Rhode Island Department of Revenue
Office of the Director

AFFIRMATIVE ACTION PLAN

July 1, 2015 – June 30, 2016

Department of Revenue
One Capitol Hill
Providence, RI 02908

David M. Sullivan
Acting Director/Tax Administrator

Accepted by: _____ **Date:** 12/11/15
Director

Approved by: _____ **Date:** 3/25/16
State Equal Opportunity Office

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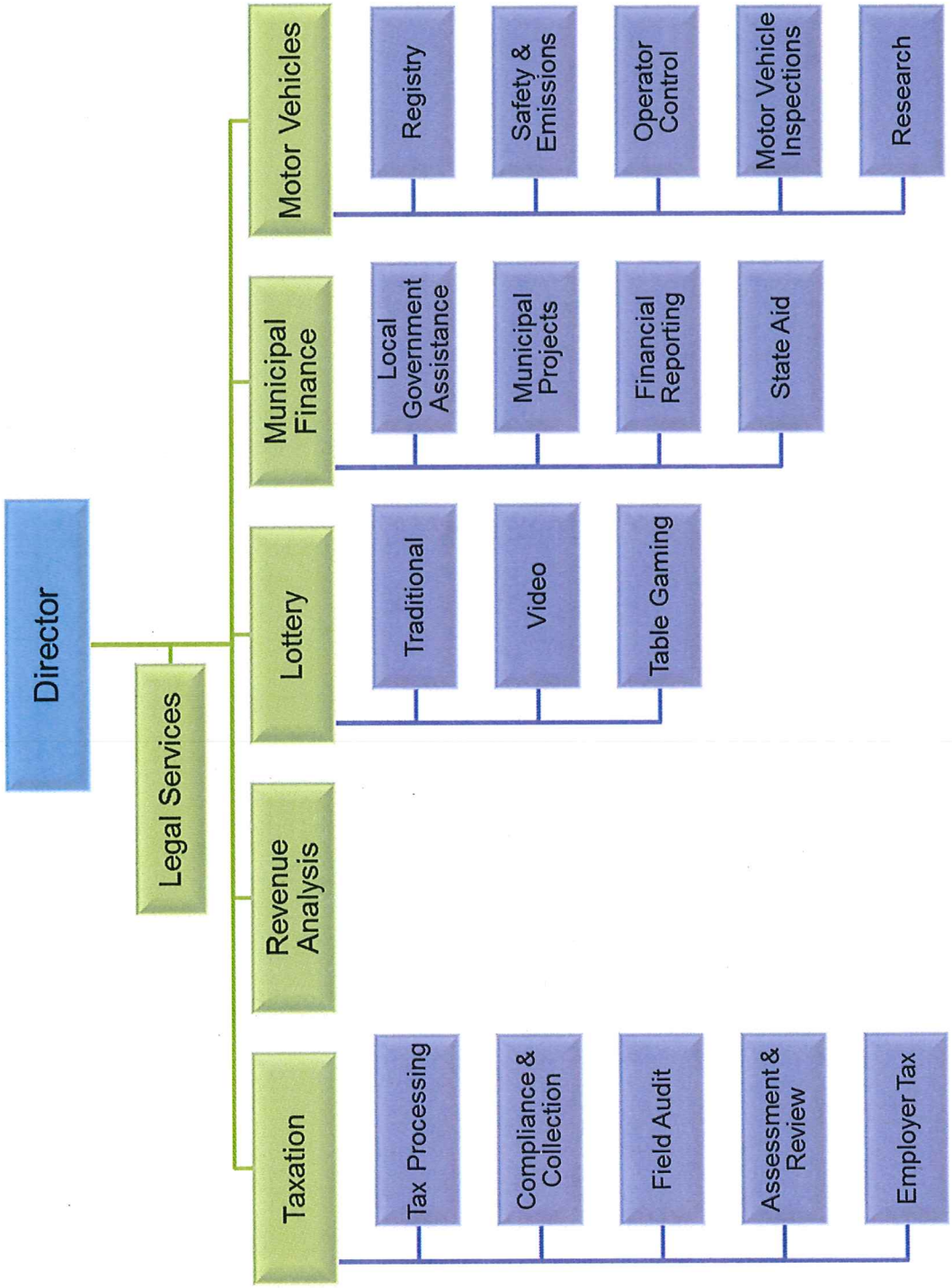
Agency Narrative

The mission of the Department of Revenue is to administer its programs and consistently execute the laws and regulations with integrity and accountability, thereby instilling public confidence in the work performed by the Department.

As Department of Revenue employees, we adhere to the highest level of ethical conduct, respect the public trust, and are open, accountable and responsive to the needs of those we serve. We avoid the appearance of impropriety and do not use our position for personal gain or advantage.

Organizational Chart



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

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

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

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

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

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

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

The Americans with Disabilities Act/504 Coordinator for the Department is Thomas Mannock, Division of Human Resources.

The Department is committed to identifying and eliminating past and present effects of discrimination in employment. In order to achieve this, we will identify those classes of individuals which are underrepresented in our workforce, set goals and timetables for increasing

our employment of those underrepresented groups, and implement an Affirmative Action Plan of outreach, recruitment, training, and other similarly designed programs.

The Americans with Disabilities Act/504 Coordinator is responsible for ensuring that the program is coordinated within the Department of Revenue.

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

_____, Director Date: 12/11/15
Department of Revenue

APPOINTMENT OF EQUAL OPPORTUNITY ADVISORY COMMITTEE

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

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

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

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

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

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

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

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

- Heather Martino, Deputy Director, Director's Office (Diversity Liaison)
- Michael Canole, Chief of Examinations, Taxation
- Elaine Colarusso, Programming Services Officer, Municipal Finance
- Michael Vieira, Casino Inspector & Standards Compliance Manager, Lottery
- Regina Martinez, Deputy Chief of the Enforcement Division, Motor Vehicles

RESPONSIBILITIES OF DEPARTMENT REPRESENTATIVES TO PROMOTE EQUAL OPPORTUNITY

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

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

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

DISSEMINATION OF PLAN AND POLICY

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

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

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

POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION

The Department of Revenue fully endorses and cooperates with the State Equal Opportunity Office's grievance procedure which provides for prompt and fair resolution of complaints alleging discrimination in any area of employment on the basis of race, color, sex, religion, age, national origin, sexual orientation, gender identity or expression or disability. A copy of the Complaint Procedure is located on page 70 of the Appendix to the Department of Revenue's 2015-2016 Affirmative Action Plan and shall be posted in conspicuous areas throughout the Department along with this statement. You may contact the State Equal Opportunity Office for further information at (401) 222-3090.

_____, Director Date: 12/11/15
Department of Revenue

POLICY ON SERVICE DELIVERY

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

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

_____, Director Date: 12/11/15
Department of Revenue

POLICY ON CONTRACTS

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

_____, Director Date: 12/11/15
Department of Revenue

POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES AND VETERANS

The Department of Revenue is fully committed to meeting the specialized affirmative action requirements to employ and advance individuals with disabilities and veterans in accordance with the Americans with Disabilities Act of 1990, RI General Laws Title 28, Chapter 5.1, Executive Order 92-2 and the Vietnam Era Veterans Readjustment Act of 1974.

It is the policy and practice of the Department of Revenue to provide equal opportunity for every employee. The Department encourages qualified individuals with disabilities, disabled veterans and qualified veterans to participate fully in all employment opportunities. This policy applies to all decisions about recruitment, hiring, compensation, benefits, transfers, promotions, layoffs and other conditions of employment.

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

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

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

Thomas Mannock of the Division of Human Resources is designated as the 504 Coordinator for the Department of Revenue. This entails coordination of all divisions in the implementation of all Federal rules and regulations affecting the Department in terms of compliance with the mandates of Section 504 of Title V of the Rehabilitation Act of 1973.

_____, Director Date: 12/11/15
Department of Revenue

AMERICANS WITH DISABILITIES/504 COMPLAINT PROCEDURE

The Department of Revenue has adopted an internal procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans with Disabilities Act of 1990.

Complaints should be addressed to Thomas Mannock of the Division of Human Resources, who has been designated to coordinate ADA/504 Compliance efforts on behalf of the Department.

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

A complaint should be filed within three (3) business days after the complainant becomes aware of the alleged violation.

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

A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by Thomas Mannock and a copy forwarded to the complainant within thirty (30) calendar days of receipt of the complaint.

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

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.

David M. [illegible], Director Date: 12/11/15
Department of Revenue

COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES

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

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

_____, Director Date: 12/11/15
Department of Revenue

EQUAL EMPLOYMENT OPPORTUNITY/CIVIL RIGHTS COMPLAINT PROFILE

COMPLAINT			STATUS		
Date Filed	Type (Internal or External)	Basis (Race, Sex, etc.)	Pending	Under Investigation	Resolved

TRAINING PARTICIPATION SUMMARY

						Male										Female									
EEO Job Categories	Total Trainees	Number Disabled	Number Veterans	Number Minority	Number Female	White	%	Black	%	Hispanic	%	Asian/ Pacific Islander	%	American Indian Alaskan	%	White	%	Black	%	Hispanic	%	Asian/ Pacific Islander	%	American Indian Alaskan	%
Officials/ Managers Administrators	2			0	1	1	50%		0%		0%		0%		0%	1	50%		0%		0%		0%		0%
Professionals	4			2	4		0%		0%		0%		0%		0%	2	50%		0%	1	25%	1	25%		0%
Faculty	0			0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Technicians	0			0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Protective Services	0			0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Para-Professionals	0			0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Administrative Support	1			0	1	0	0%		0%		0%		0%		0%	1	100%		0%		0%		0%		0%
Skilled Craft	0			0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Service Maintenance	0			0	0		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!		#DIV/0!
Totals	7	0	0	2	6	1	14%	0	0%	0	0%	0	0%	0	0%	4	57%	0	0%	1	14%	1	14%	0	0%

Total Percent:

Minority:	29%
Female:	86%
Disabled:	0%
Veterans:	0%

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		1												
Duty On Off Days														
Oral Reprimand	3	1												
Termination	1													
Other (Explain)														
TOTAL	4	2	0	0	0	0	0	0	0	0	0	0	0	0

