

**STATE OF RHODE ISLAND AND PROVIDENCE
PLANTATIONS**

AFFIRMATIVE ACTION PLAN

JULY 1, 2015 TO JUNE 30, 2016

FOR

Executive Office of Health and Human Services

Elizabeth H. Roberts, Secretary
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Elizabeth H. Roberts, Secretary
Executive Office of Health & Human Services

2/2/16
Date

Accepted by:

Raymond Lambert, Administrator
State Equal Opportunity Office

Date

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Diversity Plan to Improve Minority Hiring and Workplace Inclusion

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PREFACE

Rhode Island General Laws §28-5.1-3 requires the State Equal Opportunity Office to establish the criteria and deadlines for State Agency Affirmative Action Plans. The plans apply to employees and applicants for employment. This manual fulfills that requirement. The plans are intended to assist in insuring equal employment opportunity and eliminating the present effects of past discrimination for racial minorities, women and persons with disabilities.

Because objectives may vary from agency to agency, the Affirmative Action Plan should be developed according to the needs of the individual agency. However, each written plan must contain the requirements outlined in this manual.

The success of equal employment opportunity in Rhode Island State Government depends largely upon effective Affirmative Action Plans being implemented and the commitment, support and mutual cooperation from agency managers and staff. The most important measure of an Affirmative Action Program is its RESULTS.

ORGANIZATIONAL CHART & STRUCTURE

Organization and Structure

The Executive Office of Health and Human Services (EOHHS) serves as the principal agency of the executive branch of state government for managing the departments of Children, Youth and Families, Health, Human Services, and Behavioral Healthcare, Developmental Disabilities and Hospitals. EOHHS' core mission is to create a consumer-centered system of publicly-financed, state administered health and human services and programs that support access to high quality services, protect the safety of the state's most vulnerable citizens, and ensure the efficient use of all available resources by the departments responsible for the health and human services programs serving Rhode Islander citizens.

These departments collectively impact the lives of many Rhode Islanders, providing direct services and benefits to over 250,000 citizens while working to protect the overall health, safety and independence of all Rhode Islanders.

Increasing opportunities for interdepartmental cooperation will result in improved access and more effective and responsive programs for all populations served. It will also allow departments to optimize resources leading to greater efficiency and enhanced accountability.

Pursuant to Rhode Island General Laws §42-7.2-1 et. seq. the Executive Office of Health and Human Services:

- Improves the economy, efficiency, coordination, and quality of health and human services policy and planning, budgeting and financing;
- Designs strategies and implements best practices that foster service access, consumer safety and positive outcomes;
- Maximizes and leverages funds from all available public and private sources, including federal financial participation, grants and awards;
- Increases public confidence by conducting independent reviews of health and human services issues in order to promote accountability and coordinating across departments;
- Ensures that state health and human services policies and programs are responsive to changing consumer needs and to the network of community providers that deliver assistive services and supports on their behalf.

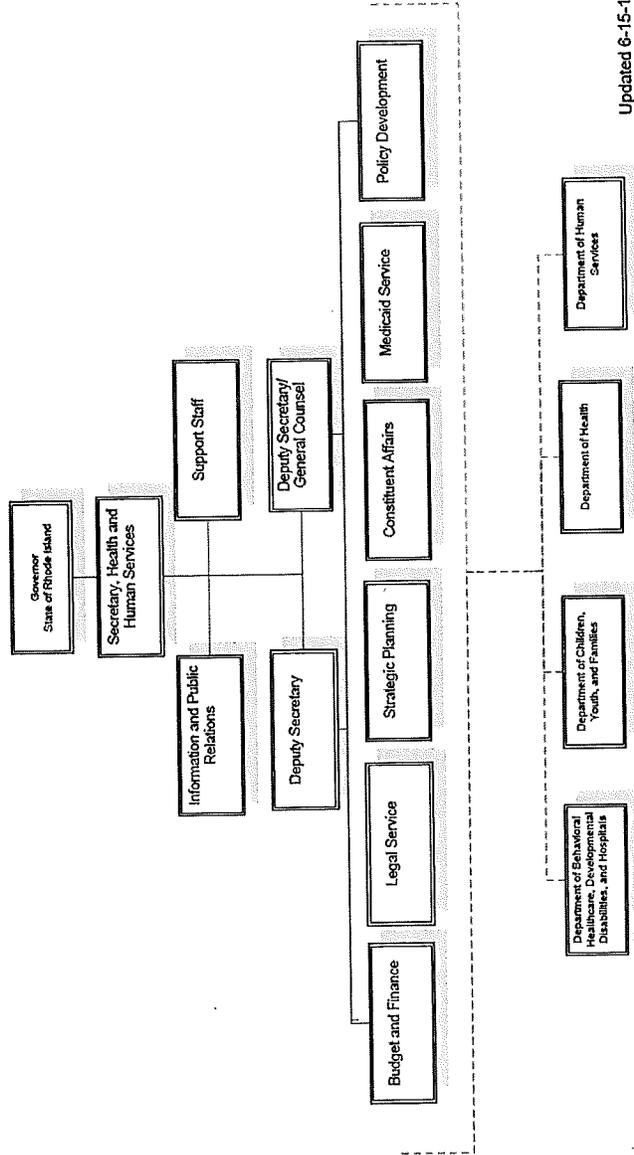
The Department's mission is to ensure the continuum of quality services to those Rhode Islanders in need including children, adults, families, the disabled, the elderly and our state's veterans.

The Division of Human Resources (DHR), under the aegis of the Department of Administration, provides a departmental focus for all personnel, employee relations, labor relations, equal opportunity/affirmative action, workers compensation, disability management, and training and development activities. DHR is also a leader in the development of departmental policies, practices and provides consultation and technical assistance on a broad range of organizational and

managerial concerns. The DHR responds to employee, agency and management needs and serves as a link with the State Department of Administration, organized labor, and DHR related programs that impact EOHHS. The DHR anticipates and prevents problems, reaches a speedy resolution of problems when they arise, and provides timely and effective administration of routine business.



State of Rhode Island
 Executive Office of Health and Human Services
 Elizabeth H. Roberts, Secretary | Gina M. Raimondo, Governor



Updated 6-15-15

PLAN ADMINISTRATION



STATEMENT OF POLICY EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

Equal Opportunity

The Executive Office of Health and Human Services (EOHHS), affirms its commitment to providing equal opportunity in all terms, conditions, or privileges of employment, including, but not limited to recruitment, certification, selection, job assignments, working conditions, fringe benefits, compensation, training, transfers, layoffs, recall from layoffs disciplinary actions, termination, or promotions.

It is the policy of the EOHHS to promote fair and equitable treatment to all employees and to comply with federal and state legislation.

The EOHHS will recruit, hire, train and promote more persons in all job classifications without regard to race, color, sex, age, national origin, religion, handicap/disability status, veteran status or sexual orientation, gender identity or expression. All vacancy notices will be posted and sent to all agencies and groups listed in the Minority/Handicapped Referral List and to all state colleges, universities, community colleges, and vocational/technical schools.

Harassment by supervisors or coworkers in employment or service delivery on the basis of race, sex, national origin, age, handicap, gender identify or expression, or any other protected status is an unlawful employment practice prohibited in the EOHHS. Harassment is defined as verbal or physical conduct interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment includes unwanted sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature. Harassment based on race or national origin includes ethnic or racial slurs and other verbal or physical conduct related to a person's race or national origin.

The EOHHS provides reasonable accommodations for handicapped individuals to ensure equal access to employment. Reasonable accommodations include, but are not limited to, making facilities accessible, job restructuring, part-time or modified work schedules, acquisition or modification of equipment, or assignment of an employee who becomes handicapped and is unable to perform his/her original duties to an alternative position with comparable pay, if possible.
ADA/504 Coordinator - Kathryn Sherman.

In response to an employee's request for a religious accommodation, the EOHHS, through the following alternatives, provides reasonable accommodations for religious practices: through the use of four personal days allotted by the State Division of Personnel for such purposes, and employee may, with supervisory approval and voluntary substitution, create a flexible work schedule and further consider changes in job assignment, or the possibility of transfer. For represented employees religious accommodations will be in conformance with the appropriate labor agreement provisions.

Plan Administration

Affirmative Action

The EOHHS affirms its commitment to identify and eliminate past and present effects of discrimination in employment. To achieve equal opportunity, the EOHHS recognizes the need to take affirmative action to identify classification with underrepresentation of minorities, females, and the handicapped; to set goals and timetable for increasing the employment of underrepresented groups, and to develop an affirmative action plan for implementing those reasonable goals through outreach, recruitment, training, and other special activities and commitments.



