



## **AFFIRMATIVE ACTION PLAN**

**JULY 1, 2016**

**TO**

**JUNE 30, 2017**

# **AFFIRMATIVE ACTION PLAN RHODE ISLAND JUDICIARY**

July 1, 2016 through June 30, 2017

Supreme Court  
250 Benefit Street  
Providence, RI 02903

Report Data FY16 (July 1, 2015 through June 30, 2016)

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Paul A. Suttell  
Chief Justice

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J. Joseph Baxter  
State Court Administrator

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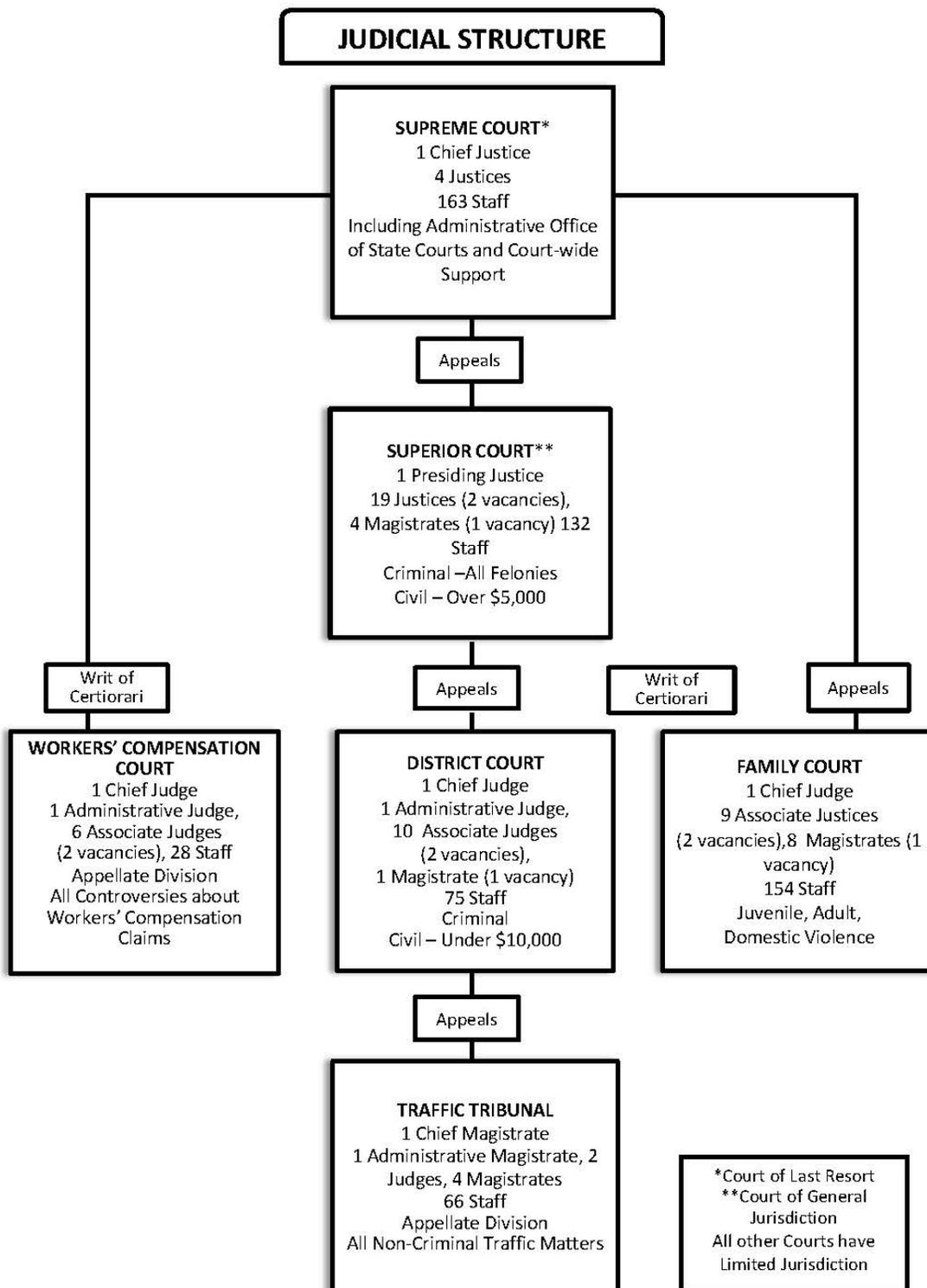
Accepted by: State Equal Opportunity Office

## TABLE OF CONTENTS

PART A	Agency Organization and Structure	1
	1. Organizational Chart	2
	2. Court Narratives	3
PART B	Plan Administration	14
	1. Statement of Policy on EEO and Affirmative Action	15
	2. Equal Employment Opportunity Advisory Committee	17
	3. Division Heads, Supervisors, Personnel Officers	18
	4. Program Coordinator	18
	5. Americans with Disabilities Act/504 Coordinator	18
	6. Dissemination of Plan and Policy	19
	7. Policy Statements	20
	a. Policy to Handle Complaints of Discrimination	20
	b. Policy on Contracts	20
	c. Policy on Service Delivery	20
	d. Policy Statement for Individuals with Disabilities and Veterans	21
	e. Compliance with Gender Discrimination	22
	f. Compliance with Guidelines on Discrimination Because of Religion/National Origin	22
PART C	Program Statistics	23
	1. EEO/Civil Rights Complaint Profile	24
	2. Training Participation Summary	25
	3. Disciplinary Action	26
	4. Applicant Data	27
	5. Applicant Flow Data	35
	6. Applicant Refusal of Positions Offered	36
	7. Affirmative Action Statistical Summary	37
	8. Job Group Analysis	38
PART D	Determining Under-representation	56
	1. Determining Under-representation and Goal Setting	57
PART E	Identification and Analysis of Problem Areas	58
	1. Self-Evaluation	59
	2. Posting of Positions	61
	3. Employment Recruitment and Selection Process	61
	4. Transfer and Promotion Practices	63
	5. Flex Time	65
	6. Technical Compliance	65
	7. Training Programs	65
	8. Terminations	66
	9. Exit Interview	66
APPENDIX		67

## **PART A**

# **AGENCY ORGANIZATION AND STRUCTURE**



**NOTE: Figures contain Seasonal Staff (14) to be integrated to Full time positions and 13 to remain seasonal (under 925 hrs)**

# Supreme Court

**Chief Justice:** Paul A. Suttell

**Associate Justices:** Maureen McKenna Goldberg; Francis X. Flaherty;  
William P. Robinson III; Gilbert V. Indeglia

Licht Judicial Complex, 250 Benefit Street, Providence, RI 02903  
(401) 222-3274

<u>DIVISION</u>	<u>DIVISION HEAD</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
Administrative Office	J. Joseph Baxter State Court Administrator	250 Benefit Street Providence, RI 02903	222-3266
	Gail M. Valuk, Esq. Deputy State Court Administrator	250 Benefit Street Providence, RI 0293	222-3266
	Julie P. Hamil, Esq. Legal Counsel	250 Benefit Street Providence, RI 02903	222-3266
Community Outreach & Public Relations	Craig Berke Assistant State Court Administrator	250 Benefit Street Providence, RI 02903	222-4580
Appellate Screening	Martha F. Newcomb, Esq. Chief, Staff Attorney	250 Benefit Street Providence, RI 02903	222-8671
Administrative Asst./ Chief Justice	Ronald A. Tatalo Chief Supervisory Clerk	250 Benefit Street Providence, RI 02903	222-3074
Clerk's Office	Debra A. Saunders, Esq. Clerk	250 Benefit Street Providence, RI 02903	222-3272
Disciplinary Counsel	David D. Curtin, Esq. Chief Disciplinary Counsel	24 Weybosset Street Providence, RI 02903	222-3270
Domestic Violence Unit	Veronica Hobbs Executive Director Executive Administrator	1 Hill Street Pawtucket, RI 02860	729-4480
Employee Relations	Marisa P. White Assistant State Court Administrator	250 Benefit Street Providence, RI 02903	222-2700
Facilities & Operations & Security	Stephen J. Kerr Assistant State Court Administrator	250 Benefit Street Providence, RI 02903	222-6700

Finance & Budget	Darlene L. Walsh Director of Finance	670 New London Avenue Cranston, RI 02920	275-6521
Law Clerk Department	Carol Bourcier-Fargnoli, Esq. Staff Attorney II	250 Benefit Street Providence, RI 02903	222-6536
Law Library	Colleen Hanna Chief Law Librarian	250 Benefit Street Providence, RI 02903	222-8649
Mandatory Continuing Legal Education	Donna Mesolella Executive Director	250 Benefit Street Providence, RI 02903	222-8670
Judicial Planning	Jennifer M. Olivelli Assistant Administrator Policy and Programs	670 New London Avenue Cranston, RI 02920	275-2847
Judicial Records Center	J. Stephen Grimes Public Information Officer	5 Hill Street Pawtucket, RI 02860	721-2640
Judicial Technology Center	Peter Panciocco Assistant State Court Administrator	24 Weybosset Street Providence, RI 02903	222-8360

The Supreme Court consists of a Chief Justice and four (4) Justices. In selecting Justices of the Supreme Court, the Judicial Nominating Commission publicly submits three (3) to five (5) names to the Governor. The Governor appoints a Justice from the names received and the Justice-designate must receive the advice and consent of both the Senate and House of Representatives.

As the court of last resort, the Supreme Court is the final interpreter of state law. The Supreme Court has final appellate jurisdiction over questions of law and equity, supervisory powers over other state courts and general advisory responsibility to the Legislative and the Executive branches of state government concerning the constitutionality of state laws. Regulating admission to the Rhode Island Bar and disciplining its members are also responsibilities of the Court.

The Supreme Court generally sits en banc (with all five members together) during the first two weeks of every month except January and the summer months, to hear oral arguments. During oral argument weeks, the Court hears the cases that are scheduled for each day sequentially.

In full cases (also known as plenary cases) each side has thirty (30) minutes to verbally argue its position. The side challenging the lower court decision presents its oral argument first and may reserve ten (10) minutes for rebuttal. Each side argues motions, which generally involve fewer legal issues than plenary cases, for ten (10) minutes with no opportunity for rebuttal.

Once oral arguments have concluded, the Justices begin the task of making decisions and writing opinions. This process usually takes four (4) to six (6) weeks. Intensive research, and frequently, lengthy discussions precede the opinion writing process.

Between the time of oral arguments and the issuing of opinions, the Justices meet in private conferences, closed even to their staff, to discuss the cases and take preliminary votes on the outcome. Each Justice discusses cases. One Justice is randomly assigned to write each opinion. If the proposed author is in the minority, a Justice from the majority will be assigned to write the majority

opinion. The dissenting Justice drafts the dissenting and/or concurring opinions. Draft opinions are circulated privately among the Justices and revisions are made until an agreement is reached for a final draft.

Decisions of the Court are made public when the Court files them with the Clerk's Office of the Supreme Court. The Clerk's Office then sends copies of the decision to the attorneys in the case and makes copies available to the public.

In addition to the jurisprudential responsibilities, the Chief Justice also serves as the executive head of the judicial system and has authority over the judicial budget. The Chief Justice appoints a State Court Administrator and staff to handle budgetary and administrative tasks. The unified court system consists of six state-funded courts, each having their own Chief Judge or Presiding Justice and administrator to handle internal court management.

The Administrative Office of State Courts oversees all personnel matters, fiscal concerns, and purchasing functions for the entire state court system.