APPLICANT DATA

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	White Male	Minority	Female	Disabled	Veterans	Hire	Promotion	Transfer Within	Grade
ADMINISTRATIVE OFFICER	1916	A		1		1	31	49	141	0	5	5F			124
SISTANT MOTOR VEHICLES ADMINISTRATOR FOR SAFETY & REGULATI	1610	A		1		1	23	14	32	0	0		5F		140
ASSOCIATE DIRECTOR REVENUE SERVICES (MOTOR VEHICLES)	1673	A		1		1	35	17	23	1	5		5F		144
ASSOCIATE DIRECTOR, REVENUE SERVICES (TAXATION)	4	A		1		1	13	3	6	0	0		5F		144
CHIEF ESTATE AND GIFT TAXES	11	A		1		1	4	1	5	0	1		5F		138
CHIEF OF TAX PROCESSING SERVICES	16	A		1		1	3	2	10	1	0		5M		140
CHIEF REVENUE AGENT	4	A		1		1	4	4	10	1	0		5M		138
CHIEF REVENUE AGENT	12	A		1		1	4	4	12	1	0		2F		138
CHIEF, MOTOR VEHICLE SAFETY AND EMISSION CONTROL DIVISION	17	A		1		1	5	2	0	0	1		5M		135
PRODUCTIVITY PROJECT DIRECTOR	13	A		1		1	8	7	19	0	0		5F		130
REVENUE OFFICER I	214	B	1			1	13	25	30	0	1	1F			320
REVENUE OFFICER I	223	B	1			1	5	8	11	0	0	1M			320
REVENUE OFFICER I	201	B	1			1	8	10	14	1	0	2F			320
REVENUE OFFICER I	225	B	1			1	11	17	22	0	0	2F			320
REVENUE OFFICER I	226	B	1			1	6	14	15	0	1	2F			320
REVENUE OFFICER I	229	B	1			1	5	7	6	0	1	2F			320
REVENUE OFFICER I	207227	B	1			1	6	14	15	0	0	2F,5M			320
REVENUE OFFICER	4	B	1			1	14	14	21	1	1	2M			321
REVENUE OFFICER I	216-219	B	1			1	12	11	17	0	0	2M	5M,5F		320
REVENUE OFFICER I	220	B	1			1	10	14	20	0	0	4F			320
ACCOUNTING MANAGER	107	B	1			1	13	12	24	1	1	4M			829
REVENUE OFFICER I	190195	B	1			1	3	11	8	0	0	4M.4M			320
CUSTOMER SERVICE SPECIALIST I	1915	B	1			1	35	89	205	3	11	5F			315
REVENUE POLICY ANALYST (DOR)	7	B		1		1	12	15	16	0	1	5F			132
SENIOR LEGAL COUNSEL	26	B		1		1	6	0	5	0	0	5F			134
REVENUE OFFICER	8	B	1			1	11	13	13	0	1	5M			321
REVENUE OFFICER I	209	B	1			1	3	7	8	0	2	5M			320
REVENUE OFFICER I	222	B	1			1	5	4	8	0	0	5M			320
REVENUE OFFICER I	144	B	1			1	6	6	7	1	0	5M			320
REVENUE OFFICER I	216	B	1			1	3	12	11	0	0	5M			320
REVENUE OFFICER I	224	B	1			1	15	15	20	0	1	5M			320
REVENUE OFFICER I	179	B	1			1	9	19	17	0	2	5M			320
REVENUE OFFICER I	171	B	1			1	8	12	11	0	1	5M			320
REVENUE OFFICER I	213	B	1			1	4	7	10	0	0	5M			320
SENIOR LEGAL COUNSEL	13	B		1		1	16	0	7	1	1	5M			134
CUSTOMER SERVICE SPECIALIST I	80	B	1			1	44	124	272	1	12		5F		315
EMPLOYER REGISTRATION SUPERVISOR	66	B	1			1	20	28	45	1	3		2F		326
MOTOR VEHICLE APPEALS OFFICER	1911	B	1			1	56	31	55	1	8		5M		324
MOTOR VEHICLE APPEALS OFFICER	1771	B	1			1	48	38	59	4	8		5M		324
MOTOR VEHICLE APPEALS OFFICER	81	B	1			1	40	25	51	2	5		2F		324
PRINCIPAL PROGRAM ANALYST	2	B	1			1	9	4	7	0	1		5M		328
PRINCIPAL PROGRAM ANALYST	2	B	1			1	11	10	10	1	0		5F		328
PRINCIPAL REVENUE AGENT	146	B	1			1	7	9	18	1	1		5M		831
PRINCIPAL REVENUE AGENT	56	B	1			1	14	8	13	0	0			5M	831
PRINCIPAL REVENUE AGENT	63	B	1			1	8	10	16	1	0		2F		831
PROGRAMMING SERVICES OFFICER	1906	B		1		1	9	10	22	0	1		5F		131
REVENUE AGENT I	160	B	1			1	10	4	7	0	0			5M	324
REVENUE AGENT I	117	B	1			1	10	4	5	0	0		5M		324
REVENUE AGENT I	169	B	1			1	6	11	14	0	0		5M		324
REVENUE AGENT I	176	B	1			1	8	9	15	0	0		5M		324

EEO Category		Race/Ethnic Code	Gender Code	Disabled Code	Veteran Code
A -Officials/Managers/Administrators	E- Paraprofessionals	1 - Black	F - Female	D - Disabled	V - Veteran
B - Professionals	F- Administrative Support	2 - Hispanic	M - Male		
C - Technicians	G - Skilled Craft	3 - American Indian/ Alaskan Native			
CF - Faculty	H - Service Maintenance	4 - Asian American/ Pacific Islander			
D - Protective Services		5 - White			

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	White Male	Minority	Female	Disabled	Veterans	Hire	Promotion	Transfer Within	Grade
REVENUE AGENT I	177	B	1			1	7	6	9	0	0		5M		324
REVENUE AGENT I	153	B	1			1	20	28	30	0	0		5M		324
REVENUE AGENT I	122123	B	1			1	9	11	12	0	1		5M,5M		324
REVENUE AGENT I	179180	B	1			1	7	13	13	0	1		5M, 5F		324
REVENUE AGENT I	181	B	1			1	8	11	10	0	0			5M	324
REVENUE AGENT I	31	B	1			1	7	10	12	0	2		5M		324
REVENUE AGENT I	169182	B	1			1	10	17	15	0	0		2F,2M		324
REVENUE AGENT II	27	B	1			1	1	0	0	0	0			5M	326
REVENUE OFFICER	5	B	1			1	16	17	25	0	3		5F		321
REVENUE OFFICER I	208	B	1			1	4	7	12	0	1		5M		320
REVENUE OFFICER I	205	B	1			1	8	6	14	0	0		1M		320
TAX EXAMINER (DOA)	13	B	1			1	15	14	27	0	3		5F		321
ASSISTANT MANAGER MARKET AGT	105	B	1			1	15	14	27	0	3		2M		826
ASSISTANT CHIEF, MOTOR VEHICE SAFETY AND EMISSION CONTROL	4,12	C		1		1	26	12	10	0	4		5M, 5M		125
AUTOMOTIVE AND EMISSION CONTOL INSPECTOR	9	C	1			1	33	3	1	0	7	5M			317
AUTOMOTIVE AND EMISSION CONTOL INSPECTOR	6	C	1			1	33	7	2	0	4	5M			317
MOTOR VEHICLE INVESTAGATOR	1607	C	1			1	74	42	43	0	10		5M		320
MOTOR VEHICLE INVESTAGATOR	1614	C	1			1	94	52	64	7	17		5M		320
MOTOR VEHICLE OPERATOR EXAMINER	1688	C	1			1	41	35	45	0	7		5M		316
MOTOR VEHICLE OPERATOR EXAMINER	382	C	1			1	38	42	62	1	6		5M		316
CASINO GAMING OPER INV	30	D	1			1	6	14	15	0	1		5F		826
CASINO COMPLIANCE REP	8	E	1			1	5	7	6	0	1	5F			825
CASINO COMPLIANCE REP	16	E	1			1	6	0	5	0	0	2M			825
SUPERVISOR PUBLIC AFFAIRS	54	E	1			1	16	0	7	1	1	5F			822
CHIEF IMPLEMENTATION AIDE	1897	E		1		1	21	20	47	0	7		2F		128
IMPLEMENTATION AIDE	178	E	1			1	30	22	74	1	1		5F		322
IMPLEMENTATION AIDE	30	E	1			1	36	55	109	1	5		5F		322
INFORMATION AIDE	1910	E	1			1	48	97	189	3	5		5F		315
SUPERVISOR PUBLIC AFFAIRS & DRAWINGS	54	E		1		1	17	11	32	0	1	5F			822
TAXPAYER ASSISTANCE REPRESENTATIVE	82	E	1			1	17	22	32	1	2		5M		318
DATA ENTRY OPERATOR	36	F	1		1		0	3	3	0	0	5M			310
SENIOR CLERK	241	F	1			1	11	29	76	0	5	2M			308
SENIOR CLERK TYPIST	234	F	1			1	4	15	56	1	0	2M			309
STORES CLERK	1689	F	1			1	53	67	123	2	9	5M			309
SUPERVISOR OF BRANCH OFFICE SERVICES (MOTOR VEHICLES)	398	F	1			1	26	23	60	3	1	1F			3325
TAX AIDE I	120	F	1			1	19	22	73	1	1		2F		316
TAX AIDE I	67	F	1			1	17	39	78	1	1	5F			316
TAX AIDE I	121	F	1			1	19	26	59	1	1		2F		316
TAX AIDE I	64	F	1			1	41	70	122	2	4		5M		316
TAX AIDE I	124	F	1			1	17	33	59	1	1		5M		316
TAX AIDE I	55	F	1			1	20	32	66	0	3		5M		316
TAX AIDE I	228	F	1			1	24	33	65	0	4		5F		316
TAX AIDE I	68	F	1			1	21	39	83	1	4	5M			316
TAX AIDE I	125	F	1			1	11	35	59	0	3	5F			316
TAX AIDE II	43	F	1			1	0	2	5	0	0		2F		316
TAX AIDE II	228	F	1			1	1	1	2	0	0		5M		316
TELLER	240	F	1			1	33	69	146	0	6	5F			315
WORD PROCESSING TYPIST	233	F	1		1		5	17	41	1	0		5F		310
WORD PROCESSING TYPIST	239	F	1		1		0	0	1	0	0	5F			310
JUNIOR MANITENANCE PER	78	H	1			1	12	15	16	0	1	2M			801
STOREKEEPER	1907	H	1			1	58	42	73	0	3	5M			315
STOREKEEPER	1228	H	1			1	62	43	90	1	8	5M			315
	Totals		85	17	3	99	1791	2034	3713	54	224	47	59	4	

EEO Category		Race/Ethnic Code	Gender Code	Disabled Code	Veteran Code
A -Officials/Managers/Administrators	E- Paraprofessionals	1 - Black	F - Female	D - Disabled	V - Veteran
B - Professionals	F- Administrative Support	2 - Hispanic	M - Male		
C - Technicians	G - Skilled Craft	3 - American Indian/ Alaskan Native			
CF - Faculty	H - Service Maintenance	4 - Asian American/ Pacific Islander			
D - Protective Services		5 - White			