Elizabeth H. Roberts, Secretary

ASSIGNMENT OF RESPONSIBILITIES

1. SECRETARY

The Secretary is responsible for ensuring that the Equal Opportunity Policy and Program is implemented within the Executive Office of Health & Human Services.

2. DEPUTY SECRETARIES, SENIOR MANAGEMENT TEAM, PROGRAM DIRECTORS, DIVISION CHIEFS, AND SUPERVISORS

EOHHS is responsible for developing the goals for Affirmative Action. All administrators are responsible for working with the Department's Equal Opportunity Officer/Liaison in demonstrating positive results in employment, appointment, and delivery of services to minorities, females, and the handicapped/disabled. The personal involvement of management is required for the success of the Equal Opportunity Program through adherence to the following guidelines:

- a. Managers must be familiar with the Affirmative Action Plan. Furthermore, they must ensure that all employees are knowledgeable of current directives and the Equal Opportunity Program, and must establish procedures for ensuring the maximum implementation of these directives and program.
- b. All administrators and interviewing officials of the respective Divisions must take positive actions to ensure that qualified minority, female and handicapped/disabled persons are encouraged to apply for employment, promotions, and training (when monies are available), and are afforded equal consideration along with other employees.
- c. Supervisory personnel are responsible for maintaining a work environment free of harassment and hostility.
- d. Managers must be creative, open-minded, and flexible in implementing the spirit and intent of this Plan.
- e. Supervisors are responsible for ensuring the attendance, at the earliest opportunity, of all newly hired employees at the Orientation and Civil Rights and Sexual Harassment Training Programs conducted by the State Equal Opportunity Office.
- f. The Deputy Secretaries and Senior Management Team, Program Managers, and Division Chiefs need to actively encourage employees to attend career enhancing training programs (when monies are available) including programs offered by professional organizations and college courses.

3. EQUAL OPPORTUNITY ADVISORY COMMITTEE (EOAC)

The Equal Opportunity Advisory Committee has been inactive and has not met formally over the last several years. To meet the spirit of the plan and the Governor's Executive Order on Diversity the Department intends to review the structure and focus of the EOC Advisory Committee. The Department will review the composition of the membership of the committee who will meet with and act as an advisory body to the Secretary and the Office of Diversity, Equity and Opportunity (ODEO). Matters that will be addressed include equal opportunity and affirmative action and the development and monitoring of a comprehensive equal opportunity and affirmative action program.

- a. The Committee would review the Department's equal opportunity practices.
- b. The Committee would assist in the preparation and implementation of the Department's Affirmative Action Plan.
- c. The Committee would serve as an advisory body to the Secretary and to the ODEO.
- d. The Committee would assist in the dissemination of information concerned with equal opportunity and affirmative action to all employees of the Department.

EXECUTIVE OFFICE OF HEALTH & HUMAN SERVICES EQUAL OPPORTUNITY ADVISORY COMMITTEE MEMBERS:

1. Elizabeth H. Roberts, Secretary, Secretary's Office, EOHHS
2. Lois Hayes, Deputy Personnel Administrator, Division of Human Resources, Health & Human Services Human Resources Service Center, EO/AA Coordinator

ASSOCIATE DIRECTOR OF THE OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY

The Associate Director of the Office of Diversity, Equity and Opportunity at the Department of Administration is responsible for ensuring implementation of the policies described in the plan. In addition, he/she is responsible for compiling the EEO Statistical reports involving the Department.

4. AMERICANS WITH DISABILITIES ACT/504 COORDINATOR

Kathryn Sherman, Human Resources Coordinator, Division of Human Resources, Health & Human Services Human Resources Service Center, is designated as the 504 Coordinator for the Executive Office of Health & Human Services. This entails coordination of all divisions in the implementation

of all federal rules and regulations affecting the Department in terms of compliance with the mandates of Section 504 of Title V of the Rehabilitation Act of 1973.

Plan Administration

5. DISSEMINATION OF PLAN AND POLICY - The Affirmative Action Plan and Equal Opportunity policies will be disseminated as follows:

- a. The Secretary shall issue a memorandum to all staff 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. Equal Opportunity posters and information will be posted on bulletin boards and in various offices, including the Office of Personnel Administration.
- d. A copy of the plan will be distributed to all supervisors and to any employee (for review) upon request.
- e. Until such time as a website for the Office of Diversity, Equity and Opportunity is created, a copy of the plan will be posted on the Human Resources website at www.hr.ri.gov.

COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

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

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

Elizabeth H. Roberts, Secretary

COMPLIANCE WITH GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION OR NATIONAL ORIGIN

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

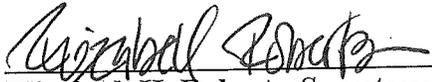
The Department does not discriminate against any qualified person in any facet of hiring or employment because of their religion or national origin.



Elizabeth H. Roberts, Secretary

POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION

The Department fully endorses and cooperates with the State Equal Opportunity Office's grievance procedure which provides for prompt and fair resolution of complaints alleging sexual orientation, gender identity or expression or handicap/disability. (A copy of the Grievance Procedure should be posted along with this statement.) You may contact the State Equal Opportunity Office for further information at 222-3090, RI Relay 711.

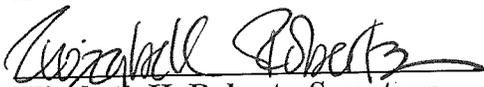


Elizabeth H. Roberts, Secretary

POLICY ON SERVICE DELIVERY

The Department is committed to providing fair, courteous, and equitable service to the public. The Department will make every effort to provide interpretive services to the non-English speaking public. As per Rhode Island General Law §28-5.1-1 et. seq., all Divisions of the Executive Office of Health & Human Services shall render services to all persons without discrimination based on race, color, religion, sex, age, national origin, sexual orientation, gender identity or expression, or handicap/disability. Each Division is further responsible for making sure that discrimination does not exist in any programs and activities it assists. This includes grants, contracts, and all areas where the State dollar is spent.

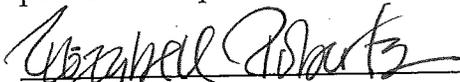
If any person feels that he/she has been discriminated against, he/she may contact the Office of Personnel Administration/State Equal Opportunity Office, One Capitol Hill, Providence, Rhode Island 02908-5865. The telephone number is 222-3090, RI Relay 711.



Elizabeth H. Roberts, Secretary

POLICY ON CONTRACTS

In accordance with Rhode Island General Laws §28-5.1-1 et. seq., the Department shall require that all contractors and suppliers of goods and services sign contracts containing an Equal Opportunity Clause. The clause shall state that the parties agree to adhere to the provisions of all applicable laws, rules and regulations, both State and Federal, including, but not limited to Rhode Island General Laws §28-5.1-1 et. seq., Title VI of the Civil Rights Act of 194, Rehabilitation Act of 1973 and Executive Orders 11246 and 11375. Every effort will be made to solicit bids from Minority Business Enterprises and Women's Business Enterprises. This policy is and will continue to be posted in conspicuous areas.



Elizabeth H. Roberts, Secretary

POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES AND VETERANS

The Executive Office of Health & Human Services is fully committed to meet specialized affirmative action requirements to employ and advance individuals with disabilities and veterans in accordance with the Americans with Disabilities Act of 1990, Rhode Island General Laws §28-5.1-1 et. seq., Executive Order 92-2 and the Vietnam Era Veterans Readjustment Act of 1974.

It is the policy and practice of the Executive Office of Health & Human Services to provide equal opportunity for every employee. The Department encourages qualified individuals with disabilities, disabled veterans, and Vietnam Era Veterans to participate fully in all employment practices. This policy applies to all decisions about recruitment, hiring, compensation, benefits, transfers, promotions, layoffs and other conditions of employment.

Accordingly, all employment decisions shall be consistent with the principles of equal employment opportunity.

The Department will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities, and qualified veterans, in such a way as to ensure understanding and acceptance.

The Department will contact recruiting sources such as Vocational Rehabilitation Services, the Department of Labor & Training and appropriate educational or training institutions to assist in recruiting qualified individuals with disabilities and covered veterans.

Kathryn Sherman, Human Resources Coordinator, Division of Human Resources, Health & Human Services Human Resources Service Center, is designated as the 504 Coordinator for the Executive Office of Health & Human Services. This entails coordination of all divisions in the implementation of all Federal rules and regulations affecting the Department in terms of compliance with the mandates of Section 504 of the Title V of the Rehabilitation Act of 1973.



