



State of Rhode Island and Providence Plantations  
Office of the General Treasurer

**Seth Magaziner**  
General Treasurer

September 30, 2019

Cheryl Burrell, Associate Director  
Department of Administration  
Office of Diversity, Equity and Opportunity  
One Capitol Hill, 3<sup>rd</sup> Floor  
Providence, RI 02908

Dear Ms. Burrell,

I am enclosing for your review a copy of the Affirmative Action Plan for 2019-2020 for the Office of the General Treasurer.

Please feel free to contact me if you have any questions. My phone number is 462-7664. Thank you.

Sincerely,

Andrew Manca  
Chief Operating Officer

Accepted by:

Date: Sept 30, 2019

Approved by:

  
ODEO/State Equal Opportunity Office

Date: 11/5/2019

## **AGENCY ORGANIZATION AND STRUCTURE**

## **OFFICE OF THE GENERAL TREASURER**

### **Jurisdiction, Purpose and Background**

The Office of the General Treasurer was founded in 1640 and pre-dates the Royal Charter of 1663. The position of General Treasurer is established under the Rhode Island Constitution as one of the five General Officers subject to election by voters. The General Treasurer is the custodian of State funds and is responsible for the safe and prudent management of state finances.

The General Treasurer presides as Chair of:

- The State Investment Commission
- The Employees' Retirement System of Rhode Island Retirement Board
- The Public Finance Management Board

The General Treasurer also serves as a board member of:

- The Rhode Island Infrastructure Bank
- The Rhode Island Housing and Mortgage Finance Corporation Board
- The Rhode Island Student Loan Authority
- The Rhode Island School Building Authority
- The Rhode Island School Building Task Force
- The State Properties Committee

The General Treasurer is also responsible for the care and management of the Abraham Touro Fund, Childhood Disease Fund and the CollegeBoundSaver and 529.

### **Departments**

Several departments fall under the control and guidance of the General Treasurer. They are:

- Employees' Retirement System of Rhode Island
- Investments
- Unclaimed Property
- Business Office Operations
- Crime Victim Compensation Program

### **Employees' Retirement System of Rhode Island**

The Retirement department serves as the administrative unit for participating public employee groups, including state, teacher and municipal employees. This department calculates pensions issues payments to retirees, and administers survivor, disability, and death benefits to members and qualified beneficiaries. This department also tracks contributions made from all

members and accounts for fund assets. Included within this department is the administration of the 401(a) and 457 retirement savings plans.

### **Investments**

The Investments department delivers daily administration services to the State Investment Commission and certain state government entities. It ensures funds are managed in a careful and prudent manner to maximize return on investments. This department ensures all funds are recorded and disbursed in accordance with the intent of State law. The department is divided into two functions: short-term and long-term investments. The Investments department monitors investment managers for compliance with State guidelines. It is the interface between custodian, consultants and fund managers on administrative matters and transfer of funds. The department reports to the State Investment Commission on investment performance and implements State Investment Commission policies. Included within this department is the administration of the 529 and 529A savings plans.

### **Unclaimed Property**

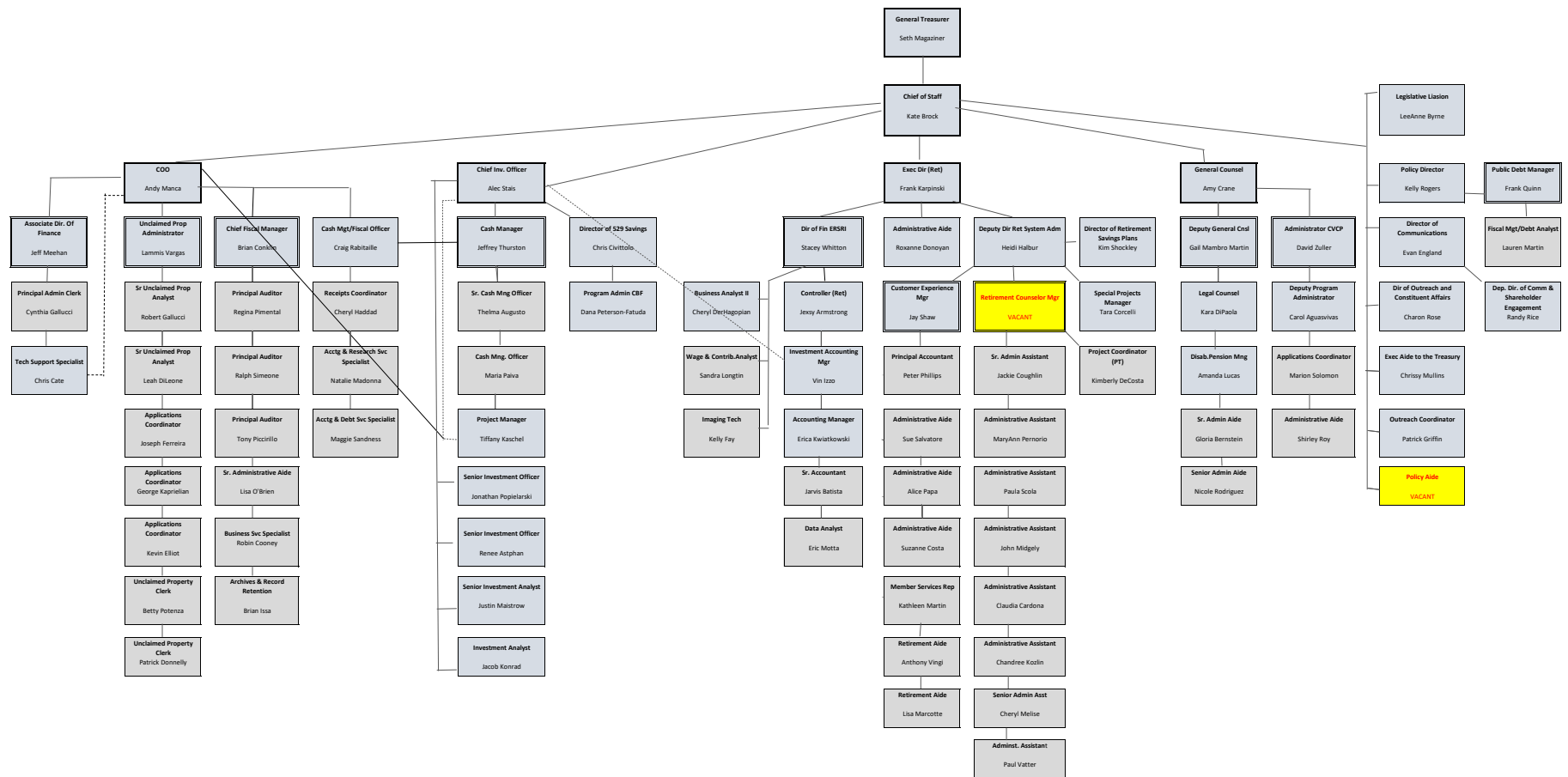
The Unclaimed Property department collects unclaimed property for the purpose of returning it to its rightful owners. This department maintains data on all properties escheated to the State since the inception of this program. The department monitors compliance with the law through internal review of reports filed and through an external audit program that examines financial institutions, corporations, businesses, and other entities.

### **Business Office**

The Business Office prints, validates and distributes vendor/non-vendor checks and issues replacement of checks. This division facilitates the internal transfer of State funds for necessary payroll taxes and retirement contributions. The Business office is responsible for the reconciliation of a majority of State bank accounts both to bank statement balances and to the controller's records.

### **Crime Victim Compensation Program**

The Crime Victim Compensation Program attempts to offset an individual's financial loss suffered as a result of a violent crime. It provides up to \$25,000 in reimbursement for expenses related to violent crime, including medical expenses, relocation, funeral and burial expenses, loss of earnings, and others. This department administers funds from the court system, the federal matching grant program, and other grants.




## **PLAN ADMINISTRATION**

**OFFICE OF THE GENERAL TREASURER**

**POLICY ON SEXUAL HARASSMENT**

The Office of the General Treasurer hereby adopts the following Policy on Sexual Harassment issued by the State of Rhode Island Department of Administration on April 2, 2018.

\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019



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

**Human Resources 2018**

**Sexual Harassment Policy**

04-02-18

**Kyle Adamonis**

401-222-5664

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

**1. Scope**

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

**2. Introduction**

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

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

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

**3. Definition of Sexual Harassment**

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

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



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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

## **9. Disciplinary Action**

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

## **10. Legal References**

This policy is administered in accordance with the following:

### Federal Law:

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

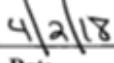


Rhode Island General Laws:

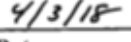
Title 28, Chapters 5, 5.1, 6 and 51.

11. Signatures

  
Division Director

  
Date

  
Director of Administration

  
Date



## **OFFICE OF THE GENERAL TREASURER**

### **STATEMENT OF POLICY ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION**

**It is the policy of this agency 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 Office of the General Treasurer will strive to ensure that all employees adhere to the following directives.**

The Office of the General Treasurer supports affirmative action and equal opportunity. The Office of the General Treasurer 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 Office of the General Treasurer 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 Office of the General Treasurer is committed to employ qualified members of both protected and non-protected groups.

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

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

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


The Americans with Disabilities Act/504 Coordinator for the Office of the General Treasurer is Amy Crane, General Counsel.

The Office of the General Treasurer is committed to identifying and eliminating past and present effects of discrimination in employment. In order to achieve this, we will identify those classes of individuals which are underrepresented in our workforce, set goals and timetables for increasing our employment of those underrepresented groups, and implement an Affirmative Action Plan of

outreach, recruitment, training, and other similarly designed programs.

The Chief Operating Officer is responsible for ensuring that the program is coordinated within the Office of the General Treasurer.

As the Chief Operating Officer of the Office of the General Treasurer, I assume the responsibility for ensuring that this equal opportunity policy will be carried out within the agency.

\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

### **EQUAL OPPORTUNITY ADVISORY COMMITTEE**

Jexsy Armstrong	Controller	Hispanic	Female
Cheryl DerHagopian	Business Analyst	White	Female
Kara DiPaola	Legal Counsel	White	Female
Dana Fatuda	Program Administrator	Black	Female
Lauren Martin	Fiscal Management Analyst	White	Female
Justin Maistrow	Senior Investment Analyst	White	Male
Nicole Rodriguez	Senior Administrative Aide	Hispanic	Female
Charon L. Rose	Director of Outreach & Constituent Relations	Black	Female
Kimberly Shockley	Director of Retirement Savings Plans	White	Female
Alec Stais	Chief Investments Officer	White	Male

The Equal Opportunity Advisory Committee at the Office of the General Treasurer is designed to review Treasury's policies and procedures regarding equal opportunity, monitor Treasury's equal opportunity goals, and advise the Treasurer on ways to improve and enhance our equal opportunity efforts. The EOAC will set short- and long-term goals and objectives, identify areas of possible discrimination, assist with the annual Affirmative Action Plan, monitor the progress of goals and programs, and will issue progress reports. The EOAC will host or facilitate training for Treasury staff about equal opportunity, diversity and inclusion. The EOAC hopes to plan at least one cultural appreciation/diversity event annually. The EOAC meets on the first Thursday of every month.

Because the Office of the General Treasurer is a smaller agency, the roles and responsibilities of the Diversity Advisory Committee and the Diversity Affinity Group will be included in the roles and responsibilities of the EOAC. Kara DiPaola serves as the Chairperson of the EOAC and as the Diversity Liaison. Nicole Rodriguez serves as the Secretary of the EOAC. Cheryl DerHagopian and Dana Fatuda serve as co-Diversity Liaisons.

