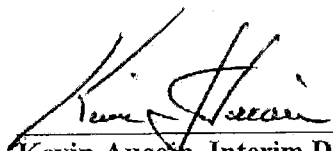


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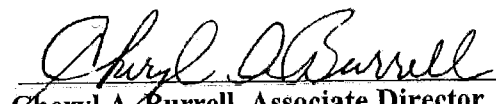


**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS**  
**AFFIRMATIVE ACTION PLAN**  
**JULY 1, 2018 TO JUNE 30, 2019**  
**FOR**  
**The Department of Children, Youth and Families**

**Kevin Aucoin, Interim Director**  
101 Friendship Street, Providence, RI 02903  
Phone: (401) 528-3540 Fax: (401) 528-3580

  
\_\_\_\_\_  
Kevin Aucoin, Interim Director  
Department of Children Youth and Families

11-26-2018  
Date

  
\_\_\_\_\_  
Cheryl A. Burrell, Associate Director  
Office of Diversity, Equity and Opportunity

12/30/19  
Date



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## **I. AGENCY ORGANIZATION AND STRUCTURE**

The Rhode Island Department of Children, Youth and Families, an agency within the Executive Office of Health and Human Services, is the unified state agency with combined responsibility for child welfare, children's behavioral health and juvenile corrections. The Department is statutorily designated (Rhode Island General Laws (RIGL) §42-72-5) as "the principal agency of the state to mobilize the human, physical, and financial resources available to plan, develop, and evaluate a comprehensive and integrated statewide program of services designed to ensure the opportunity for children to reach their full potential. Such services shall include prevention, early intervention, outreach, placement, care and treatment and aftercare programs."

The Department's mission is to "Partner with families and communities to raise safe and healthy children and youth in a caring environment," and its vision is "Healthy Children and Youth, Strong Families, Diverse Caring Communities." To this end, DCYF has defined the following goals:

- Provide the right service, at the right time, at the right cost to our children and families;
- Ensure competence, accountability, and professionalism at all levels of the agency;
- Improve employee engagement to raise morale and productivity;
- Utilize data to inform decision-making;
- Reduce the number of children and youth being placed in congregate care settings;
- Increase the number of children and youth placed in kinship care with sibling placement priority;
- Increase the number of children and youth placed in family-based settings;
- Reduce placement disruptions;
- Reduce the length of stay of youth in congregate care; and,
- Safely increase the number of youth returning home.

Through partnerships and contracts with multiple service providers, and to help meet its established goals, DCYF provides services to and for Rhode Island children and families, to include (but not limited to):

- Assessment and Stabilization
- Disruptive Behavior Management
- Family Care Community Partnerships (FCCPs)
- Family Stabilization Programs
- Foster Care and Kinship Care Support
- Group Care
- Independent Living Programs
- Mental Health Treatment Services
- Parent Training and Skill Building Programs

## DCYF Affirmative Action Plan

- Residential Treatment
- Semi-Independent-Living Programs
- Specialized Foster Care
- Specialty Populations and Services
- Supervised Visitation Services
- Wayward and Disobedient Programs
- Youth Diversionary Programs

The Department of Children, Youth and Families is organized as a Department under the Executive Office of Health & Human Services.

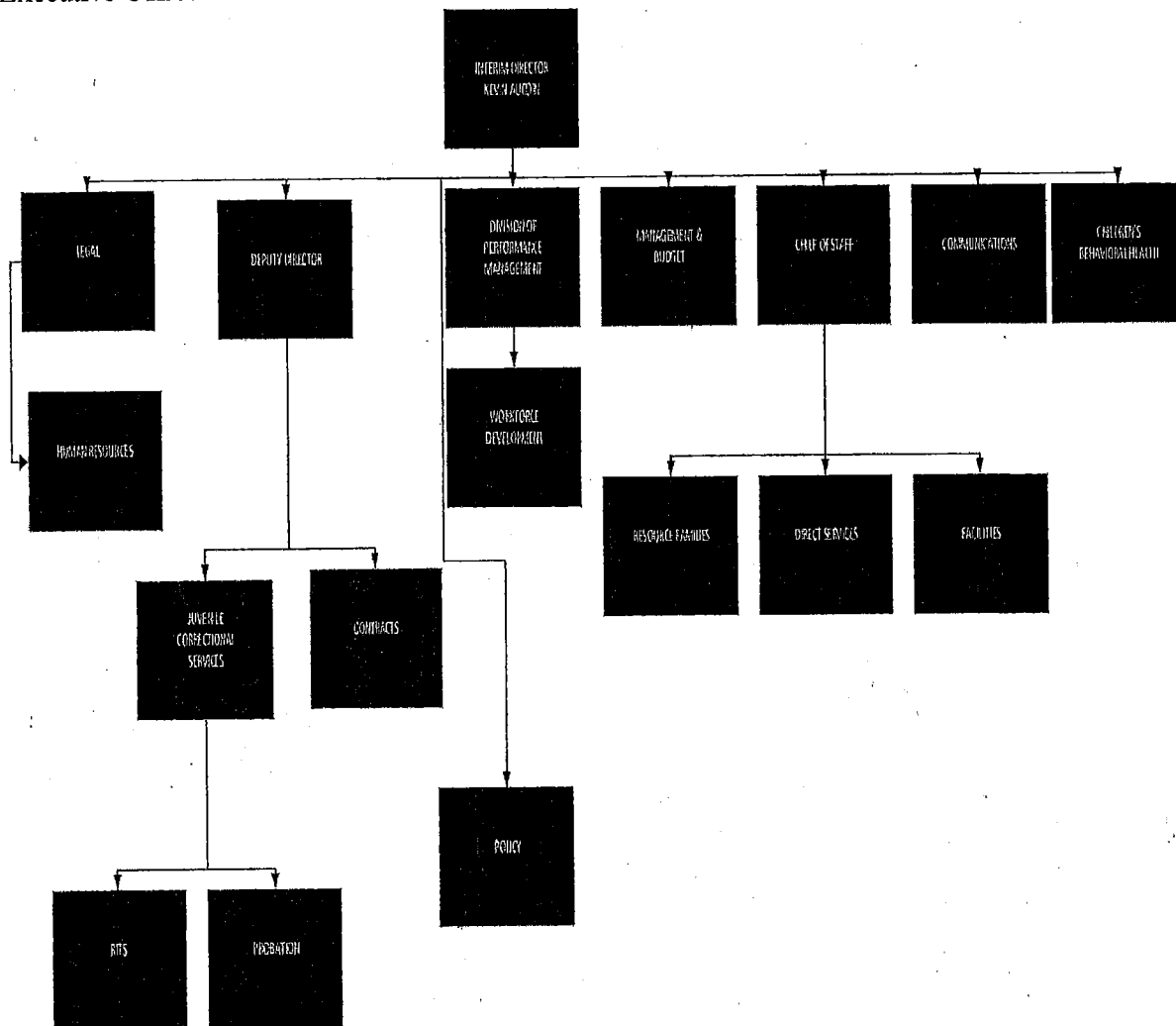


Figure 1: Organization of the Department of Children, Youth and Families

### Child Protective Services

The Child Protective Services (CPS) Division is charged with protecting Rhode Island children from maltreatment. Through the State Central Registry (1-800-RICHILD), CPS receives and screens all reports of alleged child maltreatment in accordance with RIGL §40-11-7 to assess and determine an appropriate response by DCYF or our community partners.

### Family Services Division

The Family Services Division consists of 4 regional offices throughout the state: Providence; East Bay; Northern and Northwestern Rhode Island; and Kent and Washington Counties. An administrator oversees each regional office. This Division works with families that are involved with the Rhode Island Family Court for reasons of abuse, neglect, dependency; youth in need of services for reasons of emotional or behavioral health; and/or with youth referred from the Family Court for juvenile justice matters. The Family Services Division has primary responsibility to ensure the safety, permanency, and well-being of the children active with the Department, whether they are living at home or are in out-of-home placement.

### Resource Families

This Division consists of multiple branches to include the Licensing Unit; the Recruitment, Development and Support Unit; and the Permanency Support Unit. The Licensing Unit processes licensing requests/renewals and conducts monitoring and enforcement for foster homes, child care providers, group homes, and child placing agencies. The Recruitment, Development and Support Unit recruits, develops, and supports new foster families and kinship caregivers. The Permanency Support Unit supports the advancement of pre-adoption cases towards adoption, and processes adoption and guardianship subsidies.

### Community Services and Behavioral Health

This Division consists of multiple branches to include the Central Referral Unit (CRU); the Medicaid Quality Assurance (QA) and Program Standards Unit; the Utilization Management (UM) Unit; and the Children's Behavioral Health Unit. The CRU completes level of care determinations for children completed with the Child Level of Need Assessment; in-state and out-of-state group residential care matching and placement of children; home-based services matching, referrals, authorizations and reauthorizations for children and families; and coordinates referrals for early childhood and Early Intervention (EI). The Medicaid QA/Program Standards Unit completes documentation reviews for home-based and group care services; and provides oversight of provider Medicaid compliance. The UM Unit conducts reviews of youth in residential treatment centers, group care and semi-independent living programs to ensure continued congregate care placement reflects level of need and authorizes 1-to-1 supervision as needed.; and the Children's Behavioral Health Unit provides psychiatric consultation and psychotropic medication reviews; conducts mental health emergency and children's mental

## DCYF Affirmative Action Plan

health services certifications; manages the children's portion of the Mental Health Block Grant; and assists families with no legal status with the Department access behavioral health resources.

### Juvenile Correctional Services

The Division of Juvenile Corrections consists of the Rhode Island Training School and the Office of Juvenile Probation. The Division of Juvenile Corrections promotes the rehabilitation of youth through a continuum of flexible, innovative, and effective programs for male and female youth. The Division of Juvenile Corrections strives to promote positive outcomes for youth and to reduce recidivism for youth within the juvenile and criminal justice systems.

#### The Rhode Island Training School

The Rhode Island Training School (RITS) is a secure correctional program for male and female youth who are detained and /or sentenced to the facility by order of the Rhode Island Family Court. The RITS provides for the rehabilitation of youth through a comprehensive continuum of services provided in partnership with families, the community and the Department. Supervision, security, education, behavioral health, health and transition services are provided to all youth incarcerated at the RITS in an individualized, culturally and gender-sensitive manner.

All youth incarcerated at the RITS receive educational services in accordance with their academic level and/or specific individual education plan. The RITS educational program is approved as an alternative educational program and adheres to Rhode Island Department of Education regulations. Goals and objectives consistent with this mission are developed annually to measure effectiveness of programming for residents.

#### The Office of Juvenile Probation

The office of Juvenile Probation provides supervision in the community for youth who have been adjudicated wayward or delinquent by the Rhode Island Family Court and are sentenced to a term of probation, or who are sentenced to the Rhode Island Training School (RITS), but can serve their sentence in a residential treatment program (temporary community placement).

Adherence to court ordered conditions of probation is monitored. Probation Officers assist in coordinating needed services. They provide ongoing support to youth and families with the goal of maintaining youth safely in the community and reducing recidivism.

While the primary goals of Juvenile Correctional Services are to reduce the instances of youth who re-offend and maintain community safety, the office of Juvenile Probation seeks to promote

## DCYF Affirmative Action Plan

positive youth outcomes such as educational attainment, meaningful employment, and stable housing.

### Management and Budget

The Office of Management and Budget provides timely, accurate analysis and reporting in support of efficient management of financial resources and to ensure proper accountability for the use of these resources. The office aims to maximize federal and third-party reimbursement to reduce state general revenue costs. Key functions include budget development and monitoring, financial management & accountability, and federal reimbursement functions. The core finance team is responsible for processing vendor, foster parent, adoption, and guardianship payrolls, and accounts payable/receivable. This team performs reconciliation and on-going maintenance of federal claiming. This team is also responsible for the annual budget submission. Federal Benefits Unit staff complete Medicaid and Title IV-E eligibility determinations. All oversight of existing grant opportunities as well as pursuit of new opportunities is housed within Federal Grants Unit.

