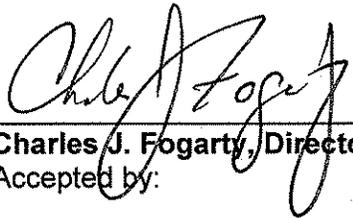


**Rhode Island Department of  
Labor and Training**  
Providing workforce protection and development services  
with courtesy, responsiveness and effectiveness



## **Affirmative Action Plan July 1, 2011 - June 30, 2012**

  
\_\_\_\_\_  
Charles J. Fogarty, Director  
Accepted by:

2-7-12  
Date

  
\_\_\_\_\_  
For the State Equal Opportunity Office

2/7/12  
Date

1511 Pontiac Avenue  
Cranston, RI 02920

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**PART I**  
**AGENCY ORGANIZATION**  
**AND**  
**STRUCTURE**

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## **AGENCY ORGANIZATION AND STRUCTURE**

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

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

Additional information may be found on the Department's website at <http://www.dlt.ri.gov/>.

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

#### **Income Support**

- Unemployment Insurance (UI) - provides temporary support to workers who lose their jobs through no fault of their own. Claims are filed by telephone by contacting the UI Call Center.
- Temporary Disability Insurance (TDI) – provides income support to eligible workers who sustain a wage loss resulting from a non-work related illness or injury.
- Workshare Program – provides an alternative to traditional layoffs. During temporary business slowdowns, an employer reduces work hours for employees, who in turn become eligible for pro-rated Unemployment Insurance benefits.
- Police & Fire Relief Fund – if a police officer or firefighter, crash rescue person or correctional officer receive a total disabling injury or dies in the performance of their duty, the Police and Fire Unit offers financial support to them and their dependents by providing a monthly annuity and/or tuition reimbursement at any Rhode Island College or university.

### **Workers' Compensation**

- Provides benefits to workers injured on the job. The division monitors procedures and payments made by insurance carriers to employees as well as collecting and disseminating statistical data, responding to compliance/fraud issues and conducting educational and procedural seminars.
- Rehabilitation Center – the John E. Donley Rehabilitation Center, located in Providence, provides broad-based rehabilitation programs for individuals in the Workers' Compensation system, including evaluations, therapy, counseling and vocational services.

### **Workforce Development**

- The Workforce Services Division is the single point of contact for information on the wide range of employment & training services available to job seekers and employers. The programs seek to connect individuals to employment, workforce information, education and training. The Workforce Development Services division is a partnership of federal, state and local services and agencies. The unit furnishes administrative and technical support, ensuring that programs are administered according to laws and regulations, as well as agency goals and objectives.
- netWORKri - One Stop Career Centers – Employers, job seekers and those with special needs can visit any one of the netWORKri Career Centers throughout the state and receive seamless and comprehensive services. These career centers throughout the state provide a full range of employment and training services to both job seekers and employers at no charge. Services are located in Pawtucket, Providence, Wakefield, West Warwick and Woonsocket. netWORKri is an innovative partnership of professional, labor, training, education, and economic development organizations. The Department of Labor is the primary partner offering employment services in each center.

### **Executive**

- The Marketing/Communications Unit, is responsible for the Department's internal and external communications such as news releases, advertising, and promotion

### **Workforce Partnership of Greater RI**

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

### **Governor's Workforce Board**

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

### **Labor Market Information**

- The Labor Market Information (LMI) Unit is the central state resource for the collection, analysis, and dissemination of information pertaining to the Rhode Island labor market. LMI is responsible for a wide range of labor market analysis and research involving industry trends, occupational projections, wage rates, labor force movements, population shifts, and demographics. LMI operates six federal/state programs in cooperation with the Bureau of Labor Statistics (BLS). These data collection programs include: Local Area Unemployment Statistics (LAUS), Occupational Employment Statistics (OES), Current Employment Statistics (CES), Quarterly Census of Employment & Wages (QCEW), Mass Layoff Statistics (MLS), and Occupational Safety and Health (OSH). The information gathered from these programs is the basis for most LMI products. LMI also extracts statistical information from Unemployment Insurance and Temporary Disability Insurance administrative records to assemble reports on the diverse activities of the Department.

### **Workforce Regulation and Safety**

- Professional Regulation - responsible for testing and licensing technical professions, ensuring compliance with prevailing wage laws, and regulating and safeguarding apprenticeships in the licensed trades.
- Occupational Safety and Health - enforces health and safety standards for all state agencies, public buildings, and city and town educational facilities and imposes standardized measures as established by the federal government.
- Labor Standards - enforces laws on minimum wage, child labor, overtime, industrial homework, Sunday/holiday pay and parental and family medical leave.

### **Business Affairs**

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

### **Office of Legal Services**

- The Office of Legal Services represents the Department in court proceedings, administrative hearings, and provides legal advice and counsel to staff on issues arising under both state and federal law as they relate to DLT programs. The Legal Office also initiates prosecution on unemployment compensation fraud and benefit overpayments and workers' compensation lack of insurance. The Legal Office provides advice on DLT legal matters, renders written and oral legal opinions, appears before various courts, boards and commissions, and attends in an advisory position at board meetings. The Legal Office acts as Departmental Hearing Officers in matters relating to labor standards, prevailing wage and employee grievance hearings. The Legal Office also represents the Department in the following areas: motions to quash filed when subpoenas for Department records are served; objections to court ordered counsel fees; appeals to the District Court from the Board of Review; and, appeals under the APA.

### **Labor Relations Board**

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

### **Board of Review**

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

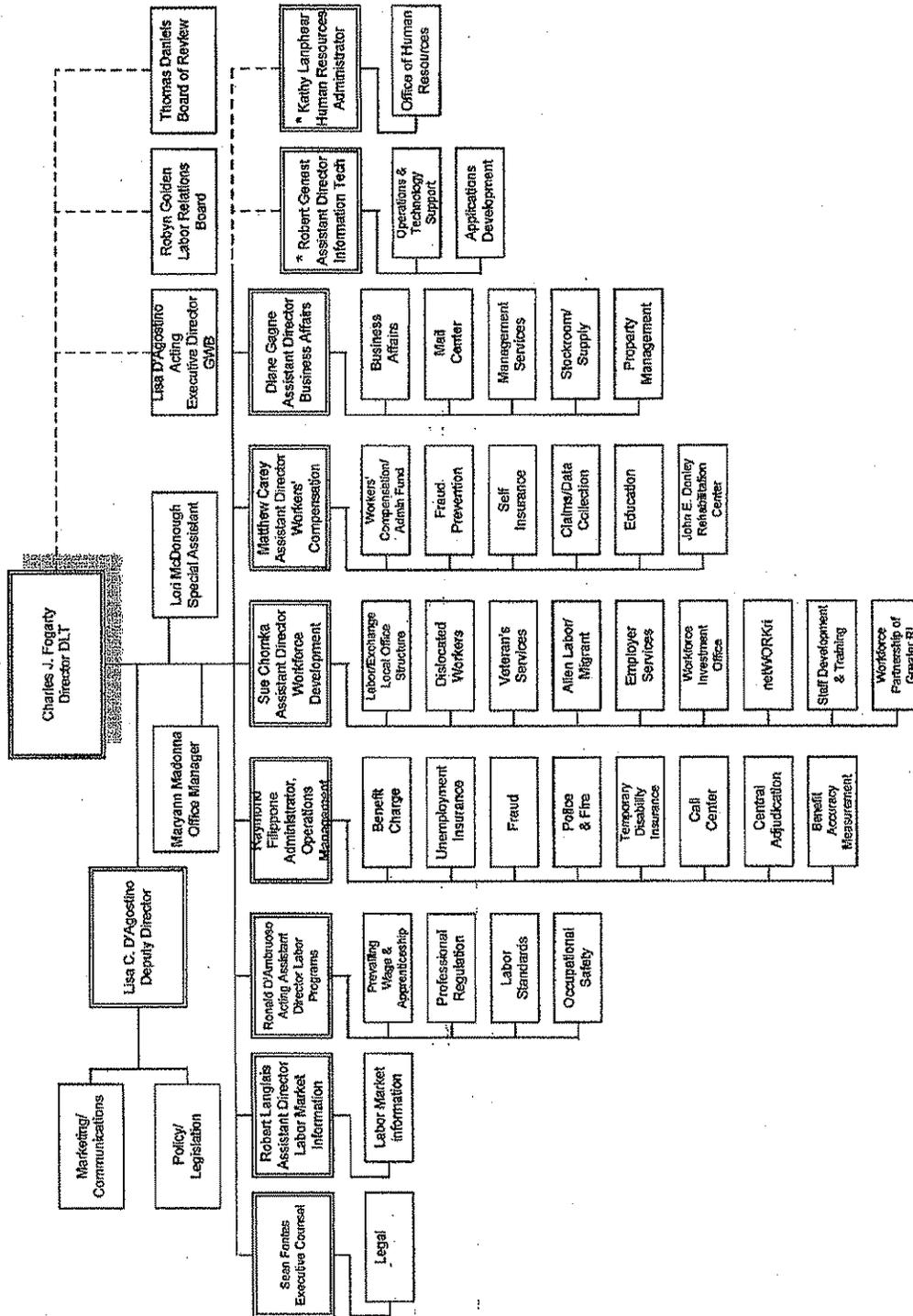
### **Human Resources – (Part of General Government Service Center, Department of Administration)**

- Responsible for employee relations, labor relations, payroll, staff development and training programs.
- Processes personnel actions; administers personnel policies; monitors position classification and compensation; prepares and monitors the annual internal affirmative action plan, assists in the preparation of personnel service budgets and maintains employee benefit programs.

### **Information Services Department – (Part of DOI – Department of Administration)**

- The Information Systems Division develops and maintains the applications and implements the technologies to support all the business units and their functions mentioned above. This includes systems design, programming, maintenance and support. Mainframe, mid-range, server and desktop hardware platforms are installed, operated and maintained. Network administration and security functions are also supported. This includes; email, internet and secure data transfers.

DEPARTMENT OF LABOR AND TRAINING  
 ORGANIZATIONAL CHART  
 March, 2011



\* Dept. of Administration

**PART II**

**PLAN ADMINISTRATION**

July 1, 2011

## EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

### POLICY STATEMENT

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The Department of Labor and Training unequivocally endorses the concept and practice of Equal Opportunity and will provide a climate of equality in all aspects of services to customers, applicants and to staff involved in providing such services. The agency will adhere to all aspects of RI General Law 28-5.1 and to the Federal laws pertaining to Equal Opportunity.

Equal Employment Opportunity is the right of all applicants to employment and employees dispensing agency services and programs to work and advance on the basis of merit, ability and potential. Affirmative Action is a managerial tool that ensures the concept of equality will be carried out in all personnel actions and further ensures a reasonable representation of the workforce of an organization to reflect a fair representation of the composition of the State's population.

A strong commitment to Affirmative Action and Equal Opportunity is required of all supervisory personnel.

Through the use of Compliance Review, all employees rendering programs and services to the public will be evaluated on their performance and efforts in carrying out an Affirmative Action Policy. Each local office will be subject to an all inclusive review by the Equal Opportunity/Affirmative Action Program Coordinators.

In an attempt to achieve maximum equal opportunities for minorities and individuals with disabilities, the Office of Human Resources will take action to facilitate the hiring of minorities and individuals with disabilities as they are certified for positions within the State service.

The Department of Labor and Training will post all vacancies and recruit, hire, train and promote persons in all job classifications without regard to race, color, sex, age, national origin, religion, disability status, veteran status, sexual orientation/preference or "gender identity/expression."

Sexual Harassment will not be tolerated for any employee to demean a subordinate, coworker, claimant or client. Any individual who commits this act is emphatically violating Departmental policy and will be dealt with accordingly. Sexual orientation will not be a determining factor in hiring or promoting agency employees.

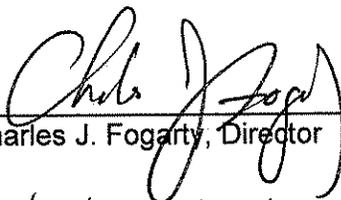
All employment decisions at this Department will promote the principles of Equal Employment Opportunity and the personnel functions of compensation, layoffs, (RIF), transfers, promotions, demotions, training, benefits, recall from layoffs (RIF), appointments and discipline will be administered without regard to race, color, sex, age, national origin, religion, handicap/disability status, veteran status, sexual orientation/preference or "gender identity/ expression."

