal Opportunity Advisory Committee will review the Affirmative Action Plan and may make recommendations to improve.

The Department's Equal Opportunity Advisory Committee may review the Affirmative Action Plan periodically to insure that the practices and procedures outlined in the plan are adhered to.

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

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 Vietnam Era 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 Vietnam era 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 Angelyne E. Cooper, Esq., Legal Counsel/EO Officer, Department of Labor and Training.

Ms. Cooper is also the designated 504 Coordinator. In this role, one of Ms. Cooper'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.



Scott R. Jensen, Director
Department of Labor and Training



Date

INDIVIDUALS WITH DISABILITIES, DISABLED VETERANS, AND COVERED VETERANS

ASSESSMENT OF THE GOALS AND ACTION PROGRAMS

In reviewing the goals and objectives of the Department for the period of **July 1, 2014 to June 30, 2015** as it related to affirmative action for individuals with disabilities, disabled veterans and Vietnam era veterans, the Department met most goals and objectives in this area. That said, the Department's current workforce is comprised of just over 3% of veterans and over 2% of individuals with disabilities. This is less than RI's civilian workforce (8% veterans and 7% disabled) so there continues to be room for improvement.

All job postings and advertisements published by this Department contained the "Equal Opportunity/Diversity Employer M/F/D" statements to clearly designate the Department's commitment in this area. In addition, copies were sent to agencies and organizations that service this special population to encourage individuals to make application for employment.

The Department monitored its employment practices and procedures to ensure that those individuals, as well as members of the public, were not subject to inhibitions in recruitment, hiring or advancement due to their disability or Veteran's status. In addition, reasonable accommodations have been made to enable an individual to function at their optimum level when hired. These accommodations included restructuring the job, modifying the job site, support services, and/or special equipment. Such accommodations were made for individuals with permanent and/or temporary disabilities.

All training opportunities were offered throughout this Department without regard to disability or veteran's status. Individuals in this population were not inhibited and, in fact, were encouraged to implement their own career plans by taking advantage of all training opportunities offered.

Copies of the Affirmative Action plan were disseminated to all divisions, offices and field locations within this Agency. In addition, copies were made available to individuals upon request. Copies of the plan were also distributed outside the Department to various agencies and organizations throughout the State.

Applications of disabled individuals and those identified as Veterans were continuously and systematically reviewed to identify their qualifications and to insure that they were given full consideration where union contract and civil service requirements allowed.

A review of the statistics reflects an increase in the number of disabled employees, due to both self-identification and designation of such by new hires.

Outreach practices and procedures for the recruitment, employment, and advancement of Veteran's and the disabled were conducted and managed by the Office of Human Resources to ensure the elimination of inhibitions and discrimination against this population. Standardized guidelines for interview and selection, as outlined in the Interviewing Guidelines received from the State Equal Opportunity Office, were followed in all instances.

Where 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.

The Department consistently promoted a climate within the workplace that was free from discrimination and/or harassment of all employees due to mental or physical disability and/or Veteran's status.

Finally, the Department complied with all 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. In the area of access to State Offices for the disabled, the Department is working with the State Department of Administration to modify and/or relocate those divisions whose facilities are not accessible.

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. Sample – Americans with Disabilities /504 Complaint Procedure
8. State Equal Opportunity Office Discrimination Complaint Procedure
9. State Equal Opportunity Office – Complaint Information Form
10. Retaliation or Coercion Statement
11. Exit Interview
12. Equal Opportunity Advisory Committee Guidelines
13. Diversity Advisory Committee Guidelines
14. List of Enforcement Agencies

DESCRIPTION OF JOB CATEGORIES

OFFICIALS AND ADMINISTRATORS:

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

PROFESSIONALS:

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

TECHNICIANS:

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

PROTECTIVE SERVICE WORKERS:

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

PARAPROFESSIONALS:

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

ADMINISTRATIVE SUPPORT:

Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and other paperwork required in an office. Includes: Bookkeepers, Messengers, Clerk Typists, Stenographers, Court Transcribers, Hearing Reporters, Statistical Clerks, Dispatchers, License Distributors, Payroll Clerks, Office Machine and Computer Operators, Telephone Operators, Legal Assistants, Sales Workers, Cashiers, Toll Collectors and kindred workers.

SKILLED CRAFT WORKERS:

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

SERVICE/MAINTENANCE:

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

Racial / Ethnic Designations Minority Group

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

BLACK/AFRICAN AMERICAN (not of Hispanic Origin): All persons having origins in any of the Black Racial Groups of Africa.