Elizabeth H. Roberts, Secretary

**PROGRAM STATISTICS AND
EVALUATION
(2015-2016)**

See Appendix for Statistics

- Equal Employment Opportunity/Civil Rights Complaint Profile
- Training Participation Summary
- Disciplinary Action
- Applicant Flow Data
- Applicant Flow Data Worksheet
- Applicant Refusal of Positions Offered
- Affirmative Action Statistical Summary
- Job Group Analysis Summary/By Category

SELF EVALUATION
(7/1/2015-6/30/2016)

During the past fiscal year EOHHS worked hard to meet the goals and objectives set forth in the Affirmative Action Plan. This document summarizes our efforts in assuring Equal Opportunity [EO] and Affirmative Action [AA].

The Division of Human Resources, Health & Human Services Human Resources Service Center is responsible for assuring an aggressive EO/AA effort. This responsibility is carried out through policies, procedures, monitoring and training designed to assure equal employment opportunity and affirmative action with respect to all phases of hiring and employment and assuring the protection of all applicants, employees, clients, and patients against unlawful discrimination on the basis of race, color, sex, sexual orientation, gender identity or expression, national origin, religion, handicap/disability or veteran status.

The Division of Human Resources, Health & Human Services Human Resources Service Center is responsible for providing comprehensive leadership and support throughout the Department in personnel administration, employee relations, labor relations, equal opportunity, training, organizational development and management information and consultation. Human Resources continues to coordinate and monitor minority outreach, recruitment, upward mobility and cultural awareness.

EOHHS continues to provide reasonable accommodations to handicapped persons and the Telecommunication Device for the Deaf [TTD] is in operation RI Relay 711.

EOHHS will continue to do everything within its power to maintain and expand diversity; assure full and complete adherence to all EO/AA laws, executive orders, policies and procedures, promote a work/service delivery place free of harassment and which welcomes and respects diversity.

DETERMINING UNDERREPRESENTATION AND NUMBER GOAL SETTING

Determining Underrepresentation: (Numerical Goal Setting)

The procedure outlined in this paragraph applies specially to the determination of underrepresentation within the agency for affirmative action planning purposes and will lead to the establishment of affirmative action goals. Under-representation, for the purpose of these guidelines, is determined by comparing the number of minorities and women within an EEO-4 job category in an agency with the number which would exist given equal representation with the distribution of the same group found in the civilian labor force, according to the latest census.

It should be noted that under-representation as defined here, does not necessarily imply the existence of discrimination. The law does not require rigid statistical balance of parity between an agency's workforce and the civilian labor force. However, where representation of minorities or women differs substantially from the civilian labor force representation in any job category, there is a strong legal presumption that discriminatory practices may be responsible.

The State of Rhode Island's civilian labor force (which reflects those who are currently employed, available, and are able to work) shall be used as the basis for all comparisons with the agency workforce. The following demonstrates the way in which underrepresentation is established for affirmative action purposes. For the purpose of these guidelines, the figures to be used in calculating the underrepresentation analysis are:

Minority: 23%
Female: 48.3%
Veterans: 8%
Black: 5.9%
Disabled: 7%
Hispanic : 12.3%
Asian/Pacific: 3.3%
American Indian: .4%

An under-representation analysis will be conducted for each category based on race, gender, disability and veteran status.

NUMERICAL GOAL SETTING: At this point, it has been determined if any underutilization of minorities or females exists. Now is the time to make tentative projections that are reasonable, attainable and measurable for a qualified workforce to eliminate possible employment discrimination.

AGENCY: EOHHS

DATE: 7/1/2014 - 6/30/2015

DISCIPLINARY ACTION

DISCIPLINARY ACTION TAKEN	White		Black		Hispanic		Asian/Pacific Islander		American Indian Alaskan Native		Disabled		Veterans	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	Suspension (Indefinitely)													
Suspension (Specified Time)														
Loss of Pay														
Written Reprimand														
Duty On Off Days														
Oral Reprimand														
Termination														
Other (Explain)														
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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

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

AGENCY: EOHHS

DATE: 7/1/2014 - 6/30/2015

Applicant Flow Data

TOTAL APPLICANTS	**DISABLED	VETERANS
------------------	------------	----------

MALE				
WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE

Female				
WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE

APPLICANTS			
OFFICIALS/ADMINISTRATORS	173	3	6
PROFESSIONALS	136	2	4
FACULTY	0		
TECHNICIANS	0		
PROTECTIVE SERVICES	0		
PARA-PROFESSIONALS	12		
ADMINISTRATIVE SUPPORT	159	1	5
SKILLED CRAFT	0		
SERVICE/MAINTENANCE	0		
TOTAL	480	6	15

85	9	8	2	
62	12	12	4	
		1		
23	3	6		
170	24	27	6	0

53	7	6	3	
32	11	2	1	
8	1	2		
74	14	29	9	1
167	33	39	13	1

HIRES			
OFFICIALS/ADMINISTRATORS	3		
PROFESSIONALS	2		
FACULTY	0		
TECHNICIANS	0		
PROTECTIVE SERVICES	0		
PARA-PROFESSIONALS	0		
ADMINISTRATIVE SUPPORT	0		
SKILLED CRAFT	0		
SERVICE/MAINTENANCE	0		
TOTAL	5	0	0

2				
1				
3	0	0	0	0

1				
4				
2	0	0	0	0

PROMOTIONS			
OFFICIALS/ADMINISTRATORS	4		
PROFESSIONALS	2		
FACULTY	0		
TECHNICIANS	0		
PROTECTIVE SERVICES	0		
PARA-PROFESSIONALS	0		
ADMINISTRATIVE SUPPORT	0		
SKILLED CRAFT	0		
SERVICE/MAINTENANCE	0		
TOTAL	6	0	0

3				
3	0	0	0	0

1				
2				
3	0	0	0	0

TERMINATIONS			
OFFICIALS/ADMINISTRATORS	8		
PROFESSIONALS	1		
FACULTY	0		
TECHNICIANS	1		
PROTECTIVE SERVICES	0		
PARA-PROFESSIONALS	0		
ADMINISTRATIVE SUPPORT	2		
SKILLED CRAFT	0		
SERVICE/MAINTENANCE	0		
TOTAL	12	0	0

3				
			1	
1				
4	0	0	1	0

5				
1				
1				
7	0	0	0	0

**Also Includes disabled in appropriate job categories.

Annual Affirmative Action Statistical Summary

AGENCY: EXECUTIVE OFFICES OF HEALTH & HUMAN SERVICES (EOHHS) Date: 7/1/2014 - 6/30/2015

EEO-4 Job Categories	CURRENT										LAST YEAR'S WORKFORCE										DIFFERENCE +/-										HIRING GOALS				GOALS MET				
	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN PACIFIC	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN PACIFIC	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DISABLED	VETERANS	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN PACIFIC	MINORITY	FEMALE	DISABLED	VETERANS	MINORITY	FEMALE	DISABLED	VETERANS	
Office Management Administrators	55	24	31	31						53	22	0	30							3	2	1	1	0	0	0	0	0	0	0	0	0							
Professionals	18	18	0	0		1	2		3	89	20	6	69		1	2			3	-2	-2	0	-38	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Faculty			0	0								0								0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Technicians			1	1					1	2		0								-1	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
Protective Services			0	0								0								0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Para-Professionals	5		4	4						5		0	5							0	0	1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Administrative Support	20	1	19	19		1				21	1	2	20		1	1				-1	0	-1	-1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Skilled Craft			0	0								0								0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Service Maintenance			0	0								0								0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Total Employees	169	43	10	85	0	3	3	0	4	170	43	8	124	0	2	3	0	3	-1	0	2	2	-39	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	1

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

Percent
 Minority Applicants 52.50% Female Applicants
 Minority Hiring 40.00% Female Hiring

Total Current Workforce Percent
 5.92% Minority
 50.30% Female
 0.00% Disabled
 0.00% Veterans
 1.78% Black
 1.78% Hispanic
 0.00% American Indian
 2.37% Asian Pacific

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

Minority Applicants	461
Total Applicants	480
Minority Hires	5
Total Hires	5
Female Applicants	252
Total Applicants	480
Female Hires	2
Total Hires	5
Minority Terminated	11
White Female Terminated	0
White Male Terminated	0
Total Terminated	12

IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS

A. EEO PERFORMANCE AND COMMUNICATIONS

In order to be successful, the Affirmative Action Plan must be effectively communicated to all employees. Management must have a real commitment to the Plan's success and should be held periodically accountable to the plan's goals. The Executive Office of Health & Human Services is committed to full and timely response to all equal opportunity and affirmative action monitoring and reporting requirements.