# Superior Court

**Presiding Justice:** Alice B. Gibney (410) 222-3212  
**Associate Justices:** Robert D. Krause; Melanie W. Thunberg; Michael A. Silverstein, Jr.; Nettie C. Vogel; Stephen P. Nugent; Susan E. McGuirl;  
 Daniel A. Procaccini; Jeffrey A. Lanphear; Allen P. Rubine, William E. Carnes, Jr.;  
 Bennett R. Gallo; Kristen E. Rodgers; Brian P. Stern; Walter R. Stone; Sarah Taft-Carter;  
 Brian VanCougghen; Luis M. Matos; Joseph A. Montalbano; Richard A. Licht; Maureen B. Keough;  
**Magistrate:** John F. McBurney, III; John J. Flynn;  
**Special Magistrate:** Patrick T. Burke **General Magistrate:** Patricia L. Harwood;

Licht Judicial Complex, 250 Benefit Street, Providence, RI 02903  
 (401) 222-3250

DIVISION	DIVISION HEAD	ADDRESS	TELEPHONE
Administrative Office	Joseph V. Conley Superior Court Administrator	250 Benefit Street Providence, RI 02903	222-3215
	Maureen McIntyre Project Manager	250 Benefit Street Providence, RI 02903	222-3215
	Dana L. Smith Principal Planning and Program Specialist	250 Benefit Street Providence, RI 02903	222-3292
	John Capaldi Arbitration Program Administrator	250 Benefit Street Providence, RI 02903	222-6147
	Mary Smith Asst. Administrator Management/Finance	250 Benefit Street Providence, RI 02903	222-6147
Case Scheduling Office	Ann Sherman Project Coordinator	250 Benefit Street Providence, RI 02903	222-3602
Providence & Bristol Counties	Henry S. Kinch, Jr. Clerk	250 Benefit Street Providence, RI 02903	222-3250
Kent County	Nancy Striuli Clerk	222 Quaker Lane Warwick, RI 02886	822-6900
Newport County	Jane Anthony Clerk	45 Washington Square Newport, RI 02840	841-8330
Washington County	Rhoda E. Perry Clerk	4800 Tower Hill Road Wakefield, RI 02879	782-4121

Jury Commissioner	Eugene McCaffrey Jury Commissioner/ Providence	250 Benefit Street Providence, RI 02903	222-3245
	Raymond E. Gallogly Deputy Administrator/Clerk	250 Benefit Street Providence, RI 02903	822-6865

The Superior Court is the trial court of general jurisdiction and has original jurisdiction over all civil actions at law involving title or interest in real estate, except landlord and tenant actions, equity proceedings, and all other civil matters involving claims in excess of \$10,000. The court retains its equity jurisdiction even during arbitration, notwithstanding agreements providing otherwise.

When the Superior Court's equity jurisdiction is invoked, the court has jurisdiction over all other actions, including legal claims arising out of the same transaction or occurrence pursuant to applicable rules. In all other actions at law, whenever the claim is greater than \$5,000 and does not exceed \$10,000, the Superior Court has concurrent jurisdiction with the District Court.

The Superior Court shares jurisdiction with the Probate Court over matters involving replacing, removing, and filling the vacancy of a trustee under a trust established by will or with respect to tax minimization or estate planning. The Superior Court also has concurrent jurisdiction with the Probate Court over the name changes of persons eighteen years or older who have been convicted of a misdemeanor or felony.

The Superior Court has original jurisdiction over all crimes and offenses, both felonies and misdemeanors, except as otherwise provided by law. Consequently, all indictments by grand juries charged by the Department of Attorney General are returned to this court.

The Superior Court also hears appeals from decisions of local Probate and Municipal Courts.

In addition, criminal and civil cases tried in the District Court, except as specifically provided by statute, are also brought to the Superior Court on appeal for a trial de novo. Other types of appeals and statutory proceeding, such as redevelopment, land condemnation, zoning appeals, administrative appeals, and enforcement of arbitrator's awards, also fall under the jurisdiction of the Superior Court.

Finally, the Superior Court shares concurrent jurisdiction with the Supreme Court over writs of habeas corpus, writs of mandamus, and certain other prerogative writs. The Supreme Court hears appeals from the Superior Court.

## Family Court

**Chief Judge:** Michael B. Forte (401) 458-5300

**Associate Justices:** Stephen J. Capineri; Laureen D'Ambra; Debra E. DiSegna; John E. McCann III; Karen Lynch Bernard; Patricia Asquith; Sandra A. Lanni; Lia N. Stuhlsatz; Rossie L. Harris; Vacancy (2)

**General Magistrate:** Feidlim Gill

**Magistrates:** George N. DiMuro; Jeanne Shepard; Angela M. Paulhus; Edward H. Newman; Armando O. Monaco II; Charles J. Levesque; Paul J. Jones, Jr.; Vacancy

Garrahy Judicial Complex, One Dorrance Plaza, Providence, RI 02903  
(401) 458-5310

<u>DIVISION</u>	<u>DIVISION HEAD</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
Administrative Office	Ronald Pagliarini Chief of Staff	One Dorrance Plaza Providence, RI 02903	458-5262
Juvenile Services	Kevin Richard Executive Assistant/ Policy & Programs	One Dorrance Plaza Providence, RI 02903	458-3250
Collections Division	Michael Venturino Executive Director	One Dorrance Plaza Providence, RI 02903	458-3100
Domestic Clerk's Office	Ronald Pirolli Department Head	One Dorrance Plaza Providence, RI 02903	458-3200
Juvenile Clerk's Office	Candace Saugy Department Head	One Dorrance Plaza Providence, RI 02903	458-3290
Court Appointed Special Advocate Unit	Andrew Johnson Director/CASA/GAL	One Dorrance Plaza Providence, RI 02903	458-3330
Family Service	Linda Lynch Department Head	One Dorrance Plaza Providence, RI 02903	458-5026
Mediation	Cheryl Martone Department Head	One Dorrance Plaza Providence, RI 02903	458-5031

The Family Court was created to focus attention on and address problems involving families and children. The goals of the Family Court are to assist, protect, and if possible, restore a family whose well-being or unity is threatened.

The Family Court also ensures that children within its jurisdiction receive the care, guidance, and control conducive to their best interests and welfare. If children are removed from their parents' custody, the court also seeks to provide them with the equivalent of high quality parental care.

The Family Court has jurisdiction to hear all petitions for divorce and any motions in conjunction with divorce proceedings, such as property distribution, alimony, child support, and child custody. The Family Court also hears petitions for separate maintenance and complaints regarding support for parents and children.

The Family Court has jurisdiction over matters relating to delinquent, wayward, dependent, neglected, abused, mentally deficient, or disordered children. The Family court also hears and determines all petitions for guardianship of any child who has been placed in the care, custody, and control of the Department of Children, Youth, and Families. The court also has jurisdiction over adoptions, child marriages, paternity proceedings, matters involving domestic relations, juveniles and all matters relating to the enforcement of laws regulating childcare providers and child placing agencies. The Supreme Court handles appeals from Family Court.

# District Court

**Chief Judge:** Jeanne E. LaFazia (401) 458-5200

**Administrative Judge:** Elaine T. Bucci

**Associate Judges:** Madeline Quirk; William C. Clifton; Rafael A. Ovalles;  
Pamela Woodcock-Pfeiffer; Mary McCaffrey, Anthony Capraro, Joseph T. Houlihan;  
Colleen Hastings; Christine Jabour; Stephen Isherwood; James J. Caruolo; Brian A. Goldman;

**Magistrate:** Joseph P. Ippolito, Jr.;

Garrahy Judicial Complex, One Dorrance Plaza, Providence, RI 02903  
(401) 458-5400 (Clerk' Office)

<u>DIVISION</u>	<u>DIVISION HEAD</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
Administrative Office	Stephen C. Waluk Administrator	One Dorrance Plaza Providence, RI 02903	458-5207
	Vacant Chief Clerk	One Dorrance Plaza Providence, RI 02903	458-5207
Pretrial Services	Carol Giordano Director	One Dorrance Plaza Providence, RI 02903	458-3277
Second Division	Maureen Palazzo Supervisory Clerk	45 Washington Square Newport, RI 02840	841-8350
Third Division	Dawn Bellamy Administrative Clerk	222 Quaker Lane Warwick, RI 02886	822-6750
Fourth Division	Donna Avella Supervisory Clerk	4800 Tower Hill Road Wakefield, RI 02879	782-4131
Sixth Division	Lorraine A. Alfonso Administrative Clerk/ Office Services	One Dorrance Plaza Providence, RI 02903	458-5400

The jurisdiction of the District Court includes small claims, violations of municipal ordinances and regulations, misdemeanors when the right to a jury trial in the first instance has been waived and is the initial appearance for felonies and bail hearings. If a defendant invokes the right to a jury trial, the case is transferred to the Superior Court. Appeals from District Court decisions go to the Superior Court for a trial de novo.

Violations and hearings on involuntary hospitalization under the mental health, drug abuse, and alcoholism laws fall under the District Court's jurisdiction. The District Court also hears appeals from the state tax administrator as well as several regulatory agencies and boards and has the authority to order compliance with its subpoenas and rulings. The court's jurisdiction includes all actions between landlords and tenants and all other actions for possession of premises and estates.

The District Court also hears violations of state and local housing codes, except when a Municipal Court has been established to handle these matters. Decisions in these areas are subject to review by only the Supreme Court.

# Workers' Compensation Court

**Chief Judge:** Robert M. Ferrieri (401) 458-5000  
**Associate Judges:** Debra L. Olsson; Janette A. Bertness;  
Dianne M. Connor; George T. Salem, Jr.; Hugo L. Ricci, Jr.; Robert E. Hardman;  
Michael J. Feeney; Vacancy (2)

Garrahy Judicial Complex, One Dorrance Plaza, Providence, RI 02903  
(401) 458-5000

<u>DIVISION</u>	<u>DIVISION HEAD</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
Administrative Office	John F. McBurney IV Executive Director	One Dorrance Plaza Providence, RI 02903	458-5000
	John A. Sabatini Administrator	One Dorrance Plaza Providence, RI 02903	458-5000
Medical Advisory Board	Sheila Mitchell Administrator	One Dorrance Plaza Providence, RI 02903	458-3460

The Workers' Compensation Court, established in 1991, is comprised of a Chief Judge and nine (9) Associate Judges. The court has jurisdiction over employers and employees relative to work injuries, whether traumatic or occupational in nature, resulting in disability, medical, and hospital expenses, scarring, loss of use, reinstatement, and related issues. The court also retains jurisdiction over disputes between an insurance carrier and an employer under a workers' compensation insurance contract.

The Workers' Compensation Court has adopted its own rules of procedure and has periodically amended them to address statutory changes, which have revised the court's jurisdiction. The rules are published for use by the Rhode Island Bar and the public.

Six (6) basic objectives underlie workers' compensation laws:

1. To provide sure, prompt and reasonable income and medical benefits to work accident victims or income benefits to their dependents, regardless of fault.
2. To provide a single remedy and reduce court delays, costs, and workloads arising out of personal injury litigation.
3. To relieve public and private charities of financial drains incident to uncompensated occupational disabilities.
4. To regulate payment of fees to lawyers, physicians, and expert witnesses.
5. To encourage maximum employer interest in safety and rehabilitation through an appropriate experience-rating mechanism.
6. To promote frank study of the causes of accidents (rather than concealment of fault), thereby reducing the number of preventable accidents and consequent human suffering.