HISPANIC/LATINO: All persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race. Only those persons of Central or South American Countries who are of Spanish origin, descent or culture should be included in this classification. Persons from Brazil, Guyana, Surinam or Trinidad, for example, would be classified according to their race and would not necessarily be included in the Hispanic classification. In addition, this classification does not include persons from Portugal who should be classified according to race.

ASIAN OR PACIFIC ISLANDER: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example, China, Japan, Korea the Philippine Islands and Samoa. The Indian subcontinent takes in the countries of India, Pakistan, Bangladesh, Sri Lanka, Nepal, Sikkim and Bhutan.

AMERICAN INDIAN or ALASKAN NATIVE: A person having origins in any of the original peoples or North America and who maintain cultural identification through tribal affiliation or community recognition.

WHITE (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.

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

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

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

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

AGE:

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

SEX (WAGES):

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

DISABILITY:

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

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:

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

INDIVIDUALS WITH DISABILITIES:

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

Highlights of the New Regulations

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

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

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

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

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

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

COVERED VETERANS AND DISABLED VETERANS:

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

Covered veterans means any of the following:

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

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

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

**PROGRAMS OR ACTIVITIES RECEIVING
FEDERAL FINANCIAL ASSISTANCE**

RACE, COLOR, NATIONAL ORIGIN, SEX:

In addition to the protection of Title VII of the Civil Rights Act of 1964, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination is covered by Title VI if the primary objective of the financial assistance is provision of employment, or where employment discrimination causes or may cause discrimination in

providing services under such programs. Title IX of the Education Amendments of 1972 prohibits employment discrimination on the basis of sex in educational programs or activities that receive Federal assistance.

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

INDIVIDUALS WITH DISABILITIES:

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

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

TITLE 28

Labor and Labor Relations

CHAPTER 28-5.1

Equal Opportunity and Affirmative Action

SECTION 28-5.1-1

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

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

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

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

SECTION 28-5.1-2

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

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

SECTION 28-5.1-3

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

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

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

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

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

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

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

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

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

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

SECTION 28-5.1-3.1

§ 28-5.1-3.1 Appointments to state boards, commissions, public authorities, and quasi-public corporation. – (a) The general assembly finds that, as a matter of public policy, the effectiveness of each appointed state board, commission, and the governing body of each public authority and quasi-public corporation is enhanced when it reflects the diversity, including the racial and gender composition, of Rhode Island's population. Consequently, each person responsible for appointing one or more individuals to serve on any board or commission or to the governing body of any public authority or board shall endeavor to assure that, to the fullest extent possible, the composition of the board, commission, or governing body reflects the diversity of Rhode Island's population.

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

(c) Of the candidates considered for appointment by the governor and the general assembly, the governor and the general assembly shall give due consideration to recommendations made by representatives of

Rhode Island's minority community based organizations through the Rhode Island Affirmative Action Professionals (RIAAP). The human resources outreach and diversity office shall act as the RIAAP's liaison with state government and shall forward the recommendations to appointing authorities.

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

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

SECTION 28-5.1-3.2

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

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

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

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

SECTION 28-5.1-4

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

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

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

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

SECTION 28-5.1-5

§ 28-5.1-5 **Personnel administration.** – (a) The office of personnel administration of the department of administration shall prepare a comprehensive plan indicating the appropriate steps necessary to maintain and secure the equal opportunity responsibility and commitment of that division. The plan shall set forth attainable goals and target dates based upon a utilization study for achievement of the goals, together with operational assignment for each element of the plan to assure measurable progress.

(2) The office of personnel administration shall:

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

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

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

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

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

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

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

SECTION 28-5.1-6

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

SECTION 28-5.1-7

§ 28-5.1-7 **State services and facilities.** – (a) Every state agency shall render service to the citizens of this state without discrimination based on race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. No state facility shall be used in furtherance of any

discriminatory practice nor shall any state agency become a party to any agreement, arrangement, or plan which has the effect of sanctioning those patterns or practices.

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

SECTION 28-5.1-8

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

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

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

SECTION 28-5.1-9

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

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

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

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

SECTION 28-5.1-10

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

SECTION 28-5.1-11

§ 28-5.1-11 **Law enforcement.** – The attorney general, the department of corrections, and the Rhode Island justice commission shall stress to state and local law enforcement officials the necessity for nondiscrimination in the control of criminal behavior. These agencies shall develop and publish formal procedures for the investigation of citizen complaints of alleged abuses of authority by individual peace officers. Employment in all state law enforcement and correctional agencies and institutions shall be subject to the same affirmative action standards applied under this chapter to every state unit of government, in addition to applicable federal requirements.