### **Meetings between July 1, 2018 and June 30, 2019**

June 3, 2019	EOAC Informational Session	no minutes taken
June 4, 2019	EOAC Informational Session	no minutes taken

## **RESPONSIBILITIES OF DIVISION HEADS, SUPERVISORS AND EMPLOYEES**

### **Director**

The General Treasurer of the State of Rhode Island will exercise a leadership role in administering the agency's Affirmative Action Plan and supporting the goals of equal opportunity and affirmative action. The Treasurer will promote opportunity on an equal basis to all applicants, claimants, employees and customers.

### **Chief Operating Officer**

The Chief Operating Officer will keep the Equal Opportunity Advisory Committee Chairperson and Diversity Liaison informed of changes in personnel and policy. The COO will provide data regarding personnel hires, promotions, turnover rates and terminations. This information will be a basis to determine progress, initiate equal employment opportunity adjustments designed to enhance career development and upgrade positions where target groups are underrepresented.

### **EOAC Chairperson/Diversity Liaison**

Authority and responsibility for development and implementation of the Department's equal employment opportunity and Affirmative Action Plan are delegated to the EOAC Chairperson and the Diversity Liaison. The Chairperson and Diversity Liaison report directly to the Chief Operating Officer on all equal employment opportunity matters. They shall be provided with support to ensure equal employment opportunity and affirmative action policies are consistent with federal and state laws and regulations.

### **Administrators/Managers/Supervisors**

It is the responsibility of every Administrator, Manager and Supervisor in Treasury to understand and support the Department's Affirmative Action Plan. Administrators, managers and supervisors are responsible for the on-going development, implementation and evaluation of affirmative action activities within their respective work unit. Further, they will ensure employees and customers receive support and service in keeping with the affirmation action and equal opportunity goals and principles set forth in this plan.

### **Employees**

All employees are expected to be familiar with and support the department's equal opportunity goals and Affirmative Action Plan. As representatives of the Treasury Department, employees shall conduct themselves in a respectful and courteous manner. Their interaction with fellow workers and customers should be in keeping with the precepts set out in this plan. Employees are responsible for appraising management of



situations where the spirit and intent of equal opportunity and the Affirmative Action Plan are not being followed.

**Americans with Disabilities Act/504 Coordinator**

Authority and responsibility for the Department's Americans with Disabilities Act/504 compliance for individuals with disabilities are delegated to General Counsel for the Office of the General Treasurer. The Americans with Disabilities Act/504 Coordinator reports directly to the Chief of Staff on matters related to individuals with disabilities. The Coordinator will ensure that the Department's policies, programs and environment are consistent with federal and state guidelines.

## **RESPONSIBILITIES OF THE DIVERSITY LIAISON**

The Diversity Liaison is tasked with identifying opportunities to increase diversity within Treasury. To accomplish this task, the DL should facilitate coordination with the Office of Diversity, Equity & Opportunity when a job opening within Treasury is considered an opportunity to increase diversity.

1. After a job is posted, Treasury's Chief Operating Officer will reach out to the Office of Diversity, Equity & Opportunity at the Department of Administration to request that ODEO share the posting within their networks. The Diversity Liaison within Treasury should be informed of this request.
2. The COO will consult the DL and Treasury's Affirmative Action Plan to determine if this job/job category has historically not been held by an employee in an underrepresented category.
3. If the job/job category has historically been held by an employee in an underrepresented category, hiring can continue without assistance from the DL or the Diversity Affinity Group.
4. If the job/job category has not historically been held by an employee in an underrepresented group, the DL must ensure the interview/selection team for the job is diverse.
5. To ensure a diverse interview/selection team, the DL may request that a member of the DAG within Treasury sit on the interview/selection team. This member should have relevant or congruent experience to the job posting.
6. If no member of the DAG within Treasury has relevant or congruent experience to the job posting, the DL should consult ODEO to seek a member of another agency's DAG to sit on the interview/selection team. This member should have relevant or congruent experience to the job posting.

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**PROCEDURES FOR RESPONDING TO DISCRIMINATION  
COMPLAINTS FROM EMPLOYEES, CLIENTS, CUSTOMERS,  
PROGRAM PARTICIPANTS, OR CONSUMERS OF THE OFFICE OF  
THE GENERAL TREASURER**

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Table of Contents

1.	Introduction.....	1
2.	Policy.....	1
3.	Definitions.....	2
4.	Complaint Procedures.....	2
5.	Processing Complaint Procedures.....	3
6.	Training.....	4
Appendix A- Discrimination Complaint Form		

## 1. Introduction

This policy establishes the procedures for Office of the General Treasurer (“Treasury”) employees to follow when they receive a complaint alleging discrimination from employees or from clients, customers, program participants, or consumers of a Treasury service that implements funding from the U.S. Department of Justice (“DOJ”).

## 2. Policy

The Office of the General Treasurer adheres to the policy that all individuals have the right to participate in programs and activities operated by the Treasury regardless of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. To that end, the Treasury will ensure that it is in compliance with the following statutes and regulations, as applicable:

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin in the delivery of services (42 U.S.C. § 2000d), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. C;
- Applicable program statutes, including the Omnibus Crime Control and Safe Streets Act of 1968, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, and sex in the delivery of services and employment practices (42 U.S.C. § 3789d(c)(1)), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. D; the Violence Against Women Act of 1994, as amended, which prohibits discrimination on the basis of actual or perceived race, color, religion, national origin, sex, gender identity, sexual orientation, and disability in the delivery of services and employment practices (42 U.S.C. § 13925(b)(13)); the Victims of Crime Act of 1984, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, sex, and handicap in the delivery of services and employment practices (42 U.S.C. § 10604(e)); and the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, which prohibits discrimination on the basis of race, color, national origin, religion, and sex in the delivery of services and employment practices (42 U.S.C. § 5672(b));
- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. G;
- Title II of the Americans with Disabilities Act of 1990, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. pt. 35;
- Title IX of the Education Amendments of 1972, which prohibit discrimination on the basis sex in educational programs (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. pt. 54; and

- The Age Discrimination Act of 1975, which prohibits discrimination on the basis of age in the delivery of services (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. I.

These laws prohibit agencies from retaliating against an individual for taking action or participating in an action to secure rights protected by these laws.

### 3. Definitions

- Complaint Coordinator- the person designated by the Treasury to ensure that received complaints are acted upon properly and in a timely manner.
- Complainant- the individual making the complaint of discrimination.
- Discrimination- unfair treatment of one person or group usually because of prejudice about race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability.
- Retaliation- the act of harassing, threatening, demoting, firing, or otherwise negatively targeting a complainant as a direct result of the discrimination complaint.

### 4. Complaint Procedures

An employee or a client, customer, program participant, or consumer of a Treasury service that implements funding from the DOJ may submit a complaint of discrimination regarding the Treasury. The complaint must be in writing and sent to the Complaint Coordinator listed below:

Chief Operating Officer  
Office of the General Treasurer  
50 Service Avenue  
Warwick, RI 02886

The complaint must contain at a minimum the following information:

- Name of complainant;
- Contact information for complainant (phone number and address);
- Name of entity against whom the complaint is brought;
- Contact information for entity, including name of person to contact (if possible);
- Type of complaint (race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, disability);
- Date(s) of the event(s) of discrimination; and
- Description of the event(s) of discrimination (what happened) to cause need for complaint.

## 5. Processing Complaint Procedures

The Chief Operating Officer for the Office of the General Treasurer shall serve as the Complaint Coordinator.

If an employee or a client, customer, program participant, or consumer of a Treasury service that implements funding from the DOJ contacts a Treasury employee and wishes to file a complaint of discrimination against Treasury, the Treasury employee shall instruct the complainant to submit the complaint in writing in accordance with the procedures discussed above.

The Treasury employee who receives the complaint shall route the complaint to the Complaint Coordinator within five (5) business days of receipt.

The Complaint Coordinator shall provide written acknowledgement of the complaint to the complainant with an explanation of Treasury's complaint process within five (5) business days of the Complaint Coordinator's receipt.

If the complainant is a client, customer, program participant, or consumer, the Complaint Coordinator shall review the complaint and refer it to the State of Rhode Island Public Safety Grant Administration Office ("PSGAO") for further review, investigation, and resolution. The complaint shall be forwarded to the PSGAO within 10 business days of the Complaint Coordinator's receipt. Complainants should review the PSGAO complaint procedures for more information.

If the complainant is an employee of Treasury, the Complaint Coordinator shall review the complaint and shall refer it to the U.S. Equal Employment Opportunity Commission ("EEOC") for further review, investigation, and resolution. The complaint shall be forwarded to the EEOC within 10 business days of the Complaint Coordinator's receipt. Complainants should review the EEOC complaint procedures for more information.

The Complaint Coordinator shall notify the PSGAO of any discrimination complaint that is not referred to the PSGAO for investigation.

**A complainant may file a complaint of discrimination directly with the PSGAO, the U.S. Equal Employment Opportunity Commission ("EEOC"), or the U.S. DOJ Office for Civil Rights ("OCR").**

- The complaint procedures for the PSGAO may be found here:  
<http://psga.ri.gov/grantforms/index.php>
- The complaint procedures for the EEOC may be found here:  
<https://www.eeoc.gov/employees/charge.cfm>
- The complaint procedures for the OCR may be found here:  
<https://ojp.gov/about/offices/ocr.htm>

## 6. Training

Treasury staff shall be periodically trained regarding their responsibilities under these procedures. The procedures will be placed on the Treasury website for access by all Treasury employees and the general public.

- a. The initial complaint procedures will be disseminated to all Treasury employees.
- b. All subsequent updates to these procedures will be reviewed by employees in the same manner as the initial procedures.
- c. The updated procedures will replace outdated policies and procedures on the Treasury website.

These procedures shall be reviewed yearly by Treasury's General Counsel, the 504 Coordinator, and the Chief Operating Officer or Chief of Staff for necessary updates.

## Appendix A

### Discrimination Complaint Form



## DISCRIMINATION COMPLAINT FORM

- The attached form may be used to assist you in filing a civil rights discrimination complaint with the Office of the General Treasurer.
- You are not required to use this form, and a letter containing the same information is sufficient. However, the information required by Treasury's Procedures for Responding to Discrimination Complaints **Section 4** must be included.
- Any questions about the attached form may be directed to the Complaint Coordinator. The Complaint Coordinator's contact information may be located in Treasury's Procedures for Responding to Discrimination Complaints, located on the Treasury website.



# RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY

## *Public Safety Grant Administration Office*

One Capitol Hill, Providence, RI 02908  
Telephone: (401) 222-2620 — Fax: (401) 222-1294

Colonel Steven G. O'Donnell  
Commissioner, Department of Public Safety  
Superintendent, Rhode Island State Police

Thomas H. Mongeau  
Administration Manager  
Public Safety Grant Administration Office

## DISCRIMINATION COMPLAINT FORM

The purpose of this form is to assist you in filing a civil rights discrimination complaint with the RI Public Safety Grant Administration Office. The time you take to fill out this form is appreciated, as the RI Public Safety Grant Administration Office needs to know if and when unlawful discrimination is alleged against itself or one of its subgrantee agencies.