### Operations Support

The DCYF Operations Division is organizationally separated into the Technology Operations Section, the Capital Asset Management Section, and the Services and Support Section. The Technology Section is responsible for the operation and maintenance of DCYF's Statewide Automated Child Welfare Information System (SACWIS), the Rhode Island Child Information System (RICHIST). This section also provides the Department with network system service and support, and hardware, software and telecommunications licensing support. The Capital Asset Management Section maintains approximately 450,000 square feet of leases and state-owned properties. The Services and Support Section manages the daily operations of the Department to include supply management and Department internal and external mail distribution.

### Human Resources and Management Support

This Division coordinates the department's human resources and personnel systems, including monitoring, and administering established standards and procedures and identifying opportunities for improvement. The Division develops human resources goals, objectives, and systems, and executes oversight of all contracted and temporary personnel. This unit executed oversight of the Department's Record Center as well as Front Desk operations.

### Division of Performance Management

This Division is comprised by the Data and Evaluation Unit; the Administrative Review Unit; the Performance Management Unit; and the Lean Initiative Unit. The Data and Evaluation team provides support to the Department and its providers across a wide range of Department-wide initiatives including: research design; research methods; data collection methods; advanced

## DCYF Affirmative Action Plan

statistical analysis; data interpretation; data reporting; and program evaluation. The Administrative Review Unit conducts periodic administrative case reviews for all children placed out of home so as to continually inform ongoing decisions regarding appropriate placements. The Performance Management Unit works to assist users of the performance metric reports (administrators, supervisors, contract monitors, and providers) in analyzing and understanding data. This Unit also provides monthly performance metrics data to the Department of Administration, Office of Management & Budget. The Lean Initiative helps improve productivity through process improvement planning, process mapping, and process creation and re-design.

### Workforce Development

The mission of the Workforce Development Division is to support and empower employees to reach their fullest potential in furtherance of DCYF goals. This Division represents DCYF's primary training source for child welfare and child welfare support employees. The Workforce Development Unit also provides leadership development training and operational integration and sustainment, and advises senior leadership on the selection, implementation and sustainment of organizational support programs which ensure career broadening and advancement opportunities.

### Legal

The DCYF Office of Legal Counsel represents the interest of DCYF in legal proceedings filed in Federal and State courts. The DCYF staff attorneys have the primary responsibility to advise and consult on child protective and juvenile justice matters. The DCYF attorneys prosecute civil child protective/child welfare cases filed within the Family Court. These petitions include but are not limited to litigation relating to child abuse and neglect and termination of parental rights.

## **II. PLAN ADMINISTRATION**

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

#### **DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES 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 Children, Youth and Families supports affirmative action and equal opportunity. The Department of Children, Youth and Families pledges that it will post all vacancies, including transfers, and will recruit, hire, train, and promote persons in all job

## DCYF Affirmative Action Plan

classifications without regard to race, color, sex, religion, sexual orientation, gender identity or expression, age, national origin, disability, or veteran status.

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

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

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

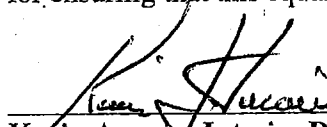
Employees and applicants have a right to reasonable accommodations based on disability. Such accommodations include but are not limited to, making facilities accessible, job restructuring, and acquisition of special equipment.

The Americans with Disabilities Act/504 Coordinator for the Department is Attorney Patricia Hessler, Administrative and Legal Support Services Coordinator.

The Department is committed to identifying and eliminating past and present effects of discrimination in employment. To achieve this, we will identify those classes of individuals which are underrepresented in our workforce, set goals and timetables for increasing our employment of those underrepresented groups, and implement an Affirmative Action Plan of outreach, recruitment, training, and other similarly designed programs.

The Human Resources Administrator is responsible for ensuring that the program is coordinated within the Department of Children, Youth and Families.

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

  
Kevin Aucoin, Interim Director, DCYF

Date: 01-26-2018

DCYF Affirmative Action Plan

*B. APPOINTMENT OF EQUAL OPPORTUNITY ADVISORY COMMITTEE (EOAC)*

The members of the DCYF Equal Opportunity Advisory Committee (EOAC) are as follows:

NAME	TITLE	RACE	GENDER
Patricia Hessler	Administrative and Legal Support Services Administrator	White	Female
Kevin McKenna	Assistant Director, Division of Workforce Development	White	Male
Sarah St. Jacques	Interdepartmental Project Manager	White	Female
Colleen Walters	Interdepartmental Project Manager	White	Female
Jennifer Lee	Probation & Parole Supervisor	White	Female
Lori Murphy	Chief Implementation Aide	White	Female
Zenaida Martinez	Casework Supervisor II	Hispanic	Female
Brandi Didino	Casework Supervisor II	White	Female
Winsome Stone	Interdepartmental Project Manager	Black	Female

DCYF established an EOAC in 2018 in accordance with *Appendix L: Equal Opportunity Advisory Committee Guidelines*.

The duties and responsibilities of the DCYF Equal Opportunity Advisory Committee are as follows:

- 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

## DCYF Affirmative Action Plan

The DCYF Equal Opportunity Advisory Committee has been identified and our first meeting is being held on November 20, 2019. The Committee is currently working on a charter.

## DCYF Affirmative Action Plan

### *C. DIVISION HEADS, SUPERVISORS, HUMAN RESOURCES LIAISON*

This section of the plan codifies the responsibilities of DCYF employees.

1. The Director is responsible for ensuring that the Equal Opportunity Policy and Program is implemented within the Department of Children, Youth and Families.
2. Division Heads have the responsibility to read and be familiar with this Affirmative Action Plan. They will ensure that employees are aware of the existence of this plan, and how it can be obtained. Division Heads will work to establish procedures to ensure compliance with the provisions of this plan and will actively encourage employees to attend career-enhancing training programs (as funding permits). Division Heads will take positive actions to ensure that all qualified individuals are encouraged to apply for employment, promotion, and training. When serving on interview panels, Division Heads will ensure that positive steps are taken to ensure fairness and equality in all hiring decisions. Division Heads are responsible for maintaining a work environment that is free from discrimination and / or harassment.
3. Supervisors have the responsibility to read and be familiar with this Affirmative Action Plan. As the "first line" of Department leadership, supervisors will ensure that all employees act in accordance with the policies and procedures promulgated herein. Supervisors will take positive actions to ensure that all qualified individuals are encouraged to apply for employment, promotion and training. When serving on interview panels, Supervisors will ensure that positive steps are taken to ensure fairness and equality in all hiring decisions. Supervisory personnel are responsible for maintaining a work environment that is free from discrimination and / or harassment. Supervisors are responsible to ensure that all newly hired personnel attend, at the earliest opportunity, the Orientation and the Equal Employment Opportunity (EEO) / Sexual Harassment and Diversity Training.
4. The Human Resources Liaison is the designation of DCYF's Human Resources and Management Support Division. The Human Resources Liaison will coordinate with the Department's Equal Opportunity Advisory Committee and Diversity Advisory Committee to refine these goals and develop additional ones as new needs and opportunities emerge. The Human Resources Liaison will track, and report data related to employment, appointments, hiring, and promotions.

*D. DIVERSITY LIAISON*

The DCYF Diversity Liaison is Kevin P. McKenna, Assistant Director, Division of Workforce Development. The DCYF Diversity Liaison and serves as the liaison between DCYF senior leadership and the Diversity Advisory Committee (DAC). The Diversity Liaison also serves as the liaison between DCYF and the state Diversity Council. The DCYF Diversity Liaison serves and an Ex-officio member of the DAC.

*E. AMERICANS WITH DISABILITIES ACT/504 COORDINATOR*

The DCYF Americans with Disabilities Act / 504 Coordinator is Attorney Patricia Hessler, Administrative and Legal Support Services Administrator. The responsibilities of this appointment include coordination of the implementation of all applicable Federal rules and regulations among all of the Department's Divisions. Specifically, this entails ensuring Department compliance with the mandates of Section 504 of the Rehabilitation Act of 1973.

*F. DISSEMINATION OF PLAN AND POLICY*

This Affirmative Action Plan for the Department of Children, Youth and Families will be disseminated both internally and externally.

*Internal Dissemination*

- 1) The Department posts the equal employment opportunity poster on all appropriate bulletin boards.
- 2) All policies relative to non-discrimination are posted on our DCYF website.
- 3) A copy of the Affirmative Action Plan is sent to approximately 600 personnel and is available upon request.

*External Dissemination*

- 1) The Plan will be submitted to the Office of Diversity, Equity and Opportunity (ODEO) State Equal Opportunity Office in the Department of Administration. This plan is also informed by review and feedback from the DCYF Diversity Advisory Committee.
- 2) The policy is state, in abbreviated form, on all State of Rhode Island Application for employment (CS-14) forms.
- 3) The Department incorporates the equal opportunity clause in all contracts.

Executive, Associate, Assistant and Regional Directors are expected to become familiar with the contents of this plan. Through coordination with the DCYF Diversity Liaison, Department Leaders will be kept abreast of new developments related to diversity. The Human Resources Liaison will maintain current statistics related to hiring, appointments, terminations, and transfers, and will make them available to the DAC, the EOAC and Department Leaders upon request.

## DCYF Affirmative Action Plan

### *G. POLICY STATEMENTS*

Key policy statements associated with this Affirmative Action Plan are provided beginning on the next page.

### **RETALIATION OR COERCION**

Any employee or agent of the Department of Children, Youth and Families who shall discriminate against an individual through the use of retaliation, coercion, intimidations, threats or other such action because such individual has filed a complaint, testified or participated in any way in any investigation proceeding or hearing regarding discrimination in employment or public service or because such individual has opposed any act made unlawful under the Americans with Disabilities Act (AD) 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.

### *H. AMERICANS WITH DISABILITIES/504 COMPLAINT PROCEDURE*

## **AMERICANS WITH DISABILITIES/ 504 GRIEVANCE PROCEDURES**

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

Complaints should be addressed to: Patricia Hessler, Administrative and Legal Support Services Administrator 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.**

## DCYF Affirmative Action Plan

A complaint should be filed as soon as possible after the complainant becomes aware of the alleged violation.

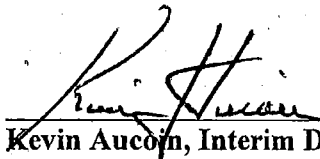
An investigation, as may be appropriate, will follow the filing of a complaint. The investigation will be conducted by Patricia Hessler or her designee. These rules contemplate informal but thorough investigations affording all interested persons and their representatives, if any, an opportunity to submit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

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

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

## POLICY ON CONTRACTS

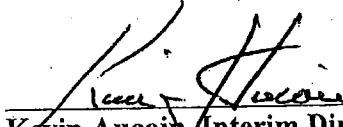
In accordance with Rhode Island General Law 28-5.1, the Department of Children, Youth and Families shall require that all contractors and suppliers of goods and services sign contracts containing an Equal Opportunity Clause. The clause shall state that the parties agree to adhere to the provisions of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

  
Kevin Aucoin, Interim Director, DCYF

Date: 11-26-2018

## **POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION**

The Department of Children, Youth and Families 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 based on race, color, sex, religion, age, national origin, sexual orientation, gender identity or expression or disability. You may contact the State Equal Opportunity Office for further information at 222-3090.

  
Kevin Aucoin, Interim Director, DCYF

Date: 11-26-2019

## **POLICY ON SERVICE DELIVERY**

The Department is committed to providing fair, courteous, and equitable service to the public. The Department will make every effort to provide interpretive services to the non-English speaking public. As per Rhode Island General Law 28-5.1 of the State of Rhode Island, all Divisions of the Department of Children, Youth and Families 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 222-3090.