APPLICANT FLOW DATA

	TOTAL APPLICANTS	**DISABLED	VETERANS	MALE					Female				
				WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ ALASKAN NATIVE	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISLANDER	AMER. INDIAN/ ALASKAN NATIVE
APPLICANTS													
OFFICALS/ADMINISTRATORS	434	4	12	130	13	14	3	2	181	26	40	3	2
PROFESSIONALS	2058	13	70	597	148	68	40	3	780	162	306	67	12
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0
TECHNICIANS	669	8	55	339	29	47	11	3	111	33	57	14	2
PROTECTIVE SERVICES	60	0	0	47	0	0	0	0	13	0	0	0	0
PARA-PROFESSIONALS	929	6	21	293	31	24	3	1	378	59	89	16	4
ADMINISTRATIVE SUPPORT	1656	14	43	322	68	45	13	3	727	128	249	42	5
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	386	1	11	153	22	23	5	4	121	20	26	3	1
TOTAL	6192	46	212	1881	311	221	75	16	2311	428	767	145	26
HIRES													
OFFICALS/ADMINISTRATORS	1	0	0	0	0	0	0	0	1	0	0	0	0
PROFESSIONALS	27	0	0	11	1	2	3	0	3	1	5	1	0
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0
TECHNICIANS	2	0	0	2	0	0	0	0	0	0	0	0	0
PROTECTIVE SERVICES	0	0	0	0	0	0	0	0	0	0	0	0	0
PARA-PROFESSIONALS	7	0	0	0	1	1	0	0	5	0	0	0	0
ADMINISTRATIVE SUPPORT	10	0	0	3	0	2	0	0	4	1	0	0	0
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	2	0	0	0	1	1	0	0	0	0	0	0	0
TOTAL	49	0	0	16	3	6	3	0	13	2	5	1	0
PROMOTIONS													
OFFICALS/ADMINISTRATORS	9	0	0	3	0	0	0	0	5	0	1	0	0
PROFESSIONALS	29	0	0	15	2	1	0	0	7	0	4	0	0
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0
TECHNICIANS	6	0	0	6	0	0	0	0	0	0	0	0	0
PROTECTIVE SERVICES	2	0	0	0	0	0	0	0	2	0	0	0	0
PARA-PROFESSIONALS	5	0	0	1	0	0	0	0	3	0	1	0	0
ADMINISTRATIVE SUPPORT	9	0	0	4	0	0	0	0	2	3	0	0	0
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	60	0	0	29	2	1	0	0	19	3	6	0	0
TERMINATIONS													
OFFICALS/ADMINISTRATORS	4	0	0	2	0	0	0	0	2	0	0	0	0
PROFESSIONALS	14	0	0	9	0	0	0	0	5	0	0	0	0
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0
TECHNICIANS	0	0	0	0	0	0	0	0	0	0	0	0	0
PROTECTIVE SERVICES	0	0	0	0	0	0	0	0	0	0	0	0	0
PARA-PROFESSIONALS	3	0	0	3	0	0	0	0	0	0	0	0	0
ADMINISTRATIVE SUPPORT	11	0	0	10	0	0	0	0	1	0	0	0	0
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	32	0	0	24	0	0	0	0	8	0	0	0	0

**Also Includes disabled in appropriate job categories.

APPLICANT REFUSAL OF POSITIONS OFFERED

						Applicant Refusals of Post Offered									
Total Applicant Pool						Male					Female				
EEO Job Categories	Total Applicants	Number Disabled	Number Veterans	Number Minority	Number Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
Officials/ Managers Administrators															
Professionals															
Faculty															
Technicians															
Protective Services															
Para-Professionals															
Administrative Support															
Skilled Craft															
Service Maintenance															
Totals	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

AFFIRMATIVE ACTION STATISTICAL SUMMARY[1]

EEO-4 Job Categories	CURRENT										LAST YEAR'S WORKFORCE										DIFFERENCE +/-									
	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
Officials/Managers Administrators	34	20	3	13	1	0	0	1	0	2	28	17	1	10	0	0	0	0	0	1	6	3	2	3	1	0	0	1	0	1
Professionals	184	76	37	88	0	2	9	20	0	8	145	66	21	68	4	0	20	0	0	1	39	10	16	20	-4	2	-11	20	0	7
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	25	17	0	4	0	3	0	0	0	0	6	4	0	2	0	0	0	0	0	0	19	13	0	2	0	3	0	0	0	0
Protective Services	10	8	0	2	0	0	0	0	0	0	9	8	0	1	0	0	2	0	0	0	1	0	0	1	0	0	-2	0	0	0
Para-Professionals	48	5	1	21	0	1	0	1	0	0	38	25	5	8	0	0	3	2	0	0	10	-20	-4	13	0	1	-3	-1	0	0
Administrative Support	135	16	24	116	1	2	12	8	3	1	54	1	4	53	1	0	4	0	0	0	81	15	20	63	0	2	8	8	3	1
Skilled Craft	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	4	0	0	0	0	0	0	0	0
Service Maintenance	4	3	1	0	0	0	0	1	0	0	1	2	0	0	0	0	0	0	0	0	3	1	1	0	0	0	0	1	0	0
Total Employees	444	149	66	244	2	8	21	31	3	11	281	123	31	142	5	0	29	2	0	2	163	26	35	102	-3	8	-8	29	3	9

Current Workforce: As of June 30th, 2015
Last Year's Workforce: As of June 30th, 2014
Difference: Increases or Decreases

Percent

32.12% Minority Applicants	59.38% Female Applicants
40.82% Minority Hiring	42.86% Female Hiring

Termination Percent

0.00% Minority
25.00% White Female
75.00% White Male

Total Current Workforce Percent

14.86% Minority
54.95% Female
0.45% Disabled
1.80% Veterans
4.73% Black
6.98% Hispanic
0.68% American Indian
2.48% Asian Pacific

[1] Due to the unavailability of certain statistical data in 2014, this summary does not accurately reflect the Department's workforce as it existed in 2014.

JOB GROUP ANALYSIS SUMMARY

					Male						Female					
EEO Job Categories	Total Employees	Total Minorities	Total Disabled	Total Veterans	Total Males	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Females	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
Officals/Managers/Administrators	34	3	1	0	21	20	0	0	1	0	13	11	0	1	1	0
Professionals	184	37	0	2	96	76	9	7	4	0	88	71	0	13	4	0
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	25	0	0	3	21	17	0	0	0	0	4	2	0	0	0	0
Protective Services	10	0	0	0	8	8	0	0	0	0	2	2	0	0	0	0
Para-Professionals	48	1	0	1	27	5	0	0	0	0	21	15	0	1	0	0
Administrative Support	135	24	1	2	18	16	0	2	0	0	116	105	12	6	1	3
Skilled Craft	4	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0
Service Maintenance	2	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0
GRAND TOTAL	442	65	2	8	197	148	9	9	5	0	244	206	12	21	6	3
Percentages by Category:		14.71%	0.45%	1.81%	44.57%	33.48%	2.04%	2.04%	1.13%	0.00%	55.20%	46.61%	2.71%	4.75%	1.36%	0.68%

Black	4.75%
Hispanic	6.79%
American Indian	2.49%
Asian Pacific	0.68%

JOB GROUP ANALYSIS

Officials Managers & Administrators						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
ADMINISTATOR FINANCIAL MGMT	137	2	0			1	1					1	1				
ASSOC DIR; REVENUE SERV (TAX)	144	1	1			0						1				1	
CHIEF COMPLIANCE AND COLLECT	140	1	0			1	1					0					
CHIEF ESTATE AND GIFT TAXES	38	1	0			0						1	1				
CHIEF OF EXAMINATION (TAXATION	42	1	0			1	1					0					
CHIEF OF STRATEGIC PLANNING; M	43	2	0			0						2	2				
CHIEF OF TAX PROCESSING SERVIC	40	1	0			0						1	1				
CHIEF OF TAX PROCESSING SVS	40	1	0			1	1					0					
CHIEF REVENUE AGENT	38	9	1			6	6					3	2		1		
EXECUTIVE DIRECTOR (DOA)/TAX A	52	1	0			1	1					0					
DIRECTOR	816J	1	0			1	1					0					
DEPUTY DIRECTOR	842J	1	0			0						1	1				
FINANCE ADMINISTRATOR	839J	1	0			1	1					0					
SALES & MARKETING MANAGER	834J	1	0			1	1					0					
PRODUCTION MANAGER	828J	1	1			1				1		0					
MARKETING MANAGER	834J	1	0			0						1	1				
CASINO OPERATIONS & COMPLIANCE MANAGER	841J	1	0			1	1					0					
CASINO INSPECTOR & STANDARDS COMPLIANCE MGR.	832J	1	0			1	1					0					
ASSISTANT MOTOR VEHICLES ADMINISTRATOR FOR SAFETY & REG	40	1	0			0						1	1				
ASSOCIATE DIRECTOR REVENUE SERVICE (MOTOR VEHICLES)	44	1	0			1	1					0					
CHIEF MOTOR VEHICLE SAFETY AND EMISSION CONTROL DIV.	35	1	0			1	1					0					
CHIEF PROGRAM DEVELOPMENT	34	1	0			1	1					0					
COORDINATOR, MOTOR CARRIER & SCHOOL BUS SAFETY PRG/DOA	33	1	0	1		1	1					0					
DEPUTY MOTOR VEHICLES ADMINISTRATOR	39	1	0			0						1	1				
SUBTOTAL		34	3	1	0	21	20	0	0	1	0	13	11	0	1	1	0
PERCENTAGES BY CATEGORY:			8.82%	2.94%	0.00%	61.76%	58.82%	0.00%	0.00%	2.94%	0.00%	38.24%	32.35%	0.00%	2.94%	2.94%	0.00%

Black	0.00%
Hispanic	2.94%
American Indian	5.88%
Asian Pacific	0.00%

Professionals						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
ADM AND LEGAL SUPPT SVS ADM	45	1	0			0						1	1				
CHIEF LEGAL OFFICER (TAXATION)	38	1	0			1	1					0					
EMPLOYER REGISTRATION SUPERVIS	23	1	0			0						1	1				
LEGAL COUNSEL	32	1	0			0						1	1				
LEGAL OFFICER (TAXATION)	33	1	0			1	1					0					
PRINCIPAL REVENUE AGENT	31	16	1			8	8					8	7		1		
REVENUE AGENT I	24	15	4			10	8		2			5	3		2		
REVENUE AGENT II	26	18	1			9	9					9	8			1	
REVENUE ANALYST	28	1	0			0						1	1				
REVENUE OFFICER	21	7	1			2	1		1			5	5				
REVENUE OFFICER I	20	23	10			17	12	2	1	2		6	1		4	1	
REVENUE OFFICER II	22	1	0			0						1	1				
REVENUE OFFICER SPECIAL INVEST	24	6	3			2		2				4	3			1	
SENIOR LEGAL COUNSEL	34	1	0			0						1	1				
SENIOR REVENUE AGENT	28	31	8			20	15	3	1	1		11	8		2	1	
SPECIAL INVESTIG. UNIT SUPER.	28	1	0			1	1					0					
SUPERVISING REVENUE OFFICER	31	5	0			2	2					3	3				
TAX EXAMINER (DOA)	21	6	1			3	3					3	2		1		
TAXPAYER SERVICE SPECIALIST	23	6	0			0						6	6				
CONTROLLER	834J	1	0			0						1	1				
INTERNAL AUDITOR	833J	1	0			0						1	1				
ACCOUNTING MANAGER	829J	0	0			0						0					
PRINCIPAL PROJECTS MANAGER	831J	1	0			1	1					0					
INSTANT TICKET SUPERVISOR	827J	1	0			1	1					0					
VIDEO LOTTERY PROGRAM AUDITOR	829J	1	0			1	1					0					
ASSISTANT MARKETING MANAGER	826J	2	1			1		1				1	1				
ASSISTANT PRODUCTION MANAGER	824J	0	0			0						0					
ASSISTANT CONTROLLER	824J	2	1			2	1			1		0					
VIDEO LOTTERY SUPERVISOR	827J	1	0			1	1					0					
LEGAL COUNSEL	835J	0	0			0						0					