# Traffic Tribunal

**Chief Magistrate:** William R. Guglietta (401) 275-2800

**Administrative Magistrate:** Domenic A. DiSandro III

**Associate Judges:** Lillian M. Almeida; Edward C. Parker;

**Magistrates:** William T. Noonan; Alan R. Goulart; Joseph A. Abbate; Erika Kruse Weller

670 New London Avenue, Cranston, RI 02920  
(401) 275-2872

<u>DIVISION</u>	<u>DIVISION HEAD</u>	<u>ADDRESS</u>	<u>TELEPHONE</u>
Administrative Office	Steven Sao Bento Administrator	670 New London Avenue Cranston, RI 02920	275-2700

The judicial process of the Traffic Tribunal begins when a ticket is issued by law enforcement. The ticket is a legal document charging the litigant with a violation and a legal summons for their appearance for the hearing. It states the offense, the time, and place when then should appear.

If this is the litigant's third or subsequent summons in the preceding twelve (12) month period they must appear for their court hearing and are not eligible to pay the summons by mail.

If eligible, the litigant may pay the summons by mail or may appear in court at a hearing to contest the charges. If the litigant pays by mail, he or she will have no costs assessed and does not have to appear in court.

If a hearing is required or the litigant wishes to contest this violation, they must appear in court on the date cited for an arraignment. At arraignment, the litigant may admit the charge(s) or request a full hearing where evidence will be presented. If the litigant admits to the violation they can explain if they wish. A judgment will enter with a fine and/or costs. The Judge/Magistrate may also impose additional sanctions as allowed by law, including license or registration suspension or revocation. Payment will be required at that time.

If the litigant pleads not guilty to the violation the matter will be continued to a date certain for trial. The litigant will sign a notice with the new court date for your trial, with a copy retained by them.

There is a no continuance policy in effect. On the trial date all witnesses should be present. The State has the burden of proving the offense by clear and convincing evidence. If, after trial the litigant is found not to have violated the law, the matter will be dismissed; no money will be paid and they will have no record of a violation. If the litigant is found guilty of the violation, a judgment enters and they will be ordered to pay fines, costs, and assessments and to comply with any additional sanctions imposed, which may include license or registration suspension or revocation.

Any aggrieved party has a right to appeal any judgment of the Traffic Tribunal or Municipal Court to the Appellate Panel of the Traffic Tribunal. The appellant must file a Notice of Appeal within ten (10) days of the imposition of sentence or judgment. The cost to file an appeal is \$25. All appeals will follow the rules and procedures provided by law.

The Appellate Panel will review the record to determine if the judgment which entered is in accordance with law. There will not be a new trial or evidentiary hearing unless remanded back to the trial court for further hearing.

If a motorist has a good driving record they may request that their summons be dismissed upon payment of costs by pleading guilty with a good driving record. The motorist must appear in court to request this procedure. "Good driving record" means no moving violations within the three (3)\* years prior to the current violation. (\*Certain restrictions apply. Refer to G.L. 1956 (2010 Reenactment) § 31.41.1-7 or this website for complete details. Commercial driver's license (CDL) holders cannot seek dismissal under this statute.)

If an out-of-state motorist, they must bring a certified copy of their driving record from their home state to their arraignment.

If a litigant fails to appear in court, the following will occur:

1. A default judgment may enter for the fine and costs.
2. The Judge\Magistrate may enter sanctions in addition to the fine amount and costs, as applicable.
3. The offender's license may be suspended or revoked.
4. The offender's registration may be suspended or revoke.

**PART B**

**PLAN ADMINISTRATION**

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

The Rhode Island Judiciary is actively committed to Equal Employment Opportunity and Affirmative Action.

### **Employment**

All employment decisions will promote the principles of Equal Opportunity. The Rhode Island Judiciary will post all vacancies and examination announcements on employee bulletin boards. The following areas will be administered without regard to race, color, gender, age, national origin, religion, handicap/disability status, veteran status, sexual orientation, gender identification, or expression: hiring; salary/wages; layoffs; promotions; demotions; work assignments; leave; training; appointments; and discipline.

### **Recruiting**

The Rhode Island Judiciary will post all vacancy announcements, recruit, hire, train, and promote persons in all job classifications without regard to race, color, gender, age, national origin, religion, handicap/disability status, veteran status, sexual orientation, gender identification, or expression.

### **Sexual Harassment**

Harassment by supervisors or co-workers in employment or service delivery based on race, color, gender, sexual orientation, gender identification or expression, national origin, religion, age, handicap/disability, veteran status, or any other protected status is an unlawful employment practice. Harassment is defined as verbal or physical interfering with an individual's work performance, or creating an intimidating hostile or offensive working environment. Sexual harassment includes unwanted sexual advances, request for sexual favors, and other verbal or physical conduct of a sexual nature. Harassment based on race or national origin includes ethnic, religious, or racial slurs and other verbal or physical conduct related to a person's race, religion, national origin, sexual orientation, gender identification, or expression.

### **Program Coordinator**

Jennifer M. Olivelli, Assistant Administrator, Policy and Programs, is the Equal Employment Opportunity Program Coordinator with the responsibility for developing, implementing, and monitoring a comprehensive equal opportunity and affirmative action program for the Judiciary.

## Americans with Disabilities Act Program Coordinator

Julie P. Hamil, Esquire is designated as the 504 Coordinator and the ADA Coordinator.

We, the undersigned, concur in the above-referenced policy statements and will ensure its implementation in our respective jurisdictions.

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Paul A. Suttell  
Chief Justice, Supreme Court

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J. Joseph Baxter  
State Court Administrator

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Alice B. Gibney  
Presiding Justice, Superior Court

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Michael B. Forte  
Chief Judge, Family Court

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Jeanne Lafazia  
Chief Judge, District Court

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Robert M. Ferrieri  
Chief Judge, Workers'  
Compensation Court

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William R. Guglietta  
Chief Magistrate, Traffic Tribunal

## 2. EQUAL EMPLOYMENT OPPORTUNITY ADVISORY COMMITTEE

### NAMES, TITLES, RACE, AND GENDER OF MEMBERS OF THE COMMITTEE:

Jennifer M. Olivelli  
Assistant Administrator/  
Policy and Programs  
Supreme Court  
275-2847  
W/F

Carlos Silver  
Deputy Director, Diversion  
Family Court  
458-3195  
B/M

Tracy Shepherd  
Court Stenographer  
Workers' Compensation Court  
458-3448  
B/F

Waleada Brown  
Data Entry Operator  
District Court  
458-3149  
B/F

Marianne DeSimone  
Administrative Assistant  
Traffic Tribunal  
275-2801  
W/F

Dana Smith  
Principal Planning & Program Specialist  
Superior Court  
222-3292  
B/M

### DUTIES/RESPONSIBILITIES

The mission of the committee is to provide two-way communication and suggestions on various aspects of the equal opportunity program to the appointing authorities and the equal opportunity coordinator. The functions of the committee are as follows: to advise but not perform; develop short-term objectives; identify areas of possible discrimination; assist with preparing the affirmative action plan; monitor the progress of action goals and programs; make recommendations to improve, if necessary; review monthly progress reports; and issue a progress report to the agency head quarterly. The chairperson will prepare an agenda for meetings, preside over committee meetings, and submit any committee reports to the agency head. The secretary will preside over meetings in the absence of the chairperson, record minutes of meetings, and prepare minutes for distribution.

### **3. DIVISION HEADS, SUPERVISORS, PERSONNEL/EMPLOYEE RELATIONS OFFICERS**

All appointing authorities, court administrators, division heads, supervisors, designated employees within each court, and the EEO program coordinator are directly responsible for successful application of this policy. All designated employees are responsible for working with the Judiciary's program coordinator in the development of goals and timetables for affirmative action, and for demonstrating positive results in the employment, appointment, and delivery of services to racial/ethnic minorities, women, and persons with disabilities.

The Employee Relations Office has continued to collect and maintain hiring, promotion, and termination data, and makes it available to the EEO program coordinator for reporting to the appointing authorities, the Equal Employment Opportunity Advisory Committee, and periodically to the State Equal Opportunity Office in the prescribed forms. By policy, the court administrators will ensure that every terminating employee in their respective courts receive an exit interview form and the means to submit that form to the State Equal Opportunity Office. These efforts will be documented by asking employees to acknowledge receipt of the exit interview forms and by recording these acknowledgments in the Employee Relations Office.

### **4. PROGRAM COORDINATOR**

The preceding policy statement designates Jennifer M. Olivelli, Assistant Administrator, Policy and Programs, as the Equal Employment Opportunity Program Coordinator. The signers acknowledge their responsibility for application of the policy, and the EEO Program Coordinator will assist them in that effort. The program coordinator shall distribute copies of the approved Affirmative Action Plan to all signers so that a copy is available in each court administrative office. The program coordinator and the court administrators will identify and list public and employee posting locations where policy statements will be displayed. Employee posting locations will also display internal and State Equal Opportunity Office guidelines and complaint procedures. The members of the Equal Employment Opportunity Advisory Committee will assist in monitoring these displays.

### **5. AMERICANS WITH DISABILITIES ACT/504 COORDINATOR**

The Rhode Island Judiciary has developed a voluntary internal grievance procedure, which is facilitated by the ADA Program Coordinator, providing for prompt and equitable resolution of complaints alleging any discrimination against persons on the basis of disability in employment matters and/or in the provision of services by the State court system or its personnel and which complaints allege acts or omissions prohibited by the Americans with Disabilities Act (ADA) and/or Section 504 of the Rehabilitation Act of 1973.

## **6. DISSEMINATION OF PLAN & POLICY**

### **Internal Dissemination & External Dissemination**

The EEO Program Coordinator shall distribute copies of the approved Affirmative Action Plan to all signers so that a copy is available in each court administrative office. In addition, a copy of the plan is available on the Judiciary's website, which can be found at [www.courts.ri.gov](http://www.courts.ri.gov).

The program coordinator and the court administrators will identify and list public and employee posting locations where policy statements will be displayed. Employee posting locations will also display internal and State Equal Opportunity Office guidelines and complaint procedures. The members of the Equal Employment Opportunity Advisory Committee will assist in monitoring these displays.

## 7. POLICY STATEMENTS

### a. POLICY TO HANDLE COMPLAINTS OF ALLEGED DISCRIMINATION

Supervisors, appointing authorities, and the Judiciary's Employee Relations Office will accept from both employees and applicants in the Rhode Island Judiciary, complaints of discrimination that are based on race, gender, age, national origin, religion, color, handicap, sexual orientation, gender identity or expression, and sexual harassment.

Employee posting locations will also display internal and State Equal Opportunity Office guidelines and complaint procedures. The members of the Equal Employment Opportunity Advisory Committee will assist in monitoring these displays.

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Paul A. Suttell  
Chief Justice, Supreme Court

### b. POLICY ON CONTRACTS

The Rhode Island Judiciary is subject to Item 27 of the Judiciary's General Conditions of Purchase (Appendix A of Judicial Purchasing Rules and Regulations), which shall require all vendors sign contracts containing an Equal Opportunity Clause.

The Clause shall state that the parties agree to adhere to Federal Executive Orders 11246, 11375, 11625, and 11830, and Chapter 5.1 of Title 28 of the General Laws of Rhode Island.

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Paul A. Suttell  
Chief Justice, Supreme Court

### c. POLICY ON SERVICE DELIVERY

The Rhode Island Judiciary shall render services to the citizens of Rhode Island without discrimination based on race, color, religion, gender, sexual orientation, gender identity or expression, age, national origin, or disability. Further, the Judiciary shall ensure that discrimination does not exist in any programs, activities, and subsequent treatment provided by the Judiciary.

