

AFFIRMATIVE ACTION PLAN

July 1, 2022 – June 30, 2023

Department of Revenue
One Capitol Hill
Providence, RI 02908

Jane Cole
Acting Director

Accepted by: Jane Cole
Acting Director

Date: 3/3/23

Approved by: _____
State Equal Opportunity Office

Date: _____

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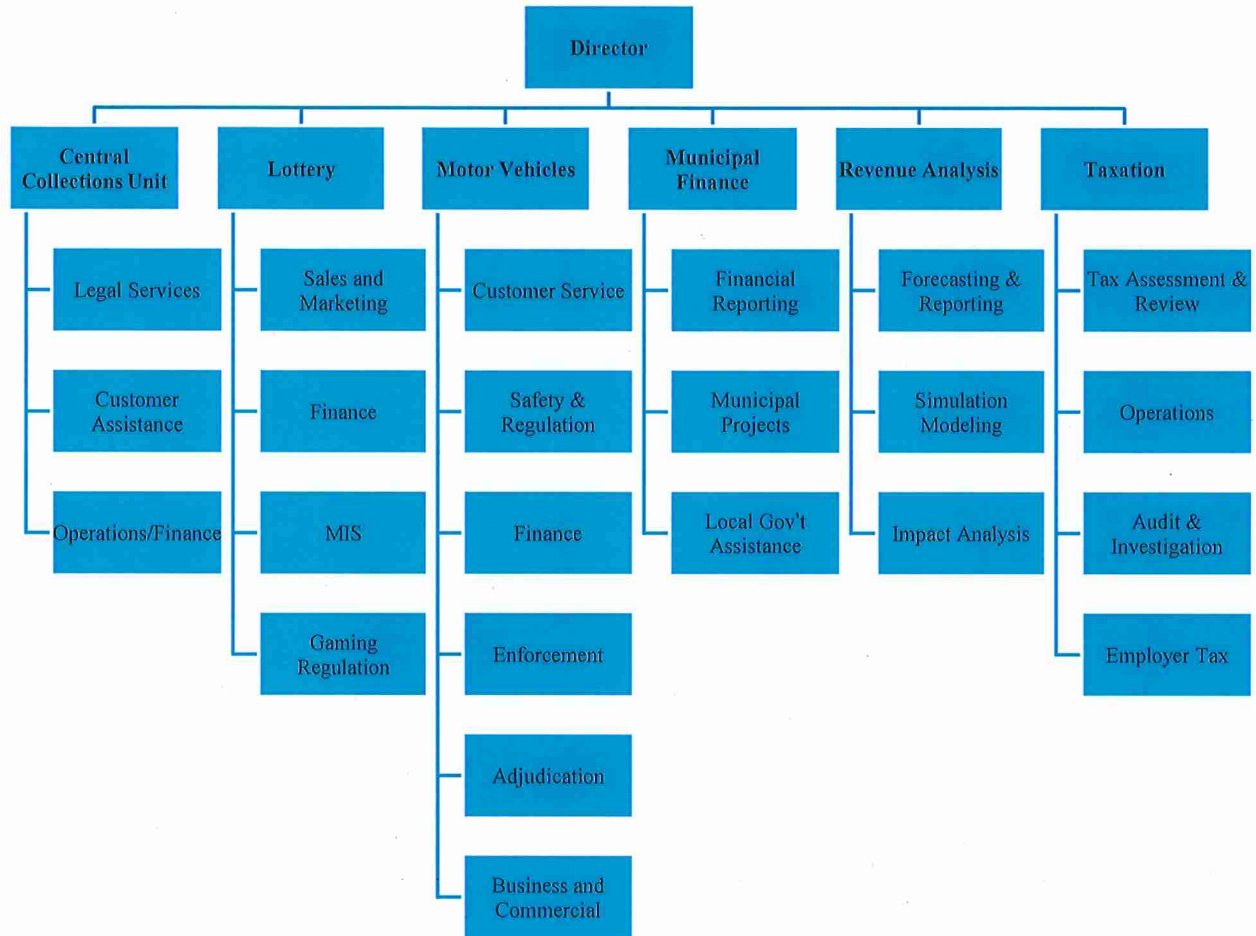
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Agency Narrative

The Rhode Island Department of Revenue is a cabinet-level state government agency in Rhode Island which is responsible for ensuring the proper functioning of state government through the collection and distribution of state revenue, operation of the state lottery, oversight of municipal finance, and administration of state laws governing driver licensing, motor vehicle sales and motor vehicle registration. The State of Rhode Island Department of Revenue (“DOR”) employs over 600 employees across several key divisions including the Division of Municipal Finance, Division of Motor Vehicles, Office of Revenue Analysis, Central Collections Unit, Lottery, Division of Taxation, and Revenue Director's Office.

The mission of the Department of Revenue is to administer its programs and consistently execute the laws and regulations with integrity and accountability, thereby instilling public confidence in the work performed by the Department. As Department of Revenue employees, we adhere to the highest level of ethical conduct, respect the public trust, and are open, accountable, and responsive to the needs of those we serve. We avoid the appearance of impropriety and do not use our position for personal gain or advantage.

Organizational Chart



Plan Administration

POLICY ON SEXUAL HARASSMENT

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

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

LEGAL REFERENCES

This policy is administered in accordance with the following:

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

Department of Administration - Enterprise Policy

Rhode Island General Laws: Title 28, Chapters 5, 5.1, 6 and 51.



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

Human Resources 2018

Sexual Harassment Policy

04-02-18

Kyle Adamonis

401-222-5664

Kyle.Adamonis@hr.ri.gov

1. Scope

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

2. Introduction

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

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

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

3. Definition of Sexual Harassment

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

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

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

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

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

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

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

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

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



4. Supervisor's Responsibilities

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

5. Complaints of Sexual Harassment

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

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

6. Complaint Process

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

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

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

7. Additional Remedy

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

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



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

8. State and Federal Remedies

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

The United States Equal Employment Opportunity Commission (EEOC)
www.eeoc.gov
John F. Kennedy Federal Building
475 Government Center, Boston, MA 02203
Phone: 1-800-669-4000
TTY: 1-800-669-6820

The Rhode Island Commission for Human Rights (RICHR)
www.richr.ri.us
180 Westminster Street, 3d Floor
Providence, RI 02903
Phone: 401-222-2661
TTY: 7-1-1

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

9. Disciplinary Action

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

10. Legal References

This policy is administered in accordance with the following:

Federal Law:

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



Department of Administration - Enterprise Policy

Page 4 of 5

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/23

Rhode Island General Laws:

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

II. Signatures

Kyle A. Adams
Division Director

4/2/18
Date

Michael D.R.
Director of Administration

4/3/18
Date

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/23



DEPARTMENT OF REVENUE STATEMENT OF POLICY ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

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

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

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

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

Sexual harassment includes unwanted verbal or physical conduct of a sexual nature as well as sexual advances or requests for sexual favors. Any form of harassment is unlawful, lowers the morale and efficiency of the employees, and will 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 Thomas Mannock, Division of Human Resources.

The Department is committed to identifying and eliminating past and present effects of discrimination in employment. 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 Americans with Disabilities Act/504 Coordinator is responsible for ensuring that the program is coordinated within the Department of Revenue.

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

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/23

APPOINTMENT OF EQUAL OPPORTUNITY ADVISORY COMMITTEE

The primary purpose of the Equal Opportunity Advisory Committee ("EOAC") shall be to advise the Director of Revenue regarding the execution, administration, and promotion of the Department's Affirmative Action Plan. Duties and responsibilities of the EOAC shall include:

- Assistance with the completion of the Department's annual Affirmative Action Plan.
- Twice annual review and discussion of the applicant flow of all job categories.
- Production of reports for the Director on the status of various protected classes within the Department and when problems associated with the Plan are first noticed.
- Annual review and discussion of performance results under the Department's Affirmative Action Plan; and
- Submission of recommendations to the Director to facilitate the ongoing development and administration of a viable and successful long-term Plan.

The Department of Revenue's EOAC shall be comprised of five (5) members appointed by the Director of Revenue, as follows:

- The Department's Diversity Liaison, who shall serve as the Committee Chairperson.
- One (1) representative of the Division of Taxation.
- One (1) representative of the Director's Office.
- One (1) representative of the Lottery; and
- One (1) representative of the Division of Motor Vehicles.

Members shall serve continuously until such time that the Director appoints his/her successor.

The members of the EOAC shall convene no later than January 31 each year to set the regular meeting schedule of the Committee for the calendar year. Meetings of the EOAC shall occur no less frequently than quarterly.

At its first meeting of each calendar year, the Committee shall designate one (1) member as the Committee Secretary. The Committee Chairperson shall not serve as the Secretary. The Secretary shall record minutes of each meeting and prepare them for distribution and shall also preside over Committee meetings in the absence of the Chairperson. Meeting minutes shall be submitted to the Director of Revenue within sixty (60) days after each meeting.

The following employees are hereby appointed to the Department's Equal Opportunity Advisory Committee, effective immediately:

- Karen Vincent, Programming Service Officer, Director's Office-Diversity Liaison (White, Female)
- Bethany Whitmarsh, Assistant Tax Administrator, Taxation (White, Female)
- Jane Cole, Chief Financial Officer, Director's Office (White, Female)
- Michael Vieira, Casino Inspector & Standards Compliance Manager, Lottery (White, Male)

- Clare Sedlock, Deputy Administrator, Motor Vehicles (White, Female)

RESPONSIBILITIES OF DEPARTMENT REPRESENTATIVES TO PROMOTE EQUAL OPPORTUNITY

The Department's Diversity Liaison shall have the following duties and responsibilities:

- Serving as the Chairperson of the Department's EOAC;
- With guidance and support from the Office of Diversity, Equity and Opportunity, assisting the Department with meeting its equal opportunity hiring and MBE utilization goals by reviewing current civilian workforce data and assisting with determining realistic and achievable short-term and long-term Department goals.
- Supporting all personnel and contracting related activities of the Department, including direct support of Division Heads, hiring managers, and supervisors, with an eye toward the achievement of the Department's diversity, EEO and MBE goals; and
- Advising the Director of Revenue and the Office of Diversity, Equity and Opportunity regarding the progress made by the Department toward the achievement of its diversity, EEO and MBE goals and activities.

All designees and representatives of the Department, including but not limited to Division Heads, hiring managers, supervisors, ADA/504 Coordinators, Title VI Nondiscrimination Coordinators, Human Resources Liaisons and other human resources representatives, buyers and purchasing agents, shall work cooperatively and collaboratively with the Department's Diversity Liaison and shall support him/her in the execution and administration of the duties and responsibilities enumerated above.

Division heads shall be responsible for the dissemination of information regarding changes in equal opportunity and affirmative action policies to their respective employees, including, but not limited to, information and policies regarding changes in recruitment, training, hiring, promotion, and disciplinary policies. Division heads shall also be responsible for identifying hiring managers within their respective divisions to the EOAC for the purposes of communications related to annual AAP updates.