Professionals						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
CASINO SR. COMPLIANCE SUPERVISOR	834J	1	0			1	1					0					
CASINO FINANCIAL ANALYST SUPERVISOR	834J	1	0			1	1					0					
CASINO COMPLIANCE SUPERVISORS	829J	2	0			2	2					0					
CASINO TABLE GAMES ACCOUNTING MANAGER	833J	1	0			0						1	1				
CASINO FINANCIAL ANALYST	832J	1	0			1	1					0					
TRAINING SUPERVISOR	26	1	0			1	1					0					
CHIEF OF MOTOR VEHICLE OPERATOR CONTROL	35	1	0			1	1					0					
CHIEF OF MOTOR VEHICLE SUPPORT SERVICES	34	1	0			0						1	1				
CUSTOMER SERVICE SPECIALIST I	15	6	0			0						6	6				
FISCAL MANAGEMENT OFFICER	26	1	1			0						1			1		
INTERPRETING INTERVIEWER (SPANISH)	19	2	2			2			2			0					
MOTOR VEHICLE APPEALS OFFICER	24	11	3		2	3	2	1				8	6		2		
PROGRAMMING SERVICES OFFICER	31	1	0			0						1	1				
SENIOR COMMUNITY DEVELOPMENT TRAINING SPECIALIST	26	1	0			0						1	1				
SENIOR RESEARCH TECHNICIAN	23	1	0			1	1					0					
SUBTOTAL		184	37	0	2	96	76	9	7	4	0	88	71	0	13	4	0
PERCENTAGES BY CATEGORY:			20.11%	0.00%	1.09%	52.17%	41.30%	4.89%	3.80%	2.17%	0.00%	47.83%	38.59%	0.00%	7.07%	2.17%	0.00%

Black	4.89%
Hispanic	10.87%
American Indian	4.35%
Asian Pacific	0.00%

Faculty						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PERCENTAGES BY CATEGORY:			#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!

Black	#DIV/0!
Hispanic	#DIV/0!
American Indian	#DIV/0!
Asian Pacific	#DIV/0!

Technicians						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
DIRECTOR MANAGEMENT INFORMATION SYSTEMS	839J	1	0			1	1					0					
INFORMATION TECHNOLOGY SECURITY MANAGER	829J	1	0			1	1					0					
PROJECT COORDINATOR	826J	1	0			1	1					0					
VIDEO LOTTERY SYSTEMS MANAGER	827J	1	0			0						1	1				
COMPUTER PROGRAMMER	825J	1	0			0						1	1				
CASINO IT SUPPORT SPECIALIST	826J	1	0			1	1					0					
ASSISTANT CHIEF MOTOR VEHICLE SAF. & EMIS. CONTR. DIV.	25	1	0			1	1					0					
AUTOMOTIVE AND EMISSION CONTROL INSPECTOR	17	2	0			2	2					0					
MOTOR VEHICLE INVESTIGATOR	20	5	0		1	4	4					1	1				
MOTOR VEHICLE OPERATOR EXAMINER	16	9	0		2	9	9					0					
SENIOR AUTOMOTIVE AND EMISSION CONTROL INSPECTOR	21	1	0			1	1					0					
SUPERVISOR COMPUTER OPERATIONS	28	1	0			0						1	1				
SUBTOTAL		25	0	0	3	21	17	0	0	0	0	4	2	0	0	0	0
PERCENTAGES BY CATEGORY:			0.00%	0.00%	12.00%	84.00%	68.00%	0.00%	0.00%	0.00%	0.00%	16.00%	8.00%	0.00%	0.00%	0.00%	0.00%

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

Protective Services						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
SECURITY MANAGER	827J	1	0			1	1					0					
CASINO SECURITY MANAGER	829J	1	0			1	1					0					
CASINO SECURITY INSPECTORS	827J	4	0			4	4					0					
CASINO GAMING OPERATIONS INVESTIGATORS	826J	3	0			1	1					2	2				
CASINO SURVEILLANCE ANALYST	832J	1	0			1	1					0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		10	0	0	0	8	8	0	0	0	0	2	2	0	0	0	0
PERCENTAGES BY CATEGORY:			0.00%	0.00%	0.00%	80.00%	80.00%	0.00%	0.00%	0.00%	0.00%	20.00%	20.00%	0.00%	0.00%	0.00%	0.00%

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

Para-Professionals						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
FIELD REPRESENTATIVES	822J	9	1			9	8		1			0					
PRODUCTION CLERK	822J	0	0			0						0					
SUPERVISOR PUBLIC AFFAIRS	822J	1	0			0						1	1				
TICKETING ACCOUNTING CLERK	820J	1	0			0						1	1				
ASSISTANT PRODUCTION WORKER	818J	2	0			2	2					0					
ASSISTANT FIELD REPRESENTATIVE	822J	1	0			1	1					0					
CASINO COMPLIANCE REPRESENTATIVES	825J	13	3			10	7	2	1			3	3				
CHIEF IMPLEMENTATION AIDE	28	2	0			0						2	2				
IMPLEMENTATION AIDE	22	2	0			0						2	2				
TAX INVESTIGATOR	20	4	0			4	4					0					
TAXPAYER ASSISTANCE REP	18	1	0			0						1	1				
ASSISTANT ADMINISTRATIVE OFFICER	21	1	0			0						1	1				
CHIEF IMPLEMENTATION AIDE	28	4	1		1	0						4	3		1		
INFORMATION AIDE	15	3	0			0						3	3				
LICENSE INVESTIGATOR	22	2	0			1	1					1	1				
SUPERVISOR, MOTOR VEHICLE CUSTOMER SERVICES	27	2	0			0						2	2				
SUBTOTAL		48	1	0	1	27	5	0	0	0	0	21	15	0	1	0	0
PERCENTAGES BY CATEGORY:			2.08%	0.00%	2.08%	56.25%	10.42%	0.00%	0.00%	0.00%	0.00%	43.75%	31.25%	0.00%	2.08%	0.00%	0.00%

Black	0.00%
Hispanic	2.08%
American Indian	0.00%
Asian Pacific	0.00%

Administrative Support						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
DATA CONTROL CLERK	15	1	1			0						1		1			
DATA ENTRY OPERATOR	10	1	0			1	1					0					
DATA ENTRY UNIT SUPERVISOR	21	1	0			0						1	1				
FISCAL CLERK	14	1	0			0						1	1				
OFFICE MANAGER	23	1	0			0						1	1				
SENIOR CLERK-TYPIST	9	1	1			1			1			0					
SUPERVISING PREAUDIT CLERK	21	1	0			0						1	1				
TAX AIDE I	16	17	2			2	2					15	13		1	1	
TAX AIDE II	18	19	3			0						19	16	1	1		1
WORD PROCESSING TYPIST	10	2	1			0						2	1		1		
CUSTOMER SERVICE REPRESENTATIVE I (DMV)	15	79	15	1	2	14	13		1			65	51	10	2		2
DATA CONTROL CLERK	15	1	0			0						1	1				
LICENSING AIDE	15	2	1			0						2	1		1		
PRINCIPAL CLERK-STENOGRAPHER	13	2	0			0						2	2				
PRINCIPAL CLERK-TYPIST	12	1	0			0						1	1				
SENIOR CLERK-TYPIST	9	1	0			0						1	1				
SENIOR TELLER	18	4	1			1	1					3	2	1			
SENIOR WORD PROCESSING TYPIST	12	3	0	1		0						3	3				
SUPERVISOR OF BRANCH OFFICE SERVICES (MOTOR VEHICLES)	25	9	1			2	2					7	6	1			
TELEPHONE OPERATOR	10	1	0			0						1	1				
TELLER	15	1	0			0						1	1				
EXECUTIVE SECRETARY	822J	1	0			0						1	1				
SUPERVISOR PERSONNEL RECORDS	821J	1	0			0						1	1				
LICENSING CLERK	820J	1	0			0						1	1				
SECRETARIES	818J	3	0			0						3	3				
RECEPTIONIST	817J	1	0			0						1	1				
VALIDATIONS OFFICER	817J	1	0			0						1	1				
CASINO ADMINISTRATIVE OFFICER	822J	1	0			0						1	1				
SUBTOTAL		135	24	1	2	18	16	0	2	0	0	116	105	12	6	1	3
PERCENTAGES BY CATEGORY:			17.78%	0.74%	1.48%	13.33%	11.85%	0.00%	1.48%	0.00%	0.00%	85.93%	77.78%	8.89%	4.44%	0.74%	2.22%

Black	8.89%
Hispanic	5.93%
American Indian	0.74%
Asian Pacific	2.22%

Skilled Craft						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
AUTOMOTIVE SERVICE SPECIALIST	18	4	0			4	4					0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		4	0	0	0	4	4	0	0	0	0	0	0	0	0	0	0
PERCENTAGES BY CATEGORY:			0.00%	0.00%	0.00%	#######	#######	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

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

Service Maintenance						Male						Female					
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
STOREKEEPER	15	2	0			2	2					0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
SUBTOTAL		2	0	0	0	2	2	0	0	0	0	0	0	0	0	0	0
PERCENTAGES BY CATEGORY:			0.00%	0.00%	0.00%	100.00%	100.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

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

DETERMINING UNDER-REPRESENTATION & GOAL SETTING

	WORKFORCE									UNDERREPRESENTATION								AAP HIRING GOALS							
EEO-4 Job Categories	TOTAL EMPLOYEES	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/ PACIFIC	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/ PACIFIC	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/ PACIFIC
Officials/ Managers Administrators	34	3	13	0	1	0	1	0	2	5	3	3	1	2	3	0	-1	1	1						
Professionals	184	37	88	2	0	9	20	0	8	5	0	13	13	2	3	1	-2	1		1	1				
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0								
Technicians	25	0	4	3	0	0	0	0	0	6	8	-1	2	1	3	0	1	1							
Protective Services	10	0	2	0	0	0	0	0	0	2	3	1	1	1	1	0	0								
Para-Professionals	48	1	21	1	0	0	1	0	0	10	2	3	3	3	5	0	2	1							
Administrative Support	135	24	116	2	1	12	8	3	1	7	-51	9	8	-4	9	-2	3			1	1				
Skilled Craft	4	0	0	0	0	0	0	0	0	1	2	0	0	0	0	0	0								
Service Maintenance	4	1	0	0	0	0	1	0	0	0	2	0	0	0	-1	0	0								

EQUAL OPPORTUNITY PERFORMANCE AND COMMUNICATIONS

Due to the unavailability of certain statistical data in 2014, the Department was unable to determine under-representation in certain categories at that time and/or to set comprehensive affirmative action goals for the 2014-2015 year. In addition, since the available data did not accurately represent the 2014 workforce, the Department cannot make meaningful comparisons to its workforce in 2015. As of July 1, 2015, the statistical data for the entire Department has been made available, and the Department has analyzed its current workforce and set its goals accordingly for the 2015-2016 year.