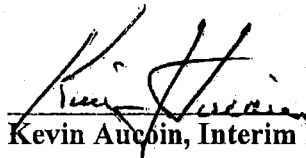
  
Kevin Aucoin, Interim Director, DCYF

Date: 11-26-2019

**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.

  
Kevin Auboin, Interim Director, DCYF

Date: 11-16-2018

## **POLICY STATEMENT FOR INDIVIDUALS WITH DISABILITIES AND VETERANS**

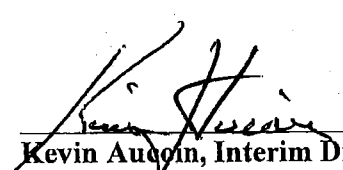
The Department of Department of Children, Youth and Families is fully committed to meet the specialized affirmative action requirements to employ and advance individuals with disabilities and veterans in accordance with the Americans with Disabilities Act of 1990, RI General Law 28-5.1, Executive Order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

It is the policy and practice of the Department of Children, Youth and Families 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.

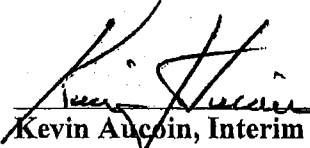
Patricia Hessler, Administrative and Legal Support Services Administrator is designated as the 504 Coordinator for the Department of Children, Youth and Families. This entails coordination of all divisions in the implementation of all Federal rules and regulations affecting the Department in terms of compliance with the mandates of Section 504 of Title V of the Rehabilitation Act of 1973.

  
Kevin Audoin, Interim Director, DCYF

Date: 11-26-2018

DCYF Affirmative Action Plan

12. The Department recognizes its obligation to provide a work atmosphere free of harassment and intimidation. Any forms of sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature, will not be tolerated. Violations of this policy will be handled appropriately as part of the department's disciplinary procedures and its posted policy letter in support of the federal guidelines on sexual harassment.

  
Kevin Aucoin, Interim Director, DCYF

Date: 11-22-2018

## **COMPLIANCE WITH SEX DISCRIMINATION GUIDELINES**

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

1. Candidates from both sexes will be recruited for all jobs.
2. Advertisements will not express a preference for applicants of a particular sex when placed for recruitment of personnel.
3. Written personnel policies indicate that there will be no discrimination based on 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 child raising in accordance with Personnel Rule 5.0661 (d) and State and Federal FMLA provisions.
8. Where seniority lists or lines of progression are used they shall not be based on an employee's sex.
9. Salaries and wage schedules will not be based on an employee's sex.
10. As openings occur, the department will take affirmative action to recruit and place women in those jobs in which we have determined that females are under-represented.
11. Women will have equal opportunity to participate in training programs sponsored by the department to the extent that they are under-represented. Special efforts will be made to include women in any management training programs that are offered.



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

Human Resources 2018

Sexual Harassment Policy

04-02-18

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1. Scope

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

2. Introduction

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

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

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

3. Definition of Sexual Harassment

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### 8. State and Federal Remedies

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

The United States Equal Employment Opportunity Commission (EEOC)  
www.eeoc.gov

John F. Kennedy Federal Building  
475 Government Center, Boston, MA 02203  
Phone: 1-800-669-4000  
TTY: 1-800-669-6820

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

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

### 9. Disciplinary Action

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

### 10. Legal References

This policy is administered in accordance with the following:

#### Federal Law:

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

DCYF Affirmative Action Plan

Rhode Island General Laws:

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

11. Signatures

Kyle A. Adamson  
Division Director

4/2/18  
Date

David R.  
Director of Administration

4/3/18  
Date

### III. PROGRAM STATISTICS

See Appendix P for the following statistics:

- A. EEO/CIVIL RIGHTS COMPLAINT PROFILE
- B. TRAINING PARTICIPATION SUMMARY
- C. DISCIPLINARY ACTION
- D. APPLICANT DATA
- E. APPLICANT FLOW DATA
- F. APPLICANT REFUSAL OF POSITIONS OFFERED
- G. AFFIRMATIVE ACTION STATISTICAL SUMMARY
- H. JOB GROUP ANALYSIS SUMMARY
- I. JOB GROUP ANALYSIS
- J. DETERMINING UNDERREPRESENTATION AND GOAL SETTING

### IV. IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS

This section of the Affirmative Action Plan examines DCYF personnel practices and underrepresentation statistics. Deficiencies discovered through this analysis are identified and accompanied by associated corrective actions.

#### A. SELF EVALUATION OF AFFIRMATIVE ACTION PROGRAM PERFORMANCE

##### Description of the DCYF Affirmative Action Program

In accordance with DCYF Policy 100.0140, Civil Rights and Federal Laws and Regulations Regarding Nondiscrimination, DCYF employees and applicants for positions may file complaints alleging discrimination based on race, color, religion, age, sex, national origin, disability, veteran status, sexual orientation, or gender identity or expression:

1. A complaint must be filed formally on the "Complaint of Discrimination Form" available through the State Equal Opportunity Office within ten (10) working days from the knowledge of the alleged incident of discrimination unless it is an ongoing discrimination;
2. An Equal Opportunity Officer will be assigned to investigate the complaint;
3. The Agency Director (respondent) will be notified of the alleged charge;
4. Upon the completion of the investigation the State Equal Opportunity Office will decide 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;

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6. When there is probable cause of discrimination, the State Equal Opportunity Office will try to conciliate the complaint;
7. If an agreement between both parties is not reached, a formal hearing will be scheduled, and a Hearing Officer will be assigned by the State Equal Opportunity Office;
8. When it has been determined by the Hearing Officer that discrimination exists, the Hearing Officer will advise the State Equal Opportunity Office in writing. The State Equal Opportunity Office will then by written notification present the findings and recommend corrective action to both parties; and
9. If the corrective action is not implemented within the specified period, the State Equal Opportunity Office will notify the Governor.

DCYF Policy 200.0075, Sexual Harassment, is designed to ensure that employees work in an atmosphere free from distasteful behavior, undermining the integrity of the workplace. This policy prohibits repeated, unwarranted conduct or communication of a sexual nature that adversely affects a person's employment or working environment. The policy acknowledges that offenses may be committed by a person of either gender, and / or committed against a person of the same or opposite gender. This policy establishes the procedures by which persons believing themselves to be victims of sexual harassment may seek redress. Policy 200.0075 references the Equal Opportunity Commission policy and advises employees to contact the DCYF Equal Opportunity Officer or the DCYF Office of Human Resources to seek advice, counsel, or conciliation regarding sexual harassment situations.

Racial and ethnic minorities make up a disproportionate share of DCYF's client population, as illustrated in the table below:

	Children Under 18 years, Rhode Island <sup>1</sup>	Children/Youth in DCYF Care <sup>2</sup>
American Indian or Alaska Native	0.6%	0.4%
Asian	3.6%	0.5%
Black	7.4%	12.6%
Native Hawaiian or Other Pacific Islander	0.1%	<0.1%
Hispanic or Latino (of any race)	26.0%	29.3%
White	57.7%	45.4%
Two or More Races	4.7%	10.4%
Unknown	0.0%	1.4%

<sup>1</sup>U.S. Census Bureau, 2018

## DCYF Affirmative Action Plan

### *<sup>2</sup>Adoption and Foster Care Analysis and Reporting System (AFCARS), FFY 2018*

It is also important to note that while these statistics relate only to race and ethnicity, DCYF's service population includes Lesbian, Gay, Bisexual, and Transgender (LGBT) youth. LGBT youth frequently experience rejection by their families, bullying and harassment, factors which increase the risk of involvement of these youth in family court.

DCYF operates with the vision that our client population is best served by a workforce that reflects the diversity of those we serve. Having a diverse staff allows for greater understanding and better communications between our agency and the families we serve.

In addition to the Equal Opportunity Advisory Committee, (EOAC) the agency chartered the state's first executive branch Diversity Advisory Committee (DAC) in 2015. The DAC is a council of volunteers from across DCYF that aims to help promote diversity and inclusion. The DAC believe that the makeup of our staff should reflect the diverse makeup of the children DCYF serves. The DAC also strive to ensure equitable outcomes for our families.

The committee has recently helped to:

- Recommend new policies and procedures for hiring, promotion and the agency's affirmative action plan
- Create educational and social opportunities to encourage empathy and culturally competent thinking
- Take part in critical planning, including prevention efforts and equitable outcomes in out-of-home placement of children and youth.

#### Summary of Workforce Composition:

Please refer to Appendix O of this Affirmative Action Plan for a summary of DCYF workforce composition by race/ethnicity, gender, disability, and veteran status.

#### Assessment of achievements.

Between July 2018 and June 2019, DYCF experienced the following achievements:

- The number of employees identified as members of a minority groups increased from 138 (25.13.5% of staff) to 172 (25.94% of staff).
- The Department was able to achieve our goal of increasing the number of Hispanic in the Officials/Managers Administrator job category increased from 1 to 2.
- The number of employees identified as Black in the Professional job category increased by 18.

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- The number of employees identified as Hispanic in the Professional job category increased by 5.
- The Department was able to achieve our goal of increasing the number of minority hires in the Para-Professionals category.

### Numerical Goals Not Met:

In the last EEO Affirmative Action Plan, there were several numerical goals that were not achieved:

- DCYF set a goal of increasing the number of Veterans in "Professional" job category by 1 something that was not achieved.
- DCYF set a goal of increasing the number of Disabled employees in "Professional" job something that was not achieved.
- In the last EEO Affirmative Action Plan, DCYF set a goal of increasing the number of increasing the number of Veterans in the Technicians category was also not achieved.
- DCYF set a goal of increasing the number of minorities in the Para-Professionals category which was not achieved however we were able to significantly increase our minority hiring in the category of Professionals.

### Barriers:

DCYF continues to work to improve staff diversity, but limitations exist with respect to collective bargaining and state hiring constraints. DCYF has a highly unionized workforce many hiring decisions are made before workers can compete for positions at DCYF. Caseworker and Child Support Technician positions typically must be filled as promotions or lateral transfers from other agencies or from the RI Training School (RITS). Child Protective Investigators typically hire from within the union before accessing the state's Open/Competitive List. The agency has much more control in hiring entry level positions at the RITS using targeted recruiting strategies when we have partnered with ODEO. Likewise, the agency has more options with the recruitment and hiring of classified and non-classified positions.

### Corrective action of problem areas

DCYF strives to ensure that all applicants and employees at DCYF are treated fairly in accordance with our Affirmative Action Plan. DCYF intends to continue to focus on the following action steps:

1. The Department is now implementing programs and initiatives that will help support DCYF's Diversity Vision Statement.
2. The Department has begun training all new supervisors involved with the interview process on biases in the workplace.
3. Continue the commitment to hire diverse staff at all levels at all levels of the agency.

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4. For all Officials/Managers/Administrators positions, identify and utilize strategies to recruit applicants of diverse backgrounds. This includes promoting open positions on national networks, job boards, and local media publications to increase the number of diverse applicants. The Department will also send out notice to all staff when a promotional opportunity is available.