Hiring managers shall be responsible for attending at least one implicit bias training session every three years, and for attending AAP update meetings as may be requested by senior staff.

Division heads, hiring managers, the Department's human resources liaison, and supervisors are all responsible for reaffirming the Department's values of tolerance, inclusion, and diversity in the workplace. They shall also support the Director's office in the compilation of annual statistics presented in the AAP as requested.

MEETING MINUTES

Below is a list of the most recent meetings held by the EOAC. Note that disruptions due to COVID-19 have led to numerous cancellations during the preceding calendar year, with meetings scheduled to resume in the coming months:

DOR Equal Opportunity Advisory Committee

Meeting Minutes

9/1/2022

Opening

The regular meeting of the DOR Equal Opportunity Advisory Committee and Senior Staff was called to order at 10:00 AM on 9/1/2022 via Team with members of the Department of Revenue by Jane Cole.

Present

Members of DOR, Jane Cole (Acting Director, CFO), Walter Craddock (Administrator DMV), Mark Furcolo (Director of Lotter), Stephen Coleman (Chief of DMF), Neena Savage (Tax Administrator), Ed Murray (Chief of CCU) and Bradford Booth (Chief of Legal) were present.

Approval of Agenda

- Committee to review changes to the upcoming year's Affirmative Action Plan template as provided by the Office of Diversity Equity and Opportunity (ODEO) to the Department of Revenue (DOR).
- Committee to discuss the impact of changes on Division hiring policies and procedures.
- Committee to review a draft presentation to DOR senior staff regarding the hiring statistics summarizing year to hiring outcomes as provided by the Office of Diversity Equity and Opportunity (ODEO.)

The agenda was unanimously approved as distributed.

Notes

The committee reviewed and discussed changes as presented by the Office of Diversity Equity and Opportunity (ODEO) to the State of Rhode Island's Affirmative Action Plan template. Committee members will return to their respective divisions to review relevant HR process changes with senior staff at the division level.

The committee reviewed a draft presentation to senior staff members of DOR on year over year progress in hiring outcomes and made suggested edits to the draft presentation format and content.

Agenda for Next Meeting

Items to be discussed at the next meeting include the findings of year to date hiring statistics provided by the Office of Diversity Equity and Opportunity (ODEO) and a discussion of potential recruitment strategies for the Department that encourage a greater diversity of applicants to apply for open positions.

Adjournment

Meeting was adjourned at 11:00 am by Jane Cole. The next general meeting will be at 10:00 PM on 12/1/2022.

DOR Equal Opportunity Advisory Committee

Meeting Minutes

12/5/2019

Opening

The regular meeting of the DOR Equal Opportunity Advisory Committee was called to order at 10:00 am on 12/1/2019 via Teams by Jane Cole

Present

Members of DOR, Jane Cole (Acting Director, CFO), Walter Craddock (Administrator DMV), Mark Furcolo (Director of Lotter), Stephen Coleman (Chief of DMF), Neena Savage (Tax Administrator), Ed Murray (Chief of CCU) and Bradford Booth (Chief of Legal) were present.

Approval of Agenda

- Committee to review the final version of this year's Affirmative Action Plan, including finalized statistical data and charts appended as attachments.
- Committee to discuss the new requirement for hiring managers within DOR to attend implicit bias training once every 3 years and coordinate a plan for dissemination of information to staff regarding these new requirements.
- Committee to review a draft presentation to DOR senior staff regarding the hiring statistics summarizing year to hiring outcomes as provided by the Office of Diversity Equity and Opportunity (ODEO.)
- Discussion of potential recruitment strategies for the Department that encourage a greater diversity of applicants to apply for open positions.

The agenda was unanimously approved as distributed.

Notes

The Committee reviewed and discussed tables and statistical findings presented in the State of Rhode Island's Affirmative Action Plan. The Committee agreed to extend an invitation to a representative from the Division of Human Resources to the next EOAC meeting to discuss means of improving hiring data accuracy and monitoring as reflected in the AAP.

The Committee also discussed the new AAP requirement imposed on DOR hiring managers to attend implicit bias training once every three years. Committee members will return to their respective divisions to inform division senior staff of this new requirement and associated EOAC planning. The Diversity Liaison will coordinate with the Division of Human Resources to ensure an appropriate online training is available through the State's learning management system, develop a plan for tracking training progression, and draft a communication to hiring managers. Issuance of this communication will be coordinated via email with EOAC members and completed ahead of the next committee meeting.

The Committee concluded the meeting by discussing potential recruitment strategies for the Department that encourage a greater diversity of applicants to DOR positions, including but not limited to the development of an outreach contact list to be maintained by the DOR Chief of Information and Public Relations for the dissemination of information about employment opportunities, and connecting with other state offices and Divisions to receive information on available resources for distribution to prospective candidates.

Agenda for Next Meeting

Items to be discussed at the next meeting include a discussion with HR regarding potential strategies for the improvement of the accuracy of hiring data, and review of the draft recruitment outreach strategy.

Adjournment

Meeting was adjourned at 11:00 am by Jane Cole. The next general meeting will be at 10:00am on 2/2/2023

DISSEMINATION OF PLAN AND POLICY

The Department's Affirmative Action Plan shall be submitted to the State Equal Opportunity Office for review and approval. Upon its approval the Plan shall be disseminated as follows:

- Posted on the Department of Revenue website.
- Distributed by email to all Division Heads within the Department and to all members of the EOAC; and
- A hard copy maintained within the Director's Office and made available for inspection upon request.

In addition, the following policies shall be posted on bulletin boards throughout the Department as well as on bulletin boards maintained by the Division of Human Resources:

POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION

The Department of Revenue fully endorses and cooperates with the Division of Human Resources' complaint intake and investigation 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.

Please reference the appendix (page 99 of this document) for a full description of the discrimination complaint procedure as well as a copy of the Division of Human Resource's Complaint Request form.

You may also contact the Division of Human Resources at 401-574-8381, Email: HRInvestigations@hr.ri.gov, and access the Complaint Form at www.hr.ri.gov.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/23

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 Title 28, Chapter 5.1 of the Rhode Island General Laws, all Divisions of the Department of Revenue shall render services to all persons without discrimination based on race, color, religion, sex, age, national origin, sexual orientation, gender identity or expression, or disability. Each Division is further responsible for making sure that discrimination does not exist in any programs and activities it assists. This includes grants, contracts, and all areas where the State dollar is spent.

If any person feels that he/she has been discriminated against, he/she may contact the Office of Personnel Administration/State Equal Opportunity Office, One Capitol Hill, Providence, Rhode Island 02908-5865. The telephone number is (401) 222-3090.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/03

POLICY ON CONTRACTS

In accordance with Rhode Island General Laws Title 28, Chapter 5.1, the Department of Revenue 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 Laws Title 28, Chapter 5.1, Title VII of the Civil Rights Act of 1964, the 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 shall be posted in conspicuous areas throughout the Department.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/03

POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES AND VETERANS

The Department of Revenue is fully committed to meeting 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 Laws Title 28, Chapter 5.1, Executive Order 92-2 and the Vietnam Era Veterans Readjustment Assistance Act of 1974.

It is the policy and practice of the Department of Revenue 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.

Thomas Mannock of the Division of Human Resources is designated as the 504 Coordinator for the Department of Revenue. 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.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/23

AMERICANS WITH DISABILITIES/504 COMPLAINT PROCEDURE

The Department of Revenue 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 Thomas Mannock of the Division of Human Resources, who has been designated to coordinate ADA/504 Compliance efforts on behalf of the Department.

A complaint may be made verbally but should be filed in writing whenever possible. The complaint should contain the name and address of the person filing the complaint and a brief description of the alleged violation(s) of the Americans with Disabilities Act or its attendant regulations.

A complaint should be filed within three (3) business 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 Thomas Mannock. 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 Thomas Mannock and a copy forwarded to the complainant within thirty (30) calendar days of receipt of the complaint.

The ADA/504 Coordinator will maintain the files and records relating to the complaints filed in accordance with the Division of Human Resources' records retention policy.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date : 3/3/23

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.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date : 3/3/23

COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

In our efforts to comply with federal law, state law, and executive orders prohibiting discrimination based on sex, the Department of Revenue 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 parental, family and medical leave 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 underrepresented, 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 in support of the federal guidelines on sexual harassment.

Jane Cole, Acting Director
Jane Cole, Acting Department of Revenue

Date: 3/3/23

RETALIATION OR COERCION STATEMENT

An employee or agent of the Department of Revenue who shall discriminate against an individual through the use of retaliation, coercion, intimidation, threats or other such action because such individual has filed a complaint, testified or participated in any way in any investigation proceeding or hearing regarding discrimination in employment or public service or because such individual has opposed any act made unlawful under the Americans with Disabilities Act (ADA) of 1990 or Rhode Island Fair Employment Practices Act or any rules and regulations issued pursuant to either, shall be subject to disciplinary action. Said action may include suspension from employment or dismissal where the discrimination is found to be willful or repeated.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date : 3/3/23

Charts:

Due to COVID- 19 pandemic the numbers in attached charts are from the 2019-2020 Affirmative Action Plan as the new numbers are not available, except for the JOB GROUP ANALYSIS SUMMARY.