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. It is only human nature to defer action if the costs of inaction are negligible; therefore, necessary action will be taken to ensure compliance.

The following are practical ways to improve communication:

a. The EOAC will be reactivated and should meet with the Associate Director of the Office of Diversity, Equity and Opportunity to introduce the new Affirmative Action Plan and to discuss performance results.

b. The EOAC should meet regularly and produce reports for the Director on the status of various protected classes within the Department when problems are first noticed.

c. Continuing education for EOAC members through both internal and external sources, such as attending seminars and inviting guest speakers, will be encouraged in order to facilitate the ongoing development and administration of a viable and successful long-term plan.

WORKFORCE COMPOSITION

As evidenced by the statistical data above, the Department's workforce composition is currently more than half female (54.95%), although females remain under-represented in certain job categories. Minorities currently comprise 14.86% of the Department's workforce, which increased from 12% in 2014; however, minorities also remain under-represented in various job categories, along with veterans and disabled individuals. For minorities, the strongest need persists in the category of Paraprofessionals; for females, the category of Technicians; for veterans and disabled individuals, the categories of Professionals and Administrative Support. Hispanics are also significantly underrepresented in the category of Administrative Support. Given these deficiencies, the argument to enforce the "6 + 6" law is tenable. This law (RI General Laws § 36-4-26.1) allows the Department to use a supplemental certification in the civil service, i.e. expanded certification for equal opportunity and affirmative action, under appropriate circumstances.

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

EMPLOYMENT RECRUITMENT AND SELECTION PROCESS

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

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

Based upon the data collected with the assistance of Apply RI, from July 1, 2014 through June 30, 2015, the Department solicited a total of 6,192 applicants for a total of 109 filled positions. The applicant pool was comprised of 11.93% Blacks, 15.96% Hispanics, 3.55% Asian/Pacific Islanders, 0.68% American Indians and Alaskan Natives, 59.38% females, 3.42% veterans, and 0.74% disabled individuals. This applicant pool was mostly representative of the current RI workforce: 5.9% Black, 12.3% Hispanic, 3.3% Asian/Pacific Islander, 0.4% American Indian and Alaskan Native, 48% female, 8% veterans, and 7% disabled individuals. Thus, while minorities and females were actually over-represented in the total applicant pool, veterans and disabled individuals were significantly under-represented. This indicates a need for affirmative recruitment efforts to solicit veterans and disabled individuals to apply for future Department positions.

With respect to the employment selection process, the Department filled 109 positions in fiscal year 2015: 49 new hires and 60 promotions. The successful candidates were mostly representative of the diverse applicant pool achieved by the Department. 4.59% of the positions were filled with black males, and another 4.59% were filled with black females. Black males constituted 5.02% of the applicant pool, while black females constituted 6.91%. Hispanic males comprised 3.57% of the applicant pool but were appointed to 6.42% of the positions; Hispanic females comprised 12.39% of the applicant pool and received 10.09% of the positions. Asian and Pacific Islanders comprised approximately 3.5% of the total applicant pool for Department positions and were selected for 3.67% of those positions. American Indians and Alaskan Natives were not selected for any positions, nor were disabled individuals; however, those groups comprised only 0.68% and 0.74%, respectively, of the applicant pool. Finally, none of the positions were filled with veterans, although they comprised

3.42% of the total applicant pool. Thus, in addition to targeted recruitment efforts to solicit veterans to apply for Department positions, it appears that affirmative efforts should also be made to hire and/or promote qualified veterans who apply for those positions. However, current recruitment practices do not allow hiring managers to access candidates' veteran status, which limits the Department's ability to make such affirmative efforts when veteran status is unknown unless revealed during an interview.

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

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

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

EXIT INTERVIEWS

The exit interview process is an opportunity for employees to express their reasons for leaving state service or transferring to another department. The exit interview form offers the terminating/transferring employee an opportunity to address any issue(s) that he/she feels should be reviewed.

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

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

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

POSTING OF POSITIONS

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

The current posting period is seven (7) days within an additional three (3) day grace period for union positions, although some agencies voluntarily offer a longer application period. Where flexibility exists, the Department routinely posts positions for a longer period of time to increase applicant response and to increase diversity of the applicant pool.

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

TRANSFER AND PROMOTION PRACTICES

Female, minority, veteran and disabled employees are primarily under-represented in the job categories of Officials/Managers/Administrators, Professionals, Technicians, and Para-professionals. The minimal turnover in upper management is one reason for limited representation in these job categories.

In contrast, the Administrative Support job categories are dominated by women, who fill 85.93% of these positions. However, veteran, disabled and Hispanic employees remain under-represented in this job category.

In some cases opportunities for upward mobility is limited due to the restrictions imposed by collective bargaining agreements. Approximately 72% of the Department's positions are covered by collective bargaining agreements. For positions not covered by collective bargaining agreements, an overt effort shall be made to offset under-representation of women, minorities, veterans and disabled individuals.

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

TECHNICAL COMPLIANCE

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

TERMINATIONS

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

TRAINING PROGRAMS

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

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

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

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

PRACTICES AND PROCEDURES

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. The Department will send vacancy notices to recruiting sources such as the Department of Human Services (Vocational Rehabilitation and Veterans' Home), the Department of Labor & Training, and appropriate educational or training institutions to assist in recruiting.

PHYSICAL AND MENTAL QUALIFICATIONS

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

WORK ENVIRONMENT

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

REASONABLE ACCOMMODATION

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

REPORT ON 2014-2015 ACTIVITIES

The Department, working with the ADA Coordinator for the Department of Revenue (Mr. James Pitassi until his retirement in the fall of 2014, succeeded by Dr. Thomas Mannock), continues to make positive changes. During this year, no specific ADA claims were made or addressed; however, the Department continues to review and remove any barriers consistent with the ADA requirements and the needs of both co-workers and the public. These efforts ensure that employees with disabilities are able to remain productive members of the Department's workforce.

REPORT ON 2014-2015 PLAN

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

Determining Under-representation & Goal Setting

	WORKFORCE									UNDERREPRESENTATION							
EEO-4 Job Categories	TOTAL EMPLOYEES	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/ PACIFIC	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/ PACIFIC
Officials/ Managers Administrators	34	3	13	0	1	0	1	0	2	5	3	3	1	2	3	0	-1
Professionals	184	37	88	2	0	9	20	0	8	5	0	13	13	2	3	1	-2
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Technicians	25	0	4	3	0	0	0	0	0	6	8	-1	2	1	3	0	1
Protective Services	10	0	2	0	0	0	0	0	0	2	3	1	1	1	1	0	0
Para-Professionals	48	1	21	1	0	0	1	0	0	10	2	3	3	3	5	0	2
Administrative Support	135	24	116	2	1	12	8	3	1	7	-51	9	8	-4	9	-2	3
Skilled Craft	4	0	0	0	0	0	0	0	0	1	2	0	0	0	0	0	0
Service Maintenance	4	1	0	0	0	0	1	0	0	0	2	0	0	0	-1	0	0

	AAP HIRING GOALS							
EEO-4 Job Categories	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/ PACIFIC
Officials/ Managers Administrators	1	1						
Professionals	1		1	1				
Faculty								
Technicians	1							
Protective Services								
Para-Professionals	1							
Administrative Support			1	1				
Skilled Craft								
Service Maintenance								

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

Currently the most significant instances of under-representation in the Department generally exist in the job categories of Officials/Managers/Administrators, Professionals, Technicians, Paraprofessionals, and Administrative Support. Given the relatively low turnover in non-union positions in the Technicians and Paraprofessionals categories, and the small percentage of non-union positions in the Administrative Support category, the Department has set a realistic goal of hiring two (2) minorities, one (1) veteran, and one (1) disabled individual in those categories in fiscal year 2016. Due to the significant underrepresentation of veterans and disabled individuals in the Professionals category, the Department has set a goal of hiring one (1) veteran and one (1) disabled individual, as well as one (1) minority in that category. Finally, the Department has set a goal of hiring one (1) minority and one (1) female to increase representation in the category of Officials/Managers/Administrators.

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DESCRIPTION OF JOB CATEGORIES

OFFICIALS AND ADMINISTRATORS:

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

PROFESSIONALS:

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

TECHNICIANS:

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

PROTECTIVE SERVICE WORKERS:

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

PARAPROFESSIONALS:

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

ADMINISTRATIVE SUPPORT:

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

SKILLED CRAFT WORKERS:

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

SERVICE/MAINTENANCE:

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

Racial / Ethnic Designations
Minority Group

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

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

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

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

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

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

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

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

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

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

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

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

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

EMPLOYERS HOLDING FEDERAL CONTRACTS OR SUBCONTRACTS

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

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

Highlights of the New Regulations

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

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

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

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

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

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

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

Covered veterans means any of the following:

1) Disabled veterans;

2) Veterans who served on active duty in the Armed Forces during a war or in a campaign or expedition for which a campaign badge has been authorized;

3) Veterans who, while serving on active duty with the Armed Forces, participated in a United States military operation for which an Armed Forces Service Medal (AFSM) was awarded pursuant to Executive Order 12985; and

4) Recently separated veterans.

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

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

PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

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

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

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

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

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

TITLE 28
Labor and Labor Relations

CHAPTER 28-5.1
Equal Opportunity and Affirmative Action

SECTION 28-5.1-1

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

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

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

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

SECTION 28-5.1-2

§ 28-5.1-2 State equal opportunity office. — (a) There shall be a state equal opportunity office. This office, under the direct administrative supervision of the director of administration/human resources, shall report to the governor and to the general assembly on state equal opportunity programs. The state equal opportunity office shall be responsible for assuring compliance with the requirements of all federal agencies for equal opportunity and shall provide training and technical assistance as may be requested by any company doing business in Rhode Island and all state depat Intents 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 quasipublic agencies, authorities, boards, and commissions of the state, excluding the legislative branch of state government.