SECTION 28-5.1-12

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

SECTION 28-5.1-13

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

SECTION 28-5.1-14

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

SECTION 28-5.1-15

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

SECTION 28-5.1-16

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

SECTION 28-5.1-17

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

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

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

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

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

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

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

TITLE 28
Labor and Labor Relations

CHAPTER 28-5
Fair Employment Practices

SECTION 28-5-41.1

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

STATE EXECUTIVE ORDERS

EXECUTIVE ORDER 13-05

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

EXECUTIVE ORDER 05-02

Establishes the Human Resources Outreach and Diversity Office and their responsibilities

EXECUTIVE ORDER 05-01

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

EXECUTIVE ORDER 94-22

Promotes Minority Business Enterprises in Rhode Island State Government.

EXECUTIVE ORDER 93-1

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

EXECUTIVE ORDER 92-2

Compliance with Americans with Disabilities Act.

EXECUTIVE ORDER 86-10

Establishes the Refuge Policy for the State.

EXECUTIVE ORDER 85-16

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



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

2013 MAY -9 PM 1:11

SECRETARY OF STATE

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.

Executive Order 13-05

May 9, 2013

Page 3

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



STATE OF RHODE ISLAND
PUBLIC ADMINISTRATION
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

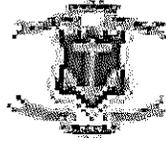
The Director of Administration or designee shall chair the Council. The Council shall meet quarterly.

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

So Ordered:


Donald L. Carcieri

Dated: January 17, 2005



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

Donald L. Carcieri
Governor

EXECUTIVE ORDER

05-01

January 17, 2005

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

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

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

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

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

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

1. All Directors, their senior staff and all supervisory employees of agencies, departments, state boards, commissions, public authorities and quasi-public corporations

of state government (“Agencies”) are responsible for ensuring that all aspects of state programs for which they manage are available without discrimination or sexual harassment.

2. Pursuant to all applicable Federal and State law, all Agencies are to develop, promote, monitor, implement, and maintain equal employment opportunity policies and practices that:

- a) do not discriminate against any employees or applicants for state employment in all aspects of employment including contract procurement and service delivery;
- b) establish guidelines to prevent discrimination and sexual harassment of any employees or applicants for state employment;
- c) identify and actively promote employment opportunities for qualified individuals that historically have been underutilized in the state government workforce;
- d) describe the notice and filing provisions that enable any employee or applicant for state employment who believes he/she has been discriminated against or sexually harassed to immediately report such conduct to appropriate official(s).

3. All Agency Directors shall designate an individual as the Agency’s Equal Employment Opportunity Officer and American with Disabilities Act Coordinator (the Officer). Such Officers, with the assistance of the State Equal Opportunity Office (EOO) 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 EOO 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 EOO 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:

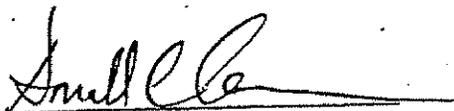
Rhode Island State Equal Opportunity Office
Department of Administration, Personnel Office
One Capitol Hill
Providence, RI 02908
Tel (401) 222-3090; Fax (401) 222-6391; TTD (401) 222-6144

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.

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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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DEC 23 1994

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

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

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

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

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

(C) The MBE Program shall certify MBEs:

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

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

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

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

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STATE OF RHODE ISLAND
DEPARTMENT OF ADMINISTRATION

Executive Order No. 94-22

December 23, 1994

Page 4

Article III - MBE Commission

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

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

A cabinet level official to be appointed by the Governor

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

Representative Joseph Newsome

Executive Director, Commission for Human Rights

Casby Harrison, III
Licht & Semenov

President (or designee)
Black Contractors Association of Rhode Island

Executive Director (or designee)
Rhode Island Commission on Women

President (or designee)
Hispanic Contractors Association

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

Director of Policy
Governor's Office

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GOVERNOR'S OFFICE

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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.