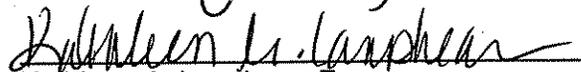
Agency Policies (internal and external) will be disseminated by the Equal Opportunity Officer. These policies will be prominently displayed on all official bulletin boards and will be part of the yearly Affirmative Action Plan.

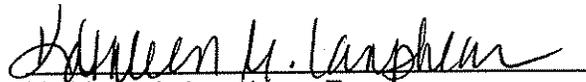
Kathleen A. Lanphear, Esq. is designated as the Affirmative Action Plan Coordinator. She is the person responsible for the developing Affirmative Action Plan for the Department of Labor & Training.

Kathleen A. Lanphear, Esq. is designated as the Americans with Disabilities Act Coordinator/504 Coordinator, and is responsible for determining that the Department provides reasonable accommodations for disabled individuals to insure equal access to services and employment.

The Department of Labor and Training reaffirms its commitments to provide equality to all people and will continue to make a concerted effort to strive to be an "Equal Opportunity Employer."

  
\_\_\_\_\_  
Charles J. Fogarty, Director

  
\_\_\_\_\_  
Kathleen A. Lanphear, Esq.  
Affirmative Action Plan Coordinator

  
\_\_\_\_\_  
Kathleen A. Lanphear, Esq.  
ADA Coordinator/504 Coordinator

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

---

**ARTICLE I**  
**NAME**

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

**ARTICLE II**  
**PURPOSE**

The Committee shall monitor issues and concerns relating to the presentation and implementation of the Affirmative Action Plan of the Department of Labor and Training and to advise the Director of the Department of Labor and Training accordingly. Such issues and concerns shall include, but no necessarily be limited to:

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

**ARTICLE III**  
**ORGANIZATION**

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

**ARTICLE IV**  
**SELECTION OF THE GENERAL MEMBERSHIP**

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

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

#### **ARTICLE V GENERAL MEMBERSHIP TERM OF SERVICE**

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

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

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

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

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

#### **ARTICLE VI DUTIES OF THE GENERAL MEMBERSHIP**

Each member shall:

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

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

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

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

**ARTICLE VII  
WITHDRAWAL FROM THE COMMITTEE**

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

**ARTICLE VIII  
TERMS OF OFFICE**

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

**ARTICLE IX  
DUTIES OF OFFICERS**

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

**ARTICLE X  
ELECTION OF OFFICERS**

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

**Section 4.** At least two-thirds of the full Committee shall be present to constitute an election quorum. If an election quorum is not present, a special election meeting shall be held on the next date on which an election quorum shall be present.

**Section 5.** A plurality of the vote shall decide each election.

**Section 6.** The chair shall not vote in any election of officers unless the result is a tie, in which case the chair shall render the deciding vote.

#### **ARTICLE XI REPLACEMENT OF OFFICERS**

**Section 1.** If the office of chair becomes vacant, the vice-chair shall succeed to chair.

**Section 2.** If the office of vice-chair becomes vacant, the secretary shall succeed to vice-chair.

**Section 3.** If the office of secretary becomes vacant, a special election meeting shall be held to fill that office on the next date on which an election quorum shall be present. Such special elections shall be conducted according to Sections 3 through 6 of Article X.

**Section 4.** Replacement of the chair and/or vice-chair shall be effective immediately upon office vacancy; replacement of the secretary shall be effective immediately upon election of a successor.

#### **ARTICLE XII REMOVAL FROM OFFICE**

**Section 1.** The Committee may elect, at any regularly scheduled meeting at which an election quorum of at least two-thirds of the full Committee is present, to remove an officer from office.

**Section 2.** The removal shall be by secret ballot.

**Section 3.** Removal from office shall require that a majority of those present votes affirmatively.

**Section 4.** If there is a tie vote, the officer shall remain in office.

#### **ARTICLE XIII COMMITTEE MEETINGS**

**Section 1.** The Committee shall meet on the first Wednesday of each month unless otherwise stipulated.

**Section 2.** One-third of the full Committee shall constitute a general business quorum for purposes of conducting regular Committee business other than election or removal of officers an enactment or amendment of by-laws, which shall require an election quorum of two-thirds of the full Committee.

**Section 3.** Minutes shall be kept of each Committee meeting.

**Section 4.** Cancellation of any Committee meeting for good cause shall be the prerogative of the Chair.

**ARTICLE XIV**  
**ENACTMENT AND AMENDMENT OF BYLAWS**

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

## DLT - EEO/AFFIRMATIVE ACTION ADVISORY

### COMMITTEE MEMBERS – FY 2011

---

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Robert Evangelista  
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## ASSIGNMENT OF RESPONSIBILITIES

### DIVISION HEADS, SUPERVISORS, PERSONNEL OFFICERS

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

#### **Functions:**

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

## ASSIGNMENT OF RESPONSIBILITIES

### Equal Opportunity Coordinator

Kathleen A. Lanphear, Esq.  
General Government Service Center  
Department of Administration  
One Capitol Hill  
Providence, RI 02908

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

### **Functions**

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

**DISSEMINATION OF PLAN AND POLICY**  
**INTERNAL AND EXTERNAL DISSEMINATION**

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

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

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

**ASSIGNMENT OF RESPONSIBILITIES**  
**AMERICANS WITH DISABILITIES ACT/504 COORDINATOR**

Kathleen A. Lanphear, Esq.  
General Government Service Center  
Department of Administration  
One Capitol Hill  
Providence, RI 02908

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

**FUNCTIONS:**

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

## GRIEVANCE POLICY FOR ALLEGED DISCRIMINATION

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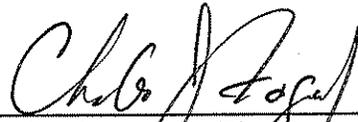
This Department is committed to provide services in a climate of equality. All supervisory officials have been advised to contact the Affirmative Action Coordinator if a complaint of discrimination is received by an employee or a person availing themselves of the Department's services.

The Department of Labor and Training subscribes fully to the principles of equal opportunity; the right to be selected and promoted on the basis of qualifications and merit without regard to race, color, national origin, religion, age, sex, sexual preference, disability status or "gender identity/ expression."

Any employee aggrieved for a seeming violation of the principles of equal opportunity (including harassment because of sex) should contact the Department's Equal Opportunity Officer, Kathleen A. Lanphear, Esq. The Directorate of Civil Rights, according to regulation 29 CFR - Parts 31 and 32, states that an aggrieved employee may file a complaint within 180 days of the alleged discriminatory act.

Any questions about grievance procedures relating to Equal Opportunity should be taken up with one of the Affirmative Action Coordinators.

Grievance procedures and laws relating to Equal Opportunity are posted on bulletin boards in the Department.



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Charles J. Fogarty, Director  
Department of Labor & Training

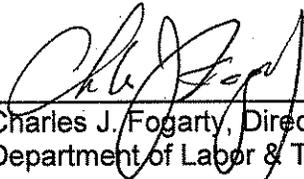
**NOTE:** Your specific attention is directed to the Grievance Procedure as established by the State Equal Opportunity Office. This Grievance Procedure is also posted. The State Equal Opportunity Office accepts complaints from state employees which are based upon race, sex, national origin, religion, color, disability status and sexual harassment.

The State Equal Opportunity Office is located at One Capitol Hill, Providence, Rhode Island, (401) 222-3090, TTY (401) 222-6144.

## CONTRACT COMPLIANCE AND MINORITY BUSINESS ENTERPRISE

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In accordance with federal and state legislation, the Department will continue to monitor the compliance of sub-contractors with equal employment opportunity and affirmative action laws, executive orders, guidelines, rules and regulations; and the Department will continue to seek out and promote the inclusion of minority owned businesses in its procurement process, whenever possible. Marilyn Langlais, 462-8156, has been designated as the Minority Business Enterprise Coordinator.



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Charles J. Fogarty, Director  
Department of Labor & Training

## SERVICE DELIVERY POLICY

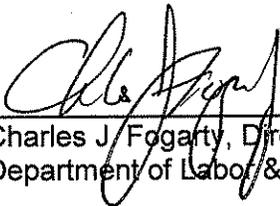
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It shall be a policy of the Rhode Island Department of Labor & Training to provide fair and equitable service to the public. This Department will not discriminate in any program or activity on the basis of race, color, sex, religion, national origin, age, disability, sexual orientation or "gender identity/ expression."

If you feel you have been treated unfairly by an Employee of the Department of Labor and Training, or been discriminated against by this Department, please contact:

Kathleen A. Lanphear, Esq.  
Equal Opportunity, Coordinator  
General Government Service Center  
Department of Administration  
One Capitol Hill  
Providence, RI 02908

This notice will be posted on all bulletin boards in all Department Divisions, as well as areas outside of Divisions, where bulletin boards are visual.



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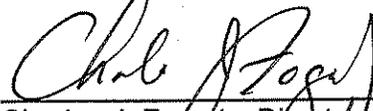
Charles J. Fogarty, Director  
Department of Labor & Training

## POLICY ON COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

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The Department of Labor and Training will make every effort to comply with federal guidelines on discrimination because of sex (41 CFR Paragraph 60-20), and will apply 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, and are placed in a general "Help Wanted" column.
3. Written personnel policies indicate that there will be no discrimination on the basis of sex.
4. Employees and applicants of both sexes shall have an equal opportunity to be placed on any available job which they are qualified to perform.
5. No distinction based on sex will be made in employment opportunities, wages, hours of work, employee benefits, or any other condition of employment.
6. Mandatory or optional ages for retirement will be equal for both males and females.
7. Appropriate physical facilities will be provided for both sexes. Lack of facilities will not be used to reject applicants of either sex.
8. Pregnancy leaves of absence for female employees are granted on an individual basis, depending on an individual's physical condition, under the Agency's leave of absence policy. When a female employee meets the equally applied minimum length of service requirement for leave time, she is granted a maternity leave.
9. Where seniority lists or lines of progression are used they shall not be based on an employee's sex.
10. Salaries and wage schedules will not be based on an employee's sex.
11. As openings occur, the Agency will take affirmative action to recruit and place women in those jobs in which we have determined that females are underutilized.
12. Women will have equal opportunity to participate in training programs sponsored by the Agency, and special efforts will be made to include women in any management training programs that are offered.
13. The Agency recognizes its obligation to provide a work atmosphere free of harassment and intimidation.



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Charles J. Fogarty, Director  
Department of Labor & Training

## **POLICY ON SEXUAL HARASSMENT**

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### **I. THE POLICY**

- A. It is the policy of the Department of Labor and Training to maintain a working environment that is free from sexual harassment.
- B. It shall be a violation of this policy for any employee of the Department of Labor and Training to harass another employee through conduct or communications of a sexual nature as defined in Section II.

### **II. DEFINITION**

- A. Sexual harassment shall consist of unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal or physical conduct of a sexual nature when made by an employee:
  - 1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or when:
  - 2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting that individual, or when:
  - 3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
- B. Sexual harassment, as set forth in Section II-A, may include but is not limited to the following:
  - verbal harassment or abuse,
  - pressure for sexual activity,
  - repeated remarks to a person, with sexual or demanding implications,
  - unwelcome touching,
  - suggested or demanding sexual involvement accompanied
  - by implied or explicit threats concerning one's work, etc.

### **III. PROCEDURES**

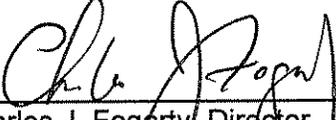
- A. Any person who alleges sexual harassment by any employee in the Department of Labor and Training may use the procedure detailed in the employee handbook or may complain directly to his or her immediate supervisor or Human Resource Personnel. Filing of a grievance or reporting sexual harassment will not reflect upon the individual's status, nor will it affect future employment or work assignments.
- B. The right to confidentiality, both for the complainant and the accused, will be consistent with the Department of Labor legal obligations, and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred.