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

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

SECTION 28-5.1-3.1

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

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

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

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

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

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

SECTION 28-5.1-3.2

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

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

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

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

SECTION 28-5.1-4

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

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

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

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

SECTION 28-5.1-5

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

(2) The office of personnel administration shall:

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

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

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

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

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

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

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

SECTION 28-5.1-6

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

SECTION 28-5.1-7

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

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

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

SECTION 28-5.1-8

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

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

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

SECTION 28-5.1-9

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

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

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

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

SECTION 28-5.1-10

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

SECTION 28-5.1-11

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

SECTION 28-5.1-12

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

SECTION 28-5.1-13

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

SECTION 28-5.1-14

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

SECTION 28-5.1-15

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

SECTION 28-5.1-16

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

SECTION 28-5.1-17

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

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

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

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

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

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

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

TITLE 28
Labor and Labor Relations

CHAPTER 28-5
Fair Employment Practices

SECTION 28-5-41.1

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

STATE EXECUTIVE ORDERS

EXECUTIVE ORDER 13-05
Promotes Diversity, Equal Opportunity and Minority Business Enterprises in Rhode Island

EXECUTIVE ORDER 05-02
Establishes the Human Resources Outreach and Diversity Office and their responsibilities

EXECUTIVE ORDER 05-01
Promotes Equal Opportunity and the Prevention of Sexual Harassment in State Government

EXECUTIVE ORDER 94-22
Promotes Minority Business Enterprises in Rhode Island State Government.

EXECUTIVE ORDER 93-1
Equal Opportunity and Affirmative Action Policy for units in State Government.

EXECUTIVE ORDER 92-2
Compliance with Americans with Disabilities Act.

EXECUTIVE ORDER 86-10
Establishes the Refuge Policy for the State.

EXECUTIVE ORDER 85-16
Designates the State 504 coordinator to create policies, practices and programs regarding accessibility of State buildings and properties to disabled persons.

2013 MAY -9 PM 1:1I

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

SECRETARY (7.)7 STATE.

Lincoln D. Chafee
Governor

EXECUTIVE ORDER

13-05

May 9, 2013

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

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

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

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

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

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

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

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

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

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

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

1. The Director (Director) of the Department of Administration (Department), shall review all divisions and offices within the Department charged with facilitating equal opportunity employment and MBEs, including, •but not limited to, the Division of Human Resources, the State Equal Opportunity Office, the Human Resources Outreach and Diversity Office, the Division of Purchases, and the MBE Program, and shall make recommendations to the Governor to improve collaboration between these offices and all executive departments to ensure these programs are more effective. These recommendations shall encourage measures of quality and accountability in. equal opportunity and affirmative action hiring and MBE procurement as allowed by law. In addition, these recommendations shall include strategies for recruiting, hiring, promoting and retaining a more diverse workforce. The Director shall submit these recommendations to the Governor for approval on or before August 1, 2013. All executive departments shall comply with the Director's recommendations and shall cooperate fully with taking steps to increase minorities in the State's workforce and increase the usage of MBEs with State contracts.

2. Every State agency, in partnership with the Office of Equal Opportunity, shall track and maintain hiring data as part of the agency's performance management functions. Each agency shall provide the Office of Equal Opportunity, which shall coordinate with the Office of Management and Budget's Office of Performance Management and the Office of Outreach and Diversity, with a plan for improving minority hiring no later than October 1, 2013.

3. The Division of Purchases MBE Compliance Office shall identify State contracts and sub-contracts that could increase the number of minority-owned businesses participating in State work where strategic efforts can be undertaken. Each agency shall provide a list of contracts and sub-contracts that should be reviewed for MBE recruiting potential as part of the plan which shall coordinate with the Office of Management and Budget's Office of Performance Management and the Division of Purchases MBE Compliance Office on or before December 1, 2013.

4. The Director shall prepare an annual report to the Governor due on August 1, 2013 and every August 1 thereafter, for the prior fiscal year, demonstrating the State's progress in minority employment and MBE procurement and any recommendations for continued improvements in these programs. This report shall take into account the Affirmative Action Plans that are submitted by every State agency on an annual basis, as required under R.I. Gen. Laws Chapter 28-5.1.

5. The Department and the Human Resources Outreach and Diversity Office shall develop and conduct a diversity training program within one year of the effective date of this Order. For future hires, such training may be part of the standardized orientation provided to new employees.

This Order shall take effect immediately.

So Ordered:

Lincoln D. Chafee

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State of Rhode Island and Providence Plantations
Stott Boas.
Pnericionce, Rhode 1310402904196
4014224080

Donald L. Carded
Governor

EXECUTTVE ORDER

05-02

January 17, 2005

PROMO ON OF A DIVERSE STATE GOVERNMENT RKFORCE

WHEREAS, Rhode Island *State* Government is committed to fostering a cornperirive and diverse workforce composed of highly skilled and capable employees through the recruitment, training, retention, and prornocinn 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 acellence and the strength of individual differences; and

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

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

WHEREAS, the staters commitment to equal opportunity, diversity, and conduct that fosters respect in the **workplace** is unwavering,

NOW, THEREFORE, f, **DONALD L CARCIERI, by** the atttlinrity vested in roc Covernor of **the State** of Rhode Island And ProVidence Plantations do Ii erebi eider 3S f01107v5:

1. There shall be teteblished within the Department of AdminisCration Human Resources Outreach and Diversity Office. This Office shall report directly to the Director of the Department of Administmtion or designee on the state of diversity in Rhode Island State government and shall wotk towards developing a business case for equity with an emphasis on building a diverse workforte to guarantee fair and reesonable opportunities for public service.

e The Human Reseurces Outreach and Diversity Office responsibilities shall inclede!

- Developing guidelines to effectuate its mission;
- Researching and developing best pracdces for the promotion of diversity throughout State government;

  Providing guidance and teehnicalsepporr to state entities;

- Developing a strategic and focused recruitment and tracking initiative for individuals interested iii state employinent including fostering relationibips with .communityebased organieations 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 5easiCive workforce environment;

  Submittieg art annual benchmark report to the Director of the Department of Adnieistration or designee.,

To assist the Office incarding 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 eeeti of the following governmental entitiee:

Office of the Governor
Human Resources Outreach end Diversity Office
Department of Labor ez Training
Office of personnel Adminstration. HIMIAil Resources
Office of Labor Relations
Office of Equal Opportunity
overnor's Commission on Women

Governor's Commission on Disabilities
Office of "Higher Education
Rhode Island Commkscion on the Deaf and Hard 4of 14eating
Division of Legal Serviots within the Department of Administration

The Director of Administration Of designee shall chait the Col-1mi The Council shall meet quarteily.

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

So Orderech

Donald L Car Teri

Dated: January 17, 2005

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

Donald L. Carcieri
Governor

EXECUTIVE ORDER
05-01
January 17, 2005
PROMOTION OF EQUAL OPPORTUNITY AND
THE PREVENTION OF SEXUAL 'HARASSMENT IN STATE GOVERNMENT

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

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

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

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

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

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

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

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

a) do not discriminate against any employees or applicants for state employment in all aspects of employment including contract procurement and service delivery;

b) establish guidelines to prevent discrimination and sexual harassment of any employees or applicants for state employment;

c) identify and actively promote employment opportunities for qualified individuals that historically have been underutilized in the state government workforce;

d) describe the notice and filing provisions that enable any employee or applicant for state employment who believes he/she has been discriminated against or sexually harassed to immediately report such conduct to appropriate official(s).

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

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

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

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

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

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

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

6. Pursuant to Rhode Island General Laws Title 28, Chapter 5.1, the State E00 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 E00 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 hand
and Prevalence Plantations

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EXECUTIVE ORDER

No. 94-22

December 23,1994

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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 Most possible opportunity to participate in State funded and State directed public construction Raga= 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, 1 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 ptogram; and

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

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

This Eargutive Order shall apply to any and all State purchasing, inch/ding hut not limited to construction projects or contracts, professional services, and purchase of goods and services funded in whole or in part by State ftmds, 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 g011traCt.

(A) The Director of the Department of Administration shall assume overall responsibility for the MBE Compliance Program The Director of Admint' stration 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 *hall be supported by staff as determined by the Director, Department of Administration. The Administrator MBE Compliance shall assume Visibility as the Executive Director of the MBE and pro_vide staff support for the Commission The Administrator - MBE Compliance shall, with the support of the MBE Program staff, advise and assist the Governor, the Dirmor of Administration, the Purchasing **Agent, and** other entities and individuals directly affected by the connect and procurer:Dm practices of State government The Administrator - MBE Compliance shall -Mitt **in** the developmett of effective and innovative strategies for promoting MBE participation itt the State's procurement, construction, professional, consulting, and legal service contracts in order to comply with 111. General Laws Section 37441-7.

(B) The MBE Program shall;

1. Assist the Director of Ad tliStratiOrl to issue tides, regulations and reporting requirements necessary to implement the objective of this Executive Order.

2. Monitor the progress death **department,** agency, and quasi•state **authority** or corporation in the attainment of MBE policy objectives, participation goals. and requirerxents,

3. Courhict such activities as visits to job sites, public hearings and examination of :cords and practices of various **department; as may** be necessary to ensure compliance with the tegtilteMCIAS of **this Executive** Order.

4. Alum for technical assistance, support said resource idemification to assist the various department, agency and quasi-state authority or corporation pur sing entitles in attaining the objectives of this Executive Ortier,

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 slaw and federal jurisdictions.**

6. Actt a s a coonlinatiog body bring MBEs into active participation in the purchasing procedures of the various departments of the State.

7. Develec a statewide reporting system for all MBE activities under R.I. Omura Laws Section 3744.1.

8, Conduct research and analysis to suers Program!

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

10, Submit an Annul Report to the Oovenaw. by November 30th of eachyear (for the prior fiscal year) recommending procedures, activities, et. to Improve the program.

(C) The MBE Prosram shall certify

The responsibiit for MBE certification bas assumed by the Department of Administration:

1. haunt to LI. General Laws Section 3744.1 Waling to MBE) and Section 42-33-1 (relating to Administrative Procedures), the Department of Administration shall adopt, transfer andiot modify mks and regulations for *the* certification of MBEs.

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

3. Notif▶ the purchasi.ngagent of the State and -state authorities or corporations of any detemikation of non-compliance with the requirements of this Executive Order or a removal of the certification of stMEtE.

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Artie; 111I MBE CiVitnalit)(1

(A) There is hereby established a Minority Basi s Enterprise Commission (herein defined as the *MBE Commbsion*) to advise and assist the *MBE* Program, the Director, Department of Administration and the Administrator MBE Compliance in meeting vii carrying out the MBE compliance mks and regulations promulgated by the Department of Administration,

(B) The following officials and individual persons are hereby Imbued as members of the ME Commission, to serve at the plenum of the Goma:

A cabinet level official to he appointed by the Governor

Director of the Deputmea of Mainistration (or designee) Chair

*putative Joseph Newsome -

Executive Director, Commission for Human Risks

Casty Harrison, Ift
Licht & Semenoff

President (or designee)
Black Comractors Association of Rhode Island

Executive Director (or designee)
Rhode Island Commission (*Women

President (c designee)
Hispanic Common Association

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

Director of Policy
Gornto's Office

sedate Director and Purchasing Agent
Department of Administration Division of Purchasing

Associate Director y Department of Mellish .=
Division of Human Resources

State Controller
Department of Adminstraticin - 0 of A

Chief Civil Rights Officer
Department of Transportation

if s) The following olflffal alaaU serve ss the Executive Director of the MBE =mission:

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

The MBE Commission *ball` no less than six dines per year and upon call of tic Chairperson or four (4) Commission members to to i v ha v r business the Chairperson or Commissiou members may deem appropriate. Foot (4) members shall coos to a quorum of de Commission.

agency
administer *State* funds shall develop and submit as
meet the goal of awarding. 10% *of* the dollar
projects to certified MBEs.