If anyone feels that they have been discriminated against, they may contact **J. Joseph Baxter, State Court Administrator, 250 Benefit Street, Providence, RI 02903, (401) 222-3263 (v), (401) 222-3269 (tty).**

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Paul A. Suttell  
Chief Justice, Supreme Court

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

It has been and will continue to be the policy of the Rhode Island Judiciary to comply with Section 504 of the Rehabilitative Act of 1973 to take affirmative action to employ, promote, and otherwise treat qualified individuals with disabilities, individuals at all job levels. It is the policy of the Judiciary in complying with Section 402 of the Vietnam Era Veterans Readjustment Act of 1974 to take affirmative action to treat qualified disabled veterans and Vietnam Era Veterans without regard to either their disability or status in the following areas: employment; promotion; demotion or transfers; layoff; termination; compensation; selection for training programs; and benefits.

As executive head of the Rhode Island Judiciary (G.L. 1956 8-15-2), I, Paul A. Suttell, Chief Justice of the Supreme Court, shall be responsible for the implementation of this program. I designate the EEO Program Coordinator to coordinate the aforementioned programs.

Within the Judiciary, the policy will attract all applicants and employees who meet the aforementioned criteria to identify themselves so that they may benefit from this policy. This will be accomplished by posting the policy in all judicial facilities, including the policy in judicial newsletters, and by holding special meetings with executive and supervisory personnel to ensure understanding and commitment to the policy. Periodic meetings with all employees will be held to keep them informed of any changes in said policy.

Externally, the Judiciary will implement the policy by taking the following actions:

1. Make special efforts to maintain contacts with service organizations dealing in the area of individuals with disabilities and disabled veterans; and
2. State in recruiting advertisements our intent to comply with this policy.

Additionally, the following actions will be taken:

1. Review positions and job descriptions to ensure that they are job-related and that they do not discriminate, either overtly or covertly, toward the individuals with disabilities and disabled veterans;
2. Ascertain that recruitment, promotions, and training are readily available to individuals with disabilities and disabled veterans; and
3. Modify job sites to provide the physical environment that will be accessible to the individuals with disabilities and disabled veterans.

The Rhode Island Judiciary is unyieldingly committed to providing equal opportunity to individuals with disabilities and disabled veterans.

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Paul A. Suttell  
Chief Justice, Supreme Court

**e. COMPLIANCE WITH GENDER DISCRIMINATION**

The Rhode Island Judiciary will not discriminate in employment on the basis of gender.

The Rhode Island Judiciary is committed to identifying and eliminating past and present effects of discrimination in employment. To achieve equal opportunity, the Judiciary recognizes the need to take affirmative action to identify classifications with the under-representation of females; to set goals and timetables for increasing the employment of underrepresented groups; and to develop an affirmative action plan for implementing those reasonable goals through outreach, recruitment, training, and other special activities and commitments. Vacancy announcements are posted in all court buildings. In addition, announcements are sent to the Department of Administration, Division of Human Resources, and to minority referral agencies. Vacancy announcements are also posted on the Rhode Island Department of Labor and Training and the State Judiciary websites.

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Paul A. Suttell  
Chief Justice, Supreme Court

**f. COMPLIANCE WITH GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION/NATIONAL ORIGIN**

The Rhode Island Judiciary will not discriminate in employment based on religion, national origin, or ancestry.

In response to an employee's request for religious accommodation, the Rhode Island Judiciary, through the following alternatives, will provide reasonable accommodations for religious practices as follows: permitting, with supervisory approval, voluntary substitution; creating a flexible work schedule; and considering changes in job assignments or the possibility of transfers. For represented employees, religious accommodations will be in conformance with the appropriate labor agreement provisions.

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Paul A. Suttell  
Chief Justice, Supreme Court

**PART C**  
**PROGRAM STATISTICS**



TRAINING PARTICIPATION SUMMARY

AGENCY: \_\_\_\_\_ JUDICIAL \_\_\_\_\_ DATE: June 30, 2016

EEO Job Categories	Total Trainees	Number Disabled	Number Veterans	Number Minority	Number Female	Male					Female													
						White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan	White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan									
Officials/Managers Administrators	0			0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%						
Professionals	6			2	4	33%	0%	0%	0%	0%	0%	0%	0%	33%	1	17%	1	17%	0%					
Faculty	0			0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%					
Technicians	0			0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%					
Protective Services	1			0	0	100%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%					
Para-Professionals	3			1	2	0%	0%	0%	33%	0%	0%	0%	0%	67%	0	0%	0	0%	0%					
Administrative Support	21			3	15	24%	0%	0%	5%	0%	0%	0%	0%	62%	13	62%	1	5%	1	5%				
Skilled Craft	0			0	0	0%	0%	0%	0%	0%	0%	0%	0%	0%	0	0%	0	0%	0%	0%				
Service Maintenance	3			1	0	67%	0%	1	33%	0%	0%	0%	0%	0%	0	0%	0	0%	0%	0%				
Totals	34	0	0	7	21	29%	0%	1	3%	0%	0%	6%	0%	50%	17	50%	1	3%	2	6%	1	3%	0	0%

Total Percent: Minority: 21%  
 Female: 62%  
 Disabled: 0%  
 Veterans: 0%

AGENCY: JUDICIAL

DATE: June 30, 2016

### DISCIPLINARY ACTION

DISCIPLINARY ACTION TAKEN	White		Black		Hispanic		Asian/Pacific Islander		American Indian Alaskan Native		Disabled		Veterans	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
	Suspension (Indefinitely)													
Suspension (Specified Time)		2		1										
Loss of Pay		2		1										
Written Reprimand	1	2		1										
Duty On Off Days														
Oral Reprimand	5	2												
Termination														
Other (Explain)														
<b>TOTAL</b>	6	8	0	3	0	0	0	0	0	0	0	0	0	0

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

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

# APPLICANT DATA

AGENCY: JUDICIAL

DATE: June 30, 2016

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Hire	Promotion	Transfer Within	Terminations	Grade
							White Male	Minority	Female	Disabled					
<b>A</b>															
Administrative Clerk	326	A		X		X	1								8846A
Director of Consumer Protection Education Clerk	1	A		X		X	11	5	26	1	4		F5		8835A
	80	A		X		X			1						8832A
Chief Judge, Workers' Comp	401	A		X		X	1								8807F
Administrator I	621	A		X		X	1								8846A
Associate Justice	236	A		X		X			1		F5				8805F
Chief Supervisory Clerk	829	A		X		X			1						8842A
Magistrate, Traffic Tribunal	719	A		X		X			1						8803F
Judge, Workers' Comp	431	A		X		X	1				M5				8810A
Associate Justice	2	A		X		X			1						8805A
Chief Judge	1	A		X		X	1								8807F
Administrative Magistrate	902	A		X		X	1								8810F
Administrative Judge	619	A		X		X			1						8805F
Chief Judge, Workers' Comp	401	A		X		X									8807F
Administrative Clerk	326	A		X		X								M5	8846A
Associate Justice	2	A		X		X								F5	8805A
Associate Justice	128	A		X		X								M5	8805A
Chief Judge	1	A		X		X								F5	8807F
Clerk	80	A		X		X								M5	8832A
Associate Justice	278	A		X		X								F5	8805A
Director of Consumer Protection Education	1	A		X		X								F5	8835A
Administrator I	621	A		X		X								F5	8846A
			0	22	0	22	17	6	31	1	4	3	9	9	
<b>B</b>															
Project Manager	366	B	X			X	8	3	9						4430A

# APPLICANT DATA

AGENCY: JUDICIAL

DATE: June 30, 2016

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Hire	Promotion	Transfer Within	Terminations	Grade
							White Male	Minority	Female	Disabled					
Staff Attorney II	762	B		X		X	9	2	10		1	F1			8830A
Administrative Assistant	411	B	X			X	7	5	16		1		M5		J320A
Deputy Clerk Interpreter I	9	B	X			X		1	1				F2		4423A
Deputy Clerk Interpreter I	10	B	X			X			1				F5		4423A
Assistant Admin Policy & Programs	309	B	X			X	2	3	10		1		M5		4437A
Assistant Director Policy Office	374	B		X		X			1				F5		8839A
Sr. Monitoring & Eval Specialist	7	B		X		X	6	2	6		1	F5			8825A
Assistant Clerk	217	B	X			X	3	1	12				F5		4418A
Special Assisiant	15	B		X		X			1				F5		8829A
Deputy Clerk Interpreter	6	B				X		26	18		1	F2			4420A
Chambers Law Clerk	923	B		X		X			1			F5			8823A
Chambers Law Clerk	922	B		X		X	1					M5			8823A
Chambers Law Clerk	920	B		X		X	1					M5			8823A
Chambers Law Clerk	919	B		X		X			1			F5			8823A
Chambers Law Clerk	925	B		X		X	1					M5			8823A
Chambers Law Clerk	926	B		X		X			1			F5			8823A
Law Clerk	80	B		X		X			1			F5			8823A
Law Clerk	70	B		X		X			1			F5			8823A
Law Clerk	75	B		X		X	1					M5			8823A
Law Clerk	77	B		X		X			1			F5			8823A
Law Clerk	82	B		X		X	1					M5			8823A
Law Clerk	78	B		X		X			1			F5			8823A
Law Clerk	74	B		X		X	1					M5			8823A
Law Clerk	85	B		X		X	1					M5			8823A
Law Clerk	34	B		X		X	1					M5			8823A
Law Clerk	71	B		X		X	1					M5			8823A

# APPLICANT DATA

AGENCY: JUDICIAL

DATE: June 30, 2016

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Hire	Promotion	Transfer Within	Terminations	Grade
							White Male	Minority	Female	Disabled					
Law Clerk	79	B		X		X			1		F5			8823A	
Law Clerk	83	B		X		X			1		F5			8823A	
Law Clerk	84	B		X		X			1		F5			8823A	
Law Clerk	72	B		X		X		1			M5			8823A	
Law Clerk	76	B		X		X			1		F5			8823A	
Law Clerk	605	B		X		X			1		F5			8823A	
Law Clerk	606	B		X		X		1			M5			8823A	
Mediation Counselor	214	B		X		X		3	3			M5		J320A	
Staff Attorney II	762	B		X		X							F5	8830A	
Chambers Law Clerk	893	B		X		X							M5	8823A	
Chambers Law Clerk	891	B		X		X							F5	8823A	
Chambers Law Clerk	884	B		X		X							F5	8823A	
Chambers Law Clerk	888	B		X		X							M5	8823A	
Chambers Law Clerk	892	B		X		X							M5	8823A	
Chambers Law Clerk	887	B		X		X							F5	8823A	
Chambers Law Clerk	895	B		X		X							F5	8823A	
Chambers Law Clerk	889	B		X		X							M5	8823A	
Chambers Law Clerk	886	B		X		X							M5	8823A	
Law Clerk	69	B		X		X							F5	8823A	
Law Clerk	46	B		X		X							F5	8823A	
Law Clerk	36	B		X		X							M5	8823A	
Law Clerk	47	B		X		X							F5	8823A	
Law Clerk	40	B		X		X							F5	8823A	
Law Clerk	34	B		X		X							M5	8823A	
Law Clerk	43	B		X		X							F5	8823A	
Law Clerk	35	B		X		X							M5	8823A	