Assuring a workplace, which maintains adherence to the letter and spirit of Equal Opportunity and Affirmative Action, is the responsibility of all EOHHS managers and supervisors. Technical responsibility for specific actions and processes fall to the State Equal Opportunity Office and key EOHHS personnel. Among the responsible: Appointing Authorities; Chairperson of the EOAC; Agency Administrators; Equal Opportunity Advisory Committee; Agency Training Officers; Executive Secretary; Assistant Chief Employee Relations Officer; Agency Personnel Aides.

Lois Hayes, Deputy Personnel Administrator, Division of Human Resources, Health & Human Services Human Resources Service Center, is designated to coordinate the overall EOHHS Equal Opportunity Program. Kathryn Sherman, Human Resources Coordinator, Health & Human Services Human Resources Service Center is the ADA/504 Coordinator.

The following are practical ways to improve communication:

1. The Equal Opportunity Advisory committee should meet with Secretary by early fall to introduce the new Affirmative Action Plan and to discuss performance results.
2. Produce reports for the Secretary on the status of various protected classes within the Department when problems are first noticed.
3. Conduct a periodic survey in a highly confidential manner to measure employee attitudes.
4. Continued education for Equal Opportunity Advisory Committee members through both internal and outside sources, such as attending seminars and inviting guest speakers is important to the education on how to develop a successful and viable plan.
5. Review the Affirmative Action Program on a periodic basis and revise it as necessary, with particular emphasis on the achievement of hiring goals.
6. Monitor the status of the Department's yearly compliance efforts. A review of the Department's Affirmative Action Program and written plan shall be made by the State EO Office on an annual basis; the Department shall review its EO/AA program on annual basis.

B. EMPLOYMENT AND SELECTION PROCESS

1. Applicants for all job categories should be representative of the Rhode Island workforce as evidenced by the Labor Market Unit of the Department of Labor and Training.
2. The Administration's Human Resources, Outreach, & Diversity Office has continued to refocus the efforts of the outreach and diversity office to ensure activities are directly related to the goals of enhancing diversity in the recruitment and hiring process.
3. The Equal Opportunity Advisory Committee will review quarterly the applicant flow of all job categories. A report will be prepared for submission to the Secretary for review.
4. These reports shall be evaluated by the Equal Opportunity Advisory Committee to determine new policies and directions for this aspect of the Plan.
5. The importance of all EEO cards to be completed and forwarded in a timely manner must be expressed to all interviewing officials as this information is required to complete the plan and to monitor its progress.
6. All Executive Office of Health & Human Services interviewing officials who are involved in the evaluation and hiring of applicants must be carefully trained to ensure the elimination of bias. They must have read and have available the Affirmative Action Plan.
7. All interviewing officials should be aware of departmental under-represented classes and hiring goals. A starting point should be positions not requiring a list. An opportunity for improving poor representation of women, minorities and disabled employees in upper level job categories exists and should be used.
8. To continue to ensure that recruitment literature does not discriminate in any fashion against any individual based on race, color, sex, sexual orientation, gender identity or expression, national origin, religion, handicap/disability or veteran status. All recruitment advertisements placed in newspaper, periodicals, and professional journals shall include the words: "Executive Office of Health & Human Services is an Equal Employment Opportunity Employer; reasonable accommodations for disabilities will be made if requested in advance. Telephone [401] 462-5274, RI Relay 711."

C. EXIT INTERVIEWS

1. The exit interview process is an opportunity for employees to express his/her reasons for leaving state service or transferring to another department. Furthermore, the exit interview form offers the terminating/transferring employees an opportunity to address any issue(s) that they feel should be reviewed.
2. Upon notification of a termination, the exit interview form, along with a Confidential Exit Survey Inquiry Form and a pre-addressed envelope to the State Equal Opportunity Office is forwarded to the terminating/transferring employee via the first class mail.
3. Our goal this year is to continue to emphasize the importance of completing the Exit Interview Form.

E. POSTING OF POSITIONS

1. EOHHS is committed to a selection process that is fair and equal to all applicants and potential applicants. EOHHS fully complies with all civil service and union contract posting provisions.
2. All EOHHS positions that are covered by a union contract shall be announced by a notice of position vacancy posted on the Apply.RI.gov website for ten (10) calendar days. If there are no lateral transfers and there is a valid civil service list, we must recruit from this list. For non-competitive bargaining unit positions, before outside recruitment is initiated, lateral and promotional bids are considered. In the case of recruiting for a position that is in an under-represented job category, a request for a supplemental list of minority eligibles will be made from the RI Department of Administration Human Resources Outreach & Diversity Office
3. All EOHHS positions which are not covered by a union contract shall be announced by a notice of position vacancy posted in most cases for ten (10) calendar days. All vacancy notices will be posted on the Apply.RI.gov website.
4. The current standard of posting is ten (10) days, although some agencies voluntarily offer a longer application period.
5. The shorter the time frame, the less number of applicants. Therefore, diversity cannot always be achieved.
6. In order to enhance actual opportunity for employment in the EOHHS, state job postings are available to the general public via the Apply.RI.gov website.

F. PROMOTION AND TRANSFER PRACTICES

1. Female and minority employees are mainly underrepresented in the job categories of Officials/Managers/Administrators, Professionals, Technicians, Protective Services, and Service Maintenance. The minimal turnover in upper management is one reason for their limited representation in these job categories.
2. In contrast, the Administrative Support job categories are dominated by women who fill 90.0% of these positions.
3. Additionally, upward mobility for female and minority employees may be inadvertently limited due to the restrictions imposed by collective bargaining agreements. For those areas not covered by collective bargaining agreements, an effort will be made to offset underrepresentation in the pertinent areas.
4. For affirmative action to take place, managers must actively encourage their employees and demonstrate that advancement is possible for all.

G. TECHNICAL COMPLIANCE

Appropriate policies are in place. All vacancy notices are posted as prescribed by civil service, union, and equal employment requirements.

A member of the EOAC will periodically inspect the bulletin boards for any missing policy statements. The EOAC member will notify the DHR who is responsible for the Bulletin Boards.

H. TERMINATIONS

1. Terminations include retirement, transfer to other state government departments, voluntary resignation due to personal reasons and dismissals.
2. For that small number of terminations which are dismissals, it is the final step in a long process. This process typically starts with verbal warnings, written reprimands, suspensions (if appropriate, referral to EAP) and then dismissal. Union members have recourse to grievance hearings conducted by the Division of Human Resources, Health & Human Services Human Resources Service Center, and ultimately, Arbitration. Non-union employees have recourse to the Personnel Appeal Board.
3. Any employee who voices concerns regarding discrimination is referred to the State Equal Opportunity Office. Thus, individuals who are involuntarily terminated have a full process for protecting their rights against unreasonable dismissal.

4. No problems were identified in this area for the past year. Terminations will be evaluated by the EOAC for continued compliance with all laws and policies.

I. TRAINING PROGRAMS

All new hires to the Department must attend The Civil Rights and Sexual Harassment Orientation which is presented by the State Equal Opportunity Office. Notice is sent to the employee and the division when the classes are to be held. Supervisors are responsible for ensuring employee attendance.

Upward mobility is a systematic management effort that focuses on developing career opportunities for lower level employees who are in positions which do not allow them to realize their full work potential. One aspect of upward mobility is providing training that will enable employees to acquire the needed skills and knowledge for advancement. Management should encourage employees wishing to improve their education and long term careers. Whenever possible, and if funding is available divisions should pay for job related training courses. These principles are recorded in Rhode Island's general laws as well as brochures published by the State and are available to the general public.

RI General Laws §36-4-44, regarding Training Programs, states that "The Personnel Administrator shall cooperate with appointing authorities and other supervising officials in the conduct of employee training programs to the end that the quality of service rendered by persons in the classified service may be continually improved." It is the hope of the Office of Personnel or Division of Human Resources that all departments and agencies of state government will encourage to their utmost the training of personnel within their jurisdictions either by the development of approved training courses and programs within their agencies or if such is not feasible that they will encourage their employees to enroll in approved job related courses at institutions of higher learning."

Information on In-Service Training can be obtained from the Office of Training and Development or see www.admin.ri.gov/otd.

J. WORKFORCE COMPOSITION

Either one or a combination of the following: fiscal and budgetary constraints, collective bargaining agreements, and restrictive civil service exams – continues to limit changes to the components of the Department's workforce. When possible, the Secretary, Deputy Secretary, and Senior Management Team who are responsible for hiring should exert every effort to achieve our hiring goals for minorities and females.

In order to complete the requirements of the Affirmative Action Plan, the Secretary and her designees conducted an under-representation analysis of females and minorities in all EEO Job Categories.

To achieve greater equity within the workforce the following recommendation has been made:

1. The Department will continue to work in conjunction with the Department of Administration to maintain accurate workforce statistics.
2. Advertisements placed by the Secretary and her designees will continue to include the statement "an equal opportunity employer."