The Director et dept, Ageocy or qUaSktite atilliedrY or {mention empowered to mead State firrois, shall desiPatc a highly Plated official MBE Coordinator') to have overall responsibility for promoting greater participation of MBE in his or her *pertinent or agency or quaskiate authority or corporation.

«9 r 7

(C) If the rules and regulations promulgated by the Department of Administration art not being met. the Department, egency 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 Invitation to lsill3

2. Promoting joint ventures between MBEs and nos MBEs,

3. Requiring prime ontramors, where subcontratellng opportunities exist, to subcontract a minim= amount of work on projects to MBEs.

4. Designating MBEs as suggested vendors, vhett submitting requests to the putvhasing awl

5. Dividing large contracts into sti ller avnits to afford opportunities for MBEs, where legally permissible.

6. Developing a plan to require prime contractors, what possible, set vices and equipment from MBEs.

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

1. fitollfyieg all possible bidders, especially potential MBE suppliers of purchasing for departmegs, agencies and quasi-state authorities or corporations. Such notification taigla in 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.

Providing in[or torn ority
=don sessions for au dal MBEs.

4. Wale:4*v the utilization ofMBEs in the area of Ut lity Order

3, ?rev* such information as may be requested by the MBE Conuniss

6. Performing any such other activities that generally support objectives five Order and LL Geneva Laws Section 3744,1 ntitti.

This uti yre supersedes and 'v
Order No 944.

shall takee ei t immediantly upon the date hereof.

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EXS IVE ORDER

No 93-1

JANUARY 113, 1993

AMIRMATIVE JoN RpLiat STATEMENA

suulwa4mc /, BRUCE SUNDLUN, by the autho ty vested in ma as Governor of hmmkiwethe State of Rhode Island and Providence Plantations, do hereby order as follows:

1. Equal Opportunity and Affirmative Actio towards its' achievement is the firm and unwavering policy o al units of Rhode Island State Government.

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

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

Hiring0	Work AssignMe ta
Salary/Wage	Leave
Lay-offs	Training
Transfers	Recall From Lay-offe
Promotions	Appointments
Demotions '	Discipline

1. In addition, my adm nistration will not tolerate discrimination by any recipient of state government funds'. This includes lending institutions, developers, contractors. sub-contractor: 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 projeot 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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S. In addition to Rhod Island State Government, each and ever employee of state government is responsible for assuring that all aspects of State programs for which he/she is responsible for are available without discrixanation. Department Directors and their senior staff are responsible for the implementation of this policy end they will be evaluated as to their role in this tmplementation.

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 et least one EEO training session annually and the Officer shall assist IA the development and enforcement of affirmative action plans. Each Departmental Affirmative Action Officer shell work cooperatively with the Personnel Administrator to conduct a quarterly teview of hiring/promotion activity witbin their unit to evaluate and report to his/her Department Director on affirmative active progress or lack&ereof. Each Departmental Affirmative Action Officer snail su it information on the status of their plans twice annually to their respeOtive Deportmeut Directors.

7. The Governor's Exeeutive 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 Melit 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 coordinatioo 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 end report in person to such Committee on the ageney'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 date or othe informatiOn or reports as tbe Executive Committee may deem appropriate or analysis and review in advance of such meeting.

10. In addition to the duties of the State EEO Office et forth in Title 28, Chapter 5,1 of the Rhode Island General Laws, the State EEO Office shall:

A) review the Affirmative Action Plan OU t d annually by each state department or agency and prepare arativa analysis of the strengths and weaknesses of the plans;

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

C) prepare an Executive Summary of the departmental plane for submission tpt the Governor anneally on November 15th; and

D) work 6operatively 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 hall be reeponsible for uring tetpliance with Rhode Island General Laws Title 28, Chapter 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 L s Title 28, Chapter 5, Sections 8 through 40 and the Previsions 0 this Executive Order.

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

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14. All units of Rhode Island State Covernment shell 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 1173, Section 504,
Americans with Disabilities Act CADA) Of 1990,
vietnsm Era Veterans Act of 1974.
persias Gulf Conflict Supplemental Authorization an n el Benefits Act of 19910
Age Discrimination Act of 1975,
Education Amendments Act of 1072 (Title IX),
Civil lights Act of 1991,
Rhode *Island* Executive Order 92-2 (Americans with Disab 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 cdmmission at 277-6246(v) - 277-3090 (tdd).

RECBWED'-,
JAN 1 9 1993 *
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ANANSTW VEREMACOM

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

GOVerAOt'S Commission on the Handicapped
555 Valley Street, Building #51
Providence, RI 02908-8684
TEL. 4277-3731
TOD 4271-3701
FAX 0277-2833

RI Commission for Human Rights
10 ***Abbott*** park Place
providence, RI 02902-3768
TEL. 1277-2E61
TDD 1277-2664
FAX 1277-2616

RI State Equal Opportunity Office
One Capitol Hill
Providence, RI 02908-8885
TEL. #277-3090
TOD #277-6144
FAX #277-6378

This Executive Order shall sopercede and rescind Executive Order 4o. 85-11, **and become effective immediately on the** date hereof.

DATE

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State of Rho e Wend
and Providence Ptantotioni

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DIVE ORDER

NO, 92-2

ANUARY 23, 1992

QOM LJAN E WI

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Arovtakmm WHEREAS the Americana with Disabilities Act (*ADA") VMS enacted
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by the United States Congress on Joly 26, 1990 to expand the civil rights of individuals with disabilities in *the* areas of employment, transportation, public aceommodations 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 discrtminate against or otherwise deprive individnals 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 Proctess Of removing any and all such barriers would best be effectuated py developing a comprehensive statewide plan; and -

WHEREAS, in June of 491, I directed the Oovlarnor'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; end

WHEREAS, the Coordina ing Committee chaired by Nancy Husted-Jonsen has develop d and presen4d me with a statewide plan for meeting the mandates of the ADA entitled "AMERICANS WITH DISABILITIES ACT; SELF EVALUATION AND COMPLIANCE *MAN* FOR THE STATE OF RHODE ISLAND;" (hereinaftex *ADA Compliance Plan")

NOW, THEREFORE, /, DI CE SUNDINN, 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 die bilities may be fully integrated into all;aspects of Rhode Island ife in the most expeditious manner possib e.

2. There shall be a State ADA Coordinator to aasume over 1 , day-to-day responsibility Igor implementing the ADA Compliance Plan,

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

4. The duties of the A Coordinator shall include:

A, monitoring the State's compliance with all federal and 6tate laws and regulations affecting individuals kth handicaps, including but not limited to tion SC4 of the 1973 Rehabilitation Act and the ricana with Disabilities Act;

re establishing' a technical assistance program to inform and eilvise State and,,lecal government agencies, huMan service providexi, providers of public acoomModations, real estate agents, brokers, dev*lopers, architeCte, lendlerds, builders, and other affected entities and individuals on their obligations eider the ADA;

establishingi a grievance procedure to promptly and equitabl resolve complaints of noncompliance with the A involvirg departments, ageneies or divisions of State gevernment;

D. establishing] a procedure for initiating complaints against ary department, agency er division within State government that willfully fails to comply with the requirements of the ADA or the ADA Compliance Plan,

E. developing, }asking periodic revisions tO, and overseeing implementation of an ADA Transition Plan for thel removal of enviroemental and communication barriers in State owned faciliti m

F. presiding at future meetings of the State Coordinating Committee on the ADA.

5. The State Coordinating Committee on the ADA shall continue to exist and shall continue to be staffed by the Governors Commission on the Hndicapped. The Committee shall advise and assist the ADA Coordinator *in* the implementation of the ADA Compliance Plan. It shall also prepare 0 status report to the Governor on or before October 1, 1992, and annually thereafter.

6. The Governor's Commisaion 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

5. carry out the duties of the ADA Coordinator enumerated above.

This Executive Order Shall take effect—W the date hereof.

Date

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rA,TvvinektE

Edward 11.
Cc nor

EXECUT VE ORDER

NO 86-10

APRIL 15 1986

ReetiGEE POLICE

he Stag f Rhode Island has been a home and a haven for immigrants and refugees since the beginning f 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

mo ms, the Lited States Refugee Act of 1980, Pub. L. No. 96-212, authorlizee the grant of asylum to refugees who are defined as any person outside =bats 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 petsecation or a wellfounded fear of pprseeuticn on account' of race, religion, nationality, membe chip in a particular social group, or poli*ical opinion" and

WHEREAS, Rhoda' Island accepts and welcomes the opportisnity to take part in ouk national refugee ttsett ement program. and to carry out Our stpte'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 those individuals, and in order for them to adjust successfully to a new country and culture, a period of transition is nece' ary to learn a new language and culture; and

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

WHERAS, the Rhode Island office of Refugee Resettlement was created for thi purpose of implementing the requirements of the Refugee Act of 1980 U).L.96-212) to assist refugees in the $tate to becomeself-sufficientaS tepidly as possible; and

WHEREAS, the Governor's Advisory Council on Refugee Resettlement, crelAed by Executive **Order 05-24,** ***wa$*** established for the purpose of forging a linkage between the refugee community and the larger Rhode Island society; and

Now, THEREFOR , I, Edward D. DlPrete, by virtue of the authority vested ip me as Governer of the State of Rhode Island and Providence PlantatiOns, hereby order and direct the following:

I. The Rhode Island Office of Refugee Resettlement shall be *Mhorized to coordinate consultations among the followeng entities and agencies: voluntary agencies (VOTAOs") and their national offices; local officialci state departments; nomely, the Department of Employlent Secrity, the Department of Health/ the Department of Human Services; the Department of Mental Heilth, Retardation and Hospitale, the DepartMont 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.

The abovei consultetions shall be to determine the availability of needed services such as housing availability and community cesponivenese; to evaluate economic conditions, and to determine the proximity of or anizaticns and institutions which provide suport,

All transitional services shall be provided with a view to Maximize their acceseibility **ond** cultural eiPPropriatenees. The characteristics and concerns of the rOugee communitiee should be taken into account in the shtping of specific service delivery procedures and mgehenisms and the determination of their cultural and linguistic sensitivity.