# APPLICANT DATA

AGENCY: JUDICIAL

DATE: June 30, 2016

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Hire	Promotion	Transfer Within	Terminations	Grade
							White Male	Minority	Female	Disabled					
Law Clerk	68	B		X		X								F5	8823A
Law Clerk	37	B		X		X								F5	8823A
Law Clerk	38	B		X		X								M5	8823A
Law Clerk	39	B		X		X								M1	8823A
Law Clerk	605	B		X		X								F5	8823A
Law Clerk	38	B		X		X								F3	8823A
Deputy Exec Asst. Communications	328	B		X		X								M5	8841A
Asst. Legal Counsel	601	B		X		X								M5	8822A
Mediation Counselor	214	B	X			X								F5	J320A
Administrative Assistant	411	B	X			X								M5	J320A
Assistant Intake Supervisor	6	B		X		X								F5	8828A
<b>E</b>			8	55	0	64	49	46	100	1	5	26	9	0	29
Monitoring & Eval Specialist	32	E		X		X	15	10	23	1	2	F5			8823A
Manger Calendar Services	167	E	X			X	5	4	6			F5			4424A
asst. Manger Calendar Service	146	E	X			X	6	4	11			F5			4423A
Monitoring & Eval Specialist	1	E		X		X	10	13	28			F1			8823A
Monitoring & Eval Specialist	2	E		X		X	10	13	28			M5			8823A
Project Coordinator	341	E	X			X	7	5	14			F5			4426A
Monitoring & Eval Specialist	32	E		X		X								F5	8823A
<b>F</b>			3	4	0	7	53	49	110	1	2	3	3	0	1
Senior Operations Clerk	355	F	X			X	2	2	8		1	F5			4416A
Senior Operations Clerk	356	F	X			X	2	2	8		1	F5			4416A
Senior Operations Clerk	357	F	X			X	2	2	8		1	F1			4416A
Supervising Deputy Clerk/Training	281	F	X			X	2	4	9			F1			4423A

# APPLICANT DATA

AGENCY: JUDICIAL

DATE: June 30, 2016

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants			Veterans	Hire	Promotion	Transfer Within	Terminations	Grade
							White Male	Minority	Female						
Deputy Clerk	316	F	X			X	6	1	3			F4			4420A
Deputy Clerk I	228	F	X			X	3	4	7			F5			4424A
Senior Operations Clerk	337	F	X			X	5	1	11			F5			4416A
Seasonal Court Liason	478	F		X		X	1	1	1		F1				419H
Data Entry Aide	466	F	X			X	36	70	169	6	5	F5			J310A
Data Entry Aide	308	F				X	36	70	169	6	5	F5			J310A
Seasonal Laborer	51	F		X		X	2	1			M5				420H
Seasonal Laborer	56	F		X		X	2	1			M5				420H
Seasonal Laborer	57	F		X		X	2	1			M2				420H
Seasonal Operations Clerk	480	F		X		X			1		F5				273H
Assistant Supervisory Clerk	216	F	X			X	5	1	5			F5			4422A
Electronic Court Reporter	481	F	X			X	1		1		M5				119A
Electronic Court Reporter	482	F	X			X	1		1		F5				119A
Assistant Clerk	367	F	X		X		2	1	6	1		F5			4418A
Deputy Clerk	206	F	X			X	1	1	1			F1			4420A
General Operations Asst.	371	F	X			X	7	2	13			F4			4414A
Records Clerk/Data Entry Aide	822	F	X			X	35	69	192			M5			4410A
Assistant Clerk	903	F	X			X	7	9	35	2	2	F5			4418A
Assistant Clerk	904	F	X			X	7	9	35	2	2	F5			4418A
Assistant Clerk	905	F	X			X	7	9	35	2	2	F5			4418A
Assistant Clerk	906	F	X			X	7	9	35	2	2	F5			4418A
Assistant Clerk	907	F	X			X	7	9	35	2	2	F2			4418A
Assistant Supervisory Clerk	908	F	X			X	4	5	19		1	F5			4422A
General Operations Asst.	371	F	X			X	7	2	13			F4			4414A
General Operations Asst.	24	F	X			X	5	3	16			F1			4414A
General Operations Asst.	368	F	X			X	5	3	16			F5			4414A

# APPLICANT DATA

AGENCY: JUDICIAL

DATE: June 30, 2016

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Veterans	Hire	Promotion	Transfer Within	Terminations	Grade
							White Male	Minority	Female	Disabled						
General Operations Asst.	369	F	X			X	5	3	16			F5			4414A	
General Operations Asst.	370	F	X			X	5	3	16			F5			4414A	
General Operations Asst.	371	F	X			X	5	3	16			F2			4414A	
General Operations Asst.	372	F	X			X	5	3	16			F5			4414A	
General Operations Asst.	373	F	X			X	5	3	16			F2			4414A	
Supervisory Clerk	363	F	X			X	3	6	16		1	F5			4426A	
Supervisory Clerk	364	F	X			X	3	6	16		1	F5			4426A	
Supervisory Clerk	365	F	X			X	3	6	16		1	F5			4426A	
Deputy Clerk	358	F	X			X	7	6	19	1		F5			4426A	
Deputy Clerk	359	F	X			X	7	6	19	1		F2			4426A	
Deputy Clerk	360	F	X			X	7	6	19	1		F5			4426A	
Deputy Clerk	361	F	X			X	7	6	19	1		F5			4426A	
Deputy Clerk	362	F	X			X	7	6	19	1		F5			4426A	
Associate Executive Asst.	12	F		X		X	3	3	13			F5			8826A	
Deputy Clerk	885	F	X			X	3	5	14	1	2	M5			4420A	
Seasonal Court Interpreter	871	F		X		X	1	20	17	1		F2			420H	
Administrative Asst.	837	F	X			X	5	2	12		1	M5			4413A	
Administrative Asst.	838	F	X			X	5	2	12		1	F5			4413A	
Administrative Asst.	839	F	X			X	5	2	12		1	F5			4413A	
Administrative Asst.	894	F	X			X	5	2	12		1	F5			4413A	
General Operations Asst.	776	F	X			X	2	2	12		1	F5			4414A	
Court Reporter	27	F	X			X	1	2	10			F5			1237A	
Seasonal Program Coordinator	1	F		X		X			1			F5			421H	
Data Entry Seasonal	4	F		X		X	1	2	1		1	F5			420H	
Data Entry Operator	757	F	X			X	2	4	8			F5			4412A	
Data Entry Operator	807	F	X			X	2	4	8			F5			4412A	

# APPLICANT DATA

AGENCY: JUDICIAL

DATE: June 30, 2016

Classification	Position Number	EEO Category	Union	Non-Union	List	No List	Applicants				Veterans	Hire	Promotion	Transfer Within	Terminations	Grade
							White Male	Minority	Female	Disabled						
Data Entry Operator	814	F	X			X	2	4	8							4412A
Data Entry Operator	816	F	X			X	2	4	8							4412A
Court Aide	376	F		X		X	9	24	37	1						277H
Court Aide	377	F		X		X	9	24	37	1						277H
Court Aide	378	F		X		X	9	24	37	1						277H
Data Entry Aide	244	F	X			X	1									J310A
Deputy Clerk	347	F	X			X	3	3	9							4420A
Court Aide	442	F		X		X	20	43	60	2	1	F5				277H
Court Aide	443	F		X		X	20	43	60	2	1	F2				277H
Court Aide	444	F		X		X	20	43	60	2	1	F5				277H
Social Caseworker	1	F		X		X	32	57	143	1	7	F5				8822A
Medical Advisory Board Coordinator	513	F	X			X	29	35	97	1	2	M5				4418A
Assistant Clerk	267	F	X			X	3	1	8							4418A
Records Clerk/Data Entry Aide	819	F	X			X	75	104	306	10	10	F5				4410A
Records Clerk/Data Entry Aide	820	F	X			X	75	104	306	10	10	F5				4410A
Data Entry Operator	223	F	X			X	4	1	10							4412A
Supervising Deputy Clerk/Training	281	F	X			X										4423A
Records Clerk/Data Entry Aide	822	F	X			X				3						4410A
Seasonal Laborer	907	F		X		X					7					420H
Clerk typist	348	F	X			X										J305A
Seasonal Laborer	51	F		X		X										420H
Seasona Court Liaison	478	F		X		X										419H
Records Clerk/Data Entry Aide	299	F	X			X										4410A
Seasonal Court Interpreter	871	F		X		X										270H
Deputy Clerk	567	F	X			X										J320A
Seasonal Program Coordinator	1	F		X		X										421H



### Applicant Flow Data

	TOTAL APPLICANTS	MALE					FEMALE					Totals		
		WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN/PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN/PACIFIC ISLANDER	AMER. INDIAN/ALASKAN NATIVE	*DISABLED	**VETERANS	
<b>APPLICANTS</b>														
OFFICIALS/ADMINISTRATORS	50	17	2				27	4					1	4
PROFESSIONALS	162	49	1	10		2	67	7	25	1			1	5
FACULTY	0													
TECHNICIANS	0													
PROTECTIVE SERVICES	0													
PARA-PROFESSIONALS	174	53	9	2	3		72	17	13	3	2		1	2
ADMINISTRATIVE SUPPORT	3149	626	54	61	34	20	1604	316	359	66	9		63	80
SKILLED CRAFT	0													
SERVICE/MAINTENANCE	0													
<b>TOTAL</b>	<b>3535</b>	<b>745</b>	<b>66</b>	<b>73</b>	<b>37</b>	<b>22</b>	<b>1770</b>	<b>344</b>	<b>397</b>	<b>70</b>	<b>11</b>		<b>66</b>	<b>91</b>
<b>HIRES</b>														
OFFICIALS/ADMINISTRATORS	4	1					3							
PROFESSIONALS	26	11					13	1	1					
FACULTY	0													
TECHNICIANS	0													
PROTECTIVE SERVICES	0													
PARA-PROFESSIONALS	3	1					1	1						
ADMINISTRATIVE SUPPORT	24	5	1	1			14	1	2					
SKILLED CRAFT	0													
SERVICE/MAINTENANCE	0													
<b>TOTAL</b>	<b>57</b>	<b>18</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>31</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>0</b>		<b>0</b>	<b>0</b>
<b>PROMOTIONS</b>														
OFFICIALS/ADMINISTRATORS	9	5	1				3							
PROFESSIONALS	9	3					5		1					
FACULTY	0													
TECHNICIANS	0													
PROTECTIVE SERVICES	0													
PARA-PROFESSIONALS	3						3							
ADMINISTRATIVE SUPPORT	48	6					30	4	5	3				1
SKILLED CRAFT	0													
SERVICE/MAINTENANCE	0													
<b>TOTAL</b>	<b>69</b>	<b>14</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>41</b>	<b>4</b>	<b>6</b>	<b>3</b>	<b>0</b>		<b>0</b>	<b>1</b>
<b>TERMINATIONS</b>														
OFFICIALS/ADMINISTRATORS	9	4					5							
PROFESSIONALS	29	12	1				15				1			
FACULTY	0													
TECHNICIANS	0													
PROTECTIVE SERVICES	0													
PARA-PROFESSIONALS	1						1							
ADMINISTRATIVE SUPPORT	19	5					10	1	2		1			
SKILLED CRAFT	0													
SERVICE/MAINTENANCE	0													
<b>TOTAL</b>	<b>58</b>	<b>21</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>31</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>2</b>		<b>0</b>	<b>0</b>

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

**NOTE:** There were a total of 185 **additional** applicants NOT included in the table above as demographic information was not provided with the application submissions. Of the 185, 109 were in the administrative support category, 10 were in the para-professionals category, 65 were in the professionals category and 1 was in the officials/administrators category.