#### IV. SANCTIONS

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

#### V. NOTIFICATION

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

  
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Charles J. Fogarty, Director  
Department of Labor & Training

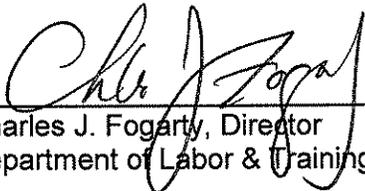
**POLICY ON COMPLIANCE WITH RELIGION AND NATIONAL ORIGIN  
DISCRIMINATION GUIDELINES**

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The Department of Labor and Training accommodates the religious observance and practices of employees or applicants unless such accommodation creates undue hardship on the Agency. The extent of the Agency's obligation is determined by an analysis of business necessity, financial costs and expenses, and resulting personnel problems.

**NONDISCRIMINATION  
(41 C.F.R. PARAGRAPH 60-50.5-1983)**

The Department of Labor and Training does not discriminate against any qualified employee or applicant because of race, color religion, sex, age, disability status or national origin.

  
\_\_\_\_\_  
Charles J. Fogarty, Director  
Department of Labor & Training

**PART III**  
**PROGRAM STATISTICS**  
**AND EVALUATION**  
**(2010-2011)**

## SELF-EVALUATION

During the Plan Year July 1, 2010 through June 30, 2011, the Department of Labor and Training slightly decreased from **470** employees to **467** employees. For the Plan Year, **22%** of our employees are minorities and **66.0%** are women.

### AFFIRMATIVE ACTION GOALS

A review of the Department's Affirmative Action goals reflects that the Department has not shown improvement in meeting our goals.

There were **40** employees hired by the Department for the plan year, **28** were females and **10** were minorities; and of the **71** employees promoted by the Department, **41** were females and **12** were minorities.

The Department did not achieve its goal in the Official/Managers Administrator category, due to the lack of vacancies in that category. However, the Department achieved and surpassed its minority goal by five in the Professionals category but did not meet its goals in the Technician category. The minority goal in the Administrative Support category was also not achieved. It is important to note that the Department's minority workforce is 22% and the female workforce is 86%.

The Department will continue to work towards achieving all of our affirmative action goals.

As we work toward that end, the Department will continue to look for ways we can broaden the minority applicant pool as we become more active with and have a greater interaction with community based organizations, as well as organizations that represent minority groups, women, individuals with disabilities, and veterans groups. These efforts will continue to yield a more diverse applicant pool, with a wider variety of experience/qualifications.

### POSTING OF POSITIONS

During the Plan Year, agency vacancy notices were disseminated within the Department; posted on the State of Rhode Island website and forwarded to all state agencies.

### EMPLOYMENT AND SELECTION PROCESS

**One hundred sixty-five (165)** applicants were interviewed at DLT during this Plan Year. **Forty (40)** were hired during the plan year; **twenty-eight (28)** were females and **ten (10)** were minorities.

### TRANSFER AND PROMOTION PRACTICES

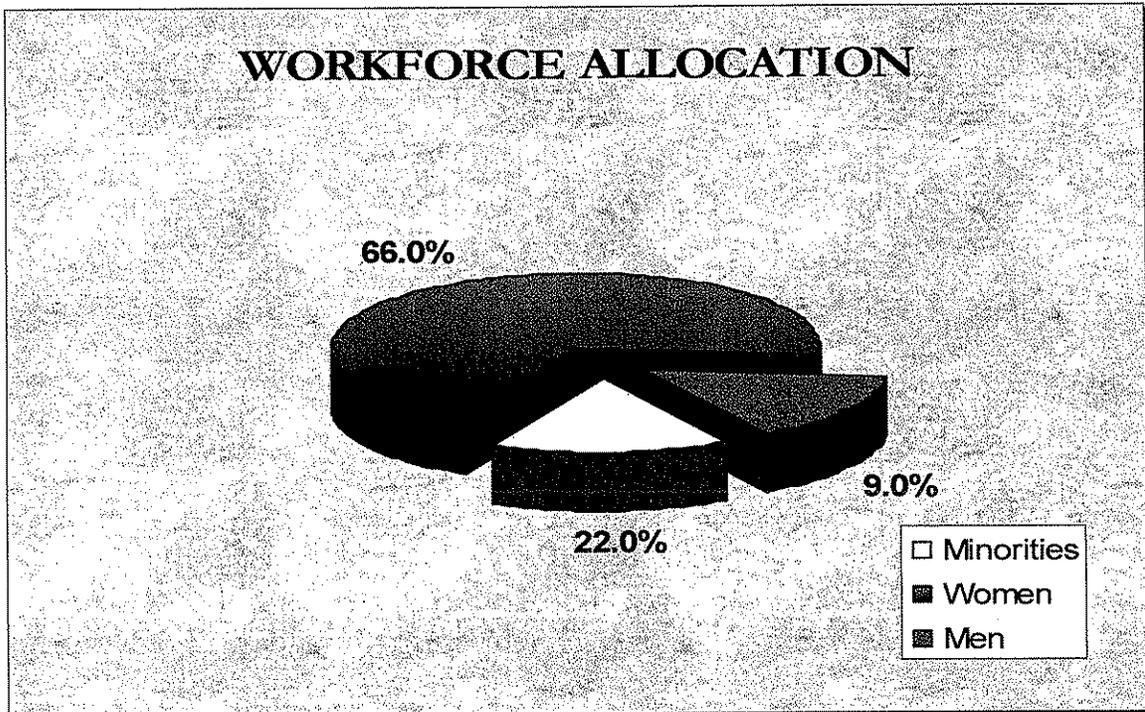
**Seventy-one (71)** DLT employees were promoted during the Plan Year; **forty-one (41)** were females and **twelve (12)** were minorities.

## TRAINING PROGRAMS

**Eighty-two (82)** DLT employees attended training offerings during this Plan Year. Of those employees who attended training offerings, **four (4)** were minorities, **forty-nine (49)** were females. The Department did not have any disabled employees participate in training offerings. The majority of training offerings continue to be related to learning updated computer software applications and renewed training for job performance. Please note that all the new hires for the Department (**40**) and all of the promotional employees (**71**) participated in training programs relating to their employment.

## WORKFORCE ATTITUDE

The EEO Committee continues to evaluate its plan on cultural diversity and exploring adding EEO to the DLT website. The Committee met monthly to disseminate and promote ideas of cultural diversity and equal opportunity among DLT employees.





# TRAINING PARTICIPATION SUMMARY

AGENCY: Labor & Training

DATE: July 1, 2010 thru June 30, 2011

EEO Job Categories	Total Trainees	Number Disabled	Number Minority	Number Female	Male							Female													
					White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	%	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	%									
Officials/Managers Administrators	4		0	0	4	100%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Professionals	41		4	25	12	29%	0	4	10%	0	0	0	0	0	0	25	61%	0	0	0	0	0	0	0	0
Faculty	0		0	0		0%	0	0	0	0	0	0	0	0	0		0%	0	0	0	0	0	0	0	0
Technicians	22		0	12	10	45%	0	0	0	0	0	0	0	0	12	55%	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
Para-Professionals	9		0	9		0%	0	0	0	0	0	0	0	0	9	100%	0	0	0	0	0	0	0	0	0
Administrative Support	6		0	3	3	50%	0	0	0	0	0	0	0	0	3	50%	0	0	0	0	0	0	0	0	0
Skilled Craft	0		0	0		0%	0	0	0	0	0	0	0	0		0%	0	0	0	0	0	0	0	0	0
Service Maintenance	0		0	0		0%	0	0	0	0	0	0	0	0		0%	0	0	0	0	0	0	0	0	0
<b>Totals</b>	<b>82</b>	<b>0</b>	<b>4</b>	<b>49</b>	<b>29</b>	<b>35%</b>	<b>0</b>	<b>4</b>	<b>5%</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>49</b>	<b>60%</b>	<b>0</b>								

Total Percent:  
 Minority: 5%  
 Female: 60%  
 Disabled: 0%

AGENCY:           Labor & Training          

DATE:           July 1, 2010 thru June 30, 2011          

<b>DISCIPLINARY ACTION</b>
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DISCIPLINARY ACTION TAKEN	White		Black		Hispanic		Asian/Pacific Islander		American Indian Alaskan Native		Disabled	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Suspension (Indefinitely)												
Suspension (Specified Time)		2										
Loss of Pay		2										
Written Reprimand		1										
Duty On/Off Days												
Oral Reprimand	2	1							1			
Termination	1											
Other (Explain)									2			
<b>TOTAL</b>	<b>3</b>	<b>6</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>

\*Counseling  
\* Demoted

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

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

# APPLICANT DATA

AGENCY: Labor & Training

DATE: July 1, 2010 thru June 30, 2011

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Disabled	Hire	Promotion	Transfer Within	Grade
							White Male	Minority	Female						
CHIEF REFEREE - BD OF REVIEW	02359	A		X		X	3	1	5		1	5F		00129A	
DIRECTOR, DEPT OF LABOR & TRNG	03704	A		X		X		1	1				2F	00323A	
EMPLOY AND TRNG ADMINISTRATOR	03762	A		X		X	2		3		1		5F	00323A	
BENEFIT CLAIMS SPECIALIST	00810	B	X			X	1						5M	00323A	
BENEFIT CLAIMS SPECIALIST	02189	B	X			X			1			5F		00323A	
BENEFIT CLAIMS SPECIALIST	03688	B	X			X	1	1	1				5F	00323A	
BENEFIT CLAIMS SPECIALIST	03769	B	X			X			1					00323A	
BENEFIT CLAIMS SPECIALIST	03772	B	X			X		1	1			2F		00323A	
BENEFIT CLAIMS SPECIALIST	03984	B	X			X	1	4	5			5M		00323A	
BENEFIT CLAIMS SPECIALIST	03985	B	X			X		1	3			2F		00323A	
BENEFIT CLAIMS SPECIALIST	04039	B	X			X			1				5F	00324A	
BENEFIT CLAIMS SPECIALIST	04040	B	X			X	1							00324A	
BENEFIT CLAIMS SPECIALIST	03823	B	X			X	2	1	4					00324A	
BUSINESS SERVICES SPECIALIST	83949	B	X			X			1			5F		00324A	
BUSINESS SERVICES SPECIALIST	83979	B	X			X	1					5M		00324A	
BUSINESS SERVICES SPECIALIST	83980	B	X			X			1					00324A	
BUSINESS SERVICES SPECIALIST	83981	B	X			X		1	1			1F		00324A	
BUSINESS SERVICES SPECIALIST	83982	B	X			X	1						5M	00333A	
BUSINESS SERVICES SPECIALIST	83983	B	X			X			1			5F		00134A	
CHF LIC EXAM DIV OF COM LIC RG	00053	B	X			X			1			5F		00134A	
CHIEF OF LABOR & TRNG OPER	03296	B		X		X			3			5M		00138A	

# APPLICANT DATA

AGENCY: Labor & Training DATE: July 1, 2010 thru June 30, 2011

AGENCY: Labor & Training

Classification	Position Number	EEO Category	Union	Non-Union	List	No. List	Applicants				Transfer Within	Grade
							White Male	Minority	Female	Disabled		
CHIEF OF LABOR & TRNG OPER	03302	B		X		X	3		3		5F	00818A
COORD OF E & T PROGRAMS	03490	B		X		X	3		2		5F	00131A
COORD OF E & T PROGRAMS	03548	B		X		X	3	1	4		5M	00131A
COORD OF E & T PROGRAMS	03564	B		X		X	3		3		5F	00131A
COORD OF E & T PROGRAMS	03951	B		X		X			3		5F	00131A
COORD OF E & T PROGRAMS	04041	B		X		X		1			2M	00131A
COORD OF U.I. PROGRAMS	03293	B		X		X	2		1		5M	00131A
EMPLOYMENT & TRAINING MANAGER	03530	B		X		X		1	1		5M	00948K
EMPLOYMENT & TRAINING MANAGER	03987	B		X		X	1	1	2		2F	00320A
EXECUTIVE COUNSEL	03799	B		X		X			1		5F	00316A
FRAUD & OVERPAYMENT INVESTIGTR	03164	B	X			X	2	1	1		5M	00316A
PRINCIPAL E & T INTERVIEWER	03817	B	X			X	1		1			00316A
PRINCIPAL E & T INTERVIEWER	83970	B	X			X	1				5M	00135A
PRINCIPAL E & T INTERVIEWER	83971	B	X			X		1	1			00126A
PRINCIPAL E & T INTERVIEWER	83972	B	X			X			1		5F	00126A
REFEREE - BOARD OF REVIEW	04042	B		X		X		1			1M	00839A
REFEREE - BOARD OF REVIEW	04043	B		X		X	1				5M	00321A
SENIOR E & T MANAGER	00286	B		X		X	1				5M	00322A
SENIOR E & T MANAGER	84031	B		X		X	1				5M	00322A
SPECIAL ASSISTANT	04045	B		X		X	1				5M	00322A
SR E & T MONIT & EVAL SPEC	03679	B		X		X	2	3	6		5M	00322A