**AFFIRMATIVE ACTION PLAN
FOR INDIVIDUALS WITH DISABILITIES
DISABLED VETERANS AND VIETNAM
ERA VETERANS**

Practices and Procedures:

1. **Outreach Recruitment:** The Department will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities and qualified veterans, in such a way as to ensure understanding and acceptance.
2. **Physical and Mental Qualifications:** Physical and mental job qualifications will be reviewed to assure that they do not screen out qualified individuals with disabilities.
3. **Work Environment:** As per the Department's guidelines for Unbiased Work Environment, the Department strives to maintain a working environment free of discriminatory insults, intimidation and other forms of harassment.
4. **Reasonable Accommodation:** The Department makes reasonable accommodations to the employee or applicant with a disability to ensure equal access to employment. The accommodations include, but are not limited to, modifying the job site, job restructuring, acquisition or modifications of special equipment.

EOHHS is committed to fully meeting the requirements of the Americans with Disabilities Act of 1990, R.I. General Laws §28-5.1-1 et. seq., Executive Order 92-2 and Vietnam Era Veterans Readjustment Act of 1974, to take Affirmative Action to employ and advance individuals with disabilities and veterans.

A policy statement regarding Individuals with Disabilities, Disabled Veterans and Vietnam Era Veterans is included in the EOHHS Policy and Procedures section (see Appendix B.) This policy identifies the responsible person and outlines internal and external dissemination.

REPORT ON FY'15 ACTIVITY

EOHHS will focus on continuing to address needs and actions for individuals with disabilities, and disabled veterans. EOHHS will continue to familiarize departmental managers with the requirements of the Rehabilitation Act of 1973, Sections, 503 and 504, as amended The Americans with Disabilities Act, 1990.

EOHHS will continue to review facilities to assure accessibility with the acquisition or modification of equipment/facilities if reasonably possible. All new employees shall receive a copy of the Self-Identification of Disability form from the Division of Human Resources, Health & Human Resources Service Center during orientation. All completed forms shall be retained by the Division of Human Resources in a manner to guarantee confidentiality and appropriate follow-up. Completed forms shall be retained for a period of two (2) years following the date of termination of employment by an individual.

The Department continues to review and remove any barriers consistent with the ADA requirements and the needs of both co-workers and the public. Significant progress continues to be made in removing physical barriers including installation of lavatories, ramps, etc.

The Department is reviewing recruitment and hiring practices and consulting with DHR to ensure that the Department is ADA compliant.

DESCRIPTION OF JOB CATEGORIES

DESCRIPTION OF JOB CATEGORIES

Officials and Administrators:

Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies or direct individual departments or social phases of the agency's operations or provide specialized consultation on a regional district or area basis. Includes: Department Heads, Bureau Chiefs, Division Chiefs, Controllers, Wardens, Superintendents, Sheriffs, Police and Fire Chiefs and Inspectors, Examiners [Bank, Hearing, Motor Vehicle, Warehouse], Inspectors [Construction, Building, Safety, Rent-and-Housing, Fire, ABC 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 and Fire Captains and Lieutenants, Librarians, Management Analyst, Airplane Pilots and Navigators, Surveyors and 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, Radios 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 support 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, and Recreation Assistants. Homemakers' Aides, Home Health Aides, Library Assistants and Clerks, Ambulance Drivers and Attendants and kindred workers.

Description of Job Categories (continued)

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 Computers 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 process 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.
EEO4 Job Category Descriptions
Revised October 22, 1993

RACIAL/ETHNIC IDENTIFICATION

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

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

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

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

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

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

LAWS GOVERNING EQUAL OPPORTUNITY

PRIVATE EMPLOYMENT, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS

- **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:** Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment, on the basis of race, color, religion, sex or national origin.
- The law covers applicants to and employees of most private employers, state and local governments and public or private educational institutions. Employment agencies, labor unions, and apprenticeship programs are also covered.
- **AGE:** The Age Discrimination in Employment Act of 1967, as amended, prohibits age discrimination and protects applicants and employees 40 years of age or older from discrimination on account of age in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment. The law covers applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations.
- **SEX (WAGES):** In addition to sex discrimination prohibited by Title VII of the Civil Rights Act (see above), the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment. The law covers applicants to and employees of most private employers, state and local governments and educational institutions. Labor organizations cannot cause employers to violate the law. Many employers not covered by Title VII, because of size, are covered by the Equal Pay Act.
- **DISABILITY:** The Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability, and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits, and other aspects of employment. The law also requires that covered entities provide qualified applicants employees with disabilities with reasonable accommodations that do not impose undue hardship. The law covers applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations.

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

INDIVIDUALS WITH HANDICAPS: Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of handicap and requires affirmative action to employ and advance in employment qualified individuals with handicaps who, with reasonable accommodation, can perform the essential functions of a job.

VIETNAM ERA AND SPECIAL DISABLED VETERANS: 38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 prohibits job discrimination and requires affirmative action to employ and advance in employment qualified Vietnam era veterans and qualified social disabled veterans. Applicants to and employees of companies with Federal government contract or subcontract are protected under the authorities above. Any person who believes a contractor has violated its nondiscrimination or affirmative action obligations under Executive Order 11246, as amended, Section 503 of the Rehabilitation Act or 38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act should contact immediately.

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

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

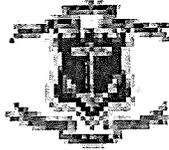
RACE, COLOR, NATIONAL ORIGIN, SEX: In addition to the protection of Title VII of the Civil Rights Act of 1964, Title VI of the Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs or activities receiving Federal financial assistance. Employment discrimination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

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

INDIVIDUALS WITH HANDICAPS: Section 504 of the Rehabilitation Act of 1973, as amended, prohibits employment discrimination on the basis of handicap in any program or activity that receives Federal financial assistance. Discrimination is prohibited in all aspects of employment against individuals with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

STATE EXECUTIVE ORDERS

- **EXECUTIVE ORDER #95-11:** Establishes the Sexual Harassment Policy for units in State Government.
- **EXECUTIVE ORDER #92-2:** Compliance with Americans with Disabilities Act.
- **EXECUTIVE ORDER #92-4:** Re-establishes the Minority Business Enterprise Program.
- **EXECUTIVE ORDER #93-1:** Equal Opportunity and Affirmative Action Policy for units in State Government.
- **EXECUTIVE ORDER #85-16:** Designates the State 504 coordinator to create policies, practices and programs regarding accessibility of State buildings and properties to handicapped persons.
- **EXECUTIVE ORDER #86-10:** Establishes the Refugee Policy for the State.



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

Donald L. Carcieri
Governor

EXECUTIVE ORDER

05-01

January 17, 2005

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

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

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

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

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

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

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

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

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

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

3. All Agency Directors shall designate an individual as the Agency’s Equal Employment Opportunity Officer and American with Disabilities Act Coordinator (the Officer). Such Officers, with the assistance of the State Equal Opportunity Office (EOO) as set forth in Title 28, Chapter 5.1 et seq. of the Rhode Island General Laws, shall be responsible for the formulation, drafting and reporting of plans and policies relating to nondiscrimination as well as the prevention of sexual harassment as required by Title 28, Chapter 51-2.

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

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

4. All Agencies shall comply with Federal laws pertaining to the promotion of equal opportunity for all qualified individuals and the prevention of sexual harassment including but not limited to the following provisions:

- Title VII of the Civil Rights Act of 1964, as amended, that prohibits employment discrimination on the basis of race, color, religion, sex or national origin;
- The Age Discrimination in Employment Act of 1967, as amended, that prohibits employment discrimination against individuals 40 years of age or older;
- The Equal Pay Act of 1963 that prohibits discrimination on the basis of gender in compensation for substantially similar work under similar conditions;

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

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

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

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

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

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

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

11. Pursuant to Rhode Island General Laws Title 28-5.1-5 and Title 36 Chapter 4-26.1, the Office of Personnel Administration within the Department of Administration and the State EOO shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.