Executive Order No. 94-22

December 23, 1994

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

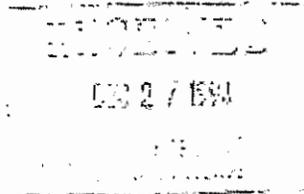
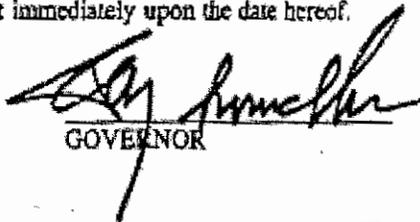
This Executive Order effectively rescinds, supersedes and replaces Executive Order No. 94-9.

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

DATE

12/27/94

GOVERNOR



State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 93-1

JANUARY 18, 1993

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SECRETARY OF STATE
ADMINISTRATIVE RECORDS DIV.



AFFIRMATIVE ACTION POLICY STATEMENT

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

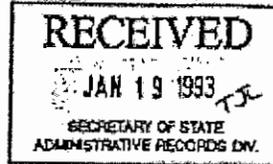
1. Equal Opportunity and Affirmative Action towards its achievement is the firm and unwavering policy of all units of Rhode Island State Government.

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

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

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

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



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

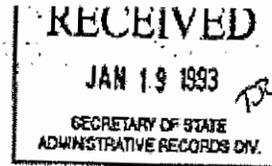
6. All Department Directors and appointing authorities shall appoint a highly placed person, who shall report to the Department Director and who shall be designated as the Departmental Affirmative Action Officer. The Departmental Affirmative Action Officer shall attend at least one EEO training session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

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

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

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

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Executive Order 93-1
Affirmative Action Policy Statement



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

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

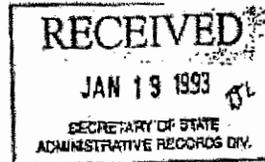
- A) review the Affirmative Action plans submitted annually by each state department or agency and prepare a comparative analysis of the strengths and weaknesses of the plans;
- B) make recommendations to the departments on proactive policy initiatives that may enhance affirmative action plan objectives;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

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

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

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

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Executive Order 93-1
Affirmative Action Policy Statement



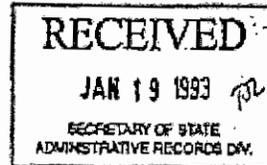
14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

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

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

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

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Executive Order 93-1
Affirmative Action Policy Statement



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

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

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

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

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

DATE

1-12-93

GOVERNOR

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

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

NO. 92-2

JANUARY 23, 1992



COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

State House,
Providence

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

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

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

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

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

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

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

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Executive Order 92-2
January 23, 1992



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

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

4. The duties of the ADA Coordinator shall include:

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

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Executive Order 92-2
January 23, 1992



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

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

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

This Executive Order shall take effect on the date hereof.

Date

1-23-92

Governor



State of Rhode Island and Providence Plantations
EXECUTIVE CHAMBER, PROVIDENCE

Edward D. DiPrete
Governor

EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REFUGEE POLICY

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

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

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

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

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

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

Executive Order 86-10

Page TWO

April 15, 1986

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

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

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

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

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

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

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

6. State Agencies Preparing Agency Service Plans -

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

Executive Order 86-10
Page Four
April 15, 1986

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

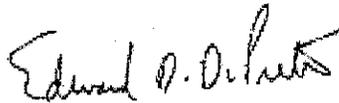
7. Transitional Education Program -

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:

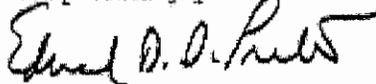
1. The Director of Administration is hereby designated the State's 504 Coordinator and shall delegate operational control to the State Building Code Commissioner as his designee.
2. The duties of the Coordinator shall be to coordinate all State agencies in the implementation of all federal rules and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

Executive Order No. 85-16
July 23, 1985
Page Two

- 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 SEOO (401) 222-3090

*** SAMPLE ***

AMERICANS WITH DISABILITIES/504 COMPLAINT PROCEDURE

____ (Agency/Department) _____ has adopted an internal procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act of 1990.

Complaints should be addressed to: _____ (J.B. Person) _____ who has been designated to coordinate ADA/504 Compliance efforts.

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

A complaint should be filed within (# of Days) _____ after the complainant becomes aware of the alleged violation.