### *B. EMPLOYMENT RECRUITMENT AND SELECTION PROCESS*

1. Applicants for all job categories should be representative of the RI workforce as evidenced by the Labor Market Unit of the Department of Labor and Training.
2. The Department of Children, Youth and Families has continued its efforts to ensure activities are directly related to the goals of enhancing diversity in the recruitment and hiring process.
3. The Diversity Advisory Committee (DAC) will review quarterly the applicant flow of all job categories. A report will be prepared for submission to the Department Director for review.
4. The DAC shall evaluate these reports to determine new policies and directions for this aspect of the Plan.
5. The importance of all EEO cards to be completed and forwarded in a timely manner must be expressed to all interviewing officials as this information is required to complete the plan and to monitor its progress.
6. All DCYF's interviewing officials who are involved in the evaluation and hiring of applicants must be carefully trained to assure the elimination of bias. They must have read and have available the Affirmative Action Plan.
7. All interviewing officials should be aware of departmental under-represented classes and hiring goals. A starting point should be positions not requiring a list. An opportunity for improving poor representation of women, minorities and disabled employees in upper level job categories exists and should be used.
8. To continue to ensure that recruitment literature does not discriminate in any fashion against any individual based on race, age, color, sex, sexual orientation, gender identity or expression, national origin, religion, individuals with disabilities, or veteran status. All recruitment advertisements placed in newspaper, periodicals, and professional journals shall include the words: "Department of Children, Youth and Families is an Equal Employment Opportunity Employer; reasonable accommodations for Disabilities will be made if requested in advance. Telephone [401] 462-5335, RI Relay # 711."

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### *C. EXIT INTERVIEWS*

In accordance with Rhode Island General Law 28-5.1, an exit interview program has been established in order to assure that terminating/transferring employees are not leaving because of discriminatory circumstances. Employees who have left the Department are provided an Exit Interview Survey required to document the job action. Our Chief of Staff will provide a personal exit interview upon request. Our goal this year is to continue to emphasize the importance of completing the Exit Interview Form

### *D. FLEX-TIME*

1. Flex time is governed by collective bargaining agreements, which ensures that is applied in a fair, equitable, and unbiased manner.

### *E. POSTING OF POSITIONS*

1. DCYF is committed to a selection process that is fair and equal to all applicants and potential applicants. DCYF does not engage in pre-selection or word of mouth selection. DCYF fully complies with all civil service and union contract posting provisions.
2. All DCYF positions that are covered by a union contract shall be announced by a notice of position vacancy posted on the Apply.RI.gov website for ten (10) calendar days. If there are no lateral transfers and there is a valid civil service list, we must recruit from this list. For non-competitive bargaining unit positions, before outside recruitment is initiated, lateral and promotional bids are considered. In the case of recruiting for a position that is in an under-represented job category, a request for a supplemental list of minorities eligible applicants will be made from the RI Department of Administration Human Resources, Office of Diversity, Equality, and Opportunity.
3. All DCYF positions which are not covered by a union contract shall be announced by a notice of position vacancy posted for a minimum of ten (10) calendar days. All vacancy notices will be posted on the Apply.RI.gov website.
4. The current standard of posting is ten (10) days, although some agencies voluntarily offer a longer application period.
5. The shorter the period, the smaller number of applicants. Therefore, diversity cannot always be achieved.

6. To enhance actual opportunity for employment in the DCYF, state job postings are available to the general public via the Apply.RI.gov website.

Efforts will continue with diversity committee members to find ways to identify recruitment sources that can significantly impact the representation of minorities in applicant pools.

#### *F. TRANSFER AND PROMOTION PRACTICES*

For the Affirmative Action Plan to be successful, managers must actively encourage their employees and demonstrate that advancement is possible for all. Some opportunities for promotion and transfer are limited due to the restrictions imposed by collective bargaining agreements. For those areas not covered by collective bargaining agreements, an overt effort shall be made to offset under-representation in the pertinent areas

#### *G. TECHNICAL COMPLIANCE*

Appropriate policies are in place and all vacancy notices are posted as prescribed by civil service, union, and equal employment requirements. A member of the EOAC will periodically inspect the bulletin boards for any missing policy statements. The EOAC member will notify the Department's Employee Relations Office who is responsible for the Bulletin Boards.

#### *H. TERMINATIONS*

1. Terminations include retirement, transfer to other State Government Departments, voluntary resignation due to personal reasons and dismissals.
2. For that small number of terminations, which are dismissals, it is the final step in a long process. This process typically starts with verbal warnings, written reprimands, suspensions (if appropriate, referral to EAP) and then dismissal. Union members have recourse to grievance hearings conducted by the Division of Human Resources, Health & Human Services Human Resources Service Center, and ultimately, Arbitration. Non-union employees have recourse to the Personnel Appeals Board.
3. Any employee who voices concerns regarding discrimination is referred to the State Equal Opportunity Office. Thus, individuals who are involuntarily terminated have a full process for protecting their rights against unreasonable dismissal.
4. No problems were identified in this area for the past year. Terminations will be evaluated by the EOAC for continued compliance with all laws and policies.

#### *I. TRAINING PROGRAMS*

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

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

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

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

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

### *A. POLICIES AND PROCEDURES*

1. **Outreach Recruitment:** The Department will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities and qualified veterans, in such a way as to ensure understanding and acceptance. The Department will send vacancy notices to recruiting sources such as Department of Human Services (Vocational Rehab and Veteran's Home), Department of Labor & Training and appropriate educational or training institutions to assist in recruiting.
2. **Physical and Mental Qualifications:** Physical and mental job qualifications will be reviewed to assure that they do not screen out qualified individuals with disabilities.
3. **Work Environment:** As per the Department's guidelines for Unbiased Work Environment, the Department strives to maintain a working environment free of discriminatory insults, intimidation, and other forms of harassment.

4. **Reasonable Accommodation:** The Department makes reasonable accommodations to the employee or applicant with a disability to ensure equal access to employment. The accommodations include, but are not limited to, modifying the job site, job restructuring, acquisition, or modifications of special equipment.

DCYF is committed to fully meeting the requirements of the Americans with Disabilities Act of 1990, R.I. General Law 28-5.1, Executive Order 92-2 and Protected Veterans Readjustment Act of 1974, to take Affirmative Action to employ and advance individuals with disabilities and veterans.

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

#### *B. REPORT ON LAST YEAR'S ACTIVITIES*

During this year, several specific ADA claims were addressed, and the Department continues to review and remove any barriers consistent with the ADA requirements and the needs of both employees and the public. Significant progress continues to be made in removing physical barriers including installation of lavatories, ramps, and increased individuals with disabilities parking capacity.

#### *C. REPORT ON THIS YEAR'S PLANS*

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

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

### **VI. DETERMINING UNDERREPRESENTATION AND GOAL SETTING**

An analysis of the data reveals that Hispanic and veterans are underrepresented in several job categories. The Department is committed to increasing representation among these groups while understanding this is a long-term, multi-year process.

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DCYF's hiring goals, found in Appendix O, are based on hiring history and represent the Department's commitment to making steady progress in a way that is both attainable and measurable.

### *APPENDIX A: 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, ABC Board, License, Dairy, Livestock, Transportation], Assessors, Tax Appraisers and Investigators, Coroners, Farm Managers, and kindred workers.

#### **Professionals:**

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

#### **Technicians:**

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

#### **Protective Service Workers:**

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

#### **Paraprofessionals:**

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

Assistants, Homemaker's 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 Computers Operators, Telephone Operators, Legal Assistants, Sales Workers, Cashiers, Toll Collectors, and kindred workers.

**Skilled Craft Workers:**

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

**Service/Maintenance:**

Occupations in which workers perform duties which result in or contribute to the comfort, convenience, hygiene of safety of the 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.

*APPENDIX B: RACIAL/ETHNIC IDENTIFICATION*

**Racial / Ethnic Designations**

**Minority Group**

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

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

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

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

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

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

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

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

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

*APPENDIX C: LAWS GOVERNING EQUAL OPPORTUNITY*

**PRIVATE EMPLOYMENT, STATE AND LOCAL GOVERNMENTS, EDUCATIONAL INSTITUTIONS**

- **RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:** Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits, and other aspects of employment, based on 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 based on race, color, religion, sex, or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.

**INDIVIDUALS WITH DISABILITIES:** Section 503 of the Rehabilitation Act of 1973, as amended, prohibits job discrimination because of a disability and requires affirmative action to

## DCYF Affirmative Action Plan

employ and advance in employment qualified individuals with disabilities who, with reasonable accommodation, can perform the essential functions of a job.

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

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

## PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

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

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

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

## **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 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 departments as is necessary to comply with the intent of this chapter.

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

##### **SECTION 28-5.1-3**

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

## DCYF Affirmative Action Plan

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

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

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

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

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

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

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

applicants in those job categories where a manifest imbalance exists, excluding those job categories in the legislative branch of state government.

### **SECTION 28-5.1-3.1**

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

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

### **SECTION 28-5.1-3.2**

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

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

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

## DCYF Affirmative Action Plan

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

### SECTION 28-5.1-4

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

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

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

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

### SECTION 28-5.1-5

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

(2) The office of personnel administration shall:

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

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

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

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

(5) The division of statewide planning shall cooperate in 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 ensure 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 inpatient 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

## DCYF Affirmative Action Plan

have the authority to grant, deny, or revoke licenses or charters will cooperate with the state equal opportunity office to prevent any person, corporation, or business firm from discriminating because of race, color, religion, sex, sexual orientation, gender, identity or expression, age, national origin, or disability or from participating in any practice which may have a disparate effect on any protected class within the population. The state equal opportunity office shall monitor the equal employment opportunity activities and affirmative action plans of all such organizations.

### SECTION 28-5.1-15

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

### SECTION 28-5.1-16

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

### SECTION 28-5.1-17

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

(2) To the extent the analysis determines that minorities as currently defined in federal employment law as Blacks, Hispanics, American Indians (including Alaskan natives), Asians (including Pacific Islanders), are being underrepresented and/or underutilized, the personnel administrator shall, through the 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.

#### **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 17-02**

Promotion of Diversity, Equity and Opportunity

**EXECUTIVE ORDER 13-05**

Promotes Diversity, Equal Opportunity, and Minority Business Enterprises in Rhode Island

**EXECUTIVE ORDER 05-02**

Establishes the Human Resources Outreach and Diversity Office and their responsibilities

**EXECUTIVE ORDER 05-01**

Promotes Equal Opportunity and the Prevention of Sexual Harassment in State Government

**EXECUTIVE ORDER 94-22**

Promotes Minority Business Enterprises in Rhode Island State Government.

**EXECUTIVE ORDER 93-1**

Equal Opportunity and Affirmative Action Policy for units in State Government.

**EXECUTIVE ORDER 92-2**

Compliance with Americans with Disabilities Act.

**EXECUTIVE ORDER 86-10**

Establishes the Refuge Policy for the State.

**EXECUTIVE ORDER 85-16**

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



State of Rhode Island and Providence Plantations

Gina M. Raimondo  
Governor

EXECUTIVE ORDER

17-02

January 5, 2017

**PROMOTION OF DIVERSITY, EQUITY AND OPPORTUNITY**

WHEREAS, Rhode Island is committed to equal opportunity and equity in all aspects of state government employment, procurement, programs, and activities; and

WHEREAS, diversity and inclusion are core values that are essential to a creative, innovative, and productive workplace, as well as a thriving business climate in Rhode Island; and

WHEREAS, the State of Rhode Island is strengthened by the diversity in our population, and we are at our best when we value and respect the contributions of all members of our society; and

WHEREAS, building a framework for open dialogue and communication between our state government and its people is an important step toward community engagement; and

WHEREAS, this administration is committed to establishing a close and collaborative working relationship with a diverse group of community partners who share in our interest to promote equity and fairness in state government.

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

- A. There is hereby established an Advisory Council ("Council") that shall exist for the purpose of advising the Office of Diversity, Equity and Opportunity ("ODEO") within

DCYF Affirmative Action Plan



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

2013 MAY -9 PM 1:11

SECRETARY OF STATE

Lincoln D. Chafee  
Governor

EXECUTIVE ORDER

13-05

May 9, 2013

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

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

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

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

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

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

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

## DCYF Affirmative Action Plan

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May 9, 2013  
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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.

## DCYF Affirmative Action Plan

Executive Order 13-05

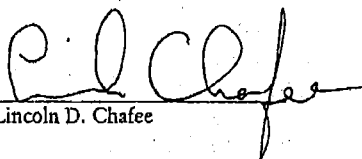
May 9, 2013

Page 3

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

This Order shall take effect immediately.