Program Statistics

APPLICATION DATA

AGENCY:		DEPARTMENT OF REVENUE										DATE:		7/1/19-6/30/20		
Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	Applicants					Hire	Promotion	Transfer Within	Terminations	Pay Grade
							White Male	Minority	Female	Disabled	Veterans					
ADJUDICATION SERVICE REPRESENTATIVE	2556-10000-(2)	F	1				18	63	100	0	5					318A
ADJUDICATION SERVICE REPRESENTATIVE	2556-10700-84	F	1				25	62	112	0	3					318A
ASSISTANT ADMINISTRATIVE OFFICER	2586-10000-00008	E		1			25	60	141	3	5					121A
ASSISTANT FIELD REPRESENTATIVE	259590100-72	E		1			76	71	102	3	3					818JA
AUTOMOTIVE AND EMISSION CONTROL INSPECTOR	2556-10800-6	C	1				12	5	2	0	2					317A
AUTOMOTIVE AND EMISSION CONTROL INSPECTOR	2556-10800-9	C	1				24	12	6	0	1					317A
AUTOMOTIVE SERVICE SPECIALIST	2556-10500-65	G	1				21	10	7	0	1					318A
BUSINESS ANALYST	2553-10000-000212	E	1				26	35	49	1	3					328A
CASINO COMPLIANCE REPRESENTATIVE	259590101-11	C		1			47	32	50	1	6					825JA
CASINO COMPLIANCE REPRESENTATIVE	259590101-12	C		1			47	32	41	3	5					825JA
CASINO COMPLIANCE REPRESENTATIVE	259590101-13	C		1			44	26	38	1	9					825JA
CASINO COMPLIANCE REPRESENTATIVE	259590102-8	C		1			51	24	40	1	13			1		825JA
CASINO COMPLIANCE REPRESENTATIVE	259590102-5	C		1			55	27	35	2	5					825J
CASINO COMPLIANCE REPRESENTATIVE	259590102-9; 259590101-15	C		1			62	35	59	1	10					825J
CHIEF OF MOTOR VEHICLE SUPPORT SERVICES	2556-10000-2050	A		1			24	19	31	0	6					134A
CHIEF OF TAX PROCESSING SERVICES	2553-10000-00202	A		1			3	8	11	0	0					140A
CHIEF OF TAX PROCESSING SERVICES	2554-10000-00135	A		1			3	6	14	1	1					140A
CHIEF PROGRAM DEVELOPMENT	2556-10000-2040	A		1			10	8	10	0	0					134A
CHIEF PROGRAM DEVELOPMENT	2556-10000-2065	A		1			20	9	16	1	3					134A
CHIEF REVENUE AGENT	2554-10000-0013	A		1			4	8	8	0	0					138A
CLERK	2551-10000-00317	F	1				52	189	353	11	7					307A
DATA ANALYST I	2550-10000-00049	E		1			16	31	31	2	2			1		134A
DATA ANALYST I	2550-10000-41	E		1			10	11	10	3	5					134A
DATA ENTRY OPERATOR-TAXATION (SEASONAL)	2551-10000-295	F	1				28	84	114	5	5					269H
FIELD REPRESENTATIVE	259590100-11	C		1			77	56	76	5	4					822JA
FIELD REPRESENTATIVE	259590100-59	C		1			77	45	87	2	3					822J
IMPLEMENTATION AIDE	2556-10000-2066	E		1			26	74	142	2	4					122A
INTERDEPARTMENTAL PROJECT MANAGER	2550-10000-00050	E		1			24	19	54	6	10					139A
LEGAL COUNSEL	2550-10000-00051	E		1			10	2	7	0	0					132A
MOTOR VEHICLE APPEALS OFFICER	2556-10000-2051	E	1				52	58	78	3	13					324A
MOTOR VEHICLE APPEALS OFFICER	2556-10700-98	E	1				51	47	63	1	11					324A
MOTOR VEHICLE OPERATOR EXAMINER	2556-10000-2048	C	1				30	47	66	1	3					319A
PRINCIPAL REVENUE AGENT	2554-1000-00055	E	1				13	12	20	0	1					831A
PROGRAMMING SERVICES OFFICER	2510-10000-00019	E		1			22	30	49	3	6					131A
PROGRAMMING SERVICES OFFICER	2586-10000-00007	E		1			25	24	45	2	4					131A

PROPERTY CONTROL AND SUPPLY OFFICER	2556-10000-01931	F	1				7	3	5	0	0						
PROPERTY CONTROL AND SUPPLY OFFICER	2556-10000-1931	F	1				55	30	49	1	4						
REVENUE AGENT I	2551-10000-00294	E	1				2	2	5	0	0						
REVENUE AGENT I	2552-10000-00275	E	1				8	22	28	4	2						
REVENUE AGENT I	2554-10000-00139	E	1				9	11	15	1	3						
REVENUE OFFICER I	2552-10000-00216	E	1				6	21	20	0	1						
REVENUE OFFICER I	2552-10000-00225, 00236, 00290	E	1				0	9	11	0	1						
REVENUE OFFICER I	2552-10000-00236	E	1				1	14	12	0	0						
REVENUE OFFICER I	2552-10000-00239	E	1				6	19	27	0	0						
REVENUE OFFICER I	2552-10000-00241	E	1				8	38	39	0	0						
REVENUE OFFICER I	2552-10000-00264	E	1				6	18	15	2	2						
REVENUE OFFICER I	2552-10000-00286	E	1				3	16	11	0	0						
REVENUE OFFICER I	2552-10000-00287	E	1				3	7	10	1	2						
REVENUE OFFICER I	2552-10000-00288	E	1				2	7	11	0	0						
REVENUE OFFICER I	2552-10000-00291, 00144	E	1				8	11	14	2	1						
REVENUE OFFICER I	2552-10000-239, 289, 290, 225	E	1				9	26	28	0	1						
SEASONAL TECHNICAL SUPPORT INTERN	2556-10000-2052	F		1			1	7	6	0	1						
SENIOR AUTOMOTIVE AND EMISSION CONTROL INS	2556-10500-20	C	1				15	8	6	0	3						
SENIOR LEGAL COUNSEL	2550-10000-00052	E		1			12	1	2	0	0						
SUPERVISING REVENUE OFFICER	2552-10000-00204	E	1				11	15	12	0	1						
SUPERVISOR FINANCIAL MANAGEMENT AND REPORTING	2530-10200-00024	A		1			12	11	16	0	0						
SUPERVISOR FINANCIAL MANAGEMENT AND REPORTING	2530-10200-00032	A		1			25	23	44	3	7						
SUPERVISOR OF BRANCH OFFICE SERVICES (MOTOR VEHICLES)	2556-10000-2053	F	1				22	32	54	1	3						
SUPERVISOR OF BRANCH OFFICE SERVICES (MOTOR VEHICLES)	2556-10000-398	F	1				15	28	42	0	1						
TAXAIDE I	2553-10000-00206	F	1				13	29	51	1	2						
TAXAIDE I	2553-10000-00206	F	1				15	64	106	2	1						
TAXAIDE I	2554-10000-00132	F	1				16	40	73	1	3						
TAXPAYER SERVICE SPECIALIST	2554-10000-00138	E	1				13	21	30	2	3						
Totals			36	27	0	0	1415	1814	2809	85	201	0	0	0	0	2	

EEO Category

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

E - Paraprofessionals
 F - Administrative Support
 G - Skilled Craft
 H - Service Maintenance

Race/Ethnic Code :

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

Gender Code

F - Female
 M - Male

Disabled Code
 D - Disabled

Veteran Code
 V - Veteran

APPLICANT FLOW DATA

AGENCY: DEPARTMENT OF REVENUE

DATE: 7/1/19-6/30/20

	TOTAL APPLICANTS	MALE							FEMALE							**DISABLED	VETERANS
		BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OF ALASKA-NATIVE (NHL*)	ASIAN (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OF ALASKA-NATIVE (NHL*)	ASIAN (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)		
APPLICANTS																	
OFFICIALS/ADMINISTRATORS	285	14	9	0	4	101	0	8	18	22	2	7	92	0	8	5	17
PROFESSIONALS	1259	93	61	2	26	358	0	26	94	143	6	41	374	0	35	33	72
TECHNICIANS	1199	56	66	4	12	541	0	17	50	91	2	17	309	0	34	17	64
PARA-PROFESSIONALS	568	23	26	0	4	127	0	4	29	73	2	16	236	0	28	8	12
ADMINISTRATIVE SUPPORT	1479	72	54	7	12	267	0	7	134	215	7	26	581	0	97	22	35
SKILLED CRAFT	33	1	1	0	0	21	0	3	1	3	0	1	2	0	0	0	1
TOTAL	4823	259	217	13	58	1415	0	65	326	547	19	108	1594	0	202	85	201
HIRES																	
OFFICIALS/ADMINISTRATORS	1					1											
PROFESSIONALS	12					3			2	3			4			1	
TECHNICIANS	8	1				5							2				1
PARA-PROFESSIONALS	3					1				2							
ADMINISTRATIVE SUPPORT	6					2							4				
SKILLED CRAFT	0																
SERVICE MAINTENANCE	0																
TOTAL	30	1	0	0	0	12	0	0	2	5	0	0	10	0	0	1	1
PROMOTIONS																	
OFFICIALS/ADMINISTRATORS	6					4				1			1				
PROFESSIONALS	23		1		2	9			1	1		1	8				
TECHNICIANS	3	1				2											
PARA-PROFESSIONALS	2				1					1							
ADMINISTRATIVE SUPPORT	9	1	1			2			1				4				
SKILLED CRAFT	1					1											
SERVICE MAINTENANCE	0																
TOTAL	44	2	2	0	3	18	0	0	2	3	0	1	13	0	0	0	0
TERMINATIONS																	
OFFICIALS/ADMINISTRATORS	0																
PROFESSIONALS	3					3										1	
TECHNICIANS	1					1											
PARA-PROFESSIONALS	2					2											
ADMINISTRATIVE SUPPORT	2													2			
SKILLED CRAFT	0																
SERVICE MAINTENANCE	0																
TOTAL	8	0	0	0	0	6	0	0	0	0	0	0	0	2	0	1	0

* Not Hispanic or Latino

** Include disabled in appropriate job categories.

AFFIRMATIVE ACTION STATISTICAL SUMMARY

CURRENT												
EEO-4 Job Categories	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN/ ALASKAN NATIVE (NHL*)	NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)
Officials/ Managers Administrators	57	30	6	27	0	2	0	5	0	1	0	0
Professionals	258	98	54	137	0	4	12	30	2	9	0	1
Technicians	48	35	6	8	0	4	4	0	1	0	0	1
Para-Professionals	35	14	8	17	0	0	1	6	0	1	0	0
Administrative Support	161	24	45	129	0	1	20	12	2	8	0	3
Skilled Craft	3	3	0	0	0	0	0	0	0	0	0	0
Service Maintenance	2	1	1	0	0	0	0	1	0	0	0	0
Total Employees	564	205	120	318	0	11	37	54	5	19	0	5

LAST YEAR'S WORKFORCE

EEO-4 Job Categories	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN/ ALASKAN NATIVE (NHL*)	NATIVE HAWAIIAN/ OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)
Officials/ Managers Administrators	57	30	5	27	0	0	0	4	1	0	0	0
Professionals	260	101	56	136	2	4	12	32	10	2	0	0
Faculty	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	44	33	5	7	0	1	4	0	0	1	0	0
Protective Services	0	0	0	0	0	0	0	0	0	0	0	0
Para-Professionals	38	19	5	16	0	2	1	4	0	0	0	0
Administrative Support	159	23	43	129	3	1	21	12	6	2	0	0
Skilled Craft	3	3	0	0	0	0	0	0	0	0	0	0
Service Maintenance	2	1	1	0	0	0	0	1	0	0	0	0
Total Employees	563	210	115	315	5	8	38	53	17	5	0	0

DIFFERENCE +/-

TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	ASIAN (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)
0	0	1	0	0	2	0	1	-1	1	0	0
-2	-3	-2	1	-2	0	0	-2	-8	7	0	1
4	2	1	1	0	3	0	0	1	-1	0	1
-3	-5	3	1	0	-2	0	2	0	1	0	0
2	1	2	0	-3	0	-1	0	-4	6	0	3
0	0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0	0
1	-5	5	3	-5	3	-1	1	-12	14	0	5