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

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

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

DISCRIMINATION COMPLAINT PROCEDURE

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY STATE EQUAL OPPORTUNITY OFFICE

TELEPHONE: (401) 222-3090

FAX: (401) 222-2490

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

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

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

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

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

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

DEPARTMENT OF ADMINISTRATION
OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY
State Equal Opportunity Office

COMPLAINT INFORMATION FORM

1. Complainant Information:

State your name and address:

City State Zip Code

Telephone Number (S)

Work: _____

Home: _____

2. Name of Department

3. Name of Immediate Supervisor:

4. Respondent Information:

Name and address of agency involved:

City State Zip Code

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

6. Date of alleged violation:

7. Place of alleged violation:

(_____)

Case Number

8. Basis alleged Complaint:

____ Race/Color: Specify _____

____ Sex: ____ Male ____ Female ____

____ Age: ____ Date of Birth _____

____ National Origin: Specify _____

____ Disability _____

____ Religion: Specify _____

____ Sexual Harassment _____

____ Sexual Orientation _____

____ Gender Identity or Expression _____

____ Retaliation _____

9. Nature Change:

____ Hiring

____ Compensation

____ Job Classification

____ Discharge/Termination

____ Promotion

____ Training

____ Demotion

____ Qualifications/testing

____ Layoff

____ Recall

____ Seniority

____ Intimidation/Reprisal

____ Harassment

COMPLAINT INFORMATION FORM
(Continued)

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

11. Why do you believe these events occurred?

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

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

Complainant Signature

Date

Interviewing Officer

RETALIATION OR COERCION STATEMENT

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

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY
STATE EQUAL OPPORTUNITY OFFICE
One Capitol Hill
Providence, RI 02908-5865

Rhode Island Department of:

EXIT INTERVIEW SIGN-OFF FORM*

Name of Employee (Please print or type)

In accordance with Rhode Island General Law 28-5.1, an Exit Interview Program has been established in order to assure that terminations/transferring employees are not leaving because of discriminatory circumstances. I understand that all terminating/transferring employees have the option of an Exit Interview with the State Equal Opportunity Officer/ Liaison to the Rhode Island Department of _____, I hereby certify that I have received an Exit Interview form from the personnel officer and, that the completed Exit Interview form must be forwarded to the State Equal Opportunity Office. I also understand that a copy of this completed sign-off form will be placed in my personnel file.

Signature of Employee

Date Employee Signed

Date Exit Interview Was
Mailed to Employee

Signature of Personnel Officer

* Instructions:

The Human Resources Office must distribute a copy of the Exit Interview form along with termination/transfer papers to the employee. The Human Resources Office must place a signed copy of the Exit Interview sign-off form in the employee's personnel file and forward a second copy of the sign-off form to the State Equal Opportunity Office immediately upon completion.

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY
State Equal Opportunity Office
CONFIDENTIAL EXIT SURVEY INQUIRY

All information obtained from this inquiry will be handled in a confidential manner and will not be divulged to supervisors, co-workers, or anyone inside or outside the agency. 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. Please complete and return to the State Equal Opportunity Office, One Capitol Hill, Providence, RI 02908. Thank you.

Name _____	Job Title _____
Address _____	Dept./Agency _____
Telephone _____	Division/Unit _____
Date Hired _____	Date Departed _____

(Please check for Equal Opportunity Purposes Only)

Female <input type="checkbox"/>	White <input type="checkbox"/>	Asian Amer./Pacific Islander <input type="checkbox"/>	Hispanic <input type="checkbox"/>
Male <input type="checkbox"/>	Black <input type="checkbox"/>	Amer. Indian/AK Native <input type="checkbox"/>	Disabled <input type="checkbox"/>

What is your main reason for leaving?

What did you like best about your job?

What did you dislike about your job?

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

Do you feel career opportunities were adequately afforded to you?

Did you feel free to go to your supervisor to discuss problems about your job?

(Rev. 07/02)

CONTINUED.....

Was your supervisor effective in handling problems or complaints?

Was the Leave of Absence Procedure clearly explained to you?

Did you receive fair treatment while employed?

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

Do you feel you were discriminated against?