So Ordered:

  
Lincoln D. Chafee



STATE  
PUBLIC INFORMATION  
CENTER

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State of Rhode Island and Providence Plantations

State House  
Providence, Rhode Island 02903-1196  
401.222-2080

Donald L. Carcieri  
Governor

EXECUTIVE ORDER

05-02

January 17, 2005

PROMOTION OF A DIVERSE STATE GOVERNMENT WORKFORCE

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

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

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

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

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

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

## DCYF Affirmative Action Plan

Executive Order 05-02

January 17, 2005

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

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

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

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

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

So Ordered:

  
Donald L. Carcieri

Dated: January 17, 2005

**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 protected veterans and qualified special

## DCYF Affirmative Action Plan

disabled veterans:

5. All Agencies of Rhode Island State Government shall also comply with State laws pertaining to the promotion of equal opportunity for all qualified individuals and the prevention of sexual harassment including but not limited to Article 1, Section 2 of the Rhode Island Constitution; all applicable provisions of Rhode Island General Laws Chapter 5 through 6, and Chapter 51 of Title 28. These statutes require Fair Employment Practices regardless of race, color, religion, sex, sexual orientation, gender identity, expression, disability, age, or country of origin; positive action be taken to affirm the civil rights of protected classes of individuals; promote nondiscrimination, and prohibit sexual harassment.
6. Pursuant to Rhode Island General Laws Title 28, Chapter 5.1, the State EOO shall be responsible for assuring compliance with State and Federal laws prohibiting discrimination and all applicable provisions of this Executive Order.
7. Pursuant to Rhode Island General Laws Title 28 Chapter 51, the Office of Labor Relations within the Department of Administration shall be responsible for assuring compliance with State and Federal laws prohibiting sexual harassment and all applicable provisions of this Executive Order.
8. Pursuant to Rhode Island General Laws Title 28, Chapter 5 Sections 8 through 40, the Rhode Island Commission for Human Rights shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.
9. Pursuant to Rhode Island General Laws Title 42, Chapter 51, the Governor's Commission on Disabilities shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.
10. Pursuant to Rhode Island General Laws Title 23 Chapter 23-1.8, the Commission on Deaf and Hard-of-Hearing shall be responsible for assuring compliance with all applicable provisions of this Executive Order.
11. Pursuant to Rhode Island General Laws Title 28-5.1-5 and Title 36 Chapter 4-26.1, the Office of Personnel Administration within the Department of Administration and the State EOO shall be responsible for assuring compliance with State and Federal laws and all applicable provisions of this Executive Order.
12. Pursuant to Rhode Island General Laws Title 28-5.1-3.1 each Agency of State Government is responsible for assuring compliance with all applicable provisions of this Executive Order. Individuals believing that they have been discriminated against or sexually harassed in employment by or through state government should immediately contact:

DCYF Affirmative Action Plan

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  
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

DCYF Affirmative Action Plan

State of Rhode Island  
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 94-22

December 23, 1994



State House,  
Providence

MINORITY BUSINESS ENTERPRISE

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

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

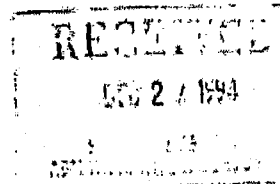
WHEREAS, on June 23, 1994, I signed Executive Order 94-9, reorganizing and enhancing the powers and duties of the MBE Program, and there is now a need to restructure and clarify the responsibilities of the MBE program; and

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

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

Article I - Applicability

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



Executive Order No. 94-22

December 23, 1994

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Article II - Minority Business Enterprise Program

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

(B) The MBE Program shall:

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

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Executive Order No. 94-22

December 23, 1994

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Article III - MBE Commission

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

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

A cabinet level official to be appointed by the Governor

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

Representative Joseph Newsome

Executive Director, Commission for Human Rights

Casby Harrison, III  
Licht & Semenov

President (or designee)  
Black Contractors Association of Rhode Island

Executive Director (or designee)  
Rhode Island Commission on Women

President (or designee)  
Hispanic Contractors Association

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

Director of Policy  
Governor's Office

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December 23, 1994

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

Associate Director - Department of Administration  
Division of Human Resources

State Controller  
Department of Administration - Office of Accounts and Control

Chief Civil Rights Officer  
Department of Transportation

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

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

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

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

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

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

Executive Order No. 94-21

December 23, 1994

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

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

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

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

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

Executive Order No. 94-22

December 23, 1994

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

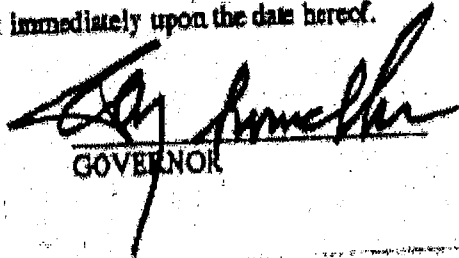
This Executive Order effectively rescinds, supersedes and replaces Executive Order No. 94-9.

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

DATE

12/27/94

GOVERNOR



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DEC 27 1994

State of Rhode Island  
and Providence Plantations

Bruce Sundlun, Governor

EXECUTIVE ORDER

No. 93-1

JANUARY 18, 1993

RECEIVED

JAN 19 1993

SECRETARY OF STATE  
ADMINISTRATIVE RECORDS DIV.



AFFIRMATIVE ACTION POLICY STATEMENT

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

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

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

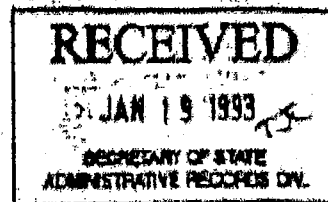
3. Within agencies, departments of state government, and those agencies created by legislative statute, the following areas will be administered without regard to race, color, sex, age, religion, sexual orientation, or disability:

Hirings  
Salary/Wage  
Lay-offs  
Transfers  
Promotions  
Demotions

Work Assignments  
Leave  
Training  
Recall From Lay-offs  
Appointments  
Discipline

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

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Executive Order 93-1  
Affirmative Action Policy Statement



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

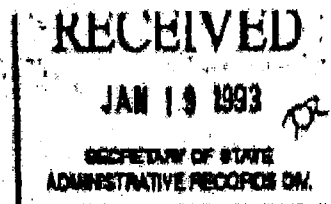
6. All Department Directors and appointing authorities shall appoint a highly placed person, who shall report to the Department Director and who shall be designated as the Departmental Affirmative Action Officer. The Departmental Affirmative Action Officer shall attend at least one EEO training session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

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

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

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

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Executive Order 93-1  
Affirmative Action Policy Statement



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

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

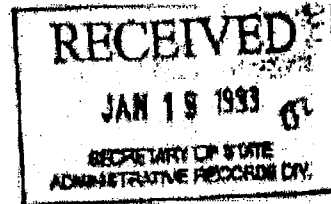
- A) review the Affirmative Action plans submitted annually by each state department or agency and prepare a comparative analysis of the strengths and weaknesses of the plans;
- B) make recommendations to the departments on proactive policy initiatives that may enhance affirmative action plan objectives;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

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

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

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

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Affirmative Action Policy Statement



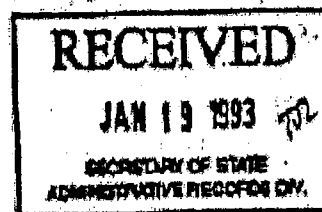
14. All units of Rhode Island State Government shall comply with all state and federal laws pertaining to equal opportunity and affirmative action including:

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

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

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

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Executive Order 93-1  
Affirmative Action Policy Statement



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

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

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

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

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

DATE

1-12-93

GOVERNOR

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

DCYF Affirmative Action Plan

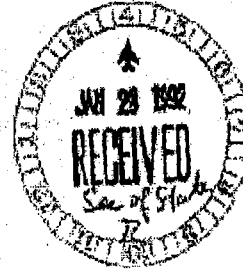
State of Rhode Island  
and Providence Plantations

Bruce Sundblom, Governor

EXECUTIVE ORDER

NO. 92-2

JANUARY 13, 1992



COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

State House,  
Providence

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

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

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

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

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

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

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

DCYF Affirmative Action Plan

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Executive Order 92-2  
January 23, 1992



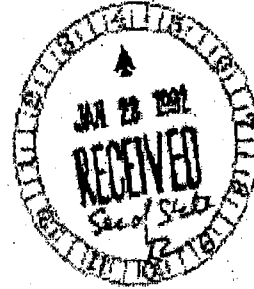
2. There shall be a State ADA Coordinator to assume overall, day-to-day responsibility for implementing the ADA Compliance Plan.

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

4. The Duties of the ADA Coordinator shall include:

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

Page Three  
Executive Order 92-2  
January 23, 1992



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

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

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

This Executive Order shall take effect on the date hereof.

Date

1-23-92

Governor

A handwritten signature in dark ink, appearing to read "George P. Pataki", written over a horizontal line.



State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

Edward D. DiPrete  
Governor

EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REFUGEE POLICY

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

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

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

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

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

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

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Page Two  
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WHEREAS, the Rhode Island Office of Refugee Resettlement was created for the purpose of implementing the requirements of the Refugee Act of 1980 (P.L. 96-112) to assist refugees in the state to become self-sufficient as rapidly as possible; and

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

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

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

DCYF Affirmative Action Plan

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Page Three

April 15, 1986

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

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

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

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

6. State Agencies Preparing Agency Service Plans -

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

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

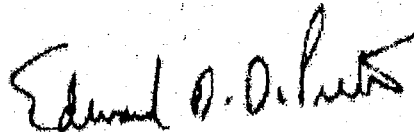
7. Transitional Education Program -

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

8. Consultation with Attorney General -

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

This Executive Order shall take effect on the date hereof.



Edward D. DiPrete  
Governor



Edward D. DiPrete  
Governor

State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

EXECUTIVE ORDER

NO. 85-16

JULY 23, 1985

SECTION 504 COORDINATOR

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

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

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

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

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

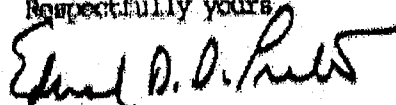
1. The Director of Administration is hereby designated the State's 504 Coordinator and shall delegate operational control to the State Building Code Commissioner as his designee.
2. The duties of the Coordinator shall be to coordinate all State agencies in the implementation of all federal rules and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

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

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

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

Respectfully yours,



Edward D. DiPrete  
GOVERNOR

APPENDIX D: GUIDELINES FOR PREVENTING SEXUAL HARASSMENT

State of Rhode Island

Guidelines for Preventing Sexual Harassment

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

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

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

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

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

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

STATE EQUAL OPPORTUNITY OFFICE

ONE CAPITOL HILL PROVIDENCE, RI 02908-5865

PHONE (401) 222-3090 FAX (401) 222-2490 RI Relay: 711 Revised (2005)

## APPENDIX E: GUIDELINES FOR ENSURING UNBIASED WORK ENVIRONMENTS

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)

*APPENDIX F: EMPLOYEE SELF-IDENTIFICATION of DISABILITY FORM AND REQUEST FOR REASONABLE ACCOMADATION*

**CONFIDENTIAL**

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

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

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

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

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

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

Disabling conditions include, but are not limited to:

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

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☐ Other

☐ Yes, I request a Reasonable Accommodation Needs Assessment Review

☐ No Reasonable Accommodation is needed at this time

Additional Comments:

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

Date:

RIEEO 5/09A

REVISED 7/02/2002

RI SEOO (401) 222-3090

DCYF Affirmative Action Plan

APPENDIX G: AFFIRMATIVE ACTION FILE CARD

RHODE ISLAND STATE EQUAL OPPORTUNITY OFFICE  
AFFIRMATIVE ACTION FILE

RHED-03/78  
(Revised 3/70)

**TO BE COMPLETED BY APPLICANT ONLY**

Applicant

Address       
Number Street City State Zip Code

(Definitions on Reverse Side)

Male ☐ Female ☐ White ☐ Black ☐ Hispanic ☐ American Indian/Alaskan Native ☐

Asian American/Pacific Islander ☐ Disabled ☐ Age 40 & Over ☐ Veteran ☐ Disabled Veteran ☐

**FOR PERSONNEL USE ONLY**

Department  Division

Appropriation Account No.  Grade  Position No.