JOB GROUP ANALYSIS SUMMARY

Gender Agency M	EEO Job Category	Female		Black		Hispanic/Latino		Native Hawaiian or P		White		Total				
		Filled Positions %		Filled Positions %		Filled Posi %		Filled Posi %		Filled Posi %		Filled Posi %				
Revenue	Administrative Support	2	1.44%	3	2.16%	17	12.23%	12	8.63%	0	0.00%	6	4.32%	69	49.64%	109
	Officials/Administrators	0	0.00%	2	2.38%	0	0.00%	8	9.52%	1	1.19%	0	0.00%	24	28.57%	35
	Paraprofessionals	0	0.00%	1	2.08%	1	2.08%	3	6.25%	0	0.00%	0	0.00%	20	41.67%	25
	Professionals	2	1.09%	5	2.72%	7	3.80%	18	9.78%	0	0.00%	1	0.54%	67	36.41%	100
	Protective Services	0		0		0		0		0		0		0		0
	Service Maintenance	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
	Skilled Craft	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0
	Technicians	0	0.00%	0	0.00%	2	4.08%	2	4.08%	0	0.00%	0	0.00%	7	14.29%	11
	UNDEFINED	0		0		0		0		0		0		0		0
	Total	4	0.79%	11	2.16%	27	5.30%	43	8.45%	1	0.20%	7	1.38%	187	36.74%	280

Gender Agency M	EEO Job Category	Male		Black		Hispanic/Latino		Native		White		Total		Total All			
		Filled Posi		Filled Posi		Filled Posi %		Filled Posi		Filled Posi		Filled Posi %		Filled Posi %			
Revenue	Administrative Support	78.42%	0	0.00%	2	1.44%	2	1.44%	6	4.32%	1	0.72%	19	13.67%	30	21.58%	139
	Officials/Administrators	41.67%	0	0.00%	1	1.19%	3	3.57%	2	2.38%	0	0.00%	43	51.19%	49	58.33%	84
	Paraprofessionals	52.08%	0	0.00%	0	0.00%	2	4.17%	2	4.17%	1	2.08%	18	37.50%	23	47.92%	48
	Professionals	54.35%	0	0.00%	4	2.17%	8	4.35%	6	3.26%	2	1.09%	64	34.78%	84	45.65%	184
	Protective Services		0		0		0				0		0		0		0
	Service Maintenance	0.00%	0	0.00%	0	0.00%	0	0.00%	1	50.00%	0	0.00%	1	50.00%	2		2
	Skilled Craft	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	3	100.00%	3		3
	Technicians	22.45%	1	2.04%	1	2.04%	2	4.08%	1	2.04%	0	0.00%	33	67.35%	38	77.55%	49
	UNDEFINED		0		0		0				0		0		0		0
	Total	55.01%	1	0.20%	8	1.57%	17	3.34%	18	3.54%	4	0.79%	181	35.56%	229	44.99%	509

JOB GROUP ANALYSIS: OFFICIALS/MANAGERS/ADMINISTRATORS

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male							Female								
					TOTAL MALE	1 Black (H/L)	2 Hispanic or Latino	3 AIAN (H/L)	4 Asian (H/L)	5 White (H/L)	6 NHOP (H/L)	7 Two or More Races (H/L)	TOTAL FEMALE	1 Black (H/L)	2 Hispanic or Latino	3 AIAN (H/L)	4 Asian (H/L)	5 White (H/L)	6 NHOP (H/L)	7 Two or More Races (H/L)
ADMIN LEG SUP SVS ADMINSTR	0145	1	0	0%	0								1					1		
ADMIN FINANCIAL MANAGEMENT	0137	1	0	0%	1					1			0							
ADMINISTRATIVE OFFICER	0124	4	2	50%	0								4		2			2		
ADMINISTRATIVE OFFICER	0822	1	0	0%	0								1					1		
ADMINISTRATOR DIV OF MOTOR VEH	0150	1	0	0%	1					1			0							
ADMINSTRTR OPERATIONS MANAGEME	0141	1	0	0%	0								1					1		
ASSOC DIR REVENUE SERV (TAXAT)	0144	1	0	0%	1					1			0							
ASST DIR FINANCIAL CNTR MGMT	0141	1	0	0%	0								1					1		
ASST MTR VECH ADMTR CUST SERV	0140	1	0	0%	1					1			0							
ASST MTR VEH ADM FOR SAF REQ	0140	1	0	0%	0								1					1		
ASST SUPVR COMPTN OPS	0327	1	0	0%	0								1					1		
CASINO OPER COMPLIANCE MGR	0841	1	0	0%	1					1			0							
CHF FISCAL AFFAIRS CONTROLER	0837	1	0	0%	0								1					1		
CHF M.V. SAF EMISS CONT DIV	0135	1	0	0%	1					1			0							
CHF OF EXAM. (TAXATION)	0142	1	0	0%	1					1			0							
CHF OF TAX PROCESSING SERVICES	0140	4	0	0%	3					3			1					1		
CHF STRATEGIC PLAN, MONT, EVAL	0143	3	0	0%	1					1			2					2		
CHF, MOTOR VEH FLT REG PROG(DOA)	0128	1	0	0%	0								1					1		
CHIEF OF REVENUE ANALYSIS	0845	1	0	0%	1					1			0							
CHIEF REVENUE AGENT	0138	10	1	10%	4					4			6		1			5		
CHIEF, PROGRAM DEVELOPMENT	0134	4	1	25%	2					2			2		1			1		
CRD, MTR CAR SCH BUS SAF PG(DOA)	0133	1	0	0%	1					1			0							
DATA ANALYST II	0138	2	0	0%	2					2			0							
DATA ANALYST III	0142	1	1	100%	0								1		1					
DEPUTY DIRECTOR (LOTTERY)	0842	1	0	0%	0								1					1		
DIR MGMT INFORMATION SYS LOTTE	0839	1	0	0%	1					1			0							
DIRECTOR DEPARTMENT OF REVENUE	0856	1	0	0%	1					1			0							
EXEC DIRECTOR/TAX ADMINISTRATO	0152	1	1	100%	0								1				1			
FINANCE ADMINISTRATION MANAGER	0839	1	0	0%	1					1			0							
LOTTERY DIRECTOR	0816	1	0	0%	1					1			0							
LOTTERY SALES MARKETING MGR	0834	1	0	0%	1					1			0							
MEMBER OF MEDICAL ADV BD (MV)	0508	3	0	0%	3					3			0							
SUPVR FINANCIAL MGT REPORTING	0135	1	0	0%	1					1			0							
VIDEO LOTTERY SYSTEMS MANAGER	0827	1	0	0%	0								1					1		
SUBTOTAL		57	6	11%	30	0	0	0	0	30	0	0	27	0	5	0	1	21	0	0

JOB GROUP ANALYSIS: TECHNICIANS

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (H/L)	2 Hispanic or Latino	3 AIAN (H/L)	4 Asian (H/L)	5 White (H/L)	6 NHOP (H/L)	7 Two or More Races (H/L)		1 Black (H/L)	2 Hispanic or Latino	3 AIAN (H/L)	4 Asian (H/L)	5 White (H/L)	6 NHOP (H/L)	7 Two or More Races (H/L)
AST CHIEF, MOTOR VEH SAF EMMIS	0125	1	0	0%	1					1			0							
AUTO EMIS CNTRL INSP	0317	2	0	0%	2					2			0							
CASINO COMPLIANCE REPRESENTATI	0825	22	3	14%	18	2		1		15			4						4	
CASINO IT SUPPORT SPECIALIST	0826	1	0	0%	1					1			0							
CASINO SURVEILLANCE ANALYST	0632	2	0	0%	2					2			0							
CDL PROGRAM COORDINATOR (DMV)	0134	1	0	0%	0								1						1	
COMPUTER PROGRAMMER	0825	1	0	0%	1					1			0							
DATABASE MGMT SYSTEM SPECIALIS	0326	3	0	0%	1					1			2						2	
INFORMATION TECH SECURITY MGR	0829	1	0	0%	1					1			0							
MOTOR VEH OPER EXAM	0319	9	1	11%	9	1				6			0							
SEASONAL TECH SUPPORT INTERN	0213	1	1	100%	1							1	0							
SOFTWARE SUPPORT SPECIALIST	0833	1	0	0%	1					1			0							
SR AUTO EMISS CONTROL INSPTR	0321	2	0	0%	2					2			0							
SR MOTOR VEHICLE OPER EXAMINER	0321	1	1	100%	0								1	1						
SUBTOTAL		48	6	13%	40	3	0	1	0	35	0	1	8	1	0	0	0	7	0	0

JOB GROUP ANALYSIS: PARA-PROFESSIONALS

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (H/L)	2 Hispanic or Latino	3 AIAN (H/L)	4 Asian (H/L)	5 White (H/L)	6 NHOP (H/L)	7 Two or More Races (H/L)		1 Black (H/L)	2 Hispanic or Latino	3 AIAN (H/L)	4 Asian (H/L)	5 White (H/L)	6 NHOP (H/L)	7 Two or More Races (H/L)
ASSISTANT PRODUCTION WORKER	0818	2	1	50%	2		1			1			0							
ASST ADM OFF	0121	1	1	100%	0								1		1					
ASST PRODUCTION MGR (LOT)	0824	1	0	0%	0								1					1		
CHIEF IMPLEMENTATION AIDE	0128	3	1	33%	0								3	1					2	
FIELD REPRESENTATIVE (LOTTERY)	0822	8	2	25%	7		1			6			1		1					
IMPLEMENTATION AIDE	0122	2	2	100%	2		1		1				0							
IMPLEMENTATION AIDE	0322	1	0	0%	0								1						1	
INFORMATION AIDE	0315	6	1	17%	0								6		1				5	
LICENSE INVESTIGATOR	0322	4	0	0%	3					3			1						1	
LICENSING CLERK	0820	1	0	0%	0								1						1	
SUPVR, MOTOR VEH CUSTOMER SERV	3327	2	0	0%	0								2						2	
TAX INVESTIGATOR	0323	4	0	0%	4					4			0							
SUBTOTAL		35	8	23%	18	0	3	0	1	14	0	0	17	1	3	0	0	13	0	0