# APPLICANT DATA

AGENCY: Labor & Training

DATE: July 1, 2010 thru June 30, 2011

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Hire	Promotion	Transfer Within	Grade
							White Male	Minority	Female	Disabled				
SRE & T MONIT & EVAL SPEC	03993	B		X		X	1	4	6				1M	00320A
ASST COOR OF EMP & TRNG PROG	03986	C		X		X		1	1				5F	00123A
INDUSTRIAL SAFETY SPECIALIST (	00094	C	X			X	11	2	3		5M			00322A
INDUSTRIAL SAFETY SPECIALIST (	00096	C	X			X	1					5M		00323A
INDUSTRIAL SAFETY SPECIALIST (	00097	C	X			X			1					00323A
PREVAILING WAGE INVESTIGATOR	00052	C	X			X	6	3	6					00323A
RESEARCH TECHNICIAN	02362	C	X			X	2		1				2F	00323A
CONFIDENTIAL SECRETARY	03729	E		X		X		1	5					00137A
DISABLED VETERANS JOB ASSISTAN	03183	E	X			X	2	2	1		1F			00137A
EMPLOY & TRNG ASSISTANT	00023	E	X			X			1					00319A
EMPLOY & TRNG ASSISTANT	00098	E	X			X		1	1					00320A
EMPLOY & TRNG ASSISTANT	02236	E	X			X		1	1				2F	00320A
IMPLEMENTATION AIDE	00051	E	X			X		3	4				5F	00320A
LOCAL VETERANS EMPLOY REP	03977	E	X			X	2		1					00320A
SENIOR E & T INTERVIEWER	02542	E	X			X	1							00320A
SENIOR E & T INTERVIEWER	03691	E	X			X	1							00320A
SENIOR E & T INTERVIEWER	03828	E	X			X			1				5F	00320A
SENIOR E & T INTERVIEWER	03879	E	X			X			1				5F	00320A
SENIOR E & T INTERVIEWER	03882	E	X			X								00320A
SENIOR E & T INTERVIEWER	03887	E	X			X		1					5F	00320A
SENIOR E & T INTERVIEWER	03892	E	X			X			1				5F	00320A

# APPLICANT DATA

AGENCY: Labor & Training

DATE: July 1, 2010 thru June 30, 2011

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants			Hire	Promotion	Transfer Within	Grade
							White Male	Minority	Female				
SENIOR E & T INTERVIEWER	03901	E	X			X	1			5M			00320A
SENIOR E & T INTERVIEWER	03903	E	X			X		1	1			3F	00320A
SENIOR E & T INTERVIEWER	03907	E	X			X			1	5F			00320A
SENIOR E & T INTERVIEWER	03909	E	X			X	1				5M		00320A
SENIOR E & T INTERVIEWER	04015	E	X			X			1		5F		00128A
SENIOR E & T INTERVIEWER	04021	E	X			X		1	1		2F		00128A
SENIOR E & T INTERVIEWER	04022	E	X			X			1		5F		00829A
SENIOR E & T INTERVIEWER	83945	E	X			X	1				5M		00126A
OFFICE MANAGER	03796	F		X		X			1	5F			00126A
<b>Totals</b>			48	24	0	72	68	41	106	8	36	17	

**EEO Category**

- A - Officials/Managers/Administrators
- B - Professionals
- C - Technicians
- CF - Faculty
- D - Protective Services
- E - Paraprofessionals
- F - Administrative Support
- G - Skilled Craft
- H - Service Maintenance

**Race/Ethnic Code**

- 1 - Black
- 2 - Hispanic
- 3 - American Indian/ Alaskan Native
- 4 - Asian American/ Pacific Islander
- 5 - White

**Gender Code**

- F - Female
- M - Male

**Disability Code**

- D - Disabled

### Applicant Flow Data

	TOTAL APPLICANTS	MALE						Female					
		WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	**DISABLED	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	**DISABLED
<b>APPLICANTS</b>													
OFFICIALS/ADMINISTRATORS	16	5	3					7		1			
PROFESSIONALS	84	34	2	4				31	4	8	1		
FACULTY	0												
TECHNICIANS	36	20			1			9	2	4			
PROTECTIVE SERVICES	0												
PARA-PROFESSIONALS	22	9				1		7	2	3			
ADMINISTRATIVE SUPPORT	7							7					
SKILLED CRAFT	0												
SERVICE/MAINTENANCE	0												
<b>TOTAL</b>	<b>165</b>	<b>68</b>	<b>5</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>61</b>	<b>8</b>	<b>16</b>	<b>1</b>	<b>0</b>	<b>0</b>
<b>HIRES</b>													
OFFICIALS/ADMINISTRATORS	2	2											
PROFESSIONALS	14	2	2					8		2			
FACULTY	0												
TECHNICIANS	2	2											
PROTECTIVE SERVICES	0												
PARA-PROFESSIONALS	20	2	2					12		4			
ADMINISTRATIVE SUPPORT	2							2					
SKILLED CRAFT	0												
SERVICE/MAINTENANCE	0												
<b>TOTAL</b>	<b>40</b>	<b>8</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>22</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PROMOTIONS</b>													
OFFICIALS/ADMINISTRATORS	6	6											
PROFESSIONALS	52	16		2				24	4	6			
FACULTY	0												
TECHNICIANS	5	3						2					
PROTECTIVE SERVICES	0												
PARA-PROFESSIONALS	8	3						5					
ADMINISTRATIVE SUPPORT	0												
SKILLED CRAFT	0												
SERVICE/MAINTENANCE	0												
<b>TOTAL</b>	<b>71</b>	<b>28</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>31</b>	<b>4</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TERMINATIONS</b>													
OFFICIALS/ADMINISTRATORS	0												
PROFESSIONALS	14	4						6		4			
FACULTY	0												
TECHNICIANS	0												
PROTECTIVE SERVICES	0												
PARA-PROFESSIONALS	10	6								2	2		
ADMINISTRATIVE SUPPORT	0												
SKILLED CRAFT	0												
SERVICE/MAINTENANCE	0												
<b>TOTAL</b>	<b>24</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>2</b>	<b>0</b>

\*\*Also Includes disabled in appropriate job categories.

APPLICANT REFUSAL OF POSITIONS OFFERED

AGENCY: Labor & Training DATE: July 1, 2010 thru June 30, 2011

EEO Job Categories	Total Applicants	Number Disabled	Number Minority	Number Female	Male					Female							
					White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	%	White	Black	Hispanic	%	Asian/Pacific Islander	American Indian Alaskan	%
Officials/Managers Administrators	0		0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Professionals	4		2	2	1	25%	1	25%	0%	0%	0%	1	25%	0%	0%	0%	0%
Faculty	0		0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Technicians	0		0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Protective Services	0		0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Para-Professionals	1		0	0	1	100%	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%
Skilled Craft	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%
Totals	5	0	2	2	2	40%	1	20%	0	0%	0	0%	1	20%	1	0	0%

Total Percent:  
 Minority: 40.0%  
 Female: 40.0%  
 Disabled: 0.0%

INDIVIDUALS With HANDICAPS

AGENCY: Labor & Training DATE: July 1, 2010 thru June 30, 2011

EEO Job Categories	Total Disabled	Total Minority	Total Female	Male								Female								
				White	Black	%	Hispanic	%	Asian/ Pacific Islander	%	American Indian Alaskan	%	White	Black	%	Hispanic	%	Asian/ Pacific Islander	%	American Indian Alaskan
Officials/ Managers Administrators	1	0	0	1	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Professionals	4	0	3	1	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Faculty	0	0	0		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Technicians	1	0	0	1	100%	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	5	0	3	2	40%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Administrative Support	1	1	1		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	100%	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%
<b>Totals</b>	<b>12</b>	<b>1</b>	<b>7</b>	<b>5</b>	<b>42%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>8%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>0</b>

# Annual Affirmative Action Statistical Summary

AGENCY: Labor & Training

Date: July 1, 2010 thru June 30, 2011

EEO-4 Job Categories	CURRENT					LAST YEAR'S WORKFORCE					DIFFERENCE +/-					HIRING GOALS		GOALS MET	
	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	MINORITY	FEMALE	MINORITY	FEMALE
Officers/Managers Administrators	30	18	0	12	1	28	13	1	15	1	2	5	-1	-3	0	1	1	N	N
Professionals	238	53	51	174	4	228	50	45	169	5	10	3	6	5	-1	1		A+	
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
Technicians	38	20	4	16	1	34	16	5	16	1	4	4	-1	0	0	1	2	N	N
Protective Services	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0				
Para-Professionals	147	36	44	95	5	162	39	50	107	4	-15	-3	-6	-12	1				
Administrative Support	13	1	2	12	1	17	1	2	16	2	-4	0	0	-4	-1	1		N	
Skilled Craft	1	1	0	0	0	1	1	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				
<b>Total Employees</b>	<b>467</b>	<b>129</b>	<b>101</b>	<b>309</b>	<b>12</b>	<b>470</b>	<b>120</b>	<b>103</b>	<b>323</b>	<b>13</b>	<b>-3</b>	<b>9</b>	<b>-2</b>	<b>-14</b>	<b>-1</b>				

Current Workforce: As of June 30th, 2011  
 Last Year's Workforce: As of June 30th, 2010  
 Difference: Increases or Decreases  
 Goals: Numerical projections, July 1st, 2010 To June 30th, 2011 for employment of minorities and women.

**Percentages**  
 22% Minority Applicants  
 52% Female Applicants  
 25% Minority Hiring  
 70% Female Hiring

**Termination Percent**  
 33% Minority  
 25% White Female  
 42% White Male

**Total Current Workforce Percent**  
 22% Minority  
 66% Female  
 3% Disabled

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

## DESCRIPTION OF JOB CATEGORIES

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### **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.

*Equal Employment Opportunity Commission, Washington DC; Revised October 22, 1993*

# JOB GROUP ANALYSIS SUMMARY

Agency: Labor & Training

DATE: July 1, 2010 thru June 30, 2011

EEO Job Categories	Total Employees	Total Minorities	Male										Female							
			%	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	%	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	%					
Officials/Managers/Administrators	31	0	0%	16	0	0%	0%	0	0%	0	0%	0	0%	15	0	0%	0	0%	0	0%
Professionals	232	48	21%	52	2	1%	5	2%	1	0%	0	0%	122	13	5.60%	22	4	2%	1	0%
Faculty	0	0	0%	0	0	0%	0	0%	0	0%	0	0%	0	0	0%	0	0	0%	0	0%
Technicians	34	4	12%	17	2	6%	0	0%	0	0%	0	0%	13	0	0%	2	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%
Para-Professionals	144	42	29%	36	9	6%	5	3%	1	1%	1	1%	65	9	6.25%	14	2	1%	1	1%
Administrative Support	14	2	14%	1	0	0%	0	0%	0	0%	0	0%	11	2	0	0	0	0%	0	0%
Skilled Craft	1	0	0%	1	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%
<b>GRAND TOTAL</b>	<b>456</b>	<b>96</b>	<b>21%</b>	<b>123</b>	<b>13</b>	<b>3%</b>	<b>10</b>	<b>2%</b>	<b>2</b>	<b>0%</b>	<b>1</b>	<b>0%</b>	<b>237</b>	<b>24</b>	<b>5.26%</b>	<b>39</b>	<b>6</b>	<b>1%</b>	<b>2</b>	<b>0%</b>



# JOB GROUP ANALYSIS

EEO Job Category: Professionals

DATE:

July 1, 2010 thru June 30, 2011

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male							Female							
					White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan	%	White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan	%			
ADMINISTRATIVE ASSISTANT/SECRET	821	1	0	0%	0%	0%	0%	0%	0%	0%	0%	1	100%	0%	0%	0%	0%	0%	
BENEFIT CLAIMS SPECIALIST	323	57	25	44%	3	5%	0%	5%	1	2%	0%	29	51%	4	7%	13	23%	3	5%
BUSINESS SERVICES SPECIALIST	324	11	1	9%	4	36%	0%	0%	0	0%	0%	6	55%	1	9%	0	0%	0	0%
CHF HOISTING ENGINEER INVEST	328	1	0	0%	1	100%	0%	0%	0	0%	0%	0	0%	0	0%	0	0%	0	0%
CHF LIC EXAM DIV OF COM LIC RG	333	1	0	0%	1	100%	0%	0%	0	0%	0%	0	0%	0	0%	0	0%	0	0%
CHF PLMB INV (BD OF PLMB EXAM)	330	1	0	0%	1	100%	0%	0%	0	0%	0%	0	0%	0	0%	0	0%	0	0%
CHIEF OF LABOR & TRNG OPER	134	6	1	17%	0	0%	0%	0%	0	0%	0%	5	83%	1	17%	0	0%	0	0%
CHIEF PREVAILING WAGE INVESTIG	330	1	0	0%	0	0%	0%	0%	0	0%	0%	1	100%	0	0%	0	0%	0	0%
COMPENSATION CLAIMS ANALYST	322	3	0	0%	0	0%	0%	0%	0	0%	0%	3	100%	0	0%	0	0%	0	0%
COORD OF E & T PROGRAMS	131	17	2	12%	5	29%	6%	1	1	6%	0%	10	59%	0	0%	0	0%	0	0%
COORD OF U.I. PROGRAMS	131	1	0	0%	1	100%	0%	0%	0	0%	0%	0	0%	0	0%	0	0%	0	0%
DLT BUSINESS OFFICER	321	6	1	17%	1	17%	0%	0%	0	0%	0%	4	67%	0	0%	1	17%	0	0%
E & T MONITORING & EVAL SPEC	324	3	0	0%	0	0%	0%	0%	0	0%	0%	3	100%	0	0%	0	0%	0	0%
EDUCATION UNIT REPRESENTATIVE	326	2	0	0%	0	0%	0%	0%	0	0%	0%	2	100%	0	0%	0	0%	0	0%
EMPLOYMENT & TRAINING MANAGER	126	14	1	7%	2	14%	0%	0%	0	0%	0%	11	79%	0	0%	1	7%	0	0%
EXECUTIVE COUNSEL	839	1	1	100%	1	0%	0%	0%	0	0%	0%	0	0%	1	100%	0	0%	0	0%
FISCAL MANAGEMENT OFFICER	24	3	0	0%	1	33%	0%	0%	0	0%	0%	2	67%	0	0%	0	0%	0	0%
FRAUD & OVERPAYMENT INVESTIGTR	321	4	1	25%	2	50%	0%	0%	0	0%	0%	1	25%	0	0%	1	25%	0	0%
INVEST W/C FRAUD PREV UNIT	830	5	0	0%	3	60%	0%	0%	0	0%	0%	2	40%	0	0%	0	0%	0	0%
LABOR BOARD CASE AGENT	128	1	0	0%	0	0%	0%	0%	0	0%	0%	1	100%	0	0%	0	0%	0	0%
LEGAL COUNSEL	889	5	0	0%	4	80%	0%	0%	0	0%	0%	1	20%	0	0%	0	0%	0	0%
LEGAL COUNSEL-BOARD OF REVIEW	889	1	0	0%	1	100%	0%	0%	0	0%	0%	0	0%	0	0%	0	0%	0	0%
NURSING CARE EVALUATOR	520	2	0	0%	0	0%	0%	0%	0	0%	0%	2	100%	0	0%	0	0%	0	0%
PRIN EMPLOY & TRNG MANAGER	130	3	1	33%	1	0%	0%	1	1	33%	0%	2	67%	0	0%	0	0%	0	0%
PRINCIPAL DLT BUSINESS OFFICER	127	1	0	0%	0	0%	0%	0	0	0%	0%	1	100%	0	0%	0	0%	0	0%
PRINCIPAL E & T INTERVIEWER	323	45	9	20%	11	24%	0%	0%	0	0%	0%	25	56%	5	11%	1	9%	0	0%

# JOB GROUP ANALYSIS

EEO Job Category: Professionals

DATE: July 1, 2010 thru June 30, 2011

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male							Female														
					Total Male	White	%	Black	%	Hispanic	%	Asian/Pacific Islander	%	American Indian Alaskan	%	Total Female	White	%	Black	%	Hispanic	%	Asian/Pacific Islander	%	American Indian Alaskan	%
PRINCIPAL RESEARCH TECHNICIAN	127	4	0	0%	2	2	50%		0%		0%			0%	2	2	50%		0%				0%			0%
REFEREE - BOARD OF REVIEW	137	6	1	17%	4	4	67%		0%		0%			0%	2	1	17%	1	17%				0%			0%
SENIOR DLT BUSINESS OFFICER	324	3	0	0%	0		0%		0%		0%			0%	3	3	100%		0%				0%			0%
SENIOR E & T MANAGER	128	4	1	25%	2	2	50%		0%		0%			0%	2	1	25%		0%	1	25%				0%	0%
SENIOR MGMT & METHODS ANALYST	325	1	0	0%	0		0%		0%		0%			0%	1	1	100%		0%				0%			0%
SENIOR RESEARCH TECHNICIAN	323	2	1	50%	0		0%		0%		0%			0%	2	1	50%	1	50%				0%			0%
SPECIAL ASSISTANT	829	1	0	0%	0		0%		0%		0%			0%	1	1	100%		0%				0%			0%
SR E & T MONIT & EVAL SPEC	126	9	2	22%	2	2	22%		0%		0%			0%	7	5	56%		0%	1	11%			1	11%	0%
SUPRVSR APPRNTICSHIP TRNG PROG	327	1	0	0%	1	1	100%		0%		0%			0%	0		0%		0%							0%
UNIT CLAIMS MANAGER	326	1	0	0%	0		0%		0%		0%			0%	1	1	100%		0%							0%
W.C. PATIENT CARE COORD	520	2	0	0%	0		0%		0%		0%			0%	2	2	100%		0%							0%
WORKERS' COMPENSATION PATIENT	520	2	0	0%	0		0%		0%		0%			0%	2	2	100%		0%							0%
<b>SUBTOTAL</b>		<b>232</b>	<b>48</b>	<b>21%</b>	<b>60</b>	<b>52</b>	<b>22%</b>	<b>2</b>	<b>1%</b>	<b>5</b>	<b>2%</b>	<b>1</b>	<b>0%</b>	<b>0</b>	<b>132</b>	<b>132</b>	<b>57%</b>	<b>13</b>	<b>6%</b>	<b>22</b>	<b>9%</b>	<b>4</b>	<b>2%</b>	<b>1</b>	<b>0%</b>	



# JOB GROUP ANALYSIS

EEO Job Category: Technicians

DATE: July 1, 2010 thru June 30, 2011

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male							Female														
					Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	%	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	%								
APPRENTICESHIP TRNG COORD	324	1	1	100%	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1	0%	0%	100%	0%	0%	0%	0%	0%	0%	
ASST.COOR OF EMP & TRNG PROG	129	14	2	14%	3	2	14%	7%	0%	0%	0%	0%	0%	0%	0%	11	10	71%	7%	0%	0%	0%	0%	0%	0%	0%
ASST.COOR OF UJI PROGRAMS	129	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
CHF ELEC INV-BD OF EX OF ELEC	330	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
CHIEF BOILER AND PRESSURE VES	330	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
CHIEF COMPLIANCE INSPECTOR	330	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
CHIEF ELEVATOR INSPECTOR	330	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
CHIEF LABOR STANDARDS EXAMIN	330	1	0	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%
INDUSTRIAL SAFETY SPECIALIST (	322	4	0	0%	4	4	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
INDUSTRIAL SAFETY TECHNICIAN (	322	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
LABOR STANDARDS EXAMINER	322	1	0	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%
PREVAILING WAGE INVESTIGATOR	322	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
PROGRAMMER/ANALYST I (COBOL	328	1	0	0%	1	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
RESEARCH TECHNICIAN	319	4	0	0%	3	3	75%	0%	0%	0%	0%	0%	0%	0%	1	1	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%
SENIOR COMPUTER OPERATOR	318	1	1	100%	1	0	0%	100%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
SENIOR COMPUTER OPERATOR		0	0	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
SUBTOTAL		34	4	12%	19	17	50%	6%	0	0	0	0	0	0	15	13	38%	2	6%	2	0	0	0	0	0	0%



JOB GROUP ANALYSIS

Date: July 1, 2010 thru June 30, 2011

EEO Job Category: Para-Professionals

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male							Female													
					Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	%	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	%							
ADMINISTRATIVE AIDE (TREASURY)	518	1	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1	100%	0%	0%	0%	0%	0%	0%	0%	
ASSISTANT RECORDS ANALYST	319	1	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	1	100%	0%	0%	0%	0%	0%	0%	0%	0%
CHIEF IMPLEMENTATION AIDE	128	1	1	100%	1	0%	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%
CONFIDENTIAL SECRETARY	818	1	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	1	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%
DISABLED VETERANS JOB ASSISTANT	320	1	0	0%	1	100%	0%	0%	0%	0%	0%	0%	0%	0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
EMPLOY & TRNG ASSISTANT	316	11	1	9%	2	18%	0%	0%	0%	0%	0%	0%	0%	9	73%	8	0%	0%	0%	0%	0%	1	9%	0%	0%
IMPLEMENTATION AIDE	322	3	0	0%	2	67%	0%	0%	0%	0%	0%	0%	0%	1	33%	1	0%	0%	0%	0%	0%	0%	0%	0%	0%
INFORMATION AIDE	315	1	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	1	100%	1	0%	0%	0%	0%	0%	0%	0%	0%	0%
INTERPRETER (SPANISH)	316	4	3	75%	1	0%	0%	0%	0%	0%	0%	0%	0%	3	25%	1	0%	0%	0%	0%	0%	2	50%	0%	0%
LOCAL VETERANS EMPLOY REP	320	3	1	33%	2	33%	0%	0%	0%	0%	0%	0%	0%	1	33%	1	0%	0%	0%	0%	0%	0	0%	0%	0%
PHYSICAL THERAPY ASSISTANT	320	5	2	40%	2	0%	0%	0%	0%	0%	0%	0%	0%	3	60%	3	0%	0%	0%	0%	0%	0	0%	0%	0%
SENIOR E & T INTERVIEWER	320	112	34	30%	41	27%	6%	3%	1%	0%	0%	0%	0%	71	43%	48	8%	11	10%	9	8%	11	10%	2	2%
		0	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	0	0%	0	0%	0	0%	0%	0%	0	0%	0%	0%
		0	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	0	0%	0	0%	0	0%	0%	0%	0	0%	0%	0%
		0	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	0	0%	0	0%	0	0%	0%	0%	0	0%	0%	0%
		0	0	0%	0	0%	0%	0%	0%	0%	0%	0%	0%	0	0%	0	0%	0	0%	0%	0%	0	0%	0%	0%
SUBTOTAL		144	42	29%	52	25%	6%	3%	1%	1%	1%	1%	1%	92	46%	66	9	14	10%	9	6%	14	10%	2	1%

# JOB GROUP ANALYSIS

EEO JOB Category: Administrative Support

DATE: July 1, 2010 thru June 30, 2011

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	Male										Female																							
				%	American Indian/Alaskan	%	Asian/Pacific Islander	%	Hispanic	%	Black	%	White	Total Male	%	American Indian/Alaskan	%	Asian/Pacific Islander	%	Hispanic	%	Black	%	White	Total Female												
INVEST AIDE W/C FRAUD PREV UN	B15	1	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	1	100%			0%		0%		0%	1	100%			0%		0%
LEGAL ASSISTANT	319	1	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	1	100%			0%		0%		0%	1	100%			0%		0%
LICENSING AIDE	315	1	1	100%		0%		0%		0%	0	0%			0%		0%		0%		0%	1	100%			100%		0%		0%	1	100%			0%		0%
OFFICE MANAGER	123	5	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	5	100%			0%		0%		0%	5	100%			0%		0%
PRINCIPAL CLERK-TYPIST	312	1	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	1	100%			0%		0%		0%	1	100%			0%		0%
SR WORD PROCESSING TYPIST	312	5	1	20%		0%		0%		20%	1	20%			0%		0%		0%		0%	4	80%			0%		0%		20%	4	80%			0%		0%
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
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		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0	0%			0%		0%	
		0	0	0%		0%		0%		0%	0	0%			0%		0%		0%		0%	0	0%			0%		0%		0							





# DETERMINING UNDER REPRESENTATION & GOAL SETTING

AGENCY: Labor & Training

DATE: June 30, 2011

EEO-4 Job Categories	CURRENT WORKFORCE				UNDER REPRESENTATION		AAP HIRING GOALS		
	TOTAL EMPLOYEES	MINORITY	FEMALE	DISABLED	MINORITY	FEMALE	MINORITY	FEMALE	DISABLED
Officials/Managers Administrators	30	0	12	1	6	3	1	1	
Professionals	238	51	174	4	-3	-58	1		
Faculty	0	0	0		0	0			
Technicians	38	4	16	1	4	3	1	2	
Protective Services	0	0	0		0	0			
Para-Professionals	147	44	95	5	-14	-23			
Administrative Support	13	2	12	1	1	-6	1		
Skilled Craft	1	0	0		0	0			
Service Maintenance	0	0	0		0	0			

**PART IV**  
**IDENTIFICATION AND ANALYSIS**  
**OF PROBLEM AREAS**

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## IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS PLAN YEAR JULY 1, 2010 TO JUNE 30, 2011

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### **Workforce Composition**

The workforce composition is likely to remain the same or slightly decrease during the coming plan year due to funding constraints. The Department has examined our workforce by job categories. Based on this review, the Department is underrepresented in the minority class in three categories: Officials/Managers/Administrators, Technicians and Administrative Support. However, the Department exceeded its minority goal by five (5) in the Professionals category. With further examination, the Department did not meet its female hiring goal in any of the categories. In the event of job openings, the Department will continue to vigorously seek out qualified minority and female applicants.