Title  Effective Date

Promotion ☐ Transfer ☐ Hired ☐ List ☐ No List ☐ Offered ☐ Not Offered ☐ Refused ☐

Reason

Interviewer  Date

**WHITE:**

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

**BLACK:**

(not of Hispanic origin) All persons having origins in any of the Black racial groups in Africa.

**HISPANIC:**

All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

**AMERICAN INDIAN OR ALASKAN NATIVE:**

All persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

**ASIAN OR PACIFIC ISLANDER:**

All persons having origins in any of the original people 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.

**DISABLED:**

All persons with a physical or mental disability that substantially impairs or restricts one or more of such major life activities such as walking, seeing, hearing, speaking, working or learning. A history of such disability, or the belief on the part of others that a person has such a disability, whether it is so or not, also is recognized as a handicap by the regulation.

*APPENDIX H: STATE EQUAL OPPORTUNITY OFFICE DISCRIMINATION COMPLAINT PROCEDURE*

**RHODE ISLAND EQUAL OPPORTUNITY OFFICE**

**Telephone: (401) 222-3090 RI Relay # 711**

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

1. A complaint must be filed formally on the "Complaint Information Form", available through the State Equal Opportunity Office within ten (10) working days from the knowledge of the alleged incident of discrimination, unless it is an ongoing discrimination.
2. An Equal Opportunity Officer will be assigned to investigate the complaint.
3. The Agency Director (Responder) will be notified of the alleged complaint
4. Upon the completion of the investigation, the State Equal Opportunity Office will make a determination as to probable cause based on the summary of facts.
5. When parable cause is not evidence, the parties are so informed by the State Equal Opportunity Office.
6. When there is probable cause of discrimination, the State Equal Opportunity Office will try to conciliate the complaint.
7. If an agreement between both parties is not reached, a formal hearing will be scheduled, and a Hearing Officer will be assigned by the State Equal Opportunity Office.
8. If and when it has been determined by the Hearing officer that discrimination exists, the Hearing officer will advise the State Equal Opportunity Office in writing. The State Equal Opportunity Office will then, by written notification, present findings and recommended corrective action to both parties.

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

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

(Revised 2003)

**APPENDIX I: STATE EQUAL OPPORTUNITY OFFICE – COMPLAINT INFORMATION FORM**

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

**COMPLAINT INFORMATION FORM**

**1. Complainant Information:**  
State your name and address:

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

City State Zip Code

Telephone Number(s):

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

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

**2. Name of Department:**

\_\_\_\_\_

**3. Name of Immediate Supervisor:**

\_\_\_\_\_

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

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

City State Zip Code

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

\_\_\_\_\_

**6. Date of Alleged Violation:**

\_\_\_\_\_

**7. Place of Alleged Violation:**

\_\_\_\_\_

**8. Basis of Alleged Complaint:**

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

Sex: \_\_\_\_ Male \_\_\_\_ Female

Age: Date of Birth \_\_\_\_\_

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

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

\_\_\_\_\_  
Sexual Harassment

\_\_\_\_\_  
Sexual Orientation

\_\_\_\_\_  
Gender Identity or Expression

**9. Nature of Charge:**

\_\_\_\_\_  
Hiring

\_\_\_\_\_  
Compensation

\_\_\_\_\_  
Job Classification

\_\_\_\_\_  
Discharge/Termination

\_\_\_\_\_  
Promotion

\_\_\_\_\_  
Training

\_\_\_\_\_  
Demotion

\_\_\_\_\_  
Qualification/Testing

\_\_\_\_\_  
Layoff

\_\_\_\_\_  
Recall

\_\_\_\_\_  
Seniority

\_\_\_\_\_  
Intimidation/Reprisal

\_\_\_\_\_  
Harassment

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

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## COMPLAINT INFORMATION FORM

(Continued)

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

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11. Why do you believe these events occurred?

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

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

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Complainant Signature

---

Date

---

Interviewing Officer

*APPENDIX J: EXIT INTERVIEW*

**CONFIDENTIAL EXIT-INTERVIEW FORM**

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

*APPENDIX K: EQUAL OPPORTUNITY ADVISORY COMMITTEE GUIDELINES*

**EQUAL OPPORTUNITY ADVISORY COMMITTEE**

**Mission:** to provide two-way communication and suggestions on various aspects of the equal opportunity program to the agency head and equal opportunity coordinator in an agency in state government.

**1. Establishing the Committee:**

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

**2. Structure:**

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

**3. Functions (role):**

- A. advise – not perform
- B. develop short-term objectives
- C. identify areas of possible discrimination
- D. assist the designee of the agency head with preparing the affirmative action 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. Equal Opportunity Coordinator:**

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## DCYF Affirmative Action Plan

ex-officio  
advisor

### 7. Equal Opportunity Officer/Liaison:

ex-officio  
advisor

### 8. Agency head:

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

### 9. Employees should be informed of agency policy:

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

### 10. The state equal opportunity office may issue such guidelines, directives, or instructions as necessary to carry out RI General Law 28-5.1.

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## APPENDIX L: DIVERSITY ADVISORY COUNCIL GUIDELINES

## **DCYF Affirmative Action Plan**

### **MISSION:**

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

### **1. ESTABLISHING THE COMMITTEE:**

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

### **2. STRUCTURE:**

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

### **3. FUNCTIONS (ROLE):**

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

**DCYF Affirmative Action Plan**

**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.

RHODE ISLAND DEPARTMENT OF CHILDREN YOUTH AND FAMILIES  
DIVERSITY ADVISORY COMMITTEE CHARTER

Issue Date: September 17, 2015 (Revised 09/20/2017)

**Vision**

*Be a model employer and leader within state government by leveraging diversity and fostering inclusion to deliver the best public service to the state's children, youth, families, and care provider community*

**Mission**

*Recruit, develop, and retain, a diverse, high-performing workforce that draws from all segments of society, who understands the unique challenges of service delivery to RI families and youth, in a multi-cultural, and culturally competent environment, while valuing fairness, diversity, and inclusion*

**SECTION 1: AUTHORITIES**

- 1) Office of Diversity, Equity, and Opportunity (ODEO) Diversity Advisory Council Guidelines published May 2015
- 2) Office of the Director, DCYF, charter, published September, 2015

**SECTION 2: DEFINITIONS**

- 1) Diversity: Diversity refers to all of the characteristics that make individuals different from each other. Includes characteristics or factors including but not limited to personality, work style, religion, race, ethnicity, gender, sexual orientation, having a disability, socioeconomic level, educational attainment, and general work experience.
- 2) Inclusion: A work environment where everyone feels valued, included, and empowered, regardless of differences of any kind.
- 3) Cultural Competence: "The process by which individuals and systems respond respectfully and effectively to people of all cultures, languages, classes, races, ethnic backgrounds, religions, and other diversity factors in a manner that recognizes, affirms and values the worth of individuals, families, and communities and protects and reserves the dignity of each. 'It is a set of congruent behaviors, attitudes, and policies that come together in a system or agency or among professionals and enable the system, agency or professionals to work effectively in cross-cultural situations' (NASW, 2000b, p.61). Operationally defined, cultural competence is the integration and transformation of knowledge about individuals and groups of people into specific standards, policies, practices, and attitudes used in appropriate cultural settings to increase the quality of services, thereby producing better outcomes (Davis & Donald, 1997). Competence in cross-cultural functioning means learning new patterns of

## DCYF Affirmative Action Plan

behavior and effectively applying them in appropriate settings... Cultural competence is never fully realized, or completed, but rather cultural competence is a lifelong process for (social) workers who will always encounter diverse clients and new situations in their work. (NASW Standards for Cultural Competence in Social Work Practice, 2001.)

### SECTION 3: PURPOSE

This charter establishes the Department of Children Youth and Families (DCYF) Diversity Advisory Committee (DAC) for the express purposes of:

- 1) Establishing an agency-wide capacity to promote diversity and inclusion by embracing the power of the workforce to actively foster an inclusive environment where all employees have the opportunity to achieve personal and professional growth while contributing to the overall success of the mission of DCYF;
- 2) Providing influence, advice, and leadership to the senior level executive team, principal human resource managers, hiring officials, and supervisors on the importance of new and innovative approaches to promote and increase diversity and inclusion in the workforce through recommended strategies;
- 3) Providing a venue for divisions and individual workers to offer input and feedback on diversity and inclusion initiatives;
- 4) Reviewing DCYF policies, procedures, and practices regarding diversity and inclusion initiatives, and those of other agencies, and recommending diversity and inclusion improvements;
- 5) Reviewing the process by which cultural competence needs are identified, and ensuring DCYF training practices meet identified needs, moving staff toward cultural competence;
- 6) Initiating and maintaining regular contact with diverse populations of the DCYF workforce, providers, clients, and other relevant community organizations;
- 7) Identifying, utilizing, and communicating critical diversity metrics for both the agency, and our client and provider populations; and
- 8) Identifying and recognizing diversity and inclusion champions in our workforce, client and provider communities.

### SECTION 4: MEMBERSHIP

- 1) Diversity Liaison - Appointed by DCYF Director. Liaison between senior leadership and DAC, and DCYF and state Diversity Council. Ex-officio member.
- 2) Minority Business Enterprise Representative - Liaison with ODEO, Minority Business Enterprise office. Ex-officio member.
- 3) Council Members - Volunteer members from the workforce, client and provider communities. Members serve at-large for an indeterminate period of time.

### SECTION 5: ORGANIZATION

- 1) The DAC will elect co-chairpersons to serve a two-year term with the exception of the first election in which one co-chair shall serve a three-year term so as to provide for staggered terms moving forward.
  - a. The most senior co-chair shall run DAC meetings.
  - b. In the first year, meeting shall be run by the co-chair serving the two-year term vs the three-year term.
- 2) The DAC shall elect a Secretary who will serve a two-year term.
  - a. Secretary will be responsible for taking DAC minutes, distributing DAC minutes to all members and the Director, and for all other communications.

#### SECTION 6: SUBCOMMITTEES

- 1) There will be two sub-committees whose charge will be to explore the areas below:
  - a. Diversity and Inclusion
    - i. Internal - What are the department's outreach strategies, hiring programs, and on-boarding practices? Is the department's outreach strategy successful in cultivating a diverse and inclusive applicant pool? Are development, award, and promotion practices being equally distributed and merited throughout the agency? Are programs accessible to all department members equally? Does the department provide support capabilities such as formal mentoring and coaching programs for all members?
    - ii. External - What are the department's outreach strategies to recruit a diverse and inclusive pool of foster care providers, service providers, and MBE? How does the department effectively reach out to diverse members of our client community to understand and support their unique perspectives?
  - b. Cultural Competence - Education, Awareness, Innovation, and Commitment
    - i. Internal - Are training curricula inclusive of cultural competency practices? Are key components of cultural competence communicated and supported throughout the workforce? Does the agency stay abreast and incorporate relevant and developing cultural competence practices in on-going training?
    - ii. External - Are training curricula inclusive of cultural competency practices? Are key components of cultural competence communicated and supported throughout our provider and foster care provider community? Does the agency stay abreast and incorporate relevant and developing cultural competence practices in on-going training?
- 2) The DAC may establish and dissolve subcommittees and ad-hoc committees as deemed necessary for the DAC to advance its objectives.