The RI Public Safety Grant Administration Office may use this form in investigating allegations of discrimination, though action by the RI Public Safety Grant Administration Office is not a substitute for legal or other remedies that may be available to you. Please be aware that time frames for filing a discrimination complaint may apply and that retention of legal counsel may be necessary to safeguard your rights. Please also know that antidiscrimination laws may contain non-retaliation provisions that are designed to protect against action taken against persons who file or participate in claims of unlawful discrimination.

You are not required to use this form and a letter containing the same information is sufficient. However, the information requested in the items marked with an asterisk (\*) must be provided, regardless of whether or not this particular form is used.

### 1. Complainant's name and address:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Telephone No: Home: (\_\_\_\_) \_\_\_\_\_ Work: (\_\_\_\_) \_\_\_\_\_

### 2.\* Person(s) discriminated against, if different from above:

Name: \_\_\_\_\_

Address: \_\_\_\_\_ Zip \_\_\_\_\_

Telephone: Home: (\_\_\_\_) \_\_\_\_\_ Work: (\_\_\_\_) \_\_\_\_\_

Please explain your relationship to this person(s).

### 3.\* Agency and department or program that discriminated:

Name: \_\_\_\_\_

**DISCRIMINATION COMPLAINT FORM - CONTINUED**

Any individual if known: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Telephone No: (\_\_\_\_) \_\_\_\_\_

**4A.\* Non-employment: Does your complaint concern discrimination in the delivery of services and/or other discriminatory actions by the department or agency in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken:**

\_\_\_\_\_ Race/Ethnicity: \_\_\_\_\_

\_\_\_\_\_ National origin: \_\_\_\_\_

\_\_\_\_\_ Sex: \_\_\_\_\_

\_\_\_\_\_ Religion: \_\_\_\_\_

\_\_\_\_\_ Age: \_\_\_\_\_

\_\_\_\_\_ Disability: \_\_\_\_\_

\_\_\_\_\_ Other: \_\_\_\_\_

**4B.\* Employment: Does your complaint concern discrimination in employment by the department or agency? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken.**

\_\_\_\_\_ Race/Ethnicity: \_\_\_\_\_

\_\_\_\_\_ National origin: \_\_\_\_\_

\_\_\_\_\_ Sex: \_\_\_\_\_

\_\_\_\_\_ Religion: \_\_\_\_\_

\_\_\_\_\_ Age: \_\_\_\_\_

\_\_\_\_\_ Disability: \_\_\_\_\_

\_\_\_\_\_ Other: \_\_\_\_\_

**5. What is the most convenient time and place for us to contact you about this complaint?**

\_\_\_\_\_

**DISCRIMINATION COMPLAINT FORM - CONTINUED**

**6. If we will not be able to reach you directly, please give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:**

Name: \_\_\_\_\_

Telephone No: (\_\_\_\_) \_\_\_\_\_

**7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Telephone No: (\_\_\_\_) \_\_\_\_\_

**8.\* To the best of your recollection, on what date(s) did the alleged discrimination take place?**

Earliest date of discrimination: \_\_\_\_\_

Most recent date of discrimination: \_\_\_\_\_

**9.\* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case.)**

**DISCRIMINATION COMPLAINT FORM - CONTINUED**

**10. The anti-discrimination laws we monitor for prohibit recipients of Department of Justice funds from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #9), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.**

**11. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.**

Name

Address

Area Code/Telephone

**12. Do you have any other information that you think is relevant to our investigation of your allegations?**

**13. What remedy are you seeking for the alleged discrimination?**

**14. Have you (or the person discriminated against) filed the same or any other complaints with other offices (including the Equal Employment Opportunity Commission or the Civil Rights Division of the Rhode Island Office of Attorney General?**

Yes \_\_\_\_ No \_\_\_\_

**DISCRIMINATION COMPLAINT FORM - CONTINUED**

If so, do you remember the Complaint Number?

\_\_\_\_\_

Against what agency and department or program was it filed?

\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Zip \_\_\_\_\_

Telephone No: (\_\_\_\_) \_\_\_\_\_

Date of Filing: \_\_\_\_\_ Other Office: \_\_\_\_\_

Briefly, what was the complaint about?

What was the result?

**15. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?**

\_\_\_\_\_ U.S. Equal Employment Opportunity Commission

\_\_\_\_\_ Federal or State Court

\_\_\_\_\_ Your State or local Human Relations/Rights Commission

\_\_\_\_\_ Grievance or complaint office

**16. If you have already filed a charge or complaint with an agency indicated in #15, above, please provide the following information (attach additional pages if necessary):**

Agency: \_\_\_\_\_

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

Case or Docket Number: \_\_\_\_\_

Date of Trial/Hearing: \_\_\_\_\_

Location of Agency/Court: \_\_\_\_\_

Name of Investigator: \_\_\_\_\_

Status of Case: \_\_\_\_\_

**DISCRIMINATION COMPLAINT FORM - CONTINUED**

Comments:

**17. While it is not necessary for you to know about aid that the agency or institution you are filing against receives from the Federal government, if you know of any Department of Justice funds or assistance received by the program or department in which the alleged discrimination occurred, please provide that information below.**

**18. How did you learn that you could file this complaint? Please advise so that the RI Public Safety Grant Administration Office can better improve its strategy for responding to allegations of unlawful discrimination:**

**19.\* We cannot proceed with a complaint if it has not been signed. Please sign and date below:**

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

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

Please feel free to add additional sheets to explain the present situation to us.

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**STATE OF RHODE ISLAND**  
**OFFICE OF THE GENERAL TREASURER**  
**504 COORDINATOR ROLES AND RESPONSIBILITIES**

---

**1. Introduction**

This policy establishes the role and responsibilities for the 504 Coordinator of the Office of the General Treasurer (“Treasury”).

**2. Policy**

The Office of the General Treasurer adheres to the policy that all individuals have the right to participate in programs and activities operated by the Treasury regardless of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. To that end, the Treasury will ensure that it is in compliance with the following statutes and regulations, as applicable:

- Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of disability in the delivery of services and employment practices (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. pt. 42, subpt. G;

The above law and regulation prohibit discrimination on the basis of handicap in any program or activity receiving federal financial assistance. These laws apply to Treasury insofar as Treasury receives federal assistance or funding. Further, the laws prohibit agencies from retaliating against an individual for taking action or participating in an action to secure rights protected by these laws.

**3. 504 Coordinator**

Pursuant to federal law and regulation, Treasury is required to designate a 504 Coordinator to coordinate and ensure compliance with the prohibitions against disability discrimination contained in 28 C.F.R. pt. 42, subpt. G. The 504 Coordinator shall be designated in writing by the Treasury Chief Operating Officer or Chief of Staff and shall be the main point of contact for questions from employees or members of the public regarding accommodations and services under Section 504. The current 504 Coordinator is:

General Counsel  
Office of the General Treasurer  
50 Service Avenue  
Warwick, RI 02886  
401-462-7650



#### 4. Roles and Responsibilities

- a. The 504 Coordinator shall:
  - i. be responsible for maintaining up-to-date knowledge of Section 504 of the Rehabilitation Act of 1973 and regulation 28 C.F.R. pt. 42, subpt. G and ensuring Treasury's compliance with such;
  - ii. receive accommodation requests, questions, or concerns from employees or members of the public and process them according to Treasury procedure;
  - iii. review, process, and ensure investigation of claims of disability discrimination in accordance with Treasury's Procedures for Responding to Discrimination Complaints;
  - iv. review and approve Treasury's Procedures for Responding to Discrimination Complaints and any amendments thereto;
  - v. ensure that employees of Treasury and members of the public are notified that Treasury does not discriminate on the basis of disability; and
  - vi. ensure that employees of Treasury and members of the public are notified regarding how and where to file a discrimination complaint.

## **DISSEMINATION OF PLAN AND POLICY**

### **Internal Dissemination**

The Rhode Island Office of the General Treasurer disseminates the Affirmative Action Plan and included policies internally as follows:

- 1) The Employee Handbook contains an Equal Employment Opportunity and Affirmative Action Policy. The Handbook is circulated yearly among the Treasury staff. There is an annual training about the Handbook.

### **Recommendations for Improvements**

- 1) The AAP and its location can be referenced in the Employee Handbook.
- 2) The Treasurer's office can include a link to the online version of the AAP in the Employee Handbook.
- 3) The AAP can be sent to all staff via e-mail on an annual basis.
- 4) The AAP can be posted on the website for the Office of the General Treasurer and for the Employees' Retirement System of Rhode Island (ERSRI).
- 5) The Office of the General Treasurer can host an annual training for all employees about the AAP and any updates.
- 6) Policies can be posted in a common area in the office.

### **External Dissemination**

The Treasurer's Office disseminates its AAP externally as follows:


- 1) Treasury's Equal Employment Opportunity policy is stated in all job postings.
- 2) All RFPs issued by the Treasurer's Office contains the office's non-discrimination policy.

### **Recommendations for Improvements**

- 1) The AAP can be posted on the website for the Office of the General Treasurer and for the Employees' Retirement System of Rhode Island (ERSRI).
- 2) Future contracts with vendors can include language regarding compliance with Treasury's Affirmative Action Plan and included policies.

## POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION

The Office of the General Treasurer fully endorses and cooperates with the State Equal Opportunity Office's grievance procedure which provides for prompt and fair resolution of complaints alleging discrimination in any area of employment on the basis of race, color, sex, religion, age, national origin, sexual orientation, gender identity or expression or disability. (**A copy of the Complaint Procedure should be posted along with this statement.**) You may contact the State Equal Opportunity Office for further information at 401-222-3090 or [eo.compliance@doa.ri.gov](mailto:eo.compliance@doa.ri.gov).


\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

## POLICY ON SERVICE DELIVERY

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

If any person feels that he/she has been discriminated against, he/she may contact the Office of Personnel Administration/State Equal Opportunity Office, One Capitol Hill, Providence, Rhode Island 02908-5865. The telephone number is 401-222-3090 or [eo.compliance@doa.ri.gov](mailto:eo.compliance@doa.ri.gov).

\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

## POLICY ON CONTRACTS

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

\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

## **POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES, DISABLED VETERANS, AND COVERED VETERANS**

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


It is the policy and practice of the Office of the General Treasurer to provide equal opportunity for every employee. The Office of the General Treasurer encourages qualified individuals with disabilities, disabled veterans and covered 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 Office of the General Treasurer will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities, disabled veterans, and covered veterans, in such a way as to ensure understanding and acceptance.

The Office of the General Treasurer 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.

Amy Crane is designated as the 504 Coordinator for the Office of the General Treasurer. 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.

\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

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

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

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


  
\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

## COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

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

1. Candidates from both sexes will be recruited for all jobs.
2. Advertisements will not express a preference for applicants of a particular sex when placed for recruitment of personnel.
3. Written personnel policies indicate that there will be no discrimination on the basis of sex.
4. No distinction based on sex will be made in employment opportunities, wages, and hours of work, employee benefits, or any other condition of employment.
5. Mandatory or optional ages for retirement will be equal for both males and females.
6. Appropriate physical facilities will be provided for both sexes. Lack of facilities will not be used to reject applicants of either sex.
7. Pregnancy leaves of absence for female employees are granted on an individual basis, depending on an individual's physical condition, under the Department's leave of absence policy. Parental leave is afforded to all employees for the purpose of child raising in accordance with Personnel Rule 5.0661 (d) and State and Federal FMLA provisions.
8. Where seniority lists or lines of progression are used they shall not be based on an employee's sex.
9. Salaries and wage schedules will not be based on an employee's sex.
10. As openings occur, the department will take affirmative action to recruit and place women in those jobs in which we have determined that females are under-represented.
11. Women will have equal opportunity to participate in training programs sponsored by the department to the extent that they are under-represented. Special efforts will be made to include women in any management training programs that are offered.
12. The Office of the General Treasurer recognizes its obligation to provide a work atmosphere free of harassment and intimidation. Any forms of sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature, will not be tolerated. Violations of this policy will be handled appropriately as part of the department's disciplinary procedures and its posted policy letter in support of the federal guidelines on sexual harassment.