JOB GROUP ANALYSIS: ADMINISTRATIVE SUPPORT

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male								Female							
					TOTAL MALE	1 Black (FHL)	2 Hispanic or Latino	3 AIAN (FHL)	4 Asian (FHL)	5 White (FHL)	6 NHOPI (FHL)	7 Two or More Races (FHL)	TOTAL FEMALE	1 Black (FHL)	2 Hispanic or Latino	3 AIAN (FHL)	4 Asian (FHL)	5 White (FHL)	6 NHOPI (FHL)	7 Two or More Races (FHL)
ADJUDICATION SVS REPRESENTATIV	0318	8	2	25%	0								8	2					6	
ASST MGR MRKT AGT LICEN REPR	0826	2	1	50%	1	1							1						1	
CLERK	0307	1	1	100%	1	1							0							
CUSTOMER SVS REPRES II DMV	0318	18	6	33%	4	1	1			2			14	1	2			1	10	
CUSTOMER SVS REPRES III (DMV)	0321	35	8	23%	6					6			29	5	2	1			21	
CUSTOMER SVS REPRES. I (DMV)	0316	28	12	43%	8		1		2	5			20	5	1			1	11	2
DATA ENTRY OPER-TAX(SEASONAL)	0269	11	5	45%	2		1			1			9	1				2	5	1
EXECUTIVE SECRETARY	0822	1	0	0%	0								1						1	
LICENSING AIDE	0315	3	1	33%	0								3		1				2	
PRIN CLERK-STENOGRAPHER	0313	1	0	0%	0								1						1	
PROP CONTRL SUPPLY OFFICER	0317	1	0	0%	1					1			0							
RECEPTIONIST	0817	1	0	0%	0								1						1	
SECRETARY	0818	3	0	0%	0								3						3	
SPVSR OF BRANCH OFF SERV (M.V)	3325	10	2	20%	3					3			7	1	1				5	
SR TELLER	0318	3	1	33%	0								3	1					2	
SR WORD PROCESSING TYPIST	0312	1	0	0%	0								1						1	
SUPEV PUBLIC AFF DRAWINGS	0822	1	0	0%	0								1						1	
TAXAIDE I	0316	16	3	19%	5					5			11		1	1	1		8	
TAXAIDE II	0318	13	1	8%	1					1			12					1	11	
TELLER	0315	3	1	33%	0								3		1				2	
TICKET ACCOUNTING CLERK(LOTTER	0820	1	1	100%	0								1	1						
SUBTOTAL		161	45	28%	32	3	3	0	2	24	0	0	129	17	9	2	6	92	0	3

**JOB GROUP ANALYSIS:
SKILLED CRAFT**

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male								Female							
					TOTAL MALE	1 Black (F/L)	2 Hispanic or Latino	3 AIAN (F/L)	4 Asian (F/L)	5 White (F/L)	6 NHOP (F/L)	7 Two or More Races (F/L)	TOTAL FEMALE	1 Black (F/L)	2 Hispanic or Latino	3 AIAN (F/L)	4 Asian (F/L)	5 White (F/L)	6 NHOP (F/L)	7 Two or More Races (F/L)
AUTOMOTIVE SERVICE SPECIALIST	0318	3	0	0%	3					3			0							
SUBTOTAL		3	0	0%	3	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0

**JOB GROUP ANALYSIS:
SERVICE MAINTENANCE**

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male							Female								
					TOTAL MALE	1 Black (F/L)	2 Hispanic or Latino	3 AIAN (F/L)	4 Asian (F/L)	5 White (F/L)	6 NHOP (F/L)	7 Two or More Races (F/L)	TOTAL FEMALE	1 Black (F/L)	2 Hispanic or Latino	3 AIAN (F/L)	4 Asian (F/L)	5 White (F/L)	6 NHOP (F/L)	7 Two or More Races (F/L)
JUNIOR MAINTENANCE PERSON	0801	1	1	100%	1		1						0							
MAINTENANCE PERSON (LOTTERY)	0822	1	0	0%	1					1			0							
SUBTOTAL		2	1	50%	2	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0

Determining Underrepresentation and Goal Setting

EEO-4 Job Categories	AAP HIRING GOALS										
	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	ASIAN (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)
Officials/ Managers Administrators	1	0	0	0	0	0	0	0	0	0	0
Professionals	1	0	1	1	0	0	0	0	0	0	0
Technicians	0	1	0	0	0	0	0	0	0	0	0
Para-Professionals	0	0	0	0	0	0	0	0	0	0	0
Administrative Support	0	0	0	1	0	1	0	0	0	0	0
Skilled Craft	0	0	0	0	0	0	0	0	0	0	0
Service Maintenance	0	0	0	0	0	0	0	0	0	0	0

Building on past practices, and based upon the statistics reported above, the Department has established diversity goals to measure its progress toward ensuring that its workforce reflects the diversity of the state’s labor force. These projections are based on the Department’s hiring history and are estimated to be reasonable, attainable, and measurable for its current workforce to increase representation of minorities, females, veterans, and individuals with disabilities.

The Department is committed to employing qualified members of both protected and non-protected groups, to meeting the specialized affirmative action requirements to employ and advance individuals with disabilities, as well as veterans. The Department has steadily made gains in the employment of women, minorities, and people with disabilities. The Department will work with state’s Office of Diversity, Equity & Opportunity to overcome instances of under-representation that exist within certain job categories due to low turnover. To that end, the Department has set a reasonable goal of hiring one to two candidates from among minorities, females, veterans, and individuals with disabilities in certain job categories during Fiscal Year 2021. Among those categories are officials/managers/administrators, professionals, technicians, and administrative support.

Hiring goals were determined by applying the average turnover rate within DOR (5%) across the department to each EEO job category count, and then applying the statewide proportion of each represented group (for example, 51.0% for female) to the product.

<u>Category:</u>	<u>Goal for calculation purposes:</u>
Female.....	51.0%
Disabled.....	9.7%
Veterans.....	5.9%
Minority.....	31.4%
Black or African American.....	8.8%
Hispanic or Latino.....	17.1%
American Indian or Alaska Native.....	1.1%
Asian.....	3.7 %
White.....	81.3%
Native Hawaiian or Other Pacific Islander.....	0.2%
Two or More Races.....	3.0%

Identification and Analysis of Problem Areas

EQUAL OPPORTUNITY PERFORMANCE AND COMMUNICATIONS

As of July 1, 2018, the statistical data for the entire Department was made available, and the Department has analyzed its current workforce and set its goals accordingly for the 2019-2020 and 2020-2021 years. In 2021, the Department set the following AAP hiring goals:

AAP HIRING GOALS										
MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	ASIAN (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)
1	1	0	0	0	0	0	0	0	0	0
4	0	1	1	1	1	0	0	0	0	0
0	0	0	0	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	0	0
1	1	0	0	0	0	0	0	0	0	0
0	0	0	1	0	1	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0
0	0	0	0	0	0	0	0	0	0	0

In the past year, the department hired a total of 8 minority applicants and 17 female applicants, surpassing our hiring goals set in 2020 within those categories by more than 14% and 467% respectively.

To be successful, the Affirmative Action Plan must be effectively communicated to all employees. Management must have a real commitment to the Plan's success and should be held periodically accountable to the plan's goals. It is only human nature to defer action if the costs of inaction are negligible; therefore, necessary action will be taken to ensure compliance.

The following are practical ways to improve communication:

- a. The EOAC will resume its regular schedule of meetings which were disrupted due to the emergence of the COVID-19 pandemic in the previous year.
- b. The EOAC should meet regularly and produce reports for the Director on the status of various protected classes within the Department when problems are first noticed.
- c. Continuing education for EOAC members through both internal and external sources, such as attending seminars and inviting guest speakers, will be encouraged to facilitate the ongoing development and administration of a viable and successful long-term plan.

WORKFORCE COMPOSITION

EEO-4 Job Categories	WORKFORCE											
	TOTAL EMPLOYEES	MINORITY	FEMALE	VETERANS	DISABLED	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	ASIAN (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)
Officials/ Managers Administrators	57	6	27	2	0	0	5	0	1	51	0	0
Professionals	258	54	137	4	0	12	30	2	9	204	0	1
Technicians	48	6	8	4	0	4	0	1	0	42	0	1
Para- Professionals	35	8	17	0	0	1	6	0	1	27	0	0
Administrative Support	161	45	129	1	0	20	12	2	8	116	0	3
Skilled Craft	3	0	0	0	0	0	0	0	0	3	0	0
Service Maintenance	2	1	0	0	0	0	1	0	0	1	0	0

As evidenced by the statistical data above, the Department's workforce composition is currently more than half female (56%) with only 36% of the workforce identifying as male; however, there is great variation in gender ratio with respect to job category. White Males hold more than half of the Technician positions (73.0%) and Official/Manager/Administrator positions (53%), whereas Females are over-represented in the Professional position category, holding 53% of those positions, as well as the Administrative Support category, where they hold 80% of positions. The Department's workplace is currently comprised of 21% Minorities, 2% Veterans, and 0% individuals with disabilities. Females are under-represented in the category of Skilled Craft, Para-professional and Service Maintenance categories, although only slightly in the category of Para-professional. Minorities, Veterans, and individuals with disabilities are under-represented in the Professionals and Technicians categories. Veterans and individuals with disabilities also face under-representation in the Administrative Support category. Minorities are overrepresented in the service maintenance category. Given these deficiencies, the argument to enforce the "6 + 6" law is tenable. This law (RI General Laws § 36-4-26.1) allows the Department to use a supplemental certification in the civil service, i.e. expanded certification for equal opportunity and affirmative action, under appropriate circumstances.

Fiscal and budgetary reductions, collective bargaining agreements and a restrictive civil service exam process continue to constrain the Department's ability to meet its affirmative action goals. The Department, through its Director and senior staff, and the Office of Personnel Administration and Division of Human Resources will continue to make every reasonable effort to diversify the Department's workforce consistent with its Affirmative Action goals.

EMPLOYMENT RECRUITMENT AND SELECTION PROCESS

An applicant pool representative of the RI workforce as evidenced by the Labor Market Unit of the Department of Labor and Training is a goal for each vacancy. All Department of Revenue interviewing officials who are involved in the evaluation and hiring of applicants must be made aware of the Department's goals and carefully trained to assure the elimination of bias. The Plan should be considered by managers during the hiring process to meet the spirit and goals of the Plan. On July 1, 2014, the Division of Human Resources launched an on-line application process entitled "Apply RI". This process enables the collection of applicant data and hiring information that greatly assists the Department in meeting Plan goals and continuously assessing and identifying problem areas for improvement.

Based upon the data collected with the assistance of Apply RI, from 7/1/2019 through 6/30/2020, the Department solicited a total of 4,823 applicants for a total of 30 filled positions. The applicant pool was comprised of 12% Blacks or African Americans, 16% Hispanic or Latino, 1% American Indian or Alaskan Native, 3% Asian, 62% White, 0% Native Hawaiian or Other Pacific Islander, and 6% two or more races. 58% of applicants were female, 2% were disabled, and 4% were veterans. This applicant pool was fairly representative of the current RI workforce, but with substantial underrepresentation of the disabled, veterans, and Native Hawaiian or Other Pacific Islanders. Thus, even though the African American applicants were mostly represented, some other minorities, veterans and individuals with disabilities in general were under-represented during this process. This indicates that a need for affirmative recruitment efforts to solicit more minorities, veterans and individuals with disabilities to apply for future Department positions.