#### SECTION 7: OPERATING PROCEDURES

## DCYF Affirmative Action Plan

- 1) The DAC will meet monthly, unless authorized to do so more frequently by the Director based upon current operations.
- 2) Co-chairs and committee chairs will aim to conclude meetings within 90 minutes.
- 3) Members who cannot attend meetings will notify the Secretary
  - a. Members who miss 3 consecutive meetings, or more than 6 in a given year, will be asked to examine their commitment to the council.
- 4) A loose interpretation of Roberts Rules of Order will be used to guide meeting business.
  - a. Meeting Minutes read and accepted
  - b. Old Business and Updates
  - c. New Business
  - d. Committee Reports
  - e. Adjournment
  - f.

## *APPENDIX M: LIST OF ENFORCEMENT AGENCIES*

### **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

**DCYF Affirmative Action Plan**

**FAX # (401) 222-2616**

**U.S. Equal Employment Opportunity Commission**

**131 M Street, NE (4th Floor, Suite 4NW02F)**

**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**

*APPENDIX N: DIVERSITY PLAN TO IMPROVE MINORITY HIRING*

**Vision:** To have a kind, respectful and supportive workplace that enables us to attract and retain a diverse workforce that represents the children and families we serve.

**Purpose:** This diversity hiring plan is designed to help us achieve our goals. It provides a shared direction and commitment for the Department so we can work together to respect and value our diverse workforce and build a more inclusive workplace.

**Assessment:**

The Department of Children, Youth and Families (DCYF) has made great strides in recent years at diversifying our workforce. Our minority hires in 2017/2018 was 25.13% while our minority hires in 2018/2019 rose to 25.94%. Currently, our workforce composition is 25.94% minority compared against the state's Executive Branch statistics of 31.4% minority representation in the workforce, as a whole. The Department will continue its recruitment efforts to reach this goal.

The Department will continue its recruitment efforts to reach more Hispanic applicants. While the state's Executive Branch statistics is 15.5%, we are only at 8.45%.

Further analysis, however, suggests that most minority employees are located at operational levels, most significantly in the "Professionals" category with an alarming few minority members represented in the "Officials & Administrators" category. While the agency has done a good job at recruiting and retaining minority employees recently, we can do more to ensure that minority staff have a clear path to career promotion opportunities.

**Goals:**

1. Workforce diversity – recruit from a diverse, qualified group of candidates to increase diversity of thinking and perspective
2. Workplace inclusion – foster a culture that encourages collaboration, flexibility and fairness to enable all employees to contribute to their potential and increase retention
3. Sustainability & Accountability – Identify and breakdown systemic barriers to full inclusion by embedding diversity and inclusion in policies and practices and equipping leaders with the ability to manage diversity and be accountable for the results

## DCYF Affirmative Action Plan

Goals	Objective	Actions	Accountability	Measuring Success
Workforce Diversity	Recruit from a diverse, qualified group of candidates	1. utilizing the minority list when possible  2. Informational forums to target minority groups 3. Expanding recruitment efforts (ie Social Media, radio, newspapers) 4. Continued networking with the ODEO as well as the DCYF Diversity Liaison	HR Hiring Manager  HR Hiring Manager HR Hiring Manager  HR Hiring Manager Diversity Liaison	Increase in the representation of diverse employees
Workplace Inclusion	Different backgrounds and perspectives lead to a variety of ideas, knowledge, and ways of doing things. Team members from the same background may take actions based on a narrow range of experiences. By ensuring that our team includes staff from various social and cultural backgrounds, we will widen the range of perspectives, knowledge, and approaches from which decisions are made for the most vulnerable youth and families that we serve.	1. Provide inclusive leadership training for managers	Senior Leadership Team Workforce Development	All managers participate in leadership training
		2. Improved Communication through weekly messages, open forums, intranet and direct emails	Senior Leadership Team	Decrease in employee turnover
Sustainability & Accountability		1. Review policies and practices to identify and remove systemic barriers to inclusion  2. Ensure that new employees take part in an orientation training program on topics such as diversity, discrimination and sexual harassment	Senior Leadership Team Policy DAC and EEOC Committees	All policies and practices are reviewed and updated

## DCYF Affirmative Action Plan

### *APPENDIX O: PROGRAM STATISTICS*

Program Statistics can be found in the following attached files:

- DCYF EEO-AAP FINAL 5-11
- DCYF 2018 EEO Job Group Analysis
- DCYF DETERMINING UNDERREPRESENTATION 2018



**AGENCY: DCYF**

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

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

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



# TRAINING PARTICIPATION SUMMARY

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

DCYF \_\_\_\_\_

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

7/1/18-6/30/19

EEO Job Categories	Total Trainees	Number Disabled	Number Veterans	Number Minority	Number Female	Male												Female											
						%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%							
Critical/Managers/Administrators	27	0	0	2	1		0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Professionals	120	0		22	83		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%
Faculty	0	0	0	0	0	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Technicians	72	0	0	32	13		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%
Protective Services	0	0	0	0	0	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Para-Professionals		0	0			#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Administrative Support	2	0	0	1	2		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%		0%	0%
Skilled Craft	0	0	0	0	0	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Service Maintenance	0	0	0	0	0	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Totals	221	0	0	57	99	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%

Total Percent:  
 Minority: 26%  
 Female: 45%  
 Disabled: 0%  
 Veterans: 0%

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



AGENCY: DCYF

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

### DISCIPLINARY ACTION

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

\* Not Hispanic or Latino

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

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

OTHER: Counseling



# APPLICANT DATA

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

DCYF \_\_\_\_\_

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

Classification Title	Position Number	EEO Job Category	Union	Non-Union	List	No List	Applicants										Hire	Promotion	Transfer Within	Terminations	Pay Grade
							White Male	Minority	Female	Disabled	Veterans										
ASST ADMIN. COMM & PLAN SERV	03340-1000-00099	A		X		X	15	27	60	2	2						SM				00035 A
CHF OF PRACTICE STANDARDS	03316-1000-00256	A		X		X	5	4	16	0	0						SF				00035 A
CHF OF PRACTICE STANDARDS	03320-10100-00222	A		X		X	9	16	32	0	1						1F				00035 A
CHF OF PRACTICE STANDARDS	03320-10200-00086	A		X		X	6	11	26	0	0						SF				00035 A
CHF OF PRACTICE STANDARDS	03320-10300-00124	A		X		X	7	10	22	0	0						SF				00035 A
CHF OF PRACTICE STANDARDS	03320-10400-00197	A		X		X	6	12	23	1	0						SF				00035 A
CHF OF PRACTICE STANDARDS	03340-10400-00055	A		X		X	3	15	23	1	1						SF				00035 A
CHF OF PRACTICE STANDARDS	03340-10400-00056	A		X		X	8	19	41	2	1						SF				00035 A
CHF STRATEGIC PLAN/MONT & EV	03316-10000-00229	A		X		X	11	13	64	1	1						SF				00043 A
CHIEF OF STAFF	03316-10000-00217	A		X		X	29	28	47	2	10						SF				00141 A
CHIEF, PROGRAM DEVELOPMENT	03340-10400-00071	A		X		X	26	21	42	1	4						SF				00141 A
PRIN COMM PROG LIAISON WORK	03330-10000-00511	A		X		X	17	33	46	0	1						SF				00024 A
SUPER (R) TRNG SCH YOUTH)	03330-10000-00411	A		X		X	11	19	20	1	3						SM				00045 A
CASEWORK SUPV II	03320-10300-00004	B		X		X	10	39	39	2	1						SF				00028 A
CASEWORK SUPV II	03315-10000-00180	B		X		X	10	28	56	0	1						SF				00028 A
CASEWORK SUPV II	03320-10100-00216	B		X		X											1F				00028 A
CASEWORK SUPV II	03320-10400-00012	B		X		X	11	32	56	1	3						1F				00028 A
CASEWORK SUPV II	03320-10400-00129	B		X		X	6	33	72	3	3						SF				00028 A
CASEWORK SUPV II	03320-10400-00170	B		X		X	8	23	64	1	1						SM				00028 A
CASEWORK SUPV II	03340-10400-00070	B		X		X	11	28	60	2	0						SF				00028 A
CLINICAL SOCIAL WORKER	03350-10400-00059	B		X		X	8	18	44	1	1						2F				00027 A
CLINICAL SOCIAL WORKER	03350-10400-00061	B		X		X	7	18	39	1	2						1F				00027 A
CONTRACT COMPLIANCE OFFICER	03316-10000-00226	B		X		X	25	37	56	2	6						SM				00123 A
CONTRACT COMPLIANCE OFFICER	03316-10000-00237	B		X		X	23	17	32	0	5						SF				00123 A
JR HUMAN SYS POLICY & SYS SPE	03340-10400-00032	B		X		X	36	53	134	4	2						1F				00123 A
JUVENILE PROBATIONARY SVS TEC	03330-10100-00058	B		X		X	143	231	332	3	26						SF				00118 A
JUVENILE PROGRAM WORKER	03330-10000-00124	B		X		X	11	19	21	0	2						1M				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00125	B		X		X											SM				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00146	B		X		X											1F				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00199	B		X		X	24	43	53	0	4						1M				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00200	B		X		X											1F				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00316	B		X		X											SM				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00364	B		X		X											SM				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00220	B		X		X	3	11	12	1	0						SM				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00227	B		X		X	19	33	63	0	5						SM				00022 A
JUVENILE PROGRAM WORKER	03330-10000-00264	B		X		X	8	28	32	31	64						SM				00022 A
PRIN PROGRAM ANALYST	03310-10000-00234	B		X		X	5	8	14	1	1						SM				00128 A



# APPLICANT DATA

PROGRAMMING SERVICES OFFICE	00310-10000-00201	B		X		X	24	25	50	1	3	5M				00031 A
PROGRAMMING SERVICES OFFICE	00310-10000-00232	B		X		X	25	40	70	3	4	5F				00031 A
PROGRAMMING SERVICES OFFICE	00315-10000-00427	B		X		X	19	25	40	1	1	5M				00031 A
RECORDS ANALYST	00390-10400-00003	B		X		X	36	41	81	2	6	5F				00234 A
SENIOR LEGAL COUNSEL	00310-10100-00111	B		X		X	14	2	12	1	1	5M				00034 A
SENIOR LEGAL COUNSEL	00310-10100-00112	B		X		X						5F				00034 A
SR CASE WORK SUPERVISOR	00310-10000-00243	B		X		X	2	6	29	1	2	5F				00030 A
SR CASE WORK SUPERVISOR	00310-10000-00244	B		X		X	4	12	32	0	3	5F				00030 A
SR PUB. HLTH EPIDEMIOLOGIST	00390-10400-00002	B		X		X	1	9	10	0	0	2F				00033 A
SR PUB. HLTH EPIDEMIOLOGIST	00390-10400-00003	B		X		X						5F				00033 A
SUBS ABUSE COORD	00340-55500-00001	B		X		X	18	36	73	2	4	5F				00032 A
TEACHER ACADEMIC (SPEC ED)	00330-10300-00026	B		X		X	0	1	5	0	0	5F				00007 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00118	B		X		X						5M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00129	B		X		X						5M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00139	B		X		X						1F			1F	00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00142	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00192	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00203	B		X		X						1F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00411	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00420	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00133	B		X		X						7F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00145	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00146	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00148	B		X		X						2M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00187	B		X		X						1M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00207	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00276	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00392	B		X		X						5M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00393	B		X		X						1F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00410	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00418	B		X		X						5M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00421	B		X		X						5M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00422	B		X		X						1F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00424	B		X		X						5F				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00425	B		X		X						1M				00026 A
CHILD PROTECTIVE INVESTIGATOR	00315-10000-00426	B		X		X						1F				00026 A
PROBATION & PAROLE OFFICER I	00330-10100-00021	B		X		X						2M				00027 A
PROBATION & PAROLE OFFICER I	00330-10100-00101	B		X		X						1M				00027 A
PROBATION & PAROLE OFFICER I	00330-10100-00102	B		X		X						5M				00027 A
PROBATION & PAROLE OFFICER I	00330-10100-00103	B		X		X						5F				00027 A
PROBATION & PAROLE OFFICER I	00330-10100-00104	B		X		X						5F				00027 A
SOC CASE WORKER II	00320-10100-00024	B		X		X						1F				00024 A