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

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

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

Rhode Island Commission for Human Rights

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

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

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



Donald L. Carcieri
Dated: January 17, 2005



STATE OF RHODE ISLAND
PROVIDENCE PLANTATIONS
CENTER

05 JAN 14 PM 3: 54

State of Rhode Island and Providence Plantations

State House
Providence, Rhode Island 02903-1196
401-272-2080

Donald L. Carcieri
Governor

EXECUTIVE ORDER

05-02

January 17, 2005

PROMOTION OF A DIVERSE STATE GOVERNMENT WORKFORCE

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

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

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

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

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

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

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

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

Executive Order 05-02
January 17, 2005
Page 3

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

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

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

So Ordered:


Donald L. Carcieri

Dated: January 17, 2005

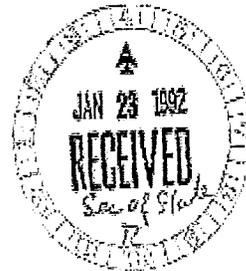
State of Rhode Island
and Providence Plantations

Bruce Sundlov, Governor

EXECUTIVE ORDER

NO. 92-2

JANUARY 23, 1992



COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

State House,
Providence

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

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

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

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

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

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

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

Page Two
Executive Order 92-2
January 23, 1992



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

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

4. The duties of the ADA Coordinator shall include:

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

Page Three
Executive Order 92-2
January 23, 1992



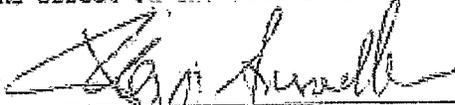
5. The State Coordinating Committee on the ADA shall continue to exist and shall continue to be staffed by the Governor's Commission on the Handicapped. The Committee shall advise and assist the ADA Coordinator in the implementation of the ADA Compliance Plan. It shall also prepare a status report to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

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

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

This Executive Order shall take effect on the date hereof.

1-23-92
Date


Governor

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 94-22

December 23, 1994

MINORITY BUSINESS ENTERPRISE



State House,
Providence

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

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

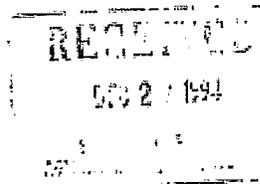
WHEREAS, on June 23, 1994, I signed Executive Order 94-9, reorganizing and enhancing the powers and duties of the MBE Program, and there is now a need to restructure and clarify the responsibilities of the MBE program; and

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

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

Article I - Applicability

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



Article II - Minority Business Enterprise Program

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

(B) The MBE Program shall:

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

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DEC 27 1994

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

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

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

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

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

(C) The MBE Program shall certify MBEs:

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

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

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

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

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Article III - MBE Commission

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

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

A cabinet level official to be appointed by the Governor

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

Representative Joseph Newsome

Executive Director, Commission for Human Rights

Casby Harrison, III
Licht & Semetoff

President (or designee)
Black Contractors Association of Rhode Island

Executive Director (or designee)
Rhode Island Commission on Women

President (or designee)
Hispanic Contractors Association

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

Director of Policy
Governor's Office

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GOVERNOR'S OFFICE

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

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

Associate Director - Department of Administration
Division of Human Resources

State Controller
Department of Administration - Office of Accounts and Control

Chief Civil Rights Officer
Department of Transportation

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

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

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

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

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

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

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

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

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

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

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

Executive Order No. 94-22

December 23, 1994

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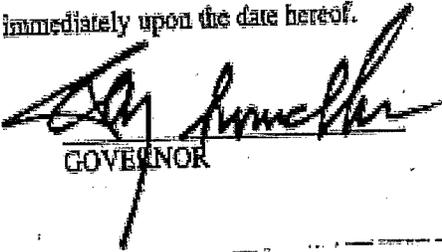
3. Providing information to minority suppliers and conducting outreach and information sessions for existing and potential MBEs.
4. Monitoring the utilization of MBEs in the area of Utility Order Purchases.
5. Provide such information as may be requested by the MBE Commission.
6. Performing any such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

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

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

DATE

12/27/94


GOVERNOR

DEC 27 1994

State of Rhode Island
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 93-1

JANUARY 18, 1993

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JAN 19 1993

SECRETARY OF STATE
ADMINISTRATIVE RECORDS DIV.



AFFIRMATIVE ACTION POLICY STATEMENT

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

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

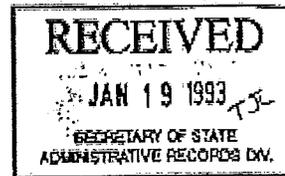
2. Rhode Island State Government is committed to providing equal opportunity in every aspect of its programs and will not discriminate because of race, sex, national origin, age, religion, sexual orientation, or disability. Because my administration recognizes the need to eliminate the vestiges of past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

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

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

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

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Executive Order 93-1
Affirmative Action Policy Statement



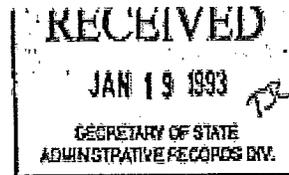
5. In addition to Rhode Island State Government, each and every employee of state government is responsible for assuring that all aspects of State programs for which he/she is responsible for are available without discrimination. Department Directors and their senior staff are responsible for the implementation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

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

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

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

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



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

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

A) review the Affirmative Action plans submitted annually by each state department or agency and prepare a comparative analysis of the strengths and weaknesses of the plans;

B) make recommendations to the departments on proactive policy initiatives that may enhance affirmative action plan objectives;

C) prepare an Executive Summary of the departmental plans for submission to the Governor annually on November 15th; and

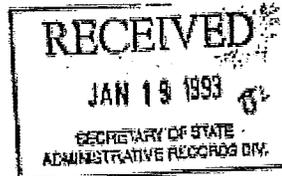
D) work cooperatively and in conjunction with the Departmental Affirmative Action Officers, Departmental MBE Coordinators, and State Officials serving on the Governor's Executive Committee for Affirmative Action.

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

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

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

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Executive Order 93-1
Affirmative Action Policy Statement



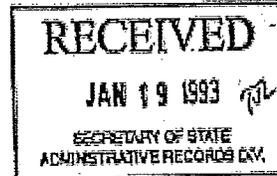
14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

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

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

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

Page Five
Executive Order 93-1
Affirmative Action Policy Statement



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

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

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

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

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

DATE

1-12-93


GOVERNOR



Edward D. DiPrete
Governor

State of Rhode Island and Providence Plantations
EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 85-16

JULY 23, 1985

SECTION 504 COORDINATOR

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

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

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

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

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

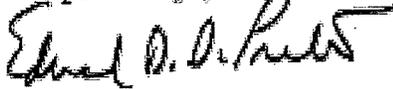
1. The Director of Administration is hereby designated the State's 504 Coordinator and shall delegate operational control to the State Building Code Commissioner as his designee.
2. The duties of the Coordinator shall be to coordinate all State agencies in the implementation of all federal rules and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

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

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

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

Respectfully yours,



Edward D. DiPrete
GOVERNOR



State of Rhode Island and Providence Plantations

LEGISLATIVE COUNCIL FRAMEWORK

Edward D. DiPrato
Governor

EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REFUGEE POLICY

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

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

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

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

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

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

Executive Order 86-10
Page TWO
April 15, 1986

WHEREAS, the Rhode Island Office of Refugee Resettlement was created for the purpose of implementing the requirements of the Refugee Act of 1980 (P.L.95-212) to assist refugees in the state to become self-sufficient as rapidly as possible; and

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

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

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

4. Those state agencies as previously stated that conduct programs and activities directly or indirectly relating to the service needs of the refugee population shall immediately undertake an affirmative planning process with regard to refugees. This planning process shall be completed by October 1, 1966, and shall include the following elements:

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

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

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

6. State Agencies Preparing Agency Service Plans -

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

Executive Order 86-10
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April 13, 1986

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

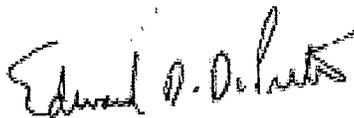
7. Transitional Education Program -

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

8. Consultation with Attorney General -

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

This Executive Order shall take effect on the date hereof.



Edward D. DiStee
Governor

RHODE ISLAND GENERAL LAWS

§28-5.1-1 et. seq.

EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

TITLE 28 - Labor and Labor Relations

CHAPTER 28-5.1

Equal Opportunity and Affirmative Action

SECTION 28-5.1-1

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

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

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

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

SECTION 28-5.1-2

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

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

SECTION 28-5.1-3

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

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

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

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

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

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

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

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

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

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

SECTION 28-5.1-3.1

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

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

SECTION 28-5.1-3.2

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

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

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

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

SECTION 28-5.1-4

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

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

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

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

SECTION 28-5.1-5

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

(2) The office of personnel administration shall:

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

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

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

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

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

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

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

SECTION 28-5.1-6

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

SECTION 28-5.1-7

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

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

SECTION 28-5.1-8

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

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

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

SECTION 28-5.1-9

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

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

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

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

SECTION 28-5.1-10

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

SECTION 28-5.1-11

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

SECTION 28-5.1-12

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

SECTION 28-5.1-13

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

SECTION 28-5.1-14

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

SECTION 28-5.1-15

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

SECTION 28-5.1-16

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

SECTION 28-5.1-17

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

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

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

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

occurred. The results shall be a public record and shall be made available electronically on the secretary of state's website.