 \_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

## **RETALIATION OR COERCION STATEMENT**

An employee or agent of State Government who shall discriminate against an individual through the use of retaliation, coercion, intimidation, threats or other such action because such individual has filed a complaint, testified or participated in any way in any investigation proceeding or hearing regarding discrimination in employment or public service or because such individual has opposed any act made unlawful under the Americans with Disabilities Act (ADA) 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.

## **DIVERSITY PLAN TO IMPROVE MINORITY HIRING AND WORKPLACE INCLUSION**

**A.** The Office of the General Treasurer plans to improve the representation of women, minorities, persons with disabilities, and veterans through the agency's workforce. To achieve this improvement, Treasury has adjusted its hiring procedures to expand outreach and improve the interview process.

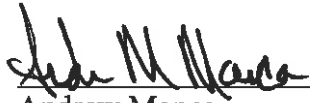
1. After a job is posted, Treasury's Chief Operating Officer will reach out to the Office of Diversity, Equity & Opportunity at the Department of Administration to request that ODEO share the posting within their networks. The Diversity Liaison within Treasury should be informed of this request.
2. The COO will consult the DL and Treasury's Affirmative Action Plan to determine if this job/job category has historically not been held by an employee in an underrepresented category.
3. If the job/job category has historically been held by an employee in an underrepresented category, hiring can continue without assistance from the DL or the Diversity Affinity Group.
4. If the job/job category has not historically been held by an employee in an underrepresented group, the DL must ensure the interview/selection team for the job is diverse.
5. To ensure a diverse interview/selection team, the DL may request that a member of the DAG within Treasury sit on the interview/selection team. This member should have relevant or congruent experience to the job posting.
6. If no member of the DAG within Treasury has relevant or congruent experience to the job posting, the DL should consult ODEO to seek a member of another agency's DAG to sit on the interview/selection team. This member should have relevant or congruent experience to the job posting.

NB: Because Treasury is not within the Executive Branch, the above procedure diverges from ODEO's general procedure for what they call "flagged" positions. We have created a solution that both fits within our agency's existing procedures and satisfies ODEO's goal of expanding outreach and recruitment and improving the interview and selection process.

**B.** The Office of the General Treasurer plans to create a workplace culture and climate that values diversity and includes and ensures quality customer/client services to the people of Rhode Island by hosting and facilitating attendance at trainings for its staff, especially for the staff in the upper echelon of the agency and those employees involved in hiring. These training will be available for all staff and will be coordinated in conjunction with efforts by the Treasury's Equal Opportunity Advisory Committee.



C. The Office of the General Treasurer will ensure that new and existing employees take part in an orientation program on topics such as diversity, discrimination, and sexual harassment, as well as similar topics related to diversity, equity, and inclusion. Treasury's Equal Opportunity Advisory Committee will host or facilitate attendance at these trainings and will track attendance.

 \_\_\_\_\_, Chief Operating Officer  
Andrew Manca

Date: Sept 30, 2019

Office of the General Treasurer

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**STATE OF RHODE ISLAND**

**OFFICE OF THE GENERAL TREASURER**

**2019 LIMITED ENGLISH PROFICIENCY PLAN**

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Table of Contents

1.	Identifying LEP Individuals Needing Language Assistance.....	1
2.	Available Language Assistance Measures.....	1
3.	Procedures for Assisting LEP Individuals.....	2
4.	Staff Training.....	3
5.	Providing Notice of Available Language Services to LEP Persons.....	3
6.	Monitoring and Updating the LEP Plan.....	4

## 1. Identifying LEP Individuals Needing Language Assistance

The first step towards understanding the profile of Limited English Proficiency (“LEP”) individuals that could receive Treasury assistance is a review of the United State Census Bureau’s American Community Survey (ACS) 5-year estimates. According to the 2016 ACS data, Rhode Island’s total population 5 years of age and over is 999,724. Of the non-English speaking individuals in the state of Rhode Island (those who “speak English less than ‘very well’”), the top two languages spoken are Spanish at 48,614 (4.8% of the population of Rhode Island) and Portuguese at 11,702 (1.1% of the population of Rhode Island).<sup>1</sup> The most commonly encountered LEP persons in Treasury speak Spanish and Portuguese and providing assistance in these languages would give these population groups improved access to Treasury information and services.

## 2. Available Language Assistance Measures

Treasury currently has in place numerous resources available for LEP individuals at no cost.

Treasury will continue to make the free online translation service, Google Translate, available on its website. This site contains considerable information on Treasury and its processes and procedures.

Departments within Treasury supplies outreach materials in both English and Spanish at its informational events. This material is also distributed both to individuals seeking information and to agencies serving the public. Treasury has access to services from Dorcas International Institute of Rhode Island (“Dorcas”), which provides translation and interpretation services to businesses and LEP individuals, through a Master Price Agreement (“MPA”) between Dorcas and the State of Rhode Island. Through this MPA, Treasury may use Dorcas for translation and interpretation services for in-person assistance with LEP individuals, over the phone communication, or written correspondence. These services are provided at no cost to the LEP individual.

Treasury will implement additional tools and resources to expand its service to the LEP population its staff encounters. These resources include:

- Providing “I speak” cards to identify the language spoken by the individual
- Posting of signs to notify the public that translation and interpretation services are available free of charge
- Collection of data on interactions with LEP persons to ensure Treasury’s LEP plan is up-to-date and meeting the needs of the LEP populations which with it has the most frequent contact

<sup>1</sup> Source: U.S. Census Bureau, American Community Survey 2012-2016 5-Year Estimates for the State of Rhode Island, Table B16001: Language Spoken at Home by Ability to Speak English for the Population 5 Years and Over

### 3. Procedures for Assisting LEP Individuals

#### A. How to respond to LEP callers

Staff will transfer telephone calls from LEP individuals who speak Spanish to the in-house staff member who speaks Spanish if necessary and if available. In the case of an LEP caller who speaks a language other than Spanish, the staff will contact an outside service listed on the MPA, such as Dorcas, for interpreting services.

#### B. How to respond to written communications from LEP persons

Staff will utilize the Microsoft Word Translate function if appropriate to the type of media received, transfer it to in-house staff, or contract with an outside service listed on the MPA, such as Dorcas. Outgoing communications and outreach materials are available in-house in Spanish and will soon be made available in Portuguese.

#### C. How to respond to LEP individuals who have in-person, in office contact with staff

To determine the language of communication to use, language identification cards (or “I speak” cards) may be utilized by staff to invite LEP persons to identify their language needs. Staff will then transfer the individual to in-house staff with the appropriate language skills if available, or contact an outside service listed in the MPA, such as Dorcas. Outgoing communications and outreach materials are available in-house in Spanish and will soon be made available in Portuguese.

#### D. How to ensure the competency of outside interpreters and translation services

This verification of outside services is done by the State of Rhode Island Division of Purchases and is required by state regulations.

#### E. How to ensure the competency of in-house interpreters and translation

Interpretation is the act of listening to something in one language and orally translating it into another language. Translation is the replacement of a written text from one language into an equivalent written text in another language. Being bilingual does not mean a person is competent to interpret or translate.

The Office of the General Treasurer do not currently utilize in-house interpreters or translators.

### 4. Staff Training

Staff members should know their obligations to provide meaningful access to information and services for LEP persons, and all employees in public contact positions should be properly trained.

The Office of the General Treasurer shall provide training to staff about its LEP policy, including how to access telephonic and in-person interpreters, and their responsibility to provide services to LEP persons. Such training will ensure that staff is fully aware of LEP policies and procedures and are effectively able to work in person and/or by telephone with LEP individuals. After training, staff will be able to identify the language needed, will be able to access and work with an interpreter in an efficient manner, and will be knowledgeable about the documents the Office of the General Treasurer can provide in another language and be able to provide such documentation as needed.

## 5. Providing Notice of Available Language Services to LEP Persons

Notice shall be posted on the Treasury website and outreach materials shall be created that notify the public that language services are available to LEP persons free of charge. A sign in the most commonly spoken languages is posted in the lobby stating that language services are available free of charge to LEP individuals. Agencies that work with the Office of the General Treasurer shall be notified of these services, as well.

## 6. Monitoring and Updating the LEP Plan

The Office of the General Treasurer will periodically determine whether new documents, programs, services, and activities need to be made accessible for LEP individuals and will conduct further assessment and work to meet the following goals, objectives, and actions from this plan to gauge progress:

- Stay knowledgeable of the current LEP population in RI
- Monitor the frequency of contact with LEP groups and individuals and keep records of any LEP services provided both in-office and in public venues
- Conduct an annual survey of staff for language capabilities
- Review utilization of the MPA translation services as necessary, outline the cost of these services, identify budget and personnel for limitations
- Assess availability of resources, including technological advances and sources of additional resources, and the costs imposed
- Inform staff about the LEP plan and how to implement it

## **PROGRAM STATISTICS**

**AGENCY:** The Office of the General Treasurer

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

None

\* An internal complaint refers to a complaint filed by a state employee, and an external complaint refers to a complaint filed by an external applicant or other non-state employee

# TRAINING PARTICIPATION SUMMARY

AGENCY: The Office of the General Treasurer

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

EEO Job Categories	Total Trainees	Number Disabled	Number Veterans	Number Minority	Number Female	Male														Female													
						1 Black	%	2 Hispanic or Latino	%	3 AI/AN	%	4 Asian	%	5 White	%	6 NH/OPI	%	7 Two or More Races	%	1 Black	%	2 Hispanic or Latino	%	3 AI/AN	%	4 Asian	%	5 White	%	6 NH/OPI	%	7 Two or More Races	%
Officials/ Managers Administrators	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Professionals	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Faculty	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Technicians	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Protective Services	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Para- Professionals	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Administrative Support	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Skilled Craft	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Service Maintenance	0	0	0	0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Totals	0	0	0	0	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!

Not tracked during relevant time period

## Total Percent:

Minority: #DIV/0!  
 Female: #DIV/0!  
 Disabled: #DIV/0!  
 Veterans: #DIV/0!