### **Posting of Positions**

This agency will continue to post all position vacancies on the DLT website of the Department of Labor and Training. We will distribute and send all position vacancies to all state agencies and all organizations that represent minority groups, women, individuals with disabilities, disabled veterans, and all other veterans groups.

### **Employment and Selection Process**

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

## **Applicant Flow**

An analysis of the minority, female and persons with disabilities applicant flow for the Plan period **July 1, 2010 to June 30, 2011** reveals that out of a total of **165** individuals that applied for job opportunities and were interviewed, **36** were minorities and **86** were females.

In considering the applicant flow data, it's important to note that many more applications were received and not all applicants are interviewed. Therefore, those that are not interviewed do not complete an EEO Card that identifies their sex and race. The Department is only reporting data for those applicants who were interviewed and completed an EEO Card. The Department will continue to vigorously recruit minorities' women and individuals with disabilities for all job opportunities in the upcoming plan year.

## **Transfer and Promotion Practices**

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

## **Training Programs**

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

## **Technical Compliance**

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

## **Workforce Attitude**

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

## **Exit Interview**

It is the policy of the Department to ask all terminating employees to participate in an informal exit interview in order to ascertain what positive and negative work climate experiences they encountered. Each terminating employee is given an Equal Opportunity Exit Interview Form and asked to return it to the Equal Opportunity Office.

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

## **EEO Performance**

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

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

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

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

**PART V**

**AFFIRMATIVE ACTION PLAN FOR  
INDIVIDUALS**

**WITH DISABILITIES, DISABLED VETERANS**

**AND VIETNAM ERA VETERANS**

**INDIVIDUALS WITH DISABILITIES, DISABLED VETERANS AND  
VIETNAM ERA VETERANS  
AFFIRMATIVE ACTION POLICY**

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

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

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

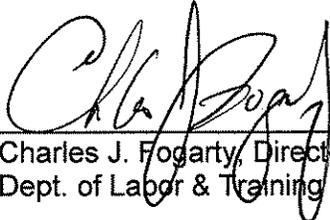
The education and training program will be encouraged as an incentive to anyone in this population to develop and implement their own career development plan.

The person responsible for overseeing this program is Kathleen A. Lanphear, Esq., Deputy Personnel Administrator, of the Office of Human Resources.

The person designated as 504 Coordinator is Kathleen A. Lanphear, Esq., Deputy Personnel Administrator, who also monitors the Department's grantee agencies for 504 accessibility (in coordination with the EEO Coordinator, Linda M. Prince).

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

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

  
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Charles J. Fogarty, Director  
Dept. of Labor & Training

## **INDIVIDUALS WITH DISABILITIES, DISABLED VETERANS AND VIETNAM ERA VETERANS**

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### **PLAN VERSUS PERFORMANCE: July 1, 2010 - June 30, 2011 ASSESSMENT OF THE GOALS AND ACTION PROGRAMS**

In reviewing the goals and objectives of the Department for the period of July 1, 2010 to June 30, 2011 as it related to affirmative action for individuals with disabilities, disabled veterans and Vietnam era veterans, the Department met most goals and objectives in this area.

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

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

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

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

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

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

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

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

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

Finally, the Department complied with all requirements set forth in the Americans with Disabilities Act of 1990, Rhode Island General Law 28-5.1, Executive Order 92-2, and the Vietnam Era Veterans Readjustment Act of 1974. In the area of access to State Offices for the disabled, the Department is working with the State Department of Administration to modify and/or relocate those divisions whose facilities are not accessible.

**INDIVIDUALS WITH DISABILITIES, DISABLED VETERANS  
AND  
Vietnam ERA VETERANS**

**July 1, 2011 - June 30, 2012**

**AFFIRMATIVE ACTION PLAN**

The Department will consistently apply its policy of affirmative recruitment of individuals with disabilities and Vietnam Era Veterans by sending all job postings to agencies and organizations that serve this special population. All postings will contain "Equal Opportunity Employer M/F/D" statements. The person responsible for overseeing this process will be Kathleen A. Lanphear, Esq., Deputy Personnel Administrator, Office of Human Resources.

Reasonable accommodation will be made to modify the job site, equipment, schedules or procedures to enable the individual to function at their optimum level when hired. Where possible, the job will be restructured to accommodate the employee's special needs. This has been done for past and present employees and will continue to be matter of policy.

The education and training program will be encouraged as an incentive to anyone in this population to develop and implement their own career development plan. The educational policy is an essential part of the Department's Affirmative Action Plan and assistance regarding this program is available from the Office of Human Resources.

The person designated as 504 Coordinator is Kathleen A. Lanphear, Esq., Deputy Personnel Administrator, who also monitors the Department's grantee for 504 accessibility in coordination with the EEO Coordinator, Linda M. Prince.

All employment related brochures, recruitment, and job postings will contain "Equal Opportunity Employer M/F/D" statements. Copies of the Department's Affirmative Action Plan will be available in each division and the Office of the Director. Copies are available on request from the Office of Human Resources.

All employment practices and procedures used by this Department have been and will continue to be thoroughly and systematically reviewed to insure that they do not contain any inhibitions to the recruitment, hiring or advancement of disabled persons, disabled veterans or Vietnam Era veterans.

Applications of both applicants and employees who are disabled persons, and employees who are disabled persons, and covered veterans, are reviewed to identify their qualifications and to insure that they are given full consideration for any employment or promotional job vacancies.

Practices and procedures regarding outreach recruitment, employment, and advancement in employment will be managed through the Office of Human Resources to eliminate inhibitions and discrimination of individuals with disabilities, disabled veterans, and Vietnam era veterans. Outreach recruitment job postings will be sent to agencies that service this population. The Department will utilize the standardized guidelines for the interview and selection process as outlined in the interviewing guidelines received from the State EEO Office.

In situations in which a candidate's physical or mental qualifications are in question, the Department will consider an evaluation from a licensed physician regarding their ability to perform in relation to established job description. For positions that require a psychological evaluation, the department will follow established policies and procedures.

The Department of Labor and Training will promote a climate within the workplace that is free from discrimination and/or harassment of all employees due to mental or physical disability and/or veterans' status.

In response to an employee's request, the Department will attempt to provide accommodations for:

1. Modifying Job Site
2. Support Services
3. Special Equipment
4. Restructuring the Job

## AMERICANS WITH DISABILITIES ACT GRIEVANCE PROCEDURE

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

Complaints should be addressed to:

Kathleen A. Lanphear, Esq. Telephone #: (401) 222-6880  
General Government Service Center  
Department of Administration  
One Capitol Hill  
Providence, RI 02908

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

Aggrieved individuals may file a complaint as follows:

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

## **504 GRIEVANCE PROCEDURE**

The Department of Labor and Training has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by 504.

Complaints should be addressed to:

Kathleen A. Lanphear, Esq. Telephone #: (401) 222-6880  
General Government Service Center  
Department of Administration  
One Capitol Hill  
Providence, RI 02908

Ms. Lanphear has been designated to coordinate 504 compliance efforts for the department.

Aggrieved individuals may file a complaint as follows:

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

**PART VI**  
**APPENDIX**

## APPENDIX

1. Laws Governing Equal Opportunity
2. Racial/Ethnic Designation – Minority Groups
3. Posting the Vacancy Notice
4. Grievance Procedure & Complaint Form
5. Retaliation or Coercion Statement
6. Employee Self-Identification of Disability Form
7. Exit Interview Procedure and Exit Interview Form
8. Equal Opportunity Advisory Committee Regulations
9. List of Equal Opportunity/Affirmative Action Officers
10. List of Enforcement Agencies

**Rhode Island General Law §28-5.1**  
**Equal Opportunity and Affirmative Action**

**Section 28-5.1-1 Declaration of Policy**

- (a) Equal opportunity and affirmative action toward its achievement is the policy of all units of Rhode Island state government, including all public and quasi-public agencies, commissions, boards and authorities; and in the classified, unclassified, and non-classified services of state employment. This policy applies in all areas where the state dollar is spent, in employment, public service, grants and financial assistance, and in state licensing and regulation. All policies, programs, and activities of state government are periodically reviewed and revised to assure their fidelity to this policy.

Each department head makes 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) This chapter in no way impairs any contract or collective bargaining agreement currently in effect. Any contract or collective bargaining agreements entered into or renewed after July 6, 1994 are subject to the provisions of this chapter.

**Section 28-5.1-2 State Equal Opportunity Office**

- (a) There shall be a state equal opportunity office. This office, under the direct administrative supervision of the director of administration/human resources, reports to the governor and to the general assembly on state equal opportunity programs. The state equal opportunity office is responsible for assuring compliance with the requirements of all federal agencies for equal opportunity and provides training and technical assistance that 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 issues those 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.

**Section 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, annually prepares 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 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 are submitted to and are 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 serves as the chief executive officer of the state equal opportunity office, and is 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 also submits with the data a detailed explanation as to why the goals were not achieved.
- (g) Standards for review of affirmative action plans are 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 for which no list exists. The equal opportunity administrator is authorized to develop and implement recruitment plans to assure that adequate consideration is given to qualified minority applicants in those job categories where a manifest imbalance exists, excluding those job categories in the legislative branch of state government.

**Section 28-5.1-3.1 Appointments to State Boards, Commissions, Public Authorities and Quasi-Public Corporation**

- (a) The general assembly finds that, as a matter of public policy, the effectiveness of each appointed state board, commission, and the governing body of each public authority and Quasi-public Corporation is enhanced when it reflects the diversity, including the racial and gender composition, of Rhode Island's population. Consequently, each person responsible for appointing one or more individuals to serve on any board or commission or to the governing body of any public authority or board shall endeavor to assure that, to the fullest extent possible, the composition of the board, commission, or governing body reflects the diversity of Rhode Island's population.
- (b) During the month of January in each year the boards, agencies, commissions, or authorities are requested to file with the state equal opportunity office a list of its members, designating their race, gender, and date of appointment.

### **Section 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, that willfully fail to comply with the requirements of any applicable affirmative action plan or of this chapter or that 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 issue and serve 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 to the notice 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 has the power, after 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 such an order; is rendered in accordance with § 42-35-12; and is subject to judicial review in accordance with § 42-35-15.

### **Section 28-5.1-4 Employment Policies of State Agencies**

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, age, national origin, or disability. All appointing authorities shall hire and promote employees without discrimination. 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. Annually, each appointing authority shall include in its budget presentation those necessary programs, goals and objectives that will improve the equal opportunity aspects of their department's employment policies. Each appointing authority shall make a monthly report to the state equal opportunity office on persons hired, disciplined, terminated, promoted, transferred, and vacancies occurring within their department.