With respect to the employment selection process, the Department filled 30 new positions in fiscal year 2019: 30 new hires and 44 promotions. The successful candidates were mostly representative of the diverse applicant pool achieved by the Department. 10% of new positions were filled with Black or African American applicants, 17% by Hispanic or Latino applicants, and 73% with White applicants. 57% were filled with female applicants, 3% with disabled applicants, and 3% with veteran applicants.

Thus, in addition to targeted recruitment efforts to solicit veterans and individuals with disabilities and minorities to apply for Department positions, it appears that affirmative efforts should also be made to hire and/or promote qualified veterans and individuals with disabilities who apply for those positions.

Apply RI also provides potential minority and protected class applicants with the ability to establish an on-line profile and to be notified of job vacancies in areas in which applicants have identified an interest. This process will improve or facilitate: the collection and quality of statistical data; the quality of applicant pools; and outreach to minorities and under-represented classes. Use of this system will ultimately result in a more diverse and qualified applicant pool that reflects the makeup of Rhode Island's Workforce.

The state's Human Resources, Outreach, & Diversity Office continues to provide workshops to the general public on the state's hiring and civil service exam process. They also provide support and assistance to a diverse group of applicants seeking employment with the state, as well as technical assistance and support to all state agencies on best practices for recruitment.

The EOAC will strive to review quarterly the applicant flow of all job categories. That information will be shared with the Director of Revenue, and these reports shall be evaluated by the Office of Diversity, Equity and Opportunity, which shall suggest and recommend new policies and directions for the Plan.

All interviewing officials should be aware of **departmental** under-represented classes and hiring goals. Although union contract language and promotional lists limit which applicants may be reached, interviewing officials should be educated about hiring goals throughout the Department. Where opportunity exists for ensuring flexibility, i.e. non-union positions and union positions for which there are no eligible or qualified union applicants, hiring officials must be encouraged to interview and select minority and under-represented applicants to assist the Department in meeting its Plan goals.

EXIT INTERVIEWS

The exit interview process is an opportunity for employees to express their reasons for leaving state service or transferring to another department. The exit interview form offers the terminating/transferring employee an opportunity to address any issue(s) that he/she feels should be reviewed, can be found on page 99. A fillable pdf form is available for use on the Division of Equity, Diversity and Inclusion website located at www.dedi.ri.gov.

Upon notification of a termination, a representative of the Employee Relations Unit of the General Government Service Center meets with the employee and provides a copy of the exit interview sign-off form along with a Confidential Exit Survey Inquiry form and a pre-addressed envelope to the State Equal Opportunity Office.

The terminating/transferring employee is also informed of the option of having an exit interview conducted by the Department's liaison from the State Equal Opportunity Office. However, in many instances, the exit interview form is forwarded to the terminating/transferring employee via first class mail.

The Department will continue to emphasize terminating/transferring employees, via the Division of Human Resources, the importance of completing the Exit Interview Form.

FLEX-TIME

The purpose of this policy is to encourage departments to consider and support flexible work arrangements for employees when they meet the needs of both the department and the employee.

Department of Revenue is encouraged to support flexible work arrangements for its employees when they meet the needs of both the department and the employee. Consistent with most Memoranda of Understanding (MOU) and the goal of Civil Service Improvement, flexible work arrangements offer creative approaches for completing work while promoting balance between work and personal commitments.

Flexible work arrangements offer alternative approaches to getting work done through non-traditional work hours, workweeks, and/or locations. These alternatives can assist employees in balancing work and personal commitments while meeting business needs and objectives. Additionally, state managers and supervisors can use flexible work arrangements as a tool to promote productivity, improve employee engagement, enhance job satisfaction, and reduce absenteeism. These same alternatives can also enhance recruitment and retention.

POSTING OF POSITIONS

The Department, through the Division of Human Resources, posts all vacancy notices, both internal and those received from other agencies, on the Apply RI website. An “Applicant Room” is located to the left of the reception desk on the third floor in the Office of Personnel Administration wherein a computer kiosk is available to applicants to facilitate review of vacancies and applications via Apply RI. An HR Representative is available to assist applicants when needed.

The current posting period is ten (10) business days, although some agencies voluntarily offer a longer application period. Where flexibility exists, the Department routinely posts positions for a longer period of time to increase applicant response and to increase diversity of the applicant pool.

Apply RI enhances opportunities for employment in the Department of Revenue. As outlined previously, postings are available to the general public via the Apply RI website. Minority organizations may register on Apply RI for notification of job opportunities. The Office of Diversity, Equity & Opportunity is coordinating an effort to notify minority organizations. As stated previously, the Department may also post position vacancies on-line with commercial recruitment websites and also reaches out to college and university recruitment offices and specialty publications where special skills are required.

TRANSFER AND PROMOTION PRACTICES

The Department is committed to non-discriminatory actions regarding transfers and promotion of persons in all job classifications. The Department normally posts all vacancies in an attempt to promote equal employment opportunity and affirmative action in all job classifications. Posting and application periods are in compliance with union contracts. Access to an applicant online tracking system is available 24 hours a day, up until midnight of the posting’s closing date. This allows the greatest number of applicants to apply within that given time.

In some cases, opportunities for upward mobility is limited due to the restrictions imposed by collective bargaining agreements. Approximately 72% of the Department’s positions are covered by collective bargaining agreements.

To achieve our goals, managers must actively encourage their employees to seek promotional opportunities and demonstrate that advancement is possible for all.

TECHNICAL COMPLIANCE

A member of the EOAC will periodically inspect the bulletin boards for any missing policy statements. If found the EOAC member will notify the Diversity Liaison and the Division of Human Resources, which is responsible for the bulletin boards.

- [Equal Employment Opportunity is the Law” Poster](http://www.dol.gov/ofccp/regs/compliance/posters/ofccpost.htm)
<http://www.dol.gov/ofccp/regs/compliance/posters/ofccpost.htm>
- “EEO is the Law” Poster
<http://www1.eeoc.gov/employers/poster.cfm>

TERMINATIONS

Terminations include retirement, transfer to other State Government Departments, voluntary resignation due to personal reasons and dismissals.

For that small number of terminations which are dismissals, it is the final step in a long process. This process typically starts with verbal warnings, written reprimands, suspensions, and the dismissal. Employees have recourse in the form of grievance hearings conducted by the Division of Human Resources or through the Personnel Appeal Board.

Any employee who voices concerns regarding discrimination is referred to the State Equal Opportunity Office. Thus, individuals who are involuntarily terminated have a full process for protecting their rights against unreasonable dismissal.

No affirmative action issues were identified in this area during the past year. Termination statistics will be reviewed by the EOAC and recommendations may be made to the Director for continued compliance with all laws and policies.

TRAINING PROGRAMS

All new hires to the Department must attend The Civil Rights and Sexual Harassment Orientation which is presented by the State Equal Opportunity Office. Notice is sent to the Division Heads when the classes are scheduled, who in turn notify the employees of their divisions. Supervisors are responsible for ensuring employee attendance.

Upward mobility is a systematic management effort that focuses on developing career opportunities for employees who are in positions which do not allow them to realize their full work potential. One aspect of upward mobility is providing training that will enable employees to acquire the needed skills and knowledge for advancement. Management should encourage employees wishing to improve their education and long-term careers. When funding allows, Divisions should pay for job related training courses. These principles are recorded in Rhode Island's general statutes as well as brochures published by the State and are available to the public. RI General Law 36-4-44, regarding Training Programs, states that "The Personnel Administrator shall cooperate with appointing authorities and other supervising officials in the conduct of employee training programs to the end that the quality of service rendered by persons in the classified service may be continually improved. It is the hope of the Office of Personnel or Division of Human Resources that all departments and agencies of state government will encourage, to their utmost, the training of personnel within their jurisdictions either by the development of approved training courses and programs within their agencies or, if such is not feasible, that they will encourage their employees to enroll in approved job-related courses at institutions of higher learning."

The Office of Training and Development currently offers a limited schedule of courses due to funding restrictions. Substantial budget reductions have resulted in fewer courses advertised only by website. Departments requesting courses for their own staff can still be assisted.

Information on in-Service Training can be obtained from the Coordinator of Employee Training at the Division of Human Resources or see Melissa.Day@hr.ri.gov.

Affirmative Action Plan for Individuals with Disabilities, Disabled Veterans and Covered Veterans

PRACTICES AND PROCEDURES

OUTREACH AND RECRUITMENT

The Department will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities and qualified veterans, in such a way as to ensure understanding and acceptance. The Department will send vacancy notices to recruiting sources such as the Department of Human Services (Vocational Rehabilitation and Veterans' Home), the Department of Labor & Training, and appropriate educational or training institutions to assist in recruiting.

PHYSICAL AND MENTAL QUALIFICATIONS

Physical and mental job qualifications are continually reviewed by the Office of Personnel Administration; this practice will continue so as to assure that these qualifications do not screen out qualified individuals with disabilities.

WORK ENVIRONMENT

In accordance with the Department's guidelines for Unbiased Work Environment (located at page 67 of the Appendix), the Department strives to maintain a working environment free of discrimination, intimidation, and all other forms of harassment.

REASONABLE ACCOMMODATION

Through the Department's ADA Coordinator, employees may seek a reasonable accommodation for documented disabilities. The Department makes reasonable accommodations to the employee or applicant with a disability to ensure equal access to employment and continued employment. The accommodations include, but are not limited to, modifying the job site, job restructuring, acquisition or modifications of special equipment.

REPORT ON 2021-2022 ACTIVITIES

The Department, working with the previous ADA Coordinator for the Department of Revenue, Thomas Mannock, continued to make positive changes. During this year, no specific ADA claims were made or addressed; however, the Department continues to review and remove any barriers consistent with the ADA requirements and the needs of both co-workers and the public. These efforts ensure that employees with disabilities are able to remain productive members of the Department's workforce.

REPORT ON 2022-2023 PLAN

The Department plans to continue its work to identify and remove barriers that would affect individuals with disabilities. To achieve this goal the Department will continue to implement the changes in the guidelines for job specifications that have been reviewed and revised as needed. The Department will also continue to stress to management the importance of the principles of self-identification and legal confidentiality with respect to data concerning veterans and individuals with disabilities.

The Chief of Staff of the Department of Revenue, in coordination with the Department of Revenue's Human Resources liaison, shall be responsible for the implementation of this plan.

Jane Cole, Acting Director
Jane Cole, Department of Revenue

Date: 3/3/23

Addendum: 2019-2024 Diversity Plan to Improve Minority Hiring and Workplace Inclusion

RECRUITMENT

Recruitment describes the process by which the Department finds and attracts potential applicants to fill vacant positions with the organization, and how the Department ensures the visibility of postings amongst a diverse array of potential applicants.