## Race/Ethnicity Description:

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)



AGENCY: The Office of the General Treasurer

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

### DISCIPLINARY ACTION

DISCIPLINARY ACTION TAKEN	1 Black or African American (NHL*)		2 Hispanic or Latino		3 American Indian or Alaska Native (NHL*)		4 Asian (NHL*)		5 White (NHL*)		6 Native Hawaiian or Other Pacific Islander (NHL*)		7 Two or More Races (NHL*)		Disabled		Veterans	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Suspension (Indefinitely)																		
Suspension (Specified Time)										1**								
Loss of Pay										1**								
Written Reprimand										1**								
Duty On Off Days																		
Oral Reprimand									1	1**								
Termination																		
Other (Explain)																		
<b>TOTAL</b>	0	0	0	0	0	0	0	0	1	4	0	0	0	0	0	0	0	0

\* Not Hispanic or Latino

\*\* Same individual, progressive discipline

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

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

OTHER: Counseling

APPLICANT DATA

AGENCY:		The Office of the General Treasurer										DATE:		7/1/18-6/30/19		
		Applicants														
Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	White Male	Minority	Female	Disabled	Veterans	Hire	Promotion	Transfer Within	Terminations	Pay Grade
ADMINISTRATIVE ASSISTANT (TREASURY RETIREMENT)	2360-90100-TBD	F	X			X	12	19	51	0	1		5M		NA	00325A
CASH MANAGEMENT OFFICER (TREASURY INVESTMENTS)	2330-10000-23	B	X			X	29	24	53	0	3		5F		NA	00322A
RETIREMENT AIDE (TREASURY RETIREMENT)	2360-90100-00137	F	X			X	19	51	113	3	4	5F			NA	00316A
BUSINESS SERVICE SPECIALIST (TREASURY)	2350-10000-00052	F	X			X	19	46	87	2	6	NA	NA	NA	NA	00316
BUSINESS SERVICE SPECIALIST (TREASURY)	2350-10000-00052	F	X			X	24	37	97	3	4	NA	NA	5F	NA	00316
CASH MANAGEMENT OFFICER (TREASURY INVESTMENTS)	2330-10000-23	B	X			X	24	34	51	4	5		5F		NA	00322A
CASH MANAGER(TREASURY INVESTMENTS)	02330-10000-00021	B		X		X	25	23	28	0	2	5M			5F	08538A
SPECIAL PROJECTS MANAGER (TREASURY RETIREMENT)	02360-90100-146	B		X		X	29	15	36	0	3	NA	NA	NA	NA	8531
ACCOUNTING & RESEARCH SERVICES SPECIALIST(TREASURY RECONCILIATION)	2350-10000-56	B	X			X	16	23	43	3	1	NA	NA	NA	NA	00319A
SPECIAL PROJECTS MANAGER (TREASURY RETIREMENT)	2360-90100-146	B		X		X	14	10	32	0	1		5F		NA	8531
RETIREMENT AIDE (TREASURY RETIREMENT)	2360-90100-137	F	X			X	23	43	91	5	1	NA	NA	NA	NA	00316A
ASSISTANT ADMINISTRATOR/CLERK (Treasury Unclaimed Property)	2340-80400-33	F	X			X	10	17	45	3	1			5M	NA	00318A
ACCOUNTING & RESEARCH SERVICES SPECIALIST(TREASURY RECONCILIATION)	2350-10000-56	B	X			X	9	17	33	3	2		5F		NA	00319A
RETIREMENT AIDE (TREASURY RETIREMENT)	2360-90100-137	F	X			X	19	34	90	1	1	5F			5F	00316A
DIRECTOR: 529 SAVINGS, GRANTS AND SCHOLARSHIP PROGRAMS (TREASURY) (UNCLASSIFIED)	2310-90100-2	A		X		X	16	16	23	2	1		5F		NA	08536A
DEPUTY DIRECTOR (TREASURY RETIREMENT)	2360-90100-139	A		X		X	22	12	24	2	5	5F			NA	08542A
RETIREMENT COUNSELOR MANAGER (RETIREMENT) (UNCLASSIFIED)	2360-90100-117	A		X		X	24	27	54	1	1	NA	NA	NA	NA	08531A
CHIEF FINANCIAL OFFICER (TREASURY RETIREMENT) (UNCLASSIFIED)	2360-90100-129	A		X		X	15	6	18	1	4	5F			5M	08540A
CONTROLLER (TREASURER RETIREMENT) (Unclassified)	2360-90100-122	A		X		X	10	7	16	0	0			2F	5F	08534A
DIRECTOR OF FINANCE (TREASURY)	2310-10000-171	A		X		X	19	11	37	4	1	5M			NA	08538A
Totals			11	9	0	20	378	472	1022	37	47	6	6	3	4	
EEO Category		Race/Ethnic Code :										Gender Code				
A - Officials/Managers/Administrators		E - Paraprofessionals		1 - Black or African American (Not Hispanic or Latino)								F - Female				
B - Professionals		F - Administrative Support		2 - Hispanic or Latino								M - Male				
C - Technicians		G - Skilled Craft		3 - American Indian or Alaska Native (Not Hispanic or Latino)												
CF - Faculty		H - Service Maintenance		4 - Asian (Not Hispanic or Latino)								Disabled Code				
D - Protective Services				5 - White (Not Hispanic or Latino)								D - Disabled				
				6 - Native Hawaiian or Other Pacific Islander (Not Hispanic or Latino)												
				7 - Two or More Races (Not Hispanic or Latino)								Veteran Code				
												V - Veteran				

## APPLICANT FLOW DATA

AGENCY: The Office of the General Treasurer

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

	TOTAL APPLICANTS	MALE							FEMALE							**DISABLED	VETERANS
		BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)		
<b>APPLICANTS</b>																	
OFFICIALS/ADMINISTRATORS	318	11	14	3	3	106		5	14	22	2	0	129		5	10	12
PROFESSIONALS	473	15	16	12	1	146		5	17	62	4	4	174		10	10	17
TECHNICIANS	0																
FACULTY	0																
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	0																
ADMINISTRATIVE SUPPORT	756	19	22	9	0	126		3	39	127	11	5	377		12	17	18
SKILLED CRAFT	0																
SERVICE/MAINTENANCE	0																
<b>TOTAL</b>	<b>1547</b>	<b>45</b>	<b>52</b>	<b>24</b>	<b>4</b>	<b>378</b>	<b>0</b>	<b>13</b>	<b>70</b>	<b>211</b>	<b>17</b>	<b>9</b>	<b>680</b>	<b>0</b>	<b>27</b>	<b>37</b>	<b>47</b>
<b>HIRES</b>																	
OFFICIALS/ADMINISTRATORS	3					1							2			0	0
PROFESSIONALS	1					1										0	0
TECHNICIANS	0																
FACULTY	0																
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	0																
ADMINISTRATIVE SUPPORT	2												2			0	0
SKILLED CRAFT	0																
SERVICE/MAINTENANCE	0																
<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PROMOTIONS</b>																	
OFFICIALS/ADMINISTRATORS	1												1			0	0
PROFESSIONALS	4												4			0	0
TECHNICIANS	0																
FACULTY	0																
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	0																
ADMINISTRATIVE SUPPORT	1					1										0	0
SKILLED CRAFT	0																
SERVICE/MAINTENANCE	0																
<b>TOTAL</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TERMINATIONS</b>																	
OFFICIALS/ADMINISTRATORS	2					1							1			0	0
PROFESSIONALS	1												1			0	0
TECHNICIANS	0																
FACULTY	0																
PROTECTIVE SERVICES	0																
PARA-PROFESSIONALS	0																
ADMINISTRATIVE SUPPORT	1												1			0	0
SKILLED CRAFT	0																
SERVICE/MAINTENANCE	0																
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

\* Not Hispanic or Latino

\*\* Include disabled in appropriate job categories.

# APPLICANT REFUSAL OF POSITIONS OFFERED

AGENCY: The Office of the General Treasurer

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

EEO Job Categories	Total Applicants	Number Disabled	Number Veterans	Number Minority	Number Female	Male														Female													
						1 Black	%	2 Hispanic or Latino	%	3 AI/AN	%	4 Asian	%	5 White	%	6 NH/OPI	%	7 Two or More Races	%	1 Black	%	2 Hispanic or Latino	%	3 AI/AN	%	4 Asian	%	5 White	%	6 NH/OPI	%	7 Two or More Races	%
Officials/Managers Administrators	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Professionals	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Faculty	0	0	0	0	0		0%		0%		0%	0		0%	None				0%		0%		0%		0%		0%		0%		0%		0%
Technicians	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Protective Services	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Para-Professionals	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Administrative Support	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Skilled Craft	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Service Maintenance	0	0	0	0	0		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%
Totals	0	0	0	0	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

None

**Total Percent:**

Minority: 0.0%

Female: 0.0%

Disabled: 0.0%

Veterans: 0.0%

**Race/Ethnicity Description:**

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)

# Annual Affirmative Action Statistical Summary

AGENCY: The Office of the General Treasurer

Date: July 1, 2018-June 30, 2019

	CURRENT												LAST YEAR'S WORKFORCE												DIFFERENCE +/-												HIRING GOALS				GOALS MET							
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*)	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*)	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKAN NATIVE (NHL*)	ASIAN (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	MINORITY	FEMALE	DISABLED	VETERANS	MINORITY	FEMALE	DISABLED	VETERANS				
Officials/ Managers Administrators	13	8	1	5	0	1	0	1	0	0	0	0	15	7	1	8	0	1	0	1	0	0	0	0	0	-2	1	0	-3	0	0	0	0	0	0	0	0	0	0	1					N			
Professionals	44	17	7	26	2	1	2	5	0	0	0	0	43	16	7	26	2	1	2	5	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	2			1	N				N	
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0									
Technicians	1	0	0	1	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Protective Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Para- Professionals	5	0	0	5	0	0	0	0	0	0	0	0	5	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1				N						
Administrative Support	21	7	2	14	0	0	1	1	0	0	0	0	22	8	2	14	0	0	0	0	0	0	0	0	0	-1	-1	0	0	0	0	0	1	1	0	0	0	0	2		1	1	N		N		N	
Skilled Craft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Service Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0										
Total Employees	84	32	10	51	2	2	3	7	0	0	0	0	86	31	10	54	2	2	2	6	0	0	0	0	0	-2	1	0	-3	0	0	1	1	0	0	0	0											

Current Workforce: As of June 30th, 2019  
 Last Year's Workforce: As of June 30th, 2018  
 Difference: Increases or Decrease:  
 Goals: Numerical projections, July 1st, 2019 to June 30th, 2020 for employment of

## Percent

29.99% Minority Applicants      65.55% Female Applicants  
 0.00% Minority Hiring      66.67% Female Hiring

## Termination Percent

0.00% Minority  
 75.00% White Female  
 25.00% White Male

## Total Current Workforce Percent

38.10% White Male  
 11.90% Minority  
 60.71% Female  
 2.38% Disabled  
 2.38% Veterans  
 3.57% Black or African American (\*Not Hispanic or Latino)  
 8.33% Hispanic or Latino  
 0.00% American Indian or Alaska Native (\*Not Hispanic or Latino)  
 0.00% Asian (\*Not Hispanic or Latino)  
 0.00% Native Hawaiian or Other Pacific Islander (\*Not Hispanic or L  
 0.00% Two or More Races (\*Not Hispanic or Latino)

## Goals Met

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

Minority Applicants	472
Total Applicants	1547
Minority Hires	0
Total Hires	6
Female Applicants	1014
Total Applicants	1547
Female Hires	4
Total Hires	6
Minority Terminated	0
White Female Terminated	3
White Male Terminated	1
Total Terminated	4