INTERVIEWING OFFICER

DATE

COMMENTS:

EQUAL OPPORTUNITY ADVISORY COMMITTEE
GUIDELINES

MISSION:

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

1. ESTABLISHING THE COMMITTEE:

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

2. STRUCTURE:

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

3. FUNCTIONS (ROLE):

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

4. CHAIRPERSON (DUTIES):

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

5. SECRETARY (DUTIES)

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

6. AGENCY HEAD:

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

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

For additional guidance and/or technical assistance, contact:

Raymond Lambert, Equal Opportunity Administrator
Department of Administration
Office of Diversity, Equity and Opportunity
State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-5865
TEL # (401) 222-3090
TTY # (800) 745-5555
FAX # (401) 222-2490
Email: Raymond.Lambert@doa.ri.gov

DIVERSITY ADVISORY COUNCIL
GUIDELINES

MISSION:

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

1. ESTABLISHING THE COUNCIL:

- 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
TTY # (800) 745-5555
Email: Sabina.Matos@doa.ri.gov

ENFORCEMENT AGENCIES

Department of Administration
Office of Diversity, Equity and Opportunity
State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-5865
TEL # (401) 222-3090
RI Relay: 711
TTY # 1-800-745-5555
FAX # (401) 222-2490

RI Commission for Human Rights
180 Westminster Street, 3rd Floor
Providence, RI 02903
TEL # (401) 222-2661/ Voice
TTY # (401) 222-2664
FAX # (401) 222-2616

U.S. Equal Employment Opportunity Commission
131 M Street, NE (4th Floor, Suite 4NW02F)
Washington, D.C. 20507-0100
TEL # (800) 669-4000/ Voice (Toll Free)
TTY # (800) 669-6820

U.S. Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, D.C. 20530
TEL # (202) 307-0663/ Voice and TTY
FAX# (202) 307-1197
ADA Information Line: (800) 514-0301/ Voice
(800) 514-0383/ TTY

ADDENDUM – DIVERSITY PLAN TO IMPROVE MINORITY HIRING AND WORKPLACE INCLUSION

- A. The data shows that for the reporting year **July 1, 2014 through June 30, 2015**, 20.91% of the Department's workforce was minority, 64.42% female, 2.16% disabled, 3.37% veterans, 8.17% Black, 10.10% Hispanic, .48% American Indian, and 1.68 % Asian Pacific Islander. When compared to the U.S. Census Bureau's 2013 American Community Survey for Rhode Island, the statistics show that the Department's workforce is pretty similar. The Department's figures are slightly lower for Hispanics and Asian/Pacific Islander (10.10 %/12.3 % and 1.68%/3.3%, respectively), but these figures are not grossly disproportioned. Moreover, while just 5.9% of Rhode Island's labor force is comprised of Black individuals, 8.17% of the Department's workforce is Black. Nonetheless, the Department still has to focus on advertising and recruitment of minorities in all positions, particularly upper level positions (for example, of the 37 officials/managers/administrators at the Department, only 2 are racial minorities – both are Black). As the Department's Diversity Liaison, Angelyne E. Cooper, Esq. will be working with management internally, as well as the Office of Diversity, Equity, and Opportunity, externally, to ensure that job postings are reaching all communities; to promote the Department's commitment to diversity and make known that diverse, qualified applicants are wanted and encouraged to apply; and that the Department is meeting, if not exceeding, its hiring goals with respect to minority candidates.

The two main areas that need attention are veterans and individuals with disabilities. In 2013, the federal government provided a workforce goal of 7% for individuals with disabilities and 8% for veterans. The Department's workforce for these two categories is 2.16% and 3.37%, respectively. As outlined in this plan, the Department will make every effort to ensure that job vacancies are advertised with local community partners serving these populations so that more applicants are aware of available positions and hopefully, apply for the positions. Moreover, the Department is committed to providing the appropriate support for veterans and individuals with disabilities, whether it be through a reasonable accommodation or some other means, to help these individuals feel welcomed, needed, and supported in their employment.

- B. The Department strives to create a workplace that values diversity and inclusion by hosting various diversity trainings throughout the year for all employees, posting equal opportunity and anti-discrimination notices in areas frequented by the public and Department staff, and working with the Office of Diversity, Equity, and Opportunity to diversify its staff, particularly in non-union and upper-level positions.
- C. As the Department's Equal Opportunity Officer, Angelyne E. Cooper, Esq. coordinates various diversity trainings for Department employees to attend. For example, the RI Commission for the Deaf and Hard of Hearing is scheduled to provide an in house training for all employees on Monday, December 7, 2015. In promoting this training, Ms. Cooper has sent emails to all Assistant Directors as well as supervisors and managers alerting them of the training. Ms. Cooper will send a reminder email 2 weeks before and

another 1 week before the training. Ms. Cooper also contacted all Assistant Directors regarding the sexual harassment training at DOA. The various divisions keep record of the employees who have attended. With regard to future trainings, Ms. Cooper will promote the same practice – contacting all Assistant Directors and following up with several emails.