The Department has made significant efforts to expand the visibility of job postings and in the recruitment of staff from marginalized groups in recent years, and has developed the following strategies to continue to advance this objective through 2024:

1. Establish annual goals for the recruitment and hiring of staff from marginalized groups, consistent with the areas of underrepresentation identified through the monitoring of statistical data collected on workforce composition and reported on in the Department's Affirmative Action Plan (AAP).
2. Conduct an annual analysis and revision of all searches, hiring, and promotion policies, practices and procedures to affirm equity in hiring practices, promotions, and recruitment procedures.
3. Educate Department heads on annual goals and changes to promotion policies, practices and procedures identified through the analysis above through presentations by the Department's Equal Opportunity Advisory Committee at Departmental Senior Staff meetings.
4. Educate all Department of Revenue interviewing officials who are involved in the evaluation and hiring of applicants on the Department's goals as they relate to hiring of marginalized populations through the circulation of the AAP and an AAP summary for hiring managers to interviewing officials. The Plan should be considered by managers during the hiring process to meet the spirit and goals of the Plan.
5. Mandate implicit bias training for all Department of Revenue interviewing officials and hiring managers.

WORKPLACE CULTURE AND CLIMATE

Workplace culture and climate significantly influences leadership, management, workplace practices, policies, and staff experiences within the organization. Encouraging a workplace culture aligned with the Department's values of diversity and inclusion remains a key objective for the Department.

Training new and existing employees within the Department's workforce on topics such as diversity, discrimination, and sexual harassment facilitated by the Office of Diversity, Equity, and Opportunity (ODEO) remains a key component of the Department's plan to continue to encourage a workplace culture of diversity and inclusion.

The Rhode Island Department of Revenue will continue its work to reaffirm a workplace culture of tolerance, diversity and inclusion through the implementation of the following strategies:

1. Mandate implicit bias training for all Department of Revenue interviewing officials and hiring managers.
2. Establish a Department of Revenue Professional Development committee, tasked with the organization and promotion of open-access workshops and lunch-and-learns that support the professional development of DOR staff.
3. Continue to mandate mandatory diversity and sexual harassment training for all DOR employees as a part of employee onboarding.
4. Promote and encourage continuing education, including attendance at events organized by the Department of Revenue Professional Development committee, as mentioned above, through the dissemination of information on opportunities through DOR senior staff to staff within their respective Division.
5. Encourage a climate that celebrates differences, diversity, equity, inclusion and tolerance at every level of the organization.
6. Use the Affirmative Action Plan as a tool to communicate policies and Departmental values to internal staff and the broader public.

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DESCRIPTION OF JOB CATEGORIES

OFFICIALS AND ADMINISTRATORS:

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

PROFESSIONALS:

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

TECHNICIANS:

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

PROTECTIVE SERVICE WORKERS:

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

PARAPROFESSIONALS:

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

ADMINISTRATIVE SUPPORT:

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

SKILLED CRAFT WORKERS:

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

SERVICE/MAINTENANCE:

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

**Racial / Ethnic Designations
Minority Group**

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

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

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

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

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

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

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

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

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

PRIVATE EMPLOYMENT, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:

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

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

AGE:

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

SEX (WAGES):

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

DISABILITY:

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

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:

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

INDIVIDUALS WITH DISABILITIES:

On September 24, 2013, the U.S. Department of Labor's Office of Federal Contract Compliance Programs published a Final Rule in the *Federal Register* that makes changes to the regulations implementing Section 503 of the Rehabilitation Act of 1973, as amended (Section 503) at 41 CFR Part 60-741. Section 503 prohibits federal contractors and subcontractors from discriminating in employment against individuals with disabilities (IWDs) and requires these employers to take affirmative action to recruit, hire, promote, and retain these individuals. The new rule strengthens the affirmative action provisions of the regulations to aid contractors in their efforts to recruit and hire IWDs and improve job

opportunities for individuals with disabilities. The new rule also makes changes to the nondiscrimination provisions of the regulations to bring them into compliance with the ADA Amendments Act of 2008. The new Section 503 regulations became effective on March 24, 2014. However, contractors with a written affirmative action program (AAP) already in place on the effective date have additional time to come into compliance with the AAP requirements. This compliance structure seeks to provide contractors the opportunity to maintain their current AAP cycle.

Highlights of the New Regulations

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

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

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

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

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

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

COVERED VETERANS AND DISABLED VETERANS:

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

Covered veterans means any of the following:

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

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

The Office of Federal Contract Compliance Programs (OFCCP) Employment Standards Administration, U.S. Department of Labor,

200 Constitution Avenue, N.W., Washington, D.C. 20210, (202) 523-9368, or an OFCCP regional or district office, listed in most directories under U.S. Government, Department of Labor.

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

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

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

INDIVIDUALS WITH DISABILITIES:

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

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

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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.

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EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

INDIVIDUALS WITH DISABILITIES:

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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

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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 based on 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 based on sex in educational programs or activities that receive Federal assistance.

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

INDIVIDUALS WITH DISABILITIES:

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

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

TITLE 28 Labor and Labor Relations

CHAPTER 28-5.1 Equal Opportunity and Affirmative Action

SECTION 28-5.1-1

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

excluding those job categories in the legislative branch of state government.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

§ 28-5.1-5 Personnel administration. (a)(1) The office of personnel administration of the department of administration, in consultation with the office of

diversity, equity and opportunity, shall prepare a comprehensive plan indicating the appropriate steps necessary to maintain and secure the equal-opportunity responsibility and commitment of that division. The plan shall set forth attainable goals and target dates based upon a utilization study for achievement of the goals, together with operational assignment for each element of the plan to assure measurable progress.

(2) The office of personnel administration shall:

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

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

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

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

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

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

(c) There is created a six-member (6) committee that shall monitor negotiations with all collective bargaining units within state government specifically for equal-opportunity and affirmative-action interests. The members of that committee shall include the director of the Rhode Island commission for human rights, the associate director of the office of diversity, equity and opportunity, the equal opportunity administrator, the personnel administrator, one member of the house of representatives appointed by the speaker, and one member of the senate appointed by the president of the senate.

§ 28-5.1-6 Commission for human rights.

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

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

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

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

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

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

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

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

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

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

§ 28-5.1-10 State contracts.

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

§ 28-5.1-11 Law enforcement. The attorney general, the department of corrections, and the Rhode Island justice commission shall stress to state

and local law enforcement officials the necessity for nondiscrimination in the control of criminal behavior. These agencies shall develop and publish formal procedures for the investigation of citizen complaints of alleged abuses of authority by individual peace officers. Employment in all state law enforcement and correctional agencies and institutions shall be subject to the same affirmative action standards applied under this chapter to every state unit of government, in addition to applicable federal requirements.

§ 28-5.1-12 Health care.

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

§ 28-5.1-13 Private education institutions.

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

§ 28-5.1-14 State licensing and regulatory agencies.

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

§ 28-5.1-15 State financial assistance.

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

§ 28-5.1-16 Prior executive orders – Effect.

All executive orders shall, to the extent that they are not inconsistent with this chapter, remain in full force and effect.

§ 28-5.1-17 Utilization analysis. (a)(1) The personnel administrator, in consultation with the equal employment opportunity administrator, and the human resources outreach and diversity administrator within the department of administration, shall annually conduct a utilization analysis of positions within state government based upon the annual

review conducted pursuant to §§ 28-5.1-3 and 28-5.1-4.

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

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

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

(b)(1) In the event of a reduction in force, the personnel administrator, in consultation with the equal employment opportunity administrator and director of the department(s) where the reduction is proposed, shall develop a plan to ensure that affirmation action gains are preserved to the extent permitted by law and by collective bargaining agreements. A copy of this plan shall be referred to the Rhode Island commission for human rights which may, in its discretion, investigate whether a violation of chapter 28-5 has occurred. The plan shall be a public record and shall be made available electronically on the secretary of state's website.

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

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

TITLE 28 Labor and Labor Relations

CHAPTER 28-5 Fair Employment Practices

SECTION 28-5-41.1

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

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 individuals with disabilities.



Executive Order 13-05
May 9, 2013
Page 2

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

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

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

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

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



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State of Rhode Island and Providence Plantations
State House
Providence, Rhode Island 02903-1196
401-272-2000

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. Cartieri

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 based on 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:

A handwritten signature in black ink, appearing to read "Donald L. Carcieri", is written over a horizontal line.

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 Horse,
Providence

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

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

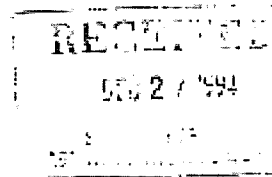
WHEREAS, on June 23, 1994, I signed Executive Order 94-9, reorganizing and enhancing the powers and duties of the MBE Program, and there is now a need to restructure and clarify the responsibilities of the MBE program; and

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

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

Article I - Applicability

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



Article II - Minority Business Enterprise Program

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

(B) The MBE Program shall:

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

RECEIVED

DEC 23 1994

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

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

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

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

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

(C) The MBE Program shall certify MBEs:

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

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

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

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

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DEC 27 1994
DEPARTMENT OF ADMINISTRATION

Executive Order No. 94-22
December 23, 1994
Page 5

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

Associate Director - Department of Administration
Division of Human Resources

State Controller
Department of Administration - Office of Accounts and Control

Chief Civil Rights Officer
Department of Transportation

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

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

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

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

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

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

(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.

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Page 7

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

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

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

DATE

12/27/94


GOVERNOR

RECEIVED
DEC 27 1994

STATE OF RHODE ISLAND
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 93-1

JANUARY 18, 1993

RECEIVED

JAN 19 1993

SECRETARY OF STATE
ADMINISTRATIVE RECORDS DIV.



AFFIRMATIVE ACTION POLICY STATEMENT

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

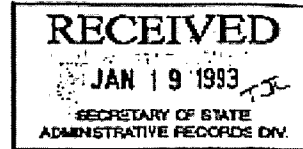
1. Equal Opportunity and Affirmative Action towards its achievement is the firm and unwavering policy of all units of Rhode Island State Government.

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

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

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

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



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

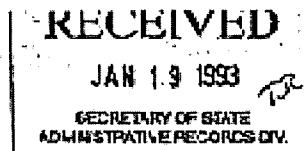
6. All Department Directors and appointing authorities shall appoint a highly placed person, who shall report to the Department Director and who shall be designated as the Departmental Affirmative Action Officer. The Departmental Affirmative Action Officer shall attend at least one EEO training session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

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

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

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

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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

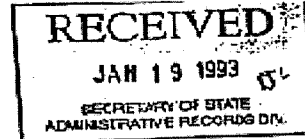
D) work cooperatively and in conjunction with the Departmental Affirmative Action Officers, Departmental MBE Coordinators, and State Officials serving on the Governor's Executive Committee for Affirmative Action.

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 4C 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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Affirmative Action Policy Statement



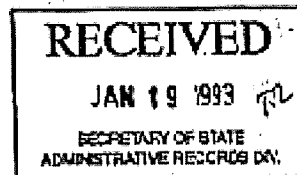
14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

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 275-6246(v) 277-3090 (tdd).