**APPLICANT DATA**

[illegible]



[illegible]

Gender Code  
F - Female  
M - Male

Disabled Code  
D - Disabled

Veteran Code  
V - Veteran



# APPLICANT FLOW DATA

AGENCY: DCYF

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

	TOTAL APPLICANTS	MALE							FEMALE							**DISABLED	VETERANS
		BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)		
<b>APPLICANTS</b>																	
OFFICIALS/ADMINISTRATORS	635	28	19	5	1	153	0	6	75	72	6	4	255	0	11	11	24
PROFESSIONALS	2253	131	84	18	4	515	0	18	264	273	22	29	844	0	51	31	64
TECHNICIANS	109	8	6	0	1	28	0	0	16	17	1	1	31	0	0	2	6
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PROTECTIVE SERVICES	127	15	8	2	0	29	0	4	9	9	3	2	41	0	5	3	8
PARA-PROFESSIONALS	563	15	8	4	3	66	0	3	33	68	9	2	340	0	12	8	11
ADMINISTRATIVE SUPPORT	2160	36	68	31	7	232	0	8	187	385	87	33	1041	0	45	41	38
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE/MAINTENANCE	26	3	1	1	0	12	0	0	0	2	1	0	6	0	0	0	2
<b>TOTAL</b>	<b>5873</b>	<b>236</b>	<b>194</b>	<b>61</b>	<b>16</b>	<b>1035</b>	<b>0</b>	<b>39</b>	<b>584</b>	<b>826</b>	<b>129</b>	<b>71</b>	<b>2558</b>	<b>0</b>	<b>124</b>	<b>96</b>	<b>153</b>
<b>HIRES</b>																	
OFFICIALS/ADMINISTRATORS	5	0	0	0	0	1	0	0	0	0	0	0	4	0	0		
PROFESSIONALS	79	0	1	0	0	17	0	1	17	5	0	0	34	0	4		
TECHNICIANS	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0		
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
PROTECTIVE SERVICES	4	1	0	1	0	1	0	0	0	0	0	0	0	0	1		
PARA-PROFESSIONALS	3	0	0	0	0	0	0	0	0	0	0	0	3	0	0		
ADMINISTRATIVE SUPPORT	8	0	1	0	0	1	0	0	2	0	0	0	4	0	0		
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
SERVICE/MAINTENANCE	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0		
<b>TOTAL</b>	<b>101</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>22</b>	<b>0</b>	<b>1</b>	<b>19</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>45</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>
<b>PROMOTIONS</b>																	
OFFICIALS/ADMINISTRATORS	8	0	0	0	0	1	0	0	1	0	0	0	6	0	0		
PROFESSIONALS	33	2	1	0	0	5	0	0	8	3	0	0	14	0	0		
TECHNICIANS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
FACULTY	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0		
PROTECTIVE SERVICES	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0		
PARA-PROFESSIONALS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
ADMINISTRATIVE SUPPORT	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0		
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
SERVICE/MAINTENANCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
<b>TOTAL</b>	<b>44</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>9</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>20</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>TERMINATIONS</b>																	
OFFICIALS/ADMINISTRATORS	1	0	0	0	0	0	0	0	0	0	0	0	1	0	0		
PROFESSIONALS	6	0	0	0	0	1	0	0	2	1	0	0	2	0	0		
TECHNICIANS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
FACULTY	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
PROTECTIVE SERVICES	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
PARA-PROFESSIONALS	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
ADMINISTRATIVE SUPPORT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
SKILLED CRAFT	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
SERVICE/MAINTENANCE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
<b>TOTAL</b>	<b>7</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

\* Not Hispanic or Latino

\*\* Include disabled in appropriate job categories.



# APPLICANT REFUSAL OF POSITIONS OFFERED

AGENCY:

DCYF

DATE: 7/1/8-6/30/19

EEO Job Categories	Total Applicants	Number Disabled	Number Veterans	Number Minority	Number Female	Male																Female																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
						%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																									
Civilian Managers/Administrators	635	11	24	227	423		0%	0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%		0%

Total Percent:  
 Minority: 38.8%  
 Female: 73.1%  
 Disabled: 1.6%  
 Veterans: 2.6%

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







DATE: July 1, 2018-June 30, 2019

- Not Hesperia or Lunda



# JOB GROUP ANALYSIS SUMMARY

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

DCTF \_\_\_\_\_

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

6/30/2018

EEO Job Categories	Total Employees	Total Members	%	Male							Female						
				1 Black (NHL)	2 Hispanic or Latino	3 Asian (NHL)	4 Asian (NHL)	5 White (NHL)	6 NHCP (NHL)	7 Two or More Races (NHL)	1 Black (NHL)	2 Hispanic or Latino	3 Asian (NHL)	4 Asian (NHL)	5 White (NHL)	6 NHCP (NHL)	7 Two or More Races (NHL)
Office/Mailroom, Administrative	41	4	10%	1	2%	0	0%	0	0%	0	2	5%	1	2%	0	0%	0
Professionals	438	117	27%	31	7%	9	2%	4	1%	4	1%	86	20%	0	0%	0	0%
Faculty	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0
Technicians	3	1	33%	0	0%	0	0%	0	0%	0	0	0%	0	0%	0	0%	0
Protective Services	7	#REF!	#REF!	1	14%	0	0%	0	0%	0	1	14%	1	14%	0	0%	0
Paraprofessionals	34	8	23%	2	6%	1	3%	0	0%	2	6%	13	38%	0	0%	0	0%
Administrative Support	21	4	19%	0	0%	0	0%	0	0%	0	2	10%	2	10%	0	0%	0
Student Craft	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0	0	#DIV/0!	0	#DIV/0!	0	#DIV/0!	0
Service Maintenance	8	2	33%	0	0%	0	0%	0	0%	0	0	0%	0	0%	0	0%	0
GRAND TOTAL	548	#REF!	#REF!	35	6%	10	2%	4	1%	8	1%	119	22%	0	0%	0	0%

NOTE: NHL means Not Hispanic or Latino

## Race/Ethnic Code:

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



# JOB GROUP ANALYSIS SUMMARY

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

DCJF \_\_\_\_\_

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

6/30/2018

EEO Job Categories	Total Employees	Total Members	%	Male							Female						
				1	2	3	4	5	6	7	1	2	3	4	5	6	7
				Black (NHL)	Hispanic or Latino	AAWN (NHL)	Asian (NHL)	White (NHL)	NHCPH (NHL)	Two or More Races (NHL)	Black (NHL)	Hispanic or Latino	AAWN (NHL)	Asian (NHL)	White (NHL)	NHCPH (NHL)	Two or More Races (NHL)
Overall/Manager, Administrator	41	4	10%	1	0	0	0	0	0	0	2	0	0	0	23	0	0
				2%	0%	0%	0%	0%	0%	0%	5%	1%	0%	0%	55%	0%	0%
Professionals	438	117	27%	31	9	4	4	86	0	0	35	31	0	7	233	0	0
				7%	2%	1%	1%	20%	0%	0%	8%	7%	0%	2%	53%	0%	0%
Faculty	0	0	#DIV/0!	0	0	0	0	0	0	0	0	0	0	0	0	0	0
				#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Technicians	3	1	33%	0	0	0	0	2	0	0	0	0	0	1	0	0	0
				0%	0%	0%	0%	67%	0%	0%	0%	0%	0%	33%	0%	0%	0%
Protective Services	7	#REF!	#REF!	1	0	0	0	3	0	0	1	1	0	0	1	0	0
				14%	0%	0%	0%	43%	0%	0%	14%	1%	0%	0%	14%	0%	0%
Paraprofessionals	34	9	26%	2	1	0	2	13	0	0	1	3	0	0	13	0	0
				6%	3%	0%	6%	39%	0%	0%	3%	9%	0%	0%	39%	0%	0%
Administrative Support	21	4	19%	0	0	0	0	0	0	0	2	2	0	0	17	0	0
				0%	0%	0%	0%	0%	0%	0%	10%	2%	0%	0%	81%	0%	0%
Student Center	0	0	#DIV/0!	0	0	0	0	0	0	0	0	0	0	0	0	0	0
				#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!	#DIV/0!
Service Maintenance	6	2	33%	0	0	0	0	1	0	0	0	0	0	0	3	0	0
				0%	0%	0%	0%	17%	0%	0%	0%	0%	0%	0%	50%	0%	0%
GRAND TOTAL	548	#REF!	#REF!	35	10	4	1%	119	0	0	41	7%	0	8	290	0	0
				6%	2%	1%	1%	22%	0%	0%	7%	4%	0%	1%	53%	0%	0%

NOTE: NHL means Not Hispanic or Latino

## Race/Ethnic Code:

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



# JOB GROUP ANALYSIS

EEO Job Category:

Officials Managers & Administrators

DATE:

July 1, 2017-June 30, 2018

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male							Female																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
					VETERANS	TOTAL MALE	1 Black (NH)	2 Hispanic or Latino (NH)	3 Asian (NH)	4 Asian (NH)	5 White (NH)	6 NHCP (NH)	7 Two or More Races (NH)	TOTAL FEMALE	1 Black (NH)	2 Hispanic or Latino (NH)	3 Asian (NH)	4 Asian (NH)	5 White (NH)	6 NHCP (NH)	7 Two or More Races (NH)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
ADM FAMILY & CHILDRENS SVCS	39A	3	0	0%		2																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				



**July 1, 2017 - June 30, 2018**

[illegible]



**EEO Job Category:**

## Technicians

						Male			
				VETERAN		Total Male			
						1	2	3	4
						Black (NHL)	Hispanic or Latino	AVAN (NHL)	Asian (NHL)
JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%					
CHIEF RESOURCE SPECIALIST	31A	1	1	100%		0			
HUMAN SERVICES FACILITY INSP	17A	2	0	0%	2	2			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
		0	0	#DIV/0!		0			
SUBTOTAL		3	1	33%		2	0	0	0



## July 1, 2017-June 30, 2018

				Female						
5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	TOTAL FEMALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
			1				1			
2			0							
			0							
			0							
			0							
			0							
			0							
			0							
			0							
			0							
2	0	0	1	0	0	0	1	0	0	0



# JOB GROUP ANALYSIS

EEO JOB Category:

Protective Services

DATE:

July 1, 2017-June 30, 2018

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	VETERAN	Male							Female						
						TOTAL MALE	1 Black (NHL)	2 Hispanic or Latino	3 Asian (NHL)	4 White (NHL)	5 Non-Hispanic Asian (NHL)	6 Two or More Races (NHL)	TOTAL FEMALE	1 Black (NHL)	2 Hispanic or Latino	3 Asian (NHL)	4 White (NHL)	5 Non-Hispanic Asian (NHL)	6 Two or More Races (NHL)
SHIFT COOR (R) TRAIN SCH-YOUTH)	26A	7	1	14%	1%	4	1			3			3	1	1		1		
		0	2	#DIV/0!		0							0						
		0	0	#DIV/0!		0							0						
		0	#REF!	#REF!		0							0						
SUBTOTAL		7	#REF!	#REF!		4	1	0	0	3	0	0	3	1	1	0	1	0	0



July 1, 2017-June 30, 2018



## DATE: July 1, 2017-June 30, 2018

SUBTOTAL	21	4	1	19%	0	0	0	0	0	0	21	2	2	0	0	17	0	0
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