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

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

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

CHAPTER 28-5

Fair Employment Practices

SECTION 28-5-41.1

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

PUBLIC LAW 97-118

AN ACT

RELATING TO SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

CHAPTER 51

SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

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

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

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

(b) Every employer shall:

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

(i) a statement that sexual harassment in the workplace is unlawful;

(ii) a statement that it is unlawful to retaliate against an employee for filing a complaint of sexual harassment or for cooperating in an investigation of a complaint for sexual harassment;

(iii) a description and examples of sexual harassment;

(iv) a statement of the range of consequences for employees who are found to have committed sexual harassment;

(v) a description of the process for filing internal complaints about sexual harassment and the work addresses and telephone numbers of the person or persons to whom complaints should be made; and

(vi) the identity of the appropriate state and federal employment, as amended, discrimination enforcement agencies, and directions as to how to contact such agencies as amended.

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

- (c) Employers are encouraged to conduct an education and training program for new employees and members, within one (1) year of commencement of employment or membership, which includes at a minimum the information set forth in this section. Employers are encouraged to conduct additional training for new supervisory and managerial employees within one (1) year of commencement of employment which shall include at a minimum the information set forth in subsection (b), the specific responsibilities of supervisory and managerial employees and the methods that such employees should take to ensure immediate and appropriate state agencies are encouraged to cooperate in making such training available.
- (d) Employers shall provide amended copies of their written policies on sexual harassment to all employees upon their request on or before September 1, 1997.

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

(2003)

State of Rhode Island SEXUAL HARASSMENT GUIDELINES

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

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

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

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

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

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

RI STATE EQUAL OPPORTUNITY OFFICE
ONE CAPITOL HILL PROVIDENCE, RI 02908-5865
PHONE (401) 222-3090 FAX (401) 222-2490 RI Relay: 711
Revised (2005)

**DEPARTMENT OF ADMINISTRATION
DIVISION OF HUMAN RESOURCES
STATE EQUAL OPPORTUNITY OFFICE**

GUIDELINES FOR UNBIASED WORK ENVIRONMENTS

Rhode Island General Laws §28-5.1-1 et. seq., Executive Order No. 05-01 of the State of Rhode Island and Title VII of the 1964 Civil Rights Act, mandates employers to maintain a working environment free of discriminatory insults, intimidation and other forms of harassment. Both an employee's psychological and economic well being are protected. While an employer cannot be held accountable for the prejudices of its workers clientele, it must take reasonable measures to control or eliminate the overt expression of those prejudices in the workplace. Prompt action by an employer to prevent or correct discriminatory harassment can go a long way in lessening employer liability.

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

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

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

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

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

(2005)

POSTING THE VACANCY

Posting the vacancy

On July 1, 2014, the State of Rhode Island implemented a new online state job application system, Apply RI. This workforce management system provides a streamlined process for the state to post job openings online and track and review applications electronically. By visiting ww.Apply.RI.gov, job applicants can view job openings, create a Job Interest Card, set up an account, and complete an applicant profile. Once an applicant's account and profile are created, the information can be used to apply for specific jobs. Apply RI can be accessed 24-hours a day, seven days a week, and from any computer with internet access.

MINORITY REFERRAL AGENCY LIST

**STATE EQUAL OPPORTUNITY OFFICE
MINORITY REFERRAL LIST**

Dr. Martin Luther King, Jr. Community Center
bbrush@mlkccenter.org
International Institute of R.I., Inc.
mward@iiri.org
Progresso Latino, Inc.
fullerton_renee@yahoo.com
Rhode Island Indian Council, Inc.
chesterbliss@yahoo.com
Center for Hispanic Policy & Advocacy
mayra.delaroca@gmail.com
Rhode Island Black Business Association
lisaranglin@ri-bba.com
Vietnam Era Veterans Association
therispirit@aol.com
Socio-Economic Development Center for Southeast Asians
chhaychannavy@sedcsea.org
New Visions for Newport Island
sharons@ebcap.org
Community College of Rhode Island
cbio@ccri.edu
OIC of Rhode Island
ms@valeestengroup.com
Urban League of Rhode Island
elsa@ulri.org
Urban League of Rhode Island
frontdesk@ulri.org
Women's Center of Rhode Island
klyons@womenscenterri.org
Lambert, Raymond
NAACP and RIAAP
jvincent577@gmail.com
Narragansett Indian Tribe
bthomas@nitribe.org
Rhode Island Commission on Women
newton.l@bcbsn.org
Rhode Island Commission on Disabilities
disabilities@gcd.ri.gov

GRIEVANCE PROCEDURE

RHODE ISLAND EQUAL OPPORTUNITY OFFICE

Telephone: (401) 222-3090 RI Relay 711

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 identify 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 Secretary (Responder) will be notified of the alleged complaint
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 evidenced, the parties are so informed by the State Equal Opportunity Office.
6. When there is probable cause of discrimination, the State Equal Opportunity Office will try to conciliate the complaint.
7. If an agreement between both parties is not reached, a formal hearing will be scheduled and a Hearing Officer will be assigned by the State Equal Opportunity Office.
8. If and when it has been determined by the Hearing officer that discrimination exists, the Hearing Officer will advise the State Equal Opportunity Office in writing. The State Equal Opportunity Office will then, by written notification, present findings and recommended corrective action to both parties.

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

An individual may also file a complaint with the RI Human Rights Commission or the Equal Opportunity Commission. 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 the investigation and any resolution and/or prosecution of the charge.

(Revised 2003)

DEPARTMENT OF ADMINISTRATION
DIVISION OF HUMAN SERVICES
Office of Personnel Administration
Equal Opportunity

COMPLAINT INFORMATION FORM

1. Complainant Information:

State your name and address:

City State Zip Code

Telephone Number(s):

Work: _____

Home: _____

2. Name of Department:

3. Name of Immediate Supervisor:

4. Respondent Information:

Name and address of agency involved:

City State Zip Code

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

6. Date of Alleged Violation:

7. Place of Alleged Violation:

8. Basis of Alleged Complaint:

___ Race/Color: Specify _____

___ Sex: ___ Male ___ Female

___ Age: Date of Birth _____

___ National Origin: Specify _____

___ Religion: Specify _____

___ Sexual Harassment

___ Sexual Orientation

___ Gender Identity or Expression

9. Nature of Charge:

___ Hiring

___ Compensation

___ Job Classification

___ Discharge/Termination

___ Promotion

___ Training

___ Demotion

___ Qualification/Testing

___ Layoff

___ Recall

___ Seniority

___ Intimidation/Reprisal

___ Harassment

(_____)
Case Number

RIEEO-03-87 Revised 2003

COMPLAINT INFORMATION FORM

(Continued)

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.

11. Why do you believe these events occurred?

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

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

Complainant Signature

Date

Interviewing Officer

RETALIATION/COERCION STATEMENT

RETALIATION OR COERCION

Any employee or agent of the State Government who shall discriminate against an individual through the use of retaliation, coercion, intimidations, 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
ACCOMODATIONS**

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 §28-5.1-1 et. seq., and Executive Order #92-2, the State Equal Opportunity Office invites a qualified individual with a disability to self-identify to be provided reasonable accommodations if necessary to perform the essential function for the desire position.

NAME: _____ AGENCY: _____
JOB TITLE: _____ DATE: _____

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

Disabling conditions include, but are not limited to:

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

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

Additional Comments:

Signature: _____

Date: _____

RIEEO 5/09A

REVISED 7/02/2002

AMERICANS WITH DISABILITIES/ 504 GRIEVANCE PROCEDURES

The EOHHS has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by (ADA/504).

Complaints should be addressed to: Kathryn Sherman, Human Resources Coordinator, who has been designated to coordinate ADA/504 Compliance efforts.

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

A complaint should be filed as soon as possible after the complainant becomes aware of the alleged violation. An investigation, as may be appropriate, will follow the filing of a complaint.

The investigation will be conducted by Kathryn Sherman or her designee. These rules contemplate informal but thorough investigations affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and a description of the resolution, if any, may be issued and a copy forwarded to the complainant.

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

EXIT INTERVIEW

CONFIDENTIAL EXIT-INTERVIEW FORM

1. The purpose of this Form is to record information concerning reasons why employees are terminating/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 leaving the department (resignation, transferring to another department, retirement, etc.) and forwarded to the Equal Opportunity Office in a pre-addressed envelope.
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.

CONFIDENTIAL EXIT SURVEY INQUIRY

The 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, 1 Capitol Hill, Providence, RI 02908-5865. Thank You.