### **Section 28-5.1-5 Department of Administration**

- (a) The office of personnel administration of the department of administration prepares 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. The office of personnel administration shall take positive steps to insure that the entire examination and testing process, including the development of job specifications and employment qualifications, is free from either conscious or inadvertent bias, and shall 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. The division of budget shall indicate in the annual personnel supplement progress made toward the achievement of equal employment goals. The division of purchases shall cooperate in administering the state contract compliance programs. The division of statewide planning shall cooperate in assuring compliance from all recipients of federal grants.

- (b) The office of labor relations shall propose in negotiations the inclusion of affirmative action language suitable to the need for attaining and maintaining a diverse workforce.
- (c) There is a five (5) member committee which shall monitor negotiations with all collective bargaining units within state government specifically for equal opportunity and affirmative action interests. The members of that committee include the director of the Rhode Island commission for human rights, the equal opportunity administrator, the personnel administrator, one member of the House of Representatives appointed by the speaker, and one member of the senate appointed by the senate majority leader.

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

#### **Section 28-5.1-7 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, 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 discriminatory patterns or practices.
- (b) At the request of the state equal opportunity office, each appointing authority shall critically analyze all of its operations to ascertain possible instances of noncompliance with this policy and shall initiate sustained, comprehensive programs based on the guidelines of the state equal opportunity office to remedy any defects found to exist.

#### **Section 28-5.1-8 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, national origin, or disability. These programs shall be conducted to encourage the fullest development of the interests, aptitudes, skills, and capacities of all participants.

- (b) Those state agencies responsible for educational programs and activities shall take positive steps to insure that all programs are free from either conscious or inadvertent bias, and shall make quarterly reports to the state equal opportunity office with regard to the number of persons being served and to the extent to which the goals of the chapter are being met by the programs.
- (c) Expansion of training opportunities shall also be encouraged with a view toward involving larger numbers of participants from those segments of the labor force where the need for upgrading levels of skill is greatest.

**Section 28-5.1-9 State Employment Services**

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, age, national origin, or disability. The agencies shall advise the commission for human rights promptly of any employers, employment agencies, or unions suspected of practicing unlawful discrimination. They shall assist employers and unions seeking to broaden their recruitment programs to include qualified applicants from minority groups. In addition, 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 will remedy any situations or programs which have a negative impact on protected classes within the state.

**Section 28-5.1-10 State Contracts**

The division of purchases shall prepare those rules, regulations, and compliance reports that require of contractors of this state the same commitment to equal opportunity that prevails under federal contracts controlled by federal executive orders 11246, 11625 and 11375. Affirmative action plans prepared pursuant to these 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 is ground for forfeitures and penalties that will be established by the department of administration in consultation with the state equal opportunity office.

**Section 28-5.1-11 Law Enforcement**

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

**Section 28-5.1-12 Health Care**

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

**Section 28-5.1-13 Private Education Institutions**

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

**Section 28-5.1-14 State Licensing and Regulatory Agencies**

State agencies shall not discriminate by considering race, color, religion, sex, 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 such 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, 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 these organizations.

**Section 28-5.1-15 State Financial Assistance**

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

**Section 28-5.1-16 Prior Executive Orders**

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

**Section 28-5.1-17 Utilization Analysis**

- (a) The personnel administrator, in consultation with the equal employment opportunity 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. 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, through the director of administration, directs the head of the department where the under representation and/or underutilization exists to establish precise goals and timetables and assists in the correction of each deficiency, to the extent permitted by law and by collective bargaining agreements. The initial analysis is directed toward service oriented departments of the state, state police, labor and training, corrections, children, youth, and families, courts, transportation, and human services. The equal employment opportunity administrator shall be consulted in the selection process for all positions certified as underrepresented and/or underutilized and reports the results of progress toward goals to the governor and to the general assembly by January 31 and July 31 of each year.
- (b) In the event of a reduction in force, the personnel administrator, in consultation with the equal employment opportunity administrator and director of the department(s) where the reduction is proposed, shall develop a plan to ensure that affirmation action gains are preserved to the extent permitted by law and by collective bargaining agreements. 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. Consistent with § 28-5.1-6, the Rhode Island commission for human rights has the power to order discontinuance of any department or division employment pattern or practice deemed discriminatory in intent or result by the commission. The equal opportunity administrator notifies the commission of reports and results under this chapter and acts as the commission's liaison with state government.



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State Of Rhode Island and Providence Plantations

SECRETARY OF STATE  
PROVIDENCE, RHODE ISLAND

Lincoln D. Chafee  
Governor

EXECUTIVE ORDER

11-01

January 4, 2011

ETHICS AND INTEGRITY IN GOVERNMENT

WHEREAS, as Governor of the State of Rhode Island, I expect all officers and employees under my direction, supervision and control to be accountable to the citizens of Rhode Island; and

WHEREAS, it is imperative that the citizens of Rhode Island believe in and trust their state government; and

WHEREAS, the citizens of this state deserve a government which maintains the highest standards of integrity and ethical conduct; and

WHEREAS, it is the purpose and responsibility of the officers and employees of the state to deliver services to its citizens; and

WHEREAS, ethics and integrity in government are inextricably linked to the efficient delivery of government services to the citizens of Rhode Island.

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, as my first Executive Order, which Order is applicable to myself, and all officers and employees within my jurisdiction, hereby order and direct the following:

1. All persons subject to this Order shall comply with the mandates of the Rhode Island Code of Ethics, as stated in Title 36, Chapter 14 of the Rhode Island General Laws and its related rules and regulations, and shall abide by the decisions of the Rhode Island Ethics Commission affecting such officers and employees.

State House, Room 227, Providence, Rhode Island 02903-1196 • (401) 222-2080

addressed by the Commission and, if appropriate, seek advisory opinions from the Commission.

~~9. All persons covered by this Order are encouraged to act only in the most ethical manner consistent with law and to bring to the attention of their supervisors and Public Ethics Officers their concerns with respect to the application of the Rhode Island Code of Ethics.~~

10. In addition to the foregoing, all officers and employees under my jurisdiction shall be mindful of their responsibilities under law under the Access to Public Records Act, as stated in Title 38, Chapter 2 of the Rhode Island General Laws, the Open Meetings Act, as stated in Title 42, Chapter 46 of the Rhode Island General Laws, and other similar laws dealing with government transparency.

11. All persons covered by this Order are to demonstrate the highest standards of honesty, accountability and integrity in delivering this administration's executive leadership to the citizens of Rhode Island.

12. Without limitation on the foregoing, the following code of conduct is mandated for officers and employees under the jurisdiction of the office of the Governor:

RHODE ISLAND EXECUTIVE BRANCH  
CODE OF CONDUCT

~~INTEGRITY AND ETHICAL PRINCIPLES FOR PUBLIC OFFICIALS AND~~  
EMPLOYEES

I declare my commitment to conduct myself at all times according to the highest principles of integrity and professional conduct in carrying out my public responsibilities and will adhere to the following standards:

- I will not use public service for private gain. In all matters of official concern, the public interest will take precedence over any private interest.
- All my acts will be guided and inspired by a commitment to public service and by respect for the Constitution and the laws that emanate from it.
- I will perform my duties to the best of my ability without favor or prejudice and in a manner that merits the trust and confidence of the public.
- I will properly care for and preserve all public property in my custody or control and will not use public property in a manner inconsistent with the laws or regulations of this State.
- I will respect and safeguard all confidential information to which I have access in the course of my official duties and will not abuse or misuse any information with which I am entrusted.
- I will serve the public with respect, concern, courtesy, and responsiveness.
- I will uphold the ethical and moral principles in the Code of Ethics in the R.I. Gen. Laws Chapter 36-14, the rules and regulations promulgated under such Code of Ethics, and this Code of Conduct.

This Executive Order shall take effect immediately.

So Ordered:

  
Lincoln D. Chafee

**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**

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**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 asexual 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 this 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 corrective action in addressing sexual harassment complaints. Employers and appropriate state agencies are encouraged to cooperate in making such training available.

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

(d) **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 supervisory or managerial personnel, on or before September 1, 1997.

State of Rhode Island  
**SEXUAL HARASSMENT GUIDELINES**

Harassment on the basis of sex is a violation of RIGL 28-5.1 and Executive Order No. 95-11. Unwelcomed 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 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 at the job functions performed by the individual in determining whether or not an individual acts 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 knows 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, 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:

**RI STATE EQUAL OPPORTUNITY OFFICE  
ONE CAPITOL HILL  
PROVIDENCE, RI 02908-5865  
PHONE (401) 222-3090  
TDD (401) 222-6144  
FAX (401) 222-6391  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF HUMAN RESOURCES  
OFFICE OF PERSONNEL ADMINISTRATION  
STATE EQUAL OPPORTUNITY OFFICE**

## GUIDELINES FOR UNBIASED WORK ENVIRONMENTS

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Rhode Island General Laws §28-5.1et.seq., Executive Order No. 05-01 of the State of Rhode Island and Title VII of the 1964 Civil Rights Act, mandate 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 work place. Prompt action by an employer to prevent or correct discriminatory harassment can do 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 this or her job and therefore, this type of bias does not belong in the work place.

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 unwelcomed 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 are 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.

Revised 2006

**Division of Human Resources  
Office of Personnel Administration  
State Equal Opportunity Office**

**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:** (not of Hispanic Origin) - All persons having origins in any of the Black Racial Groups of Africa

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

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

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

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

Posting the Vacancy

COMMUNICATION PP-3-PO-3-3  
RE: CS-376 Vacancy Notice  
(Revised)

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ADMINISTRATION  
DIVISION OF HUMAN RESOURCES  
OFFICE OF PERSONNEL ADMINISTRATION

DATE: February 25, 1988

FROM: Bradford E. Southworth, Personnel Administrator

ROUTING: Personnel Officials (List #22)

\*cc: Directors (List 12) Lists, 14, 15 and Union Officials  
List 23

\* **Directors and Chief Executive Officers or their designees are responsible for distribution within their organization.**

**DISPOSTION:**

Act on and File

**BRIEF DESCRIPTION: CS-376 - Vacancy Notice (Revised February, 1988)**

Enclosed are two versions (legal and letter size) of a *CS-376 Vacancy Notice* as revised. It is your choice as to use either size as deemed appropriate for your agency. Some departments indicated a preference of legal size for posting purposes to satisfy affirmative action and recruitment promotion interests.

Many departments/agencies contributed to the process of revision of this form in the hope of improving human resource activities. Some revisions may only benefit a few agencies but are included because of its value to the system at large.