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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 02903-5686
TEL. #277-3731
TDD #277-3761
FAX #277-2833

RI Commission for Human Rights
10 Abbott Park Place
Providence, RI 02903-3758
TEL. #277-2561
TDD #277-2654
FAX #277-2616

RI State Equal Opportunity Office
One Capitol Hill
Providence, RI 02903-5865
TEL. #277-3090
TDD #277-6144
FAX #277-6378

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

DATE

1-12-93

GOVERNOR

A handwritten signature in dark ink, appearing to be "R. G. Smith", written over a horizontal line that serves as the signature line for the Governor.

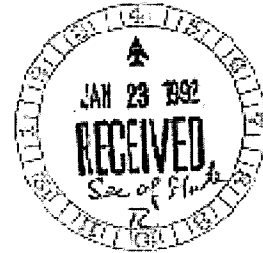
State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

NO. 92-2

JANUARY 23, 1992



COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

State House,
Providence

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

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

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

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

WHEREAS, the Coordinating Committee, chaired by Nancy Husted Jonson 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



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

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

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

This Executive Order shall take effect on the date hereof.

Date

1-23-92

Governor

A handwritten signature in dark ink, appearing to read "Joseph I. Blumenthal", written over a horizontal line.



Edward D. DiPrete
Governor

State of Rhode Island and Providence Plantations

LEGISLATIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REFUGEE POLICY

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

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

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

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

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

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

Executive Order 86-11
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 ("VOIAGS") 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,

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April 15, 1986

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

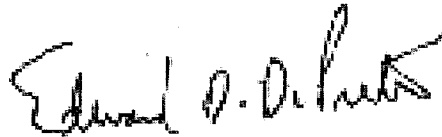
7. Transitional Education Program -

RIOBE 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 -

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

This Executive Order shall take effect on the date hereof.



Edward D. DiPrete
Governor



Edward D. DiPrete
Governor

State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 85-16

JULY 23, 1985

SECTION 504 COORDINATOR

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

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

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

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

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

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

- b. Coordinating the formulation and review of transition plans with advisory panels who may represent handicapped organizations.
- c. Granting final approval of transition plans and department use of program accessibility.
- d. Managing the construction, design or alterations of buildings and sites necessary to bring all programs into compliance.
- e. Authorization to coordinate and mediate matters concerning 504 compliance.
- f. Assisting public and private sectors through the use of proper agencies or 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. 30-16 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 Division of Human Resources 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 Division of Human Resources 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:

DIVISION OF HUMAN RESOURCES
(401) 574-8381
HRInvestigations@hr.ri.gov
Revised (2021)

**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

Signature: _____

Date: _____

RIEEO 5/09A

REVISED 7/02/2002

RI SEEO (401) 222-3090

Additional Comments:



STATE OF RHODE ISLAND DEPARTMENT OF ADMINISTRATION

**Division of Equity, Diversity and Inclusion
State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-5890
401-222-3090**

DISCRIMINATION COMPLAINT PROCEDURE

Handling employee complaints internally is a highly sensitive, multi-faceted process that may involve many people. The purpose of this procedure is to make sure complaints (harassment, discrimination, workplace violence, or retaliation) are investigated in a timely manner and any appropriate corrective action is taken to ensure inappropriate and/or illegal actions and behaviors cease immediately.

The Division of Human Resources Site Operations / Business Partner Team investigates HR-related complaints across Executive Agencies. This includes complaints related to discrimination, harassment, sexual harassment, workplace violence and retaliation.

When the HR Site Operations / Business Partner Team receives a complaint, it will promptly and thoroughly investigate the allegations. The HR Site Operations / Business Partner Team will also maintain regular contact with employees involved in the complaint throughout the process.

How to Report a Complaint

A person may report a complaint orally or in writing to the Division of Human Resources, Site Operations / Business Partner Team or continue to report through any existing channels, including the employee's supervisor or manager, Executive Director of Human Resources, Human Resources Chief of Staff, and the Office of Diversity, Equity and Opportunity (DEDI). The reported complaint will be brought to the Division of Human Resources Site Operations / Business Partner Team who will investigate all complaints.

Employees can report a complaint directly to Human Resources in any of the following ways:

- Complete a Complaint Form - Fillable .pdf available at www.hr.ri.gov
- Phone 1-401-574-8381
- Email: HRInvestigations@hr.ri.gov

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 of Rhode Island may defer to either commission for investigation and any resolution and/or prosecution of any charge.

DISCRIMINATION COMPLAINT INFORMATION FORM

1. Complainant Information:
State your name and address

Name

Address

City State Zip Code

Telephone Number(s)/Email Address

Work: _____

Cell: _____

Home: _____

Email: _____

2. Name of Department:

3. Name of Immediate Supervisor:

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

Name Title

Name Title

Name Title

5. Basis of alleged Complaint:

____ Race

____ Color

____ Sex

____ Age: (40 or above)

____ National Origin

____ Disability

____ Religion

____ Sexual Orientation

____ Gender Identity or Expression

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

____ Retaliation

Explain Basis:

6 Date of alleged violation: _____

7 Place of alleged violation: _____

(_____)

Case Number

RIE00-03-87 Revised 2018

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

9. Why do you believe these events occurred?

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

11. 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

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

RETALIATION OR COERCION STATEMENT

An employee or agent of the Department of Revenue who shall discriminate against an individual through the use of retaliation, coercion, intimidation, threats or other such action because such individual has filed a complaint, testified or participated in any way in any investigation proceeding or hearing regarding discrimination in employment or public service or because such individual has opposed any act made unlawful under the Americans with Disabilities Act (ADA) of 1990 or Rhode Island Fair Employment Practices Act or any rules and regulations issued pursuant to either, shall be subject to disciplinary action. Said action may include suspension from employment or dismissal where the discrimination is found to be willful or repeated.

EXIT INTERVIEW SIGN-OFF FORM

DIVISION OF EQUITY, DIVERSITY, AND
INCLUSION (DEDI) STATE EQUAL
OPPORTUNITY OFFICE
One Capitol Hill
Providence, RI 02908-5865
eoo.compliance@doa.ri.gov

Rhode Island Department of Revenue

NAME OF EMPLOYEE (Please print or type)

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

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

SIGNATURE OF EMPLOYEE

DATE EMPLOYEE SIGNED

DATE EXIT INTERVIEW WAS
GIVENTO EMPLOYEE

SIGNATURE OF HUMAN RESOURCES
REPRESENTATIVE

INSTRUCTIONS:

The Human Resources Representative must distribute a copy of the Confidential Exit Survey along with any necessary documents to the terminating employee. The Human Resources Representative must place a copy of the Exit Interview Sign-Off Form in the employee's personnel file. (eoo.compliance@doa.ri.gov) immediately upon completion.

Rhode Island State Equal Opportunity Office

CONFIDENTIAL EXIT SURVEY

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

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

NAME: _____
ADDRESS: _____
TELEPHONE: _____
EMAIL: _____

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

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

Race/Ethnic Categories

White
Black
Asian

American Indian or Alaska Native
Native Hawaiian or Pacific Islander

Hispanic
Two or More Races

Gender Categories

Female
Male

Other Protected Classes

Disabled
Veteran
Age: 40 & over

CONFIDENTIAL EXIT SURVEY INQUIRY

(continued)

1. What is your main reason for leaving?

2. What did you like best about your job?

3. What did you dislike about your job?

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

Yes No

Please explain: _____

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

Yes No

Please explain: _____

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

Yes No

Please explain: _____

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

Yes No

Please explain: _____

8. Did you receive fair treatment while employed?

Yes No

Please explain: _____

9. Do you feel you were discriminated against?

Yes No

Please explain: _____

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

Yes No

Please explain: _____

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

Yes No

Please explain: _____

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

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

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

Comments

CONFIDENTIAL EXIT SURVEY INQUIRY
(continued)

Comments

Submission Instructions

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

You may also mail this form to:

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

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

RIEEO-03/78
(Revised September 2018)

AFFIRMATIVE ACTION FILE

TO BE COMPLETED BY APPLICANT OR EMPLOYEE ONLY

Applicant or Employee

Address
 Number Street City State Zip Code

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

Female Male

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

FOR PERSONNEL USE ONLY

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

RACIAL/ETHNIC CATEGORIES

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

DISABLED:

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

EQUAL OPPORTUNITY ADVISORY COMMITTEE GUIDELINES



Descriptions

The **Equal Opportunity Advisory Committee (EOAC)** is a committee designed to review the agency's policies and procedures for equal opportunity, monitor the agency's equal opportunity goals, and advise the agency Director on ways to improve and enhance their equal opportunity efforts.

The **Diversity Liaisons**, working in partnership with ODEO and his/her Human Resources hiring managers and purchasing staff, will assist with developing, implementing and monitoring diversity hiring goals and measuring and monitoring department Minority Business Enterprise (MBE), Women-Owned Business Enterprises (WBE) and Disability Business Enterprises (DBE) participation as related to department procurements and contracts.

The **Diversity Advisory Council (DAC)** is now a subcommittee of the EOAC. The DAC is a committee designed to guide and support the department or agency leadership on developing organizational changes and proactive strategies that will advance the goals of diversity and inclusion in the workplace. The EOAC members can have the option to be members of the DAC. DAC membership is open to all employees and it is encouraged to have members from all Divisions and all roles as well as management levels.

Diversity Affinity Group (DAG) is a subcommittee of the Diversity Council and their main role is to assist with recruitment by sharing job opportunities within their network and in a volunteer basis assist in the hiring process as members on interview panels.

EQUAL OPPORTUNITY ADVISORY COMMITTEE*
GUIDELINES 2022-2023

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:

Bearee Henglatsamy, Programming Services Officer
State Equal Opportunity Office
Division of Equity, Diversity and Inclusion
Department of Administration
One Capitol Hill
Providence, RI 02908
TEL # (401) 222-3090
Rhode Island Relay: 711
Email: bearee.henglatsamy@doa.ri.gov

ENFORCEMENT AGENICES

Department of Administration

Office of Diversity, Equity and Opportunity

State Equal Opportunity Office

One Capitol Hill

Providence, RI 02908

TEL # (401) 222-3090

FAX # (401) 222-2490

Eoo.compliance@doa.ri.gov

RI Commission for Human Rights

180 Westminster St. Ste. 3

Providence, RI 02903-1918

TEL # (401) 222-2661/ Voice

TDD # (401) 222-2664

FAX # (401) 222-2616

U.S. Equal Employment Opportunity Commission

1801 L Street NW

Washington, D.C. 20507

TEL # (202) 663-4900/ Voice

TDD # (800) 800-3302

TDD # (202) 663-4494 (for all Area Codes)

Department of Justice

Office of the Americans with Disabilities Act

Civil Rights Division

P.O. Box 66118

Washington, D.C. 20035-6118

TEL # (202) 514-0301/ Voice

TDD # (202) 514-0381

(202) 514-6193 (Electronic Bulletin Board)