# JOB GROUP ANALYSIS SUMMARY

Agency: \_\_\_\_\_ JUDICIAL \_\_\_\_\_ DATE: \_\_\_\_\_ June 30, 2016

EEO Job Categories	Total Employees	Total Minorities	Total Disabled	Total Veterans	Male					Female						
					Total Males	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Females	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan
Officials/Managers/Administrators	126	6	0	5	76	71	4	1	0	0	50	49	1	0	0	
Professionals	173	22	0	6	55	49	1	3	2	0	118	102	5	9	2	
Faculty	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Technicians	17	5	1	0	11	7	2	0	2	0	6	5	0	0	1	
Protective Services	8	1	0	0	6	5	1	0	0	0	2	2	0	0	0	
Para-Professionals	40	4	0	0	9	8	0	0	1	0	31	28	3	0	0	
Administrative Support	332	44	4	3	72	67	2	1	2	0	260	221	19	13	6	
Skilled Craft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Service Maintenance	9	1	0	1	8	7	0	1	0	0	1	1	0	0	0	
<b>GRAND TOTAL</b>	<b>705</b>	<b>83</b>	<b>5</b>	<b>15</b>	<b>237</b>	<b>214</b>	<b>10</b>	<b>6</b>	<b>7</b>	<b>0</b>	<b>468</b>	<b>408</b>	<b>28</b>	<b>22</b>	<b>9</b>	
<b>Percentages by Category:</b>		<b>11.77%</b>	<b>0.71%</b>	<b>2.13%</b>	<b>33.62%</b>	<b>30.35%</b>	<b>1.42%</b>	<b>0.85%</b>	<b>0.99%</b>	<b>0.00%</b>	<b>66.38%</b>	<b>57.87%</b>	<b>3.97%</b>	<b>3.12%</b>	<b>1.28%</b>	<b>0.14%</b>

Black 5.39%  
 Hispanic 3.97%  
 Asian Pacific 2.27%  
 American Indian 0.14%

# JOB GROUP ANALYSIS

EEO JOB Category Officials Managers & Administrators

DATE: June 30, 2016

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female					
						Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander
Chief Justice	8809F	1	0			1	1					0				
Associate Justice	8808F	4	0			3	3					1	1			
Presiding Justice	8807F	1	0			0						1	1			
Chief Judge	8807F	3	0			2	2					1	1			
Administrative Judge	8805F	2	0			0						2	2			
Associate Justice	8805F	28	2			17	15	2				11	11			
Chief Magistrate	8810F	1	0			1	1					0				
Administrative Magistrate	8810F	1	0			1	1									
Associate Judge	8810F	6	0			4	4					2	2			
Associate Judge (District Court)	8810F	10	2			5	3	1	1			5	5			
General Magistrate	8803F	2	0			1	1					1	1			
Magistrate	8803F	10	0			8	8					2	2			
Special Magistrate	8803F	1	0			1	1					0	0			
Judge, Traffic Tribunal	8803F	2	0			1	1					1	1			
Magistrate, Traffic Tribunal	8803F	4	0			3	3					1	1			
State Court Administrator	8848A	1	0			1	1					0	0			
Administrative Clerk	8846A	3	0			3	3					0	0			
Administrator I	8846A	1	0			1	1									





JOB GROUP ANALYSIS

EEO JOB Category Professionals

DATE: June 30, 2016

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female					
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander
Deputy Exe. Asst. Communications	8841A	1	0			0						1	1			
Asst. Director Policy Office	8839A	2	1			0						2	1	1		
Senior Policy Associate	8838A	1	0			1	1					0				
Asst. Admin. Policy & Programs	8837A	2	0			0						2	2			
Asst. Admin. Policy & Programs	4437A	2	0			2	2					0				
Staff Attorney V	8836A	5	0			2	2					3	3			
Deputy Director Community Affairs	8834A	1	0			1	1					0				
Deputy Administrator Clerk	8834A	1	0			1	1					0				
Staff Attorney IV	8834A	1	0			0						1	1			
Assistant Administrator/Management and Finance	8834A	1	0			1	1					0				
Administrative Manager	8834A	1	0			1	1					0				
Policy Associate	8834A	1	0			1	1					0				
Clerk	4434A	1	0			0						1	1			
Software Support Specialist	4433A	3	0			1	1					2	2			
Administrative Clerk (District Court)	4433A	2	0			0						2	2			
Deputy Director	4432A	1	0			1	1					0				
Staff Attorney III	8832A	9	1			4	3					5	5			
Asst. Disciplinary Counsel	8831A	2	0			0						2	2			
Confidential Investigator	8831A	2	1			2	1	1				0				
Project Manager	4430A	3	0			0						3	3			



JOB GROUP ANALYSIS

Law Clerk	8823A	19	0										10	10					
Law Clerk-Chambers	8823A	11	1					3	3				8	7					1
Monitoring & Evaluation Specialist	8823A	1	1					1					0						
Sr. Management Analyst	4423A	1	0					0					1	1					
Deputy Clerk Interpreter I	4423A	3	2					1		1			2	1					1
CASA Coordinator	5722A	1	0					0					1	1					
Supervising Deputy Clerk	J322A	6	0					1	1				5	5					
Volunteer Coordinator	J322A	1	0					1	1				0						
Assistant Supervisory Clerk	4422A	1	0					1	1				0						
Administrative Assistant	J320A	1	0					1	1				0						
Production Specialist	4420A	1	0					0					1	1					
Administrative Coordinator	J320A	1	0					1	1				0						
Deputy Clerk	J320A	22	7					3	2		1		19	13		3	2	2	1
Deputy Clerk/ Interpreter	4420A	2	2					0					2						2
Mediation Counselor	J320A	4	0					3	3				1	1					
Assistant Clerk (Superio Ct)	4418A	1	0					0					1	1					
Policy Aide	4418A	2	0					1	1				1	1					
Domestic Violence Liaison	J318A	1	0					0					1	1					
<b>SUBTOTAL</b>		<b>173</b>	<b>22</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>55</b>	<b>49</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>118</b>	<b>102</b>	<b>5</b>	<b>9</b>	<b>2</b>	<b>0</b>	<b>0</b>

<b>PERCENTAGES BY CATEGORY:</b>	12.72%	0.00%	0.00%	31.79%	28.32%	0.58%	1.73%	1.16%	0.00%	68.21%	58.96%	2.89%	5.20%	1.16%	0.00%
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Black 3.47%  
 Hispanic 6.94%  
 Asian Pacific 2.31%  
 American Indian 0.00%



# JOB GROUP ANALYSIS

EEO JOB Category Technicians

DATE: June 30, 2016

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female							
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan	
Assistant Director, Policy Office	8839A	2	2			2		1				1						
Principal/Court Functional Specialist	8836A	1	0			0								1				
Senior Developer	8835A	1	1			0											1	
Software Support Specialist	4433A	1	0			1	1											
Project Manager	4430A	4	1			4	3	1										
Project Manager	8830A	2	0			2	2											
Principal Assistant Administrator	4425A	1	0			0												
Sr. Management Analyst	4423A	3	1			1							1					
Sr. Administrative Aide	4421A	2	0			1	1											
<b>SUBTOTAL</b>		<b>17</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>11</b>	<b>7</b>	<b>2</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>6</b>	<b>5</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>

PERCENTAGES BY CATEGORY:	29.41%	0.00%	0.00%	64.71%	41.18%	11.76%	0.00%	11.76%	0.00%	35.29%	29.41%	0.00%	0.00%	5.88%	0.00%
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Black	11.76%
Hispanic	0.00%
Asian Pacific	17.65%
American Indian	0.00%

JOB GROUP ANALYSIS

EEO JOB Category Protective Services

DATE: June 30, 2016

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female						
						Total Male	White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan	Total Female	White	Black	Hispanic	Asian/Pacific Islander	American Indian/Alaskan
Principal Assistant Administrator	4425A	1	0			1	1					0					
Security Officer	4419A	7	1			5	4	1				2	2				
		0	0			0						0					
		0	0			0						0					
		0	0			0						0					
<b>SUBTOTAL</b>		<b>8</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>5</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>PERCENTAGES BY CATEGORY:</b>			12.50%	0.00%	0.00%	75.00%	62.50%	12.50%	0.00%	0.00%	0.00%	25.00%	25.00%	0.00%	0.00%	0.00%	0.00%

Black 12.50%  
 Hispanic 0.00%  
 Asian Pacific 0.00%  
 American Indian 0.00%

# JOB GROUP ANALYSIS

EEO JOB Category Para-Professionals

DATE: June 30, 2016

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female					
						Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander
Sr. Fiscal Officer	4432	1	0			0						1	1			
Administrative Assistant	4429A	1	0			0						1	1			
Administrative Clerk	8829A	1	0			0						1	1			
Bar Administrator	8829A	1	0			0						1	1			
Sr. Manager-Calendar Services	J328A	1	0			1	1					0				
Admin. Clerk/Office Services	4427A	3	0			0						3	3			
Coordinator Special Projects	8827A	1	0			0						1	1			
Project Coordinator	4426A	1	0			0						1	1			
Principal Administrative Clerk	4425A	1	0			0						1	1			
Manager Cal. Serv. (ProvCty.)	4424A	1	0			0						1	1			
Manager Cal. Serv. (Out County)	4424A	1	0			0						1	1			
Office Manager	4424A	3	0			0						3	3			
AsstMgCalendar Serv(ProvCty)	4423A	1	0			0						1	1			
AsstMgCalendar Serv(OutCty)	4423A	1	0			0						1	1			
Sr. Management Analyst	4423A	2	0			0						2	2			
Monitoring & Eval. Specialist	8823A	7	2			4	3					3	2	1		
Assistant Supervisory Clerk	4422A	1	0			0						1	1			
Assistant Administrative Officer	8821A	1	0			0						1	1			

JOB GROUP ANALYSIS

Deputy Clerk	4420A	1	1	1	0							1	1						
Mediation Counselor	J320A	1	0		0							1	1						
Rcds.Custodian/DcmtsDist (StLbry)	4418A	3	0		2							1	1						
Confidential Secretary	8817A	1	0		0							1	1						
Sr. Administrative Aide	J317A	2	0		1							1	1						
Administrative Aide	4416A	1	1		0							1	1						
Administrative Assistant II	8815A	2	0		1							1	1						
SUBTOTAL		40	4	0	0	0	0	0	0	0	0	31	28	3	0	0	0	0	0

PERCENTAGES BY CATEGORY:	10.00%	0.00%	0.00%	22.50%	20.00%	0.00%	0.00%	2.50%	0.00%	77.50%	70.00%	7.50%	0.00%	0.00%
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- Black 7.50%
- Hispanic 0.00%
- Asian Pacific 2.50%
- American Indian 0.00%