Those stat agencies as previously stated that conduct prograars and activities directly or indirectly relating to thsi service needs of the rofvgee population shall immediately undertake an affirmative planning proce a with regard to refugees. This planning process shl 11 be completed by October 1, 19861 and shall include the ft llOwing elementst

A. Nees Assessment; Determining the curie t and potential requirements refugees have the agencies' services;

a. Current Uses Measurin and documenting the extent to which refugees now use the services;

AO Service plan for *Ref* ees: rormulating a plan, no inr a timetable for implementation, that ensures that delivery of the agenclea' Services to refugees meets the needs identified in the needs assessment and are in compliance with Title VI of the United States Cival Rights Act of 1964.

Rhode Island Office of Refsigee Resettlement and

71 16 " 6 a.....1.--.,,-00rtul11

The Rhode !Island Office of Refugee Resettlement and the Rhode !Island Office of Egual Opportunity shall provide technical assistance to the agencies throughout the panning process and shall monitor the agencies' regress in the implementation of their plans. Technical assistance when necessary will be requested ftom the Pederal Offices for Civil Rights ance.

State A en I

The following state agencies shall engage in the planning plrocesst the Department of Human Services, The Department of Health, the Department of Rmployment Security, The Department of Mental Health, Retardation and Hospitals, the Department for Children and Tieir Families, the Department of Education,

1

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

7. Transitiona Education Program -

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

Consuitaton with Att nera

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

This Executiv Order shall takeeetfect on the date hereof.

Edward 1:1_, Di *fete*
Governor

State *oi* ode ls on mi Providence Plantations
kosa, mom=

W. 85-16

%IOU 23, 1985

504 CCORDBAlts%

WHEREAS, Title V of the Rehabilitation Act of 1573 sots forth civil rights of handicapped persons: and

1, handicappvl persons have a right to expect and china a to various buildings and prop ties which exist for the bettenront of all weals: and

MIMS 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,baldings and prepertiee to handicapped persons; and

MMUS, such a designation would allow for t expedient ompliance with the mandate of section 504 thereby serving the needs of handicapped persons ip the *bast* possible *manner;*

TBERVORE, by virtue of tha authority vested in a as Gainarnor of State of Rhode Island and Piovidonoo Plantations, it is Ordered as

1. The Director of Administration is *hereby* designated the State's 504 Coordinator and shall delegate operational control tc; the State Building Code CommiSsioner *as* his deSignee.

2 The duties lof the Coordinator be to ordinate all State agencies in the implementatice of all federal rules and regulation affecting the State in terms of omplianoa with the alandates of Section 504 of Title V of the Retahilitation Act of 1973.

3. The Coordinator's duties shall include;

Authority to order departments to prepare and transition plans in accordence with 504 regulations.

b. Coordinating the formulation andr vi w of transition plans with advisory panels who may represent handicapped organizations.

Granting final approval of transit.on plansand department use of program accessibility.

Man ag the construction/ design *or* alterations of buildings and sates necessary to bring all programs into ompliace,

Authorization coordinate and *mediate* coacerhing 504 compliance.

public art private sectors through proper agencies on technical, employmen architectural trotters =warning 504 omplianoe.

Ratablishreen of a ooniiiiitql complaint procedure necessary to resolve all carplaints to agencies pertaining to 504.

The State 504 Coordinator or the State Building Code Carmiesioner as his designee is hereby authorized to initiate complaints against those agencies, administrators, *Tents or etrployees of any department or diAiisiten within state goverment ukun willfully fail to amply sidth the requirements.

' t he 5104 Coordinator and the State Building Code

Commissioner as his designee shall consult with the

er) of the Governor's Commission on the

Chatt Aped with respect tie implementotien of the above dutiesi and respcesibilities.

This Exoct ive Order shall take effect on the date Yhereof. This Executive cry .... r rescinds rztecutive (der No. 80-16 dated Septarter 29, 1980.

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PUBLIC LAW 97-118
AN ACT

RELATING TO SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

CHAPTER 51
SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

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

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

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

(b) Every employer shall:

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

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

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

(iii) a description and examples of sexual harassment;

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

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

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

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

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

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

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

(2003)

State of Rhode Island
Guidelines For Preventing Sexual Harassment

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

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

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

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

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

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

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

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

GUIDELINES FOR ENSURING UNBIASED WORK ENVIRONMENTS

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

Perhaps the most common type of harassment to which workers are subjected is verbal abuse. Racial and ethnic epithets, slurs or jokes directed at or made in the presence of minority group employees, are not to be tolerated. An example of unlawful race and sex bias in the work environment is the use of the diminutive term "boys" when referring to minority male employees and "girls" when referring to female employees.
Another common type of verbal abuse is either spreading rumors or joking about an employee's assumed sexual preference or orientation. One's personal preference does not determine how one performs at his or her job and therefore, this type of bias does not belong in the workplace.

An employer is under a two-pronged duty to maintain a working atmosphere free of national origin bias. First, the employer itself must refrain from ridicule or harassment on the basis of national origin. Second, an employer should not tolerate such behavior by its employees. Ethnic slurs or jokes based on national origin are unlawful.
An employer is also under obligation to maintain a work environment free of religious bias. Permitting a supervisor to espouse his or her beliefs to employees while at work may amount to religious discrimination.

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

(2005)

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

CONFIDENTIAL

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

NAME: AGENCY:

JOB TITLE: DATE:

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

Disabling conditions include, but are not limited to:

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

['Yes, I request a Reasonable Accommodation Needs Assessment Review
r No Reasonable Accommodation is needed at this time
i

Additional Comments:

Signature:. Date:

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

*** SAMPLE ***

AMERICANS WITH DISABILITIES/504 COMPLAINT PROCEDURE

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

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

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

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

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

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

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

DISCRIMINATION COMPLAINT PROCEDURE

OFFICE OF DIVERSITY, EQUITY AND OPPORTUNITY
STATE EQUAL OPPORTUNITY OFFICE
TELEPHONE: (401) 222-3090 FAX: (401) 222-2490

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

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

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

2. An Equal Opportunity Officer will be assigned to investigate the complaint.

3. The Agency Director (Responder) will be notified of the alleged charge.

4. Upon the completion of the investigation, the State Equal Opportunity Office will make a determination as to probable cause based on the summary of facts.

5. When probable cause is not evident, the parties are so informed by the State Equal Opportunity Office.

6. When there is probable cause of discrimination, the State Equal Opportunity Office will try to conciliate the complaint.

7. If an agreement between both parties is not reached, a formal hearing will be scheduled and a Hearing Officer will be assigned by the State Equal Opportunity Office.

8. If and when it has been determined by the Hearing Officer that discrimination exists, the Hearing Officer will advise the State Equal Opportunity Office in writing. The State Equal Opportunity Office will then, by written notification, present findings and recommended corrective action to both parties.

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

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

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

COMPLAINT INFORMATION FORM

1.Complainant Information:
State your name and address:

City State Zip Code

Telephone Number (S)
Work:
Home:

2. Name of Department

3. Name of Immediate Supervisor:

4. Respondent Information:
Name and address of agency involved:

City State Zip Code

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

6. Date of alleged violation:

7. Place of alleged violation:

( )
Case Number

8. Basis alleged Complaint:

Race/Color: Specify
Sex: Male Female
Age: _ Date of Birth
National Origin: Specify
Disability
Religion: Specify
Sexual Harassment
Sexual Orientation
Gender Identity or Expression
Retaliation

9. Nature Change:

Hiring
Compensation
Job Classification
Discharge/Termination
Promotion
Training
Demotion
Qualifications/testing
Layoff
Recall
Seniority
Intimidation/Reprisal
Harassment

RIE00-03-87 Revised 2003

COMPLAINT INFORMATION FORM
(Continued)

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

11. Why do you believe these events occurred?

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

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

Complainant Signature **Date** **Interviewing Officer**

RETALIATION OR COERCION STATEMENT

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

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

Rhode Island Department of:

EXIT INTERVIEW SIGN-OFF FORM*

Name of Employee (Please print or type)

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

Signature of Employee

Date Employee Signed

.....

Date Exit Interview Was Mailed to Employee

Signature of Personnel Officer

* Instructions:

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

Rev. 7/02

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

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

Name

Job Title

Address

Dept./Agency

Division/Unit

Telephone

Date Departed

Date Hired

(Please check for Equal Opportunity Purposes Only)

Female 111

Asian Amer./Pacific Islander❑

Hispanic❑

Male❑

Black❑

Amer. Indian/AK Native❑

Disabled❑

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?

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CONTINUED

Was your supervisor effective in handling problems or complaints?

Was the Leave of Absence Procedure clearly explained to you?

Did you receive fair treatment while employed?

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

Do you feel you were discriminated against?

INTERVIEWING OFFICER DATE

COMMENTS:

EQUAL OPPORTUNITY ADVISORY COMMITTEE GUIDELINES

MISSON:

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

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

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

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

4. **CHAIRPERSON (DUTIES):**
   A. Prepare agenda for meeting
   B. Preside over committee meetings
   C. Submit any committee recommendations to the agency head

5. **SECRETARY (DUTIES)**
   A. Preside over meeting in absence of chairperson
   B. Record minutes of the meeting
   C. Prepare minutes for distribution.

6. **AGENCY HEAD:**
   Should make a commitment that all recommendations will be reviewed and acknowledged

7. EMPLOYEES SHOULD BE INFORMED OF AGENCY POLICY:
   1. Newsletter
   2. Pay envelopes
   3. Employee handbooks
   4. Copies of the affirmative action plan policy statement of key program elements

8. The state equal opportunity office may issue such guidelines, directives, or instructions as necessary to carry out Rhode Island General Laws § 28-5.1.

For additional guidance and/or technical assistance, contact:

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

DIVERSITY ADVISORY COUNCIL
GUIDELINES

MISSON:

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

1. ESTABLISHING THE COUNCIL:

   A. All employees should be informed of opportunities to serve on the council.

   B. Agency head appoints the council from a list of volunteers.

   C. Diversity Liaison(s) will serve as ex-officio council member

   D. Volunteers should include staff from:

      1. Each division of agency
      2. Various job ,levels
      3. Diverse group of employees; i.e. senior leadership, minorities, women, persons with disabilities, and veterans

2. STRUCTURE:

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

3. FUNCTIONS (ROLE):

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

4. CHAIRPERSON (DUTIES):

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

5. SECRETARY (DUTIES)

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

6. AGENCY HEAD:

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

For additional guidance and/or technical assistance, contact:

Sabina Matos, Chief Program Development
Department of Administration
Office of Diversity, Equity and Opportunity
Human Resources Outreach and Diversity Office
One Capitol Hill
Providence, RI 02908-5865
TEL # (401) 222-5813 TTY
(800) 745-5555
Email: S abina.Matos@do a.ri. gov

ENFORCEMENT AGENICES

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

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

U.S. Equal Employment Opportunity Commission
131 M Street, NE (4th Floor, Suite 4NWO2F)
Washington, D.C. 20507-0100
TEL # (800) 669-4000/ Voice (Toll Free)
TTY # (800) 669-6820

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