# JOB GROUP ANALYSIS SUMMARY

Agency: The Office of the General Treasurer

DATE: 6/30/2019

				Male														Female													
EEO Job Categories	Total Employees	Total Minorities	%	1 Black (NHL)	%	2 Hispanic or Latino	%	3 AI/AN (NHL)	%	4 Asian (NHL)	%	5 White (NHL)	%	6 NH/OPI (NHL)	%	7 Two or More Races (NHL)	%	1 Black (NHL)	%	2 Hispanic or Latino	%	3 AI/AN (NHL)	%	4 Asian (NHL)	%	5 White (NHL)	%	6 NH/OPI (NHL)	%	7 Two or More Races (NHL)	%
Officials/Managers, Administrators	13	1	8%	0	0%	0	0%	0	0%	0	0%	8	62%	0	0%	0	0%	0	0%	1	8%	0	0%	0	0%	4	31%	0	0%	0	0%
Professionals	44	7	16%	0	0%	1	2%	0	0%	0	0%	17	39%	0	0%	0	0%	2	5%	4	9%	0	0%	0	0%	20	45%	0	0%	0	0%
Faculty	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Technicians	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%	1	100%	0	0%	0	0%
Protective Services	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Para-Professionals	5	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	5	100%	0	0%	0	0%
Administrative Support	21	2	10%	0	0%	0	0%	0	0%	0	0%	7	33%	0	0%	0	0%	1	5%	1	5%	0	0%	0	0%	12	57%	0	0%	0	0%
Skilled Craft	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Service Maintenance	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
GRAND TOTAL	84	10	12%	0	0%	1	1%	0	0%	0	0%	32	38%	0	0%	0	0%	3	4%	6	7%	0	0%	0	0%	42	50%	0	0%	0	0%

NOTE: NHL means Not Hispanic or Latino

## Race/Ethnic Code :

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

## JOB GROUP ANALYSIS

**EEO JOB Category:** Officials Managers & Administrators

DATE: 30-Jun-19

					Male									Female						
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	TOTAL FEMALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
General Treasurer	531F	1	0	0%	1					1			0							
Chief Investment Officer (Treasury Investments)	8561A	1	0	0%	1					1			0							
Chief of Staff (Treasury)	8548A	1	0	0%	0								1					1		
Executive Director (Retirement Sysytems)	8545A	1	0	0%	1					1			0							
General Counsel (Treasury)	8543A	1	0	0%	0								1					1		
Chief Operating Officer (Treasury)	8543A	1	0	0%	1					1			0							
Chief Financial Officer (Treasury Retirement)	8542A	1	0	0%	0								1					1		
Cash Manager (Treasury Investements)	8538A	1	0	0%	1					1			0							
Controller (Treasury Retirement)	8538A	1	1	100%	0								1		1					
Dir. 529 Savings, Grants & Scholarship Programs (Treasury)	8536A	1	0	0%	1					1			0							
Chief Fiscal Manager	8535A	1	0	0%	1					1			0							
Deputy General Counsel (Treasury Retirement)	8534A	1	0	0%	0								1					1		
Administrator (Treasury CVCP)	8531A	1	0	0%	1					1			0							
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SUBTOTAL		13	1	8%	8	0	0	0	0	8	0	0	5	0	1	0	0	4	0	0



# JOB GROUP ANALYSIS

EEO JOB Category: Professionals

DATE: June 30, 2019

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OP (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OP (NHL)	7 Two or More Races (NHL)
Deputy Treasurer for Policy & Public Finance	8543A	1	0	0%	0								1					1		
Senior Advisor/Director of Communications	8543A	1	0	0%	1					1			0							
Senior Investment Officer	8541A	2	0	0%	1					1			1					1		
Public Debt Manager	8538A	1	0	0%	1					1			0							
Investment Accounting Mgr	8538A	1	0	0%	1					1			0							
Director of Retirement Savings Plans (Retirement)	8536A	1	0	0%	0								1					1		
Senior Investment Analyst	8535A	1	0	0%	1					1			0							
Unclaimed Property Administrator	8534A	1	1	100%	0								1		1					
Deputy Communications Director	8534A	1	0	0%	1					1			0							
Legislative Director	8531A	1	0	0%	0								1					1		
Cash Management/Fiscal Officer	8531A	1	0	0%	1					1			0							
Accounting Manager	8531A	1	0	0%	0								1					1		
Special Projects Manager	8531A	1	0	0%	0								1					1		
Dir. Of Outreach & Constituent Affairs	8531A	1	1	100%	0								1	1						
Customer Experience Mgr	8531A	1	0	0%	1					1			0							
Investment Analyst	8530A	1	0	0%	1					1			0							
Legal Counsel	8530A	1	0	0%	0								1					1		
Systems Administrator	8528A	1	0	0%	1					1			0							
Deputy Program Administrator (CVCP)	8528A	1	1	100%	0								1		1					
Program Administrator (Collegebound)	8527A	1	1	100%	0								1	1						
Executive Aide to the General Treasurer	8527A	1	0	0%	0								1					1		
Administrative Aide (Retirement)	8513A	1	0	0%	0								1					1		
Principal Auditor	328A	3	0	0%	2					2			1					1		
Sr. Administrative Assistant	327A	2	0	0%	0								2					2		
Principal Accountant	326A	1	0	0%	1					1			0							
Fiscal Management Analyst	325A	1	0	0%	0								1					1		
Sr. Accountant	325A	1	1	100%	1		1						0							
Data Analyst	325A	1	0	0%	1					1			0							
Project Coordinator/Compliance Analyst	327A	1	0	0%	0								1					1		
Administrative Assistant (Retirement)	325A	6	1	16%	2					2			4		1			3		
Sr. Investment Officer	324A	1	1	100%	0								1		1					
Receipts Coord & Ret. Acct. Reconciler	324A	1	0	0%	0								1					1		
Wage & Contribution Analyst	324A	1	0	0%	0								1					1		
Accounting & Debt Services Spec.	319A	1	0	0%	0								1					1		
Applications Coordinator	318A	1	0	0%	1					1			0							
<b>SUBTOTAL</b>		<b>44</b>	<b>7</b>	<b>16%</b>	<b>18</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>17</b>	<b>0</b>	<b>0</b>	<b>26</b>	<b>2</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>0</b>

## JOB GROUP ANALYSIS

**EEO JOB Category:** Faculty

DATE: 6/30/2019

[illegible]

## JOB GROUP ANALYSIS

EEO JOB Category: Technicians

DATE: 6/30/2019

						Male								Female						
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	TOTAL FEMALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Business Analyst II (Treasury Retirement)	8533A	1	0	0%	0								1					1		
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		0	0	#DIV/0!	0								0							
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SUBTOTAL		1	0	0%	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0

## JOB GROUP ANALYSIS

**EEO JOB Category:** Protective Services

DATE: 6/30/2019

[illegible]

## JOB GROUP ANALYSIS

**EEO JOB Category**                      Para-Professionals

DATE: 6/30/2019

						Male								Female						
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	TOTAL FEMALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Disability Pension Manager (Treasury Retirement)	8531A	1	0	0%	0								1					1		
Project Coordinator (Treasury Administration)	8526A	1	0	0%	0								1					1		
Senior Administrative Clerk (Treasury Adminitration)	327A	1	0	0%	0								1					1		
Senior Unclaimed Property Technician (Treasury)	323A	1	0	0%	0								1					1		
Cash Management Officer (Treasury Investments)	322A	1	0	0%	0								1					1		
		0	0	#DIV/0!	0								0							
		0	0	#DIV/0!	0								0							
		0	0	#DIV/0!	0								0							
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SUBTOTAL		5	0	0%	0	0	0	0	0	0	0	0	5	0	0	0	0	5	0	0

## JOB GROUP ANALYSIS

<b>EEO JOB Category</b>	Administrative Support
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**DATE:** June 30, 2019

[illegible]

## JOB GROUP ANALYSIS

EEO JOB Category	Skilled Craft
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DATE: 6/30/2019

[illegible]

## JOB GROUP ANALYSIS

**EEO JOB Category** Service Maintenance

DATE: 6/30/2019

[illegible]



**DETERMINING UNDERREPRESENTATION & GOAL SETTING**

**AGENCY:** The Office of the General Treasurer

**DATE:** JULY 1, 2018-JUNE 30, 2019

	WORKFORCE												UNDERREPRESENTATION												AAP HIRING GOALS											
EEO-4 Job Categories	TOTAL EMPLOYEES	MINORITY	FEMALE	VETERAN S	DISABLED	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	ASIAN (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	MINORITY	FEMALE	VETERAN S	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*)	MINORIT Y	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	13	1	5	1	0	0	1	0	0	12	0	0	3	2	0	1	1	1	0	0	-3	0	0	1	1											
Professionals	44	7	26	1	1	2	5	0	0	37	0	0	7	-3	2	2	2	2	0	2	-5	0	1	2		1	1									
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Technicians	1	0	1	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0													
Protective Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Para- Professionals	5	0	5	0	0	0	0	0	0	5	0	0	2	-2	0	0	0	1	0	0	-1	0	0													
Administrative Support	21	2	14	0	0	1	1	0	0	19	0	0	5	-3	1	1	1	2	0	1	-4	0	1	2		1	1									
Skilled Craft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													
Service Maintenance	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0													

\* Not Hispanic or Latino

## **IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS**

## **IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS**

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

The Affirmative Action Plan contains Treasury's affirmative action program; i.e., its policies, practices, programs, and effort to ensure equal employment opportunity. It contains a summary of the workforce composition by race/ethnicity, gender, disability and veteran status.

Numerical goals that were set in the prior iteration of Treasury's Affirmative Action Plan were not met, likely due to a lack of effort to expand job vacancy notice outreach. Corrective action will be taken to expand outreach to underrepresented communities. An additional barrier that may inhibit accomplishment is bargaining unit requirements regarding job vacancies and seniority.

### **Employment Recruitment and Selection Process**

The Office of the General Treasurer plans to improve the representation of women, minorities, persons with disabilities, and veterans through the agency's workforce. To achieve this improvement, Treasury has adjusted its hiring procedures to expand outreach and improve the interview process.

1. After a job is posted, Treasury's Chief Operating Officer will reach out to the Office of Diversity, Equity & Opportunity at the Department of Administration to request that ODEO share the posting within their networks. The Diversity Liaison within Treasury should be informed of this request.
2. The COO will consult the DL and Treasury's Affirmative Action Plan to determine if this job/job category has historically not been held by an employee in an underrepresented category.
3. If the job/job category has historically been held by an employee in an underrepresented category, hiring can continue without assistance from the DL or the Diversity Affinity Group.
4. If the job/job category has not historically been held by an employee in an underrepresented group, the DL must ensure the interview/selection team for the job is diverse.
5. To ensure a diverse interview/selection team, the DL may request that a member of the DAG within Treasury sit on the interview/selection team. This member should have relevant or congruent experience to the job posting.
6. If no member of the DAG within Treasury has relevant or congruent experience to the job posting, the DL should consult ODEO to seek a member of another agency's DAG to sit on the interview/selection team. This member should have relevant or congruent experience to the job posting.

Any staff involved in hiring will be required to take annual implicit bias and any other training Treasury requires to ensure that the selection process is fair, equitable and unbiased.

### **Exit Interview**

All terminating/transferring employees have the option of an Exit Interview with the ODEO/State Equal Opportunity Office. The Office of the General Treasurer performs an exit meeting with terminating/transferring employees at which time keys/badges are returned and the Exit Interview Sign-Off Form and Confidential Exit Survey Inquiry and all other required/optional documents are provided and collected. The Employee Handbook describes this process, and the Handbook is made available to all employees annually via email. These documents and this policy is part of Treasury's Affirmative Action Plan, which is made available to all employees via email and will be posted on Treasury's website.

### **Flex-Time**

The Office of the General Treasurer considers flex-time requests on a case-by-case in accordance with Rhode Island General Laws § 36-3.1. Among other considerations, Treasury considers the requirements of the position, job coverage, the needs of the public or interagency counterparts, and equity and fairness for all Treasury staff when reviewing a flex-time request. The Office of the General Treasurer does not tolerate discrimination in the work place or with respect to hiring, tenure, compensation, promotion, discipline, terms and conditions of employment, termination or any other matters directly or indirectly related to employment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, veteran status, or disability.