## Job Group Analysis

EEO JOB Category Administrative Support

DATE: June 30, 2016

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	TOTAL DISABLED	TOTAL VETERANS	Male					Female					
						Total Male	White	Black	Hispanic	Asian/ Pacific Islander	American Indian Alaskan	Total Female	White	Black	Hispanic	Asian/ Pacific Islander
Executive Assistant	336A	1	0			0						1	1			
Prin. Supervisory Clerk	8830A	3	0			1	1					2	2			
Project Manager	8830A	3	0			0						3	3			
Special Assistant	8829A	2	0			0						2	2			
Administrative Assistant	4429A	2	0			0						2	2			
Seasonal-CASA Volunteer Coordinator	40284H	1	1									1		1		
Court Reporter	327A	5	1			0						5	4	1		
Administrative Clerk Office Serv.	4427A	1	0			0						1	1			
Coordinator, Special Projects	8827A	4	0			1	1					3	3			
Court Reporter	127A	40	0			1	1					39	39			
Supervisory Clerk	J326A	1	0			1	1					0				
Supervisory Clerk	4426A	4	1			0						4	3	1		
Assoc. Executive Assistant	8826A	3	0			1	1					2	2			
Prin. Administrative Clerk	4425A	1	0			0						1	1			
Executive Sec. to Chief Judge	8825A	1	0			0						1	1			
Princ. Asst. Administrator	8825A	3	0			2	2					1	1			
Prin. Deputy Clerk Systems	8825A	1	0			0						1	1			
Sr. Monitoring & Eval Spec	8825A	1	1			1						0				











## **PART D**

### **DETERMINING UNDER-REPRESENTATION**

**DETERMINING UNDERREPRESENTATION & GOAL SETTING**

AGENCY: Judicial DATE: June 30, 2016

EO-4 Job Categories	WORKFORCE										UNDERREPRESENTATION										AAP HIRING GOALS					
	TOTAL EMPLOYEES	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/PACIFIC	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/PACIFIC	MINORITY	FEMALE	VETERANS	DISABLED	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN/PACIFIC	
Officials/Managers/Administrators	126	6	50	5		5	1			24	12	5	9	3	15	1	4	2								
Professionals	173	22	118	6		6	12	4		20	-33	8	12	5	10	1	2	2								
Faculty										0	0	0	0	0	0	0	0									
Technicians	17	5	6		1	2		3		-1	2	1	0	-1	2	0	-2									
Protective Services	8	1	2			1				1	2	1	1	-1	1	0	0									
Para-Professionals	40	4	31			3		1		6	-11	3	3	-1	5	0	0	1								
Administrative Support	332	44	260	3	4	21	14	1	8	36	-98	24	19	0	28	0	3	2								
Skilled Craft										0	0	0	0	0	0	0	0									
Service Maintenance	9	1	1	1			1			1	3	0	1	1	0	0	0									

## **PART E**

# **IDENTIFICATION AND ANALYSIS OF PROBLEM AREAS**

## 1. SELF-EVALUATION

### ***Workforce Composition:***

The Rhode Island Judiciary's minority percentage as of June 30, 2016 was 11.77%, a slight increase from FY2015 which was 11.36%. In FY2016, there were 57 new hires, 8 of whom were members of the minority community (14%). During that period the Judiciary had 58 terminations, 6 of whom were minorities (10.3%). The female workforce percentage in the Rhode Island State Court system as of June 30, 2016 increased by 0.89% from 65.49% last year to 66.38% in FY2016.

There was increase in the Judiciary's workforce as illustrated on the Statistical Summary table (page 37). This increase is strictly the result of including seasonal employees (limited period or part-time positions under 925 hours per year) into the statistical EEO data. Seasonal positions as of June 30, 2016 totaled 27 (14 of which will become full time equivalencies in FY2017, while 13 will remain seasonal).

The Judiciary met its hiring goal in the para professionals category and exceeded its goal in the administrative support category. However, the Judiciary fell short in the officials/managers/administrators, professionals, and service maintenance categories. Despite the small number of new hires each year, coupled with the turnover as a result of the one-year appointments of law clerks, the Judiciary does make incremental improvements. Agencies that have a large number of vacancies that are filled have greater opportunity to increase the number of minority hires. With only 57 new hires over the course of FY2016, it's important to look at the number of new hires as a percentage of the workforce, as well as the number of minority hires as a percentage of all new hires. The Judiciary hired only 57 new employees (8% of the total employees); however, 14% (8 of the 57) were minorities. Furthermore, it's worth noting that the percentage increase of total employees from FY2015 (678) to that for FY2016 (705) is an increase of 4%, while the percentage increase of minority employees from FY2015 (77) to that for FY2016 (83) represents an increase of 8%. Although these numbers did not meet the goals set in the previous year, they demonstrate improvement.

### ***Personnel Policies and Orientation:***

The Judiciary will continue its efforts to ensure that all internal personnel policies and management practices are administered consistent with its policy of Equal Employment Opportunity. All equal opportunity information such as grievance procedure, counseling, etc., will be provided to newly hired employees and will be posted on bulletin boards.

New employees report to the Employee Relations Office for their orientation. The office explains employee benefits as part of their orientation. The grievance procedure is posted on bulletin boards in each of the courts within the Judiciary so all employees may be informed.

RESPONSIBLE OFFICIALS:

Assistant State Court Administrator/Employee Relations  
Division Heads/Supervisors

***Individuals with Disabilities:***

The Judiciary is working with the Governor's Commission on Disabilities to implement the federal Americans with Disabilities Act regulations. The Judiciary has appointed Julie Hamil, the Supreme Court General Counsel, and Steve Kerr, the Director for Facilities and Operations, to work with the Commission to correct, if any, discriminatory practices. The designees work with the appropriate department heads to ensure that all renovations meet ADA standards.

RESPONSIBLE OFFICIALS:

State Court Administrator  
ADA Coordinator  
504 Coordinator  
Director for Facilities and Operations

***Employee Assistance:***

All information on the Employee Assistance Program Counseling is available to all court employees. Division heads/supervisors will be responsible for identifying and confronting any troubled employee experiencing difficulties with alcoholism, substance abuse, and personal/family problems that are affecting job performance.

The Assistant State Court Administrator/Employee Relations has advised division heads/supervisors on the role of the Employee Assistance Program. Printed information on available employee assistance programs has been distributed to all court offices and is available to employees. Additionally, updated information for the program administrator, CARE24, is available to employees on the Intra-Judiciary website.

RESPONSIBLE OFFICIALS:

Division Heads/Supervisors

***Workforce Attitude:***

The Judiciary has a standing Permanent Advisory Committee on Women and Minorities in the Courts that has made recommendations on improving the treatment of and opportunities for women and minorities. The Judiciary continues to evaluate these recommendations, and the committee continues to monitor recommendations that are presented to the Chief Justice of the Supreme Court, the State Court Administrator, and Administrators of the individual Courts.

**Work Environment:**

No discrimination will be allowed within the Judiciary of any employee towards co-workers or people receiving services because of, and not limited to, race, gender, religious affiliation, national origin, age, handicapped, military service and sexual orientation/preference, gender identity or expression.

All allegations of discrimination will be thoroughly investigated and appropriate actions taken to correct any discriminatory practices. Information supporting the Judiciary's stance against any form of harassment is included in the Judiciary's Personnel Rules and Regulations (Employee Handbook) that was distributed to all court employees and is distributed to all new hires on an ongoing basis.

RESPONSIBLE OFFICIALS:

State Equal Opportunity Office  
Appointing Authorities  
Division Heads/Supervisors  
EEO Program Coordinator

**2. POSTING OF POSITIONS**

Since September 2014, vacancy Notices are properly posted on the State's APPLYRI system ensuring that all agencies on the minority list are properly notified. Postings are also distributed to all court locations to be posted on various employee bulletin boards for a minimum of 10 days unless by union agreement, an internal-only posting for members of the union is posted for five days. The Employee Relations Office also ensures that postings are made to the Judiciary website in addition to the APPLYRI website. It should be noted that the Judiciary continues to accept hard copy applications/resumes in addition to those submitted electronically through the APPLYRI website.

RESPONSIBLE OFFICIALS:

State Court Administrator  
Appointing Authorities  
Assistant State Court Administrator/Employee Relations  
EEO Program Coordinator

**3. EMPLOYMENT RECRUITMENT AND SELECTION PROCESS**

All courts follow the procedure of interviewing qualified candidates for a position and several names are then submitted to the appointing authority for selection. Letters with explanations are then sent out to the unsuccessful candidates explaining the reasons why she/he was not selected.

**Applicant Flow:**

In September 2014, the Judiciary began accepting applications submitted electronically through the ApplyRI state website. In addition, the Judiciary continues to accept hard copy resumes to ensure that individuals without access to a computer are able to submit employment applications. The Judiciary compiles the demographic information by combining data collected through the ApplyRI system and any data obtained from EEO cards voluntarily submitted with hard copy applications. Therefore, the demographic breakout of the applicant pool in the Applicant Flow table (page 35), which is based on the number of cards received coupled with the data collected and stored in the ApplyRI system, does not reflect the total number of applicants as some applicants choose not to provide demographic information. Specifically, there were a total of 185 applications in FY2016 that are not included on the Applicant Flow data table as demographic information was not provided. The 185 applications with unknown demographic information include 1 in the officials/administrators category, 65 in the professionals category, 7 in the para-professionals category and 103 in the administrative support group.

In FY2016, there were 57 new employees hired in the Judiciary, 23 of whom were Law Clerks (one-year appointments). Of the 57 new hires, 8 (14%) were members of the minority community and 37 (65%) were female. It is important to note that 57 of the 126 employees recorded in the Officials/Managers/Administrators Category as of June 30, 2016 consisted of Judges who are appointed by the Governor. By statute, the Judicial Nominating Commission is the body that makes judicial finalist recommendations to the Governor who, in turn, has the ultimate authority to make the judicial appointment with the advice and consent of the Senate. ***The Judiciary does not have a role in the selection process of applicants for judicial vacancies.***

Also note that effective January 1, 2014, the state application for employment (CS-14) was revised to comply with "Ban the Box" legislation (G.L. §28-5-7(7)) passed during the 2013 General Assembly session. As such, the Judiciary is utilizing the revised application and, consistent with the statute, does not ask any questions with respect to criminal history prior to the first interview.

Efforts will be made to recruit qualified applicants or eligible employees for employment opportunities without regard to race, color, religion, age, gender, national origin, sexual orientation, gender identity or expression, physical or mental handicap or military service.

Efforts will continue to review and monitor recruitment procedures to assure that no discriminatory practices exist. The appointing authorities are continuing to improve their recruiting procedures to assure that no discriminatory practices exist. The Equal Opportunity Advisory Committee receives copies of all vacancy notices and agrees to monitor posting locations.

RESPONSIBLE OFFICIALS:  
State Court Administrator  
Appointing Authorities  
Assistant State Court Administrator/Employee Relations  
EEO Program Coordinator

***Interviewing:***

The State Court Administrator, lower court administrators, the division heads/supervisors and/or appointing authorities interview all qualified job candidates. Division heads/supervisors are responsible for screening applicants. Affirmative Action/EEO Guidelines and job description qualifications and duties as described in vacancy notices are used as well as a review of an applicant's educational and work experience background in order to select qualified persons for interviews.

All interviewed applicants will be notified in writing with an explanation as to why they were not selected. The appointing authority of each court sends letters to all interviewed applicants with explanations as to the result of the application as an on-going function.

RESPONSIBLE OFFICIALS:  
State Court Administrator  
Appointing Authorities  
Division Heads/Supervisors

**4. TRANSFER AND PROMOTION PRACTICES:**

As more than fifty percent (50%) of employees of the judiciary are subject to collective bargaining agreements, the vast majority of promotions come from within the ranks of the Judiciary; often times, specifically from within the ranks of the court where the vacancy exists. As a result, the requirements of the collective bargaining agreements can hinder the court's ability to hire minorities since the filling of vacancies generally comes from the existing pool of employees within the Judiciary which currently has a minority representation of 11.77%.

***Upward Mobility:***

Efforts will be made to maximize the opportunities for career employee advancement. Efforts will include a periodic review of the Judiciary's personnel policies and procedures relevant to the agency's identification and removal of artificial or discriminatory barriers.