**A copy of this vacancy notice must be sent to the Equal Opportunity Section of the Office of Personnel Administration and the respective bargaining unit.**

**NOTE: Agencies are responsible for duplicating this form at their own expense.**

File in Volume 1 under Procedures  
Effective: Immediately

**VACANCY NOTICE**  
FOR OPPORTUNITIES IN RHODE ISLAND STATE GOVERNMENT

CS-376 REV(08/08)  
A000000

<b>Description of Position</b>	TITLE OF POSITION: _____	CLASSIFICATION CODE: _____
	SALARY RANGE: _____ Labor & Training	REFERENCE POSITION NO.: _____
	DEPARTMENT _____	APPLICATION PERIOD: _____
	DIVISION/SECTION/UNIT _____	GRACE PERIOD ENDS _____
	Assignment(s) / Comments _____	
<b>General Information to Candidate</b>	Shift and Days: _____ Job Location: _____	
	Restrictions/Limitations: _____	
	Position Covered By Collective Bargaining Union Agreement Yes _____ No <input checked="" type="checkbox"/> X _____	
	Name of Bargaining Unit Union: _____	
	There is* is not <input checked="" type="checkbox"/> X a Civil Service List for this position <span style="float: right;"><b>See A/B or Both for Specific Instructions</b></span>	
* NOTE: If there is a list, only laterals (employees with the same title) or individuals certified by OPA may be appointed to this position.		
<b>Statement of Duties</b>	<b>INSTRUCTIONS:</b>	
	<b>A. STATE EMPLOYEE LATERAL BIDDER:</b> Bids are now being accepted for the position(s) indicated. If you are currently in this classification and wish to bid, please complete fully the CS-14 Application Form; and RIEEO 378 Affirmative Action Card. Remember	
	<b>Most Important</b> - Please include the following information:	
	<ul style="list-style-type: none"> <li>• The title of the position for which you are applying</li> <li>• Title of your present position and date you entered it</li> <li>• Date you entered State service</li> </ul>	<ul style="list-style-type: none"> <li>• Name of department where you are currently employed</li> <li>• Your business telephone number</li> <li>• Present Union Affiliations</li> </ul>
	*** <b>In certain agencies, bargaining union applicants will receive preferential consideration according to contract.</b>	
<b>Minimum Education &amp; Experience</b>	<b>B. NON INCUMBENT/NON STATE EMPLOYEE APPLICANT:</b>	
	If indicated above that <u>no civil service</u> list exists for this position, you need not be in the class of position, or be in State service to apply. All information requested on the application form must be furnished. The information you give will be use	
	<b>C. AMERICANS WITH DISABILITIES ACT (ADA) PROVISIONS:</b>	
	• <b>Reasonable Accommodations:</b> If an applicant is unable to perform any essential job functions because of his/her disability but can achieve the required results by means of a REASONABLE ACCOMMODATION, then the individual shall not be considered unqualified for therefore the position.	
	• <b>Medical Information:</b> Any medical exams required for this position will be performed after a conditional offer of employment has been made in accordance with the Rules/Regulations of the Americans with Disabilities Act (ADA).	
<b>Where to Apply</b>	<b>DUTIES / RESPONSIBILITIES:</b>	
	<b>EDUCATION / EXPERIENCE / SPECIAL REQUIREMENTS:</b>	
<p>Apply within the application period as shown on this announcement. NOTE: Some State union contracts allow a 3 day grace period for receipt of CS-14 application or bid. This Office does not assume responsibility for applications sent through the mail.</p> <p align="right">Telephone #: _____</p> <p align="right">TTY/TDD #: <u>711</u></p> <p align="right">(Telecommunication Device for the Deaf)</p>		



**STATE OF RHODE ISLAND IS AN EQUAL OPPORTUNITY/DIVERSITY EMPLOYER**

**Rhode Island Equal Opportunity Office**  
**One Capitol Hill**  
**Providence, RI 02908**  
**Telephone : (401) 222-3090**  
**TDD: (401) 222-6144**

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**Grievance Procedure**

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

1. A complaint must be filed formally on the "Complaint Information Form," available through the State Equal Opportunity Office within ten (10) working days from the knowledge of the alleged incident of discrimination, unless it is an ongoing discrimination.
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. When probable Cause is not evident, the parties are so informed by the State Equal Opportunity Office.
6. When there is probable cause of discrimination, the State Equal Opportunity Office will try to conciliate the complaint.
7. If an agreement between both parties is not reached a formal hearing will be scheduled and a Hearing Officer will be assigned by the State Equal Opportunity Office.
8. 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 corrective action is not implemented within the specified time frame, the State Equal Opportunity Office will notify the Governor. All complaints will remain confidential except to the extent necessary to conduct a review of the facts.

If a charge has been filed, either simultaneously or at a later date with the RI Human Rights Commission or the Equal Employment Opportunity Commission, the State Equal Opportunity Office will defer to either Commission for investigation and answer to the charge.

DEPARTMENT OF ADMINISTRATION  
DIVISION OF HUMAN RESOURCES  
OFFICE OF PERSONNEL ADMINISTRATION  
EQUAL OPPORTUNITY

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## COMPLAINT INFORMATION FORM

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**1. Complainant Information:**

State your name and address:

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

City State Zip Code

**Telephone Number(s):**

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

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

**2. Name of Department:**

Labor and Training

**3. Name of Immediate Supervisor:**

\_\_\_\_\_

**4. Respondent Information:**

Name and address of agency involved:

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

City State Zip Code

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

\_\_\_\_\_

**6. Date of Alleged Violation:**

\_\_\_\_\_

**7. Place of Alleged Violation:**

\_\_\_\_\_

( \_\_\_\_\_ )  
Case Number

**8. Basis of Alleged Complaint**

Race/Color Specify: \_\_\_\_\_

Sex:  Male  Female

National Origin: Specify \_\_\_\_\_

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

Sexual Harassment

Sexual Orientation

**9. Nature of Charge:**

*Hiring*

*Compensation*

*Job Classification*

*Discharge/Termination*

*Promotion*

*Training*

*Demotion*

*Qualification/Testing*

*Layoff*

*Recall*

*Seniority*

*Intimidation/Reprisal*

*Harassment*

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## COMPLAINT INFORMATION FORM

(Continued)

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

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11. Why do you believe these events occurred?

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

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

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Complainant Signature

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Date

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Interviewing Officer

## RETALIATION OR COERCION STATEMENT

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

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

AGENCY: Labor and Training  
DATE: \_\_\_\_\_

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

Disabling conditions include, but are not limited to:

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

- Yes, I request a Reasonable Accommodation Needs Assessment Review
- No Reasonable Accommodation is needed at this time

Additional Comments:

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

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

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



## Exit Interview Procedure

### CONFIDENTIAL EXIT INTERVIEW FORM

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1. The purpose of this Form is to record information concerning reasons why Employees are terminating and/or transferring from State Service.
2. The Form asks specific questions concerning:
  - A. Employment
  - B. Career Opportunities
  - C. Fair Treatment
  - D. Future Employment with State Government
  - E. If you feel you were discriminated against
3. The Form is completed by the Employee who is terminating or transferring. Person is interviewed by the Equal Opportunity Officer.
4. The Equal Opportunity Officer should be notified at least five (5) working days before the Employee terminates or transfers.
5. The Form is voluntary and confidential.

**STATE EQUAL OPPORTUNITY OFFICE**

One Capitol Hill  
Providence, RI 02908-5865

Rhode Island Department of:

Labor and Training

**EXIT INTERVIEW SIGN-OFF FORM\***

\_\_\_\_\_  
Name of Employee (Please print or type)

In accordance with Rhode Island General Law 28-5.1, and Exit Interview Program has been established in order to assure that terminations/transferring employees are not leaving because of discriminatory circumstances. I understand that all terminating/transferring employee have the option of an Exit Interview with the State Equal Opportunity Officer/ Liaison to the Rhode Island Department of

Labor and Training. I hereby certify that I have received an Exit Interview form from the personnel officer and, that the completed Exit Interview form must be forwarded to the State Equal Opportunity Office. I also understand that a copy of this completed sign-off form will be placed in my personnel file.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date Employee Signed

\*\*\*\*\*

\_\_\_\_\_  
Date Exit Interview Was  
Mailed to Employee

\_\_\_\_\_  
Signature of Personnel Officer

**\* Instructions:**

The Personnel Officer must distribute a copy of the Exit Interview form along with termination/transfer papers to the employee. The Personnel Officer must place a copy of the Exit Interview sign-off form in the employee's personnel file and forward a second copy of the sign-off form to the Department's EEO Coordinator immediately upon completion.

Rev. 7/02

(Continued)  
**Rhode Island State Opportunity Office**  
**CONFIDENTIAL EXIT SURVEY INQUIRY**

All information obtained from this inquiry will be handled in a confidential manner and will not be divulged to supervisors, co-workers, or anyone inside or outside the agency. The information will be used as a tool for change and improvements and will not be made part of your personnel record and will not be used to respond to reference checks by future employers. We ask that you be as honest and fair as possible. Please complete and return to the State Equal Opportunity Office, One Capitol Hill, Providence, RI 02908-5865. Thank you.

Name _____	Job Title _____
Address _____	Dept./Agency <u>Labor and Training</u>
Telephone _____	Division/Unit _____
Date Hired _____	Date Departed _____

(Please check for Equal Opportunity Purposes Only)

- Female       White       Asian Amer./Pacific Islander       Hispanic   
 Male       Black       Amer. Indian/AK Native       Handicapped

What is your main reason for leaving?

\_\_\_\_\_

\_\_\_\_\_

What did you like best about your job?

\_\_\_\_\_

What did you dislike about your job?

\_\_\_\_\_

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

\_\_\_\_\_

Do you feel career opportunities were adequately afforded to you?

\_\_\_\_\_

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

\_\_\_\_\_

(Rev. 07/02)

## Equal Opportunity Advisory Committee Regulations

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**Mission:** To Provide Two-Way Communication and Suggestions on Various Aspects of the Equal Opportunity Program to the Agency Head and Equal Opportunity Coordinator in an Agency in State Government.

Was your supervisor effective in handling problems or complaints?

---

Was the Leave of Absence Procedure clearly explained to you?

---

Did you receive fair treatment while employed?

---

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

---

Do you feel you were discriminated against?

---

\_\_\_\_\_  
INTERVIEWING OFFICER

\_\_\_\_\_  
DATE

**Comments:**

### **Establishing the Committee:**

- A. All Employees Should Be Informed of Opportunities to Serve on the Committee
- B. Agency Head Appoints the committee from a List of Volunteers
- C. Volunteers
  - 1. Each Division of Agency
  - 2. Various Job Levels
  - 3. Minorities, Women, and the Handicapped

### **Structure:**

- A. Terms of Membership
- B. Elections
- C. How Many Members
- D. Alternates
- E. Sub-Committees
- F. Meetings
- G. Minutes

### **Functions (Role):**

- H. Advise – Not perform
- I. Develop Short-term Objectives
- J. Identify Areas of Possible Discriminations
- K. Assist the Designee of the Agency Head with Preparing the Affirmative Action Plan
- L. Monitor the Progress of the Action goals and Programs, if necessary, make recommendations to improve
- M. Review Monthly Progress Reports
- N. Issue a Progress Report to Agency Head Quarterly

### **Chairperson (Duties):**

- O. Prepare Agenda for Meetings
- P. Preside over committee Meetings
- Q. Submit any Committee Recommendations to the Agency Head

### **Secretary (Duties):**

- R. Preside over Meeting in the Absence of the Chairperson
- S. Record Minutes of the Meeting
- T. Prepare Minutes for Distribution

### **Equal Opportunity Coordinator:**

Ex Officio  
Advisor

### **Equal Opportunity Officer/Liaison:**

Ex Officio  
Advisor

**Agency Head:**

Should Make a Commitment that all Recommendations will be reviewed

1. Newsletter
2. Pay Envelopes
3. Employee Handbooks
4. Copies of the Affirmative Action Plan Policy Statement of Key Program Elements

**The State Equal Opportunity Office may issue guidelines, directives, or instructions as necessary to carry out RHODE ISLAND GENERAL LAWS §§28-5.1 et. seq.**

## List of Equal Opportunity/Affirmative Action Officers

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### **RI Department of Administration**

Division of Human Resources  
State Equal Opportunity Office  
One Capitol Hill, 3<sup>rd</sup> Floor  
Providence, RI 02908-5865  
Phone: 222-3090 TDD: 222-6144  
FAX: 222-2490

Raymond Lambert, Administrator,  
State Equal Opportunity Programs

### **Community College of Rhode Island**

John White, Jr.  
Providence Campus, One Hilton Street  
Providence, RI 02905  
Phone: 455-6011 TDD: 825-2238

### **Rhode Island College**

Robert Tetreault  
600 Mt. Pleasant Avenue  
Providence, RI 02908  
Phone: 456-8218 TDD: 456-8216  
FAX: 456-8717

### **University of Rhode Island**

Roxanne Gomes, Director  
Affirmative Action, Equal Opportunity  
& Diversity  
Carlotti Administration Building  
Kingstown, RI 02881  
Phone: 874-2442 TDD: 874-2120  
Fax: 874-7149

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## List of Enforcement Agencies

### **Department of Administration**

Raymond Lambert, Administrator  
Office of Personnel Administration  
State Equal Opportunity Office  
One Capitol Hill  
Providence, RI 02908-5865  
TEL# (401) 222-3090  
TDD# (401) 222-6144  
FAX# (401) 222-2490

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

180 Westminster Street  
Providence, RI 02903  
TEL# (401) 222-2662/Voice  
TDD# (401) 222-2664  
FAX# (401) 222-2616

### **US Equal Employment Opportunity Commission**

1801 L Street, NW  
Washington, DC 20507  
TEL# (202) 663-4900  
TDD# (800) 800-3302  
TDD# (202) 663-4494

### **Department of Justice**

Office of the Americans  
with Disabilities Act  
Civil Rights Division  
PO Box 66118  
Washington, DC 20035-6118  
TEL# (202) 514-0301  
TDD# (202) 514-0381  
Electronic Bulletin Board # (202) 514-6193