### **Posting of Positions, Transfer and Promotion Practices**

All vacancy notices are posted online using the State's job opportunities website. The Treasurer's Office works with the Office of Diversity, Equity and Opportunity to expand outreach of job postings to underrepresented communities.

### **Technical Compliance**

The Office of the General Treasurer is working towards meeting the equal opportunity posting requirements and hopes to achieve this result by the end of 2019.

### **Terminations**

Between July 1, 2018 and June 30, 2019, 6 employees were terminated from the Office of the General Treasurer. All 6 terminations occurred because the employees voluntarily left due to obtaining employment outside Treasury.

The Office of the General Treasurer does not tolerate discrimination in the work place or with respect to hiring, tenure, compensation, promotion, discipline, terms and conditions of employment, termination or any other matters directly or indirectly related to employment on the

basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, veteran status, or disability.

Treasury ensures that all terminations are performed in a fair and unbiased manner by requiring that before any termination action is taken, proper bargaining unit procedure has been followed.

### **Training Programs**

The Office of the General Treasurer supports and encourages its employees to participate in training relating to State business and the enhancement of the quality of service being provided to the public. The Office of the General Treasurer hosts routine “brown bag” training sessions that are open to all employees. In the case of a mandatory training, Treasury will generally schedule two sessions to ensure that all employees have the chance to attend. Employees are informed of such training opportunities via an email sent to all staff.

At times, staff may receive notice of outside training opportunities applicable to particular areas of employment (for example, Continuing Legal Education courses for lawyers). Staff are routinely able to attend such training as long as proper job coverage is available, if needed.

Staff are able to participate in training hosted by the State/Department of Administration (for example, the Incentive In-Service Training Programs) as long as the request to participate meets the relevant requirements. In the event an employee is denied approval for incentive credit by the Office of the General Treasurer, the employee will receive a denial notice and may request a review by the Chief Operating Officer and the respective manager within 14 days of receiving the denial. The request for review may include additional documentation supporting the request.

The Office of the General Treasurer does not tolerate discrimination in the work place or with respect to hiring, tenure, compensation, promotion, discipline, terms and conditions of employment, termination or any other matters directly or indirectly related to employment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, veteran status, or disability.

Treasury will implement a way of tracking all training received by employees to ensure that no employees are being discriminated against regarding training opportunities or selected for training in a biased fashion.

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

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

### **Outreach Recruitment**

A job posting will be sent to all associations or organizations for individuals with disabilities, disabled veterans, and covered veterans who request copies of such job postings. Treasury's Diversity Affinity Group will share job postings with its collective networks, and outreach will be extended by working in conjunction with the Office of Diversity, Equity and Opportunity to share a job posting with a variety of diverse professional networks.

### **Physical and Mental Qualifications**

Individuals with disabilities, disabled veterans and covered veterans with the minimum physical and mental abilities to perform a job will be given equal consideration to other applications for positions.

### **Work Environment**

The Office of the General Treasurer does not tolerate discrimination in the workplace with respect to hiring, tenure, compensation, promotion, discipline, terms and conditions of employment, termination, or any other matters directly or indirectly related to employment on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, veteran status, or disability. Such discrimination is against the law.

Both federal and state laws protect individuals from discrimination and harassment in the workplace. These laws ensure fairness in the workplace and create a more pleasant and productive working environment for employees and management alike. The Office of the General Treasurer operates in accordance with these laws and will not tolerate discrimination or harassment in the workplace. Like all state departments and agencies, the Office of the General Treasurer follows the State of Rhode Island's policy on discrimination, including sexual harassment, other forms of discriminatory harassment, and other forms of discrimination.

### **Reasonable Accommodations**

In accordance with the Americans with Disabilities Act (ADA), the Rhode Island Constitution Article I, Section 2, and all other federal and state disability rights laws, the Office of the General Treasurer shall not discriminate against a qualified individual with a disability in regard to employment or exclude such individual from participation in or deny said individual the benefits of the service, programs or activities of said state agency.

Additionally, Treasury shall make a reasonable accommodation to the known disability of a qualified individual, unless the accommodation would impose an undue hardship to the Office of the General Treasurer as defined in the applicable provisions of the aforementioned statutes.

1. The Office of the General Treasurer provides reasonable accommodations for individuals with disabilities to ensure equal access to employment. The accommodations include, but are not limited to:
  - a. Making facilities accessible;
  - b. Job restructuring;
  - c. Part-time or modified work schedules;
  - d. Acquisition or modifications of equipment;
  - e. Support services; and
  - f. Assignment of an employee who becomes handicapped and unable to perform his/her original duties to an alternative position with comparable pay, if possible.

An applicant or employee who needs a reasonable accommodation for a disability should inform the Chief Operating Officer and the Office of the General Treasurer will meet with the individual to determine a mutually acceptable reasonable accommodation. If a mutually acceptable reasonable accommodation cannot be reached, the Office of the General Treasurer will implement what it believes to be a reasonable accommodation.

### **Internal Dissemination of this Policy**

Information regarding Reasonable Accommodations is listed in the Employee Handbook. The Handbook is circulated yearly among the Treasury staff. There is an annual training about updated to the Handbook.

### **Recommendations for Improvements**

- 1) This Affirmative Action Plan can be referenced in the Employee Handbook.
- 2) The Treasurer's office can include a link to the online version of the AAP in the Employee Handbook.
- 3) The AAP can be sent to all staff via e-mail on an annual basis.
- 4) AAP can be posted on the website for the Office of the General Treasurer and for the Employees' Retirement System of Rhode Island (ERSRI).
- 5) The Office of the General Treasurer can host an annual training for all employees about the AAP and any updates.
- 6) Policies can be posted in a common area in the office.

### **External Dissemination of this Policy**

Treasury's Equal Employment Opportunity policy is stated in all job postings. All RFPs issued by the Treasurer's Office contains the office's non-discrimination policy.

### **Recommendations for Improvements**

- 1) The AAP can be posted on the website for the Office of the General Treasurer and for the Employees' Retirement System of Rhode Island (ERSRI).




- 2) Future contracts with vendors can include language regarding compliance with Treasury's Affirmative Action Plan and included policies.
- 3) Contact and work with recruiting sources to provide meaningful employment opportunities to individuals with disabilities, veterans with disabilities, and covered veterans.
- 4) Contact the appropriate organizations to obtain advice on accommodating, properly placing, and recruiting individuals with disabilities, veterans with disabilities, and covered veterans.

### **Report on 2018-2019 Activities**

The Office of the General Treasurer has continued to consider and implement reasonable accommodations requests. Treasury implemented a plan for safe exit of the premises in case of a fire or other emergency event for individuals with disabilities and purchased special equipment in furtherance of this implementation.

### **Report on 2019-2020 Plans**

The Office of the General Treasurer will expand outreach for job vacancies and train employees on issues regarding harassment and discrimination. The EOAC within Treasury will set short- and long-term goals to increase the hiring of individuals with disabilities, disabled veterans, and covered veterans.

  
\_\_\_\_\_, Chief Operating Officer  
Andrew Manca  
Office of the General Treasurer

Date: Sept 30, 2019

## **APPENDIX**

## **DESCRIPTION OF JOB CATEGORIES**

### **OFFICIALS AND ADMINISTRATORS:**

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

### **PROFESSIONALS:**

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

### **TECHNICIANS:**

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

### **PROTECTIVE SERVICE WORKERS:**

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

### **PARAPROFESSIONALS:**

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

**ADMINISTRATIVE SUPPORT:**

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

**SKILLED CRAFT WORKERS:**

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

**SERVICE/MAINTENANCE:**

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

## **Racial / Ethnic Designations Minority Group**

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

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

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

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

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

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

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

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

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

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

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

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

**AGE:**

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

**SEX (WAGES):**

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

**DISABILITY:**

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

## EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

### **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:**

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

### **INDIVIDUALS WITH DISABILITIES:**

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

### **Highlights of the New Regulations**

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

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

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

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

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

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

**COVERED VETERANS AND DISABLED VETERANS:**

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

Covered veterans means any of the following:

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

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

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



## **PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE**

### **RACE, COLOR, NATIONAL ORIGIN, SEX:**

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

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

### **INDIVIDUALS WITH DISABILITIES:**

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

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

# **TITLE 28**

## **Labor and Labor Relations**

### **CHAPTER 28-5.1**

#### **Equal Opportunity and Affirmative Action**

##### **SECTION 28-5.1-1**

###### **§ 28-5.1-1 Declaration of policy.**

(a)(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 disabled persons.



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

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SECRETARY OF STATE

Lincoln D. Chafee  
Governor

EXECUTIVE ORDER

13-05

May 9, 2013

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

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

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

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

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

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

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

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

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

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

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

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

Executive Order 13-05

May 9, 2013

Page 3

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

This Order shall take effect immediately.

So Ordered:



Lincoln D. Chafee



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PUBLIC INFORMATION  
CENTER

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State of Rhode Island and Providence Plantations

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

Donald L. Carcieri  
Governor

EXECUTIVE ORDER

05-02

January 17, 2005

PROMOTION OF A DIVERSE STATE GOVERNMENT WORKFORCE

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

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

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

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

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

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

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

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

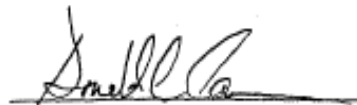
Executive Order 05-02  
January 17, 2005  
Page 3

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

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

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

So Ordered:



Donald L. Carcieri

Dated: January 17, 2005





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

Donald L. Carcieri  
Governor

**EXECUTIVE ORDER**

**05-01**

**January 17, 2005**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rhode Island Commission for Human Rights

Executive Order 05-01 January 17, 2005 Page 5  
180 Westminster Street, 3rd Floor Providence, RI 02903 Tel (401) 222-2661; Fax (401) 222-2616; TTY (401) 222-2664

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

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

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

Donald L. Carcieri  
Dated: January 17, 2005

State of Rhode Island  
and Providence Plantations

Bruce Sundlun, Governor



State House,  
Providence

EXECUTIVE ORDER

No. 94-22

December 23, 1994

MINORITY BUSINESS ENTERPRISE

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

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

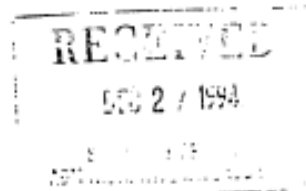
WHEREAS, on June 23, 1994, I signed Executive Order 94-9, reorganizing and enhancing the powers and duties of the MBE Program, and there is now a need to restructure and clarify the responsibilities of the MBE program; and

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

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

Article I - Applicability

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



Article II - Minority Business Enterprise Program

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

(B) The MBE Program shall:

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

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

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

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

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

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

(C) The MBE Program shall certify MBEs:

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

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

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

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

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Article III - MBE Commission

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

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

A cabinet level official to be appointed by the Governor

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

Representative Joseph Newsome

Executive Director, Commission for Human Rights

Casby Harrison, III  
Licht & Semenoff

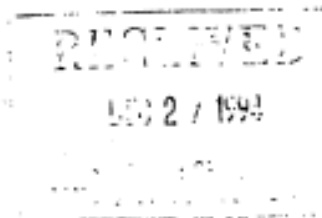
President (or designee)  
Black Contractors Association of Rhode Island

Executive Director (or designee)  
Rhode Island Commission on Women

President (or designee)  
Hispanic Contractors Association

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

Director of Policy  
Governor's Office





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.