NAME _____ JOB TITLE _____

ADDRESS _____ DEPT/AGENCY _____

_____ DIVISION/UNIT _____

TELEPHONE _____ DATE DEPARTED _____

DATE HIRED _____

(Please Check For Equal Opportunity Purposes Only)

Female _____	White _____	Asian American / Pacific Islander _____	Hispanic _____
Male _____	Black _____	American Indian/ Alaskan 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? _____

(Cont'd)

**RHODE ISLAND STATE EQUAL OPPORTUNITY OFFICE
CONFIDENTIAL EXIT SURVEY INQUIRY (CONTINUED)**

Was your supervisor effective in handling problems or complaints? _____

Was the Leave of Absence Procedure clearly explained to you? _____

Did you received 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? _____

INTEVIEWING OFFICER

DATE

COMMENTS:

EQUAL OPPORTUNITY ADVISORY COMMITTEE

EQUAL OPPORTUNITY ADVISORY COMMITTEE

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.

1. Establishing the Committee:

- A. all employees should be informed of opportunities to serve on the committee.
- B. agency head appoints the committee from a list of volunteers.
- C. volunteers
 - 1. each division of agency
 - 2. various job levels
 - 3. minorities, women, and person with disabilities

2. Structure:

- A. terms of membership
- B. elections of officers
- C. how many members
- D. alternates
- E. sub-committees
- F. meetings
- G. minutes

3. Functions (role):

- A. advise – not perform
- B. develop short-term objectives
- C. identify areas of possible discrimination
- D. assist the designee of the agency head with preparing the affirmative action plane.
- E. monitor the progress of the action goals and programs, if necessary, make recommendations to improve.
- F. review monthly progress reports
- G. issue a progress report to agency head quarterly.

4. Chairperson (duties):

- A. prepare agenda for meeting
- B. preside over committee meetings
- C. submit any committee recommendations to the agency head

5. Secretary (duties)

- A. preside over meeting in absence of chairperson
- B. record minutes of the meeting

C. prepare minutes for distribution.

6. Equal Opportunity Coordinator:

ex-officio
advisor

7. Equal Opportunity Officer/Liaison:

ex-officio
advisor

8. Agency head:

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

9. Employees should be informed of agency policy:

1. newsletter
2. pay envelopes
3. employee handbooks
4. copies of the affirmative action plan policy statement of key program elements.

10. The state equal opportunity office may issue such guidelines, directives, or instructions as necessary to carry out RI General Laws §28-5.1-1 et. seq.

EQUAL OPPORTUNITY ADVISORY COMMITTEE

<p>Executive Office of Health & Human Services Elizabeth H. Roberts, Secretary</p> <p>74 West Road Cranston, RI 02920 (401) 462-5274</p>	<p>EO/AA Program Coordinator:</p> <p>Lois Hayes, Deputy Personnel Administrator Division of Human Resources, Health & Human Services Human Resources Service Center 55 Howard Ave Benjamin Rush Bldg. Cranston, RI 02920</p> <p>(401) 462-5122</p>
<p>504/ADA Coordinator:</p> <p>Kathryn Sherman, Human Resources Coordinator, Division of Human Resources, Health & Human Services Human Resources Service Center 55 Howard Ave Benjamin Rush Bldg. Cranston, RI 02920</p> <p>(401) 462-5336</p>	<p>Equal Opportunity Liaison Officer</p> <p>Raymond Lambert State Equal Opportunity Office, Department of Administration 1 Capitol Hill Providence, RI 02909</p> <p>(401) 222-3090</p>

**LIST OF EQUAL
OPPORTUNITY/AFFIRMATIVE
ACTION OFFICERS**

EQUAL OPPORTUNITY/AFFIRMATIVE ACTION OFFICERS

Division of Human Resources
State Equal Opportunity Office
One Capitol Hill, 3rd Floor
Providence, RI 02908-5865
Phone 222-3090 TDD 222-6144
FAX 222-6391

Raymond Lambert, Administrator
State Equal Opportunity Programs

COMMUNITY COLLEGE OF RHODE ISLAND

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

RHODE ISLAND COLLEGE

Patricia Giammarco
600 Mt. Pleasant Avenue
Providence, RI 02908
Phone 456-8212 TDD 456-8061
FAX 456-8379

UNIVERSITY OF RHODE ISLAND

Robert E. Gillis, Secretary
Affirmative Action Equal Opportunity & Diversity
Carlotti Administration Building
Kingston, RI 02881
Phone 792-2442
TDD 792-2285

LIST OF STATE ENFORCEMENT AGENCIES

ENFORCEMENT AGENICES

Department of Administration

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) 222-6391

RI Commission for Human Rights

180 Westminster St. Ste. 3
Providence, RI 02903-1918
TEL # (401) 222-2661/ Voice
TDD # (401) 222-2664
FAX # (401) 222-2616

U.S. Equal Employment Opportunity Commission

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
TEL # (800) 669-4000/ Voice
TDD # (800) 669-6820
FAX # (617) 565-3196

APPENDIX



State of Rhode Island and Providence Plantations

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

Lincoln D. Chafee

Governor

EXECUTIVE ORDER

13-05

May 9, 2013

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

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

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

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

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

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

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

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

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

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

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

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

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

This Order shall take effect immediately.

So Ordered:



Lincoln D. Chafee



EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES
DIVERSITY PLAN TO IMPROVE MINORITY HIRING AND WORKFORCE INCLUSION

The Executive Office of Health and Human Services (EOHHS) is making efforts to improve the representation of women and minorities in our workforce. EOHHS's focus is actually on the representation of minorities since it currently employs 50.3 % women which exceeds the State of Rhode Island Labor Force rate of 48.3 % and the State Government Workforce rate of 51.6%. Of One hundred and sixty nine (169) employees, eighty five (85) are women and they represent 55.4% of the Officers/Administrators, 35.6% of the Professional staff, 80% of the para-professional staff and 95% of the administrative support staff. Because of the nature of the work that EOHHS does, EOHHS has no faculty, protective services staff, skilled craft or service maintenance staff.

On the other hand EOHHS minority hiring rate is at 5.9% or 10 individuals, compared to the Rhode Island labor force at 23%. EOHHS has one minority out of 56 in Officials/Administrative positions and one out of 20 in administrative staff. EOHHS ranks behind the State Government with 6 minorities out of 87 in Professional positions and while we have only 5 para-professionals and they are all women with one being Hispanic. There is one Asian/Pacific technician.

In order to promote the goals of Executive Order 13-05, EOHHS will establish annual hiring goals achievable short-term and long-term goals for each of the next three Fiscal Years. While remaining committed to the current strategies that have been successful particularly in attracting female applicants, EOHHS will identify and utilize current trends and best practices that have been effectively utilized in Rhode Island and other states in both the private and public sector. This includes sending letters to nonprofit agencies serving under-represented populations as a tool to increase diversity in the EOHHS. The APPLY RI employment website developed by the Department of Administration will be extremely helpful in our minority outreach efforts. EOHHS will also ensure that hiring managers are aware of referrals from the DOA Office of Human Resources Outreach & Diversity. We also plan on identifying specific entry level and non-union positions where an increased opportunity exists to expand diversity efforts and address under-representation of specific groups.

In order to increase the number of minority applicants, EOHHS will work with the EEO Human Resources Outreach & Diversity Offices to expand the number of locations and strategies it uses to post and advertise for positions targeting specific demographics. EOHHS will look to local, regional, and national organizations for assistance. EOHHS will explore its use of social media tools, such as LinkedIn, Facebook, and others, in accordance with the Department of Information Technology's Policy on Social Networking, 10-09, in its efforts to expand our reach. EOHHS will also utilize a list of media outlets and advertisement opportunities with organizations that reach out to diverse communities throughout Rhode Island. This includes the

Rhode Island Community Jobs listserv, sponsored by the Swearer Center for Public Service at Brown University <<http://swearercenter.brown.edu>>. The Swearer Center works to engage students and faculty in community-based work in Providence and around the world.

EOHHS is considering extending the length of time for job postings to a minimum of (two calendar weeks), unless circumstances or union contract provisions dictate otherwise, to ensure the general public has enough time to review job postings.

The EOHHS internship program continues to solicit referrals from the Office of Human Resources Outreach and Diversity and with recommendations on where to publicize internship opportunities across the state to attract a more diverse applicant pool.

The EOHHS will also work to identify those positions where there exists a need for a particular linguistic background or skill and posting positions with a Spanish language preference. Furthermore, the EOHHS will take action to educate its hiring management staff on the current state mandates relating to affirmative action in order to promote a working environment and workplace culture that encourages increased diversity and ensures quality customer service within EOHHS and its departments.

In conclusion, EOHHS will continue focusing on recruiting the most qualified and diverse applicants available with emphasis on ultimately achieving its hiring goals in the minority population.