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

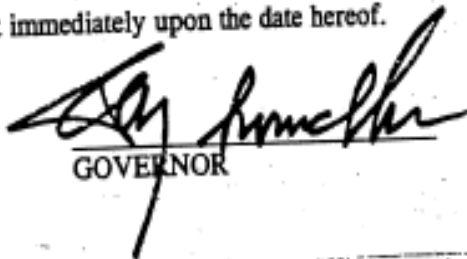
This Executive Order effectively rescinds, supersedes and replaces Executive Order No. 94-9.

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

DATE

12/27/94

GOVERNOR



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State of Rhode Island  
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 93-1

JANUARY 18, 1993

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SECRETARY OF STATE  
ADMINISTRATIVE RECORDS DIV.



AFFIRMATIVE ACTION POLICY STATEMENT

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

1. Equal Opportunity and Affirmative Action towards its achievement is the firm and unwavering policy of all units of Rhode Island State Government.
2. Rhode Island State Government is committed to providing equal opportunity in every aspect of its programs and will not discriminate because of race, sex, national origin, age, religion, sexual orientation, or disability. Because my administration recognizes the need to eliminate the vestiges of past societal discrimination, it will take affirmative action to ensure that its employment opportunities are available to every qualified Rhode Islander.
3. Within agencies, departments of state government, and those agencies created by legislative statute, the following areas will be administered without regard to race, color, sex, age, religion, sexual orientation, or disability:

Hirings  
Salary/Wage  
Lay-offs  
Transfers  
Promotions  
Demotions

Work Assignments  
Leave  
Training  
Recall From Lay-offs  
Appointments  
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.

Page Two  
Executive Order 93-1  
Affirmative Action Policy Statement



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.

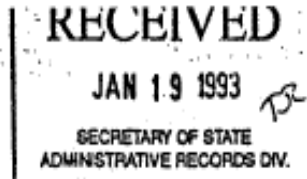
6. All Department Directors and appointing authorities shall appoint a highly placed person, who shall report to the Department Director and who shall be designated as the Departmental Affirmative Action Officer. The Departmental Affirmative Action Officer shall attend at least one EEO training session 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

Page Three  
Executive Order 93-1  
Affirmative Action Policy Statement



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

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

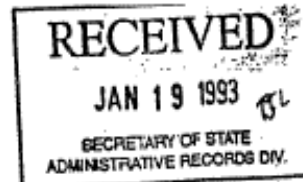
- A) review the Affirmative Action plans submitted annually by each state department or agency and prepare a comparative analysis of the strengths and weaknesses of the plans;
- B) make recommendations to the departments on proactive policy initiatives that may enhance affirmative action plan objectives;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

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

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

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

Page Four  
Executive Order 93-1  
Affirmative Action Policy Statement



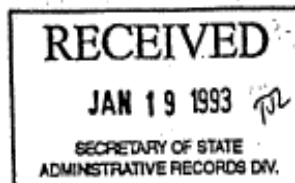
14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

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

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

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

Page Five  
Executive Order 93-1  
Affirmative Action Policy Statement



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

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

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

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

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

DATE

1-12-93

GOVERNOR

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



State of Rhode Island  
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

NO. 92-2

JANUARY 23, 1992



COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

State House,  
Providence

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

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

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

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

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

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

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

Page Two  
Executive Order 92-2  
January 23, 1992



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

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

4. The duties of the ADA Coordinator shall include:

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

Page Three  
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 "Roy Sullivan", written over a horizontal line.



Edward D. DiPrete  
*Governor*

State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REFUGEE POLICY

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

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

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

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

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

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

Executive Order 86-10  
Page Two  
April 15, 1986

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

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

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

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

4. Those state agencies as previously stated that conduct programs and activities directly or indirectly relating to the service needs of the refugee population shall immediately undertake an affirmative planning process with regard to refugees. This planning process shall be completed by October 1, 1986, and shall include the following elements:

- A. Needs Assessment: Determining the current and potential requirements refugees have for the agencies' services;
- B. Current Use: Measuring and documenting the extent to which refugees now use the services;
- C. Agency Service Plan for Refugees: Formulating a plan, including a timetable for implementation, that ensures that delivery of the agencies' services to refugees meets the needs identified in the needs assessment and are in compliance with Title VI of the United States Civil Rights Act of 1964.

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

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

6. State Agencies Preparing Agency Service Plans -

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

Executive Order 86-10  
Page Four  
April 15, 1986

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

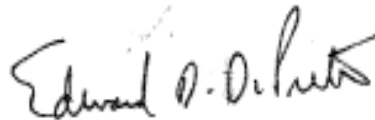
7. Transitional Education Program -

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

8. Consultation with Attorney General -

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

This Executive Order shall take effect on the date hereof.



Edward D. DiPrete  
Governor



Edward D. DiPrete  
Governor

State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 85-16

JULY 23, 1985

SECTION 504 COORDINATOR

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

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

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

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

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

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

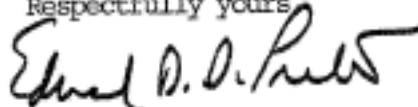


Executive Order No. 85-16  
July 23, 1985  
Page Two

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

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

Respectfully yours



Edward D. DiPrete  
GOVERNOR

# PUBLIC LAW 97-118

## AN ACT

### RELATING TO SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

#### CHAPTER 51

#### **SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE**

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

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

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

(b) Every employer shall:

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

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

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

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

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

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

(2003)

## State of Rhode Island Guidelines For Preventing Sexual Harassment

*Harassment on the basis of sex is a violation of RIGL 28-5.1 and Executive Order No. 05-01. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual 's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or, (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.*

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

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

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

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

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

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

Revised (2019)

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

**GUIDELINES FOR ENSURING UNBIASED WORK ENVIRONMENTS**

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

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

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

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

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

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

(2005)

# Employee Self-Identification of Disability Form and Request for Reasonable Accommodation

## CONFIDENTIAL

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

NAME: \_\_\_\_\_

AGENCY: \_\_\_\_\_

JOB TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

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

Disabling conditions include, but are not limited to:

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

☐ Yes, I request a Reasonable Accommodation Needs Assessment Review

☐ No Reasonable Accommodation is needed at this time

Additional Comments:

Signature: \_\_\_\_\_

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

RIEEO 5/09A

REVISED 7/02/2002

RI SEEO (401) 222-3090

## **DISCRIMINATION COMPLAINT PROCEDURE**

### **OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY STATE EQUAL OPPORTUNITY OFFICE**

**TELEPHONE: (401) 222-3090**

**FAX: (401) 222-2490**

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

1. A complaint must be filed formally on the "Complaint Information Form"; available through the State Equal Opportunity Office website (<http://odeo.ri.gov/documents/discrimination-complaint-information-form.pdf>) within ten (10) working days from the knowledge of the alleged incident of discrimination, unless it is an ongoing discrimination.

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

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

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

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

DEPARTMENT OF ADMINISTRATION  
OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY  
**State Equal Opportunity Office**  
Telephone: (401) 222-1452    Fax: (401) 222-2490    RI Relay: 711

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## DISCRIMINATION COMPLAINT INFORMATION FORM

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**1. Complainant Information:**

State your name and address

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Address**

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

**Telephone Number(s)/Email Address**

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

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

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

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

**2. Name of Department:**

\_\_\_\_\_

**3. Name of Immediate Supervisor:**

\_\_\_\_\_

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

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

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

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

**5. Date of alleged violation:**

\_\_\_\_\_

**6. Place of alleged violation:**

\_\_\_\_\_

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

**Case Number**

**7. Basis of alleged Complaint:**

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

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

\_\_\_\_\_

**8. Nature Change:**

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



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## **DISCRIMINATION COMPLAINT INFORMATION FORM**

**(Continued)**

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

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10. Why do you believe these events occurred?

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

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

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**Complainant Signature**

---

**Date**

---

**Interviewing Officer**

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

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# EXIT INTERVIEW SIGN-OFF FORM

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY (ODEO)

STATE EQUAL OPPORTUNITY OFFICE

One Capitol Hill

Providence, RI 02908-5865

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

Rhode Island Department of:

---

NAME OF EMPLOYEE (Please print or type)

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

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

\_\_\_\_\_  
SIGNATURE OF EMPLOYEE

\_\_\_\_\_  
DATE EMPLOYEE SIGNED

\*\*\*\*\*

\_\_\_\_\_  
DATE EXIT INTERVIEW WAS  
GIVEN TO EMPLOYEE

\_\_\_\_\_  
SIGNATURE OF HUMAN RESOURCES  
REPRESENTATIVE

## INSTRUCTIONS:

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

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## Rhode Island State Equal Opportunity Office

### CONFIDENTIAL EXIT SURVEY

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

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

NAME	
ADDRESS	
TELEPHONE	
E-MAIL	

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

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

Race/Ethnic Categories

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

Gender Categories

Female \_\_\_\_\_  
Male \_\_\_\_\_

Other Protected Classes

Disabled \_\_\_\_\_  
Veteran \_\_\_\_\_  
Age: 40 & over \_\_\_\_\_

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## CONFIDENTIAL EXIT SURVEY INQUIRY

(continued)

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1. What is your main reason for leaving?

\_\_\_\_\_

2. What did you like best about your job?

\_\_\_\_\_

3. What did you dislike about your job?

\_\_\_\_\_

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

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

\_\_\_\_\_

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

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

\_\_\_\_\_

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

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

\_\_\_\_\_

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

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

\_\_\_\_\_

8. Did you receive fair treatment while employed?

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

\_\_\_\_\_

9. Do you feel you were discriminated against?

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

\_\_\_\_\_

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## CONFIDENTIAL EXIT SURVEY INQUIRY

(continued)

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

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

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

Yes \_\_\_\_\_ No \_\_\_\_\_

Please explain: \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_

Comments

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## CONFIDENTIAL EXIT SURVEY INQUIRY

(continued)

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Comments

Submission Instructions

Please e-mail this form to [eo.compliance@doa.ri.gov](mailto:eo.compliance@doa.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 upmost 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**

RIEEO-03/78  
(Revised July 2019)

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

AFFIRMATIVE ACTION FILE

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

**TO BE COMPLETED BY APPLICANT OR EMPLOYEE ONLY**

Applicant or Employee

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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 ☐

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

**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:

Juana L. De Los Santos  
Administrator,  
State Equal Opportunity Office  
Office of Diversity, Equity and Opportunity  
Department of Administration  
One Capitol Hill  
Providence, RI 02908  
TEL # (401) 222-3090  
Rhode Island Relay: 711  
Email: [juana.delossantos@doa.ri.gov](mailto:juana.delossantos@doa.ri.gov)

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

**DIVERSITY ADVISORY COUNCIL\***  
**GUIDELINES**

**MISSION:**

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

**1. ESTABLISHING THE COMMITTEE:**

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

**2. STRUCTURE:**

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

**3. FUNCTIONS (ROLE):**

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

**4. CHAIRPERSON (DUTIES):**

- A. Prepare agenda for meeting
- B. Preside over council meetings
- C. Submit any council recommendations to the department/agency director

**5. SECRETARY (DUTIES)**

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

**6. AGENCY HEAD:**

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

For additional guidance and/or technical assistance, contact:

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

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

## **ENFORCEMENT 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](mailto: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)