Vacancy notices are distributed for posting to all court locations and employees are encouraged to apply for promotional appointments. As a result of the Courts

efforts to encourage upward mobility, 69 employees were promoted. Of the 69 promotions, 14 (20%) were minorities.

**RESPONSIBLE OFFICIALS:**

State Court Administrator

Assistant State Court Administrator/ Employee Relations

Appointing Authorities

***Information on Examinations:***

Upward mobility programs and examination announcements within state service will be posted on all employee bulletin boards. In addition to vacancy notices for court positions, examination announcements within state service and vacancy notices for positions in other related state agencies are distributed to and posted in all court locations.

**RESPONSIBLE OFFICIALS:**

Division Heads/Supervisors

Assistant State Court Administrator/ Employee Relations

EEO Program Coordinator

***Career Ladders:***

Effort should be made, whenever possible, to promote qualified personnel from within the system. There were 69 promotions in FY2016 in the Rhode Island Judiciary. Of the 69 promotions, 54 (78%) were female, and 14 (20 %) were minority employees.

**RESPONSIBLE OFFICIALS:**

Chief Justice of the Supreme Court

Presiding Justice and Chief Judges of Lower Courts

State Court Administrator

Administrators of Lower Courts

***Information on Training and Career Development:***

Supervisors are encouraged to counsel employees on career development. Employees are encouraged and many have taken advantage of the state education-incentive program. This program is explained in the Judicial Employee Handbook and is provided to all new employees during their orientation session. All department heads and supervisors continue to notify employees of upcoming examinations and advancement opportunities. Examination announcements are distributed to appointing authorities for posting in their respective courts. In addition, three of the unions in the state court system have established a tuition reimbursement program in their respective bargaining agreements that allows for the reimbursement of approved courses within established funding levels.

RESPONSIBLE OFFICIALS:

Division Heads/Supervisors

Assistant State Court Administrator/ Employee Relations

EEO Program Coordinator

**5. FLEX TIME**

Temporary flex time is considered on a case-by-case basis by the individual appointing authorities upon written request by an employee as a special accommodation.

**6. TECHNICAL COMPLIANCE:**

Efforts will be made to ensure that all EEO policies and procedures and all vacancy notices are posted in visible areas for both employees and members of the general public. The Judiciary's website includes a link to the "EEO is the law" poster, mandated by the Federal Equal Employment Opportunity Office.

***EEO Committee:***

The Equal Employment Opportunity Advisory Committee, with representatives from each court, meets each year. The Committee will continue to analyze the data from each court to determine which courts are accomplishing hiring goals. The information will then be used to recommend models, which will be applied throughout the court system.

**7. TRAINING PROGRAMS:**

The Office of Training and Development oversees training programs that are available to employees of the Judiciary through OTD's website. Through their respective Court Administrators, employees are encouraged to enroll in these courses so they may enhance their job skills to increase their potential for promotions, and to improve their relationship with the public, their co-workers, and their supervisors. In addition, the individual courts will continue to hold training seminars for their employees as changes are made to laws and upgrades are made to the various data entry systems. The court's Judicial Technology Center also notifies employees of courses related to e-mail use, word processing and other computer programs.

All employees will be requested to participate in training and orientation programs offered by the State Equal Opportunity Office. Information on affirmative action plans, program activities, grievance procedures, as well as the appropriate officials to contact, will be made available to employees.

Diversity Awareness and Cultural Sensitivity Training was conducted for court employees on March 11, 2016. This training is facilitated by the Department of Justice, Community Relations Office. A total of thirty-four (34) employees, with representation from all of the state courts, participated in this training session.

This is an on-going effort in the Rhode Island Judiciary. The Court offers Diversity Awareness and Cultural Sensitivity training sessions for supervisors and staff. The Judiciary has six (6) Spanish interpreters for use in all the courts, and the Traffic Tribunal has posted a Vacancy Notice for two part-time Spanish Interpreters.

**RESPONSIBLE OFFICIALS:**

State Equal Opportunity Office

Appointing Authorities

Assistant State Court Administrator/Employee Relations

EEO Program Coordinator

***Job Related Training:***

Courses are available to provide job-related training for all court employees. In-service and job-related refresher training courses are available for new and current employees in order to maximize performance and enhance future career growth.

Training programs continue to be held for court employees. Emphasis is given to new employees so they may become familiar with the judicial system and its operation and data processing system. Refresher courses are also held periodically for employees as systems are changed and/or upgraded.

**8. TERMINATIONS**

During FY2016, 58 Judiciary employees terminated, retired from service or transferred to another state agency, 23 of whom were Law Clerks (one-year appointments). Of the 58 employees who terminated from service, 6 (10%) were members of the minority community and 36 (62%) were female.

**9. EXIT INTERVIEWS**

There is an on-going exit interview process for employees. Upon exiting, each employee will be asked to complete an exit report so that he/she may be apprised of his/her rights to appeal and to ensure that the departure of an employee is not due to discriminatory practices. All terminating employees are given an opportunity to complete the exit interview. The Judiciary will continue to distribute the exit survey to all terminating employees and will document this distribution using employee sign off forms.

RESPONSIBLE OFFICIALS: Administrators of each of the six courts

## APPENDIX

Equal Opportunity Statutes	68
Fair Employment Practices/Unbiased Work Environments	76
Sexual Harassment Statute	84
Employee Self-Identification of Disability And Request for Reasonable Accommodation	87
Americans with Disabilities/504 Complaint Procedure	89
State Equal Opportunity Office Discrimination Complaint Procedure	91
State Equal Opportunity Office Complaint Information Form	93
Retaliation/Coercion Statement	96
Exit Interview Procedure	98
Equal Employment Opportunity Advisory Committee	103
List of Enforcement Agencies	106

## **EQUAL OPPORTUNITY STATUTES**

# TITLE 28

## Labor and Labor Relations

### CHAPTER 28-5.1

#### Equal Opportunity and Affirmative Action

##### SECTION 28-5.1-1

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

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

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

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

##### SECTION 28-5.1-2

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

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

##### SECTION 28-5.1-3

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) Of the candidates considered for appointment by the governor and the general assembly, the governor and the general assembly shall give due consideration to recommendations made by representatives of Rhode Island's minority community based organizations through the Rhode Island Affirmative Action Professionals (RIAAP). The human resources outreach and diversity office shall act as the RIAAP's liaison with state government and shall forward the recommendations to appointing authorities.

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

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

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

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

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

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

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

### **SECTION 28-5.1-4**

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

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

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

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

### **SECTION 28-5.1-5**

**§ 28-5.1-5 Personnel administration.** – (a) The office of personnel administration of the department of administration shall prepare a comprehensive plan indicating the appropriate steps necessary to maintain and secure the equal opportunity responsibility and commitment of that division. The plan shall set forth attainable goals and target dates based upon a

utilization study for achievement of the goals, together with operational assignment for each element of the plan to assure measurable progress.

(2) The office of personnel administration shall:

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

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

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

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

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

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

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

## **SECTION 28-5.1-6**

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

## **SECTION 28-5.1-7**

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

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

## **SECTION 28-5.1-8**

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

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

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

### **SECTION 28-5.1-9**

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

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

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

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

### **SECTION 28-5.1-10**

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

### **SECTION 28-5.1-11**

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

## SECTION 28-5.1-12

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

## SECTION 28-5.1-13

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

## SECTION 28-5.1-14

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

## SECTION 28-5.1-15

§ 28-5.1-15 **State financial assistance.** – State agencies disbursing 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

**FAIR EMPLOYMENT PRACTICES/  
UNBIASED WORK ENVIRONMENTS**

# **TITLE 28**

## **Labor and Labor Relations**

### **CHAPTER 28-5**

#### **Fair Employment Practices**

##### **SECTION 28-5-7**

**§ 28-5-7 Unlawful employment practices.** – It shall be an unlawful employment practice:

(1) For any employer:

(i) To refuse to hire any applicant for employment because of his or her race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin;

(ii) Because of those reasons, to discharge an employee or discriminate against him or her with respect to hire, tenure, compensation, terms, conditions or privileges of employment, or any other matter directly or indirectly related to employment. However, if an insurer or employer extends insurance related benefits to persons other than or in addition to the named employee, nothing in this subdivision shall require those benefits to be offered to unmarried partners of named employees;

(iii) In the recruiting of individuals for employment or in hiring them, to utilize any employment agency, placement service, training school or center, labor organization, or any other employee referring source which the employer knows, or has reasonable cause to know, discriminates against individuals because of their race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin;

(iv) To refuse to reasonably accommodate an employee's or prospective employee's disability unless the employer can demonstrate that the accommodation would pose a hardship on the employer's program, enterprise, or business; or

(v) When an employee has presented to the employer an internal complaint alleging harassment in the workplace on the basis of race or color, religion, sex, disability, age, sexual orientation, gender identity or expression, or country of ancestral origin, to refuse to disclose in a timely manner in writing to that employee the disposition of the complaint, including a description of any action taken in resolution of the complaint; provided, however, no other personnel information shall be disclosed to the complainant.

(2)(i) For any employment agency to fail or refuse to properly classify or refer for employment or otherwise discriminate against any individual because of his or her race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin; or

(ii) For any employment agency, placement service, training school or center, labor organization, or any other employee referring source to comply with an employer's request for the referral of job applicants if the request indicates either directly or indirectly that the employer will not afford full and equal employment opportunities to individuals regardless of their race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin;

(3) For any labor organization:

(i) To deny full and equal membership rights to any applicant for membership because of his or her race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin;

(ii) Because of those reasons, to deny a member full and equal membership rights, expel him or her from membership, or otherwise discriminate in any manner against him or her with respect to his or her hire, tenure, compensation, terms, conditions or privileges of employment, or any other matter directly or indirectly related to membership or employment, whether or not authorized or required by the constitution or bylaws of the labor organization or by a collective labor agreement or other contract;

(iii) To fail or refuse to classify properly or refer for employment, or otherwise to discriminate against any member because of his or her race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin; or

(iv) To refuse to reasonably accommodate a member's or prospective member's disability unless the labor organization can demonstrate that the accommodation would pose a hardship on the labor organization's program, enterprise, or business;

(4) Except where based on a bona fide occupational qualification certified by the commission or where necessary to comply with any federal mandated affirmative action programs, for any employer or employment agency, labor organization, placement service, training school or center, or any other employee referring source, prior to employment or admission to membership of any individual, to:

(i) Elicit or attempt to elicit any information directly or indirectly pertaining to his or her race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin;

(ii) Make or keep a record of his or her race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin;

(iii) Use any form of application for employment, or personnel or membership blank containing questions or entries directly or indirectly pertaining to race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin;

(iv) Print or publish or cause to be printed or published any notice or advertisement relating to employment or membership indicating any preference, limitation, specification, or discrimination based upon race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin; or

(v) Establish, announce, or follow a policy of denying or limiting, through a quota system or otherwise, employment or membership opportunities of any group because of the race or color, religion, sex, sexual orientation, gender identity or expression, disability, age, or country of ancestral origin of that group;

(5) For any employer or employment agency, labor organization, placement service, training school or center, or any other employee referring source to discriminate in any manner against any individual because he or she has opposed any practice forbidden by this chapter, or because he or she has made a charge, testified, or assisted in any manner in any investigation, proceeding, or hearing under this chapter;

(6) For any person, whether or not an employer, employment agency, labor organization, or employee, to aid, abet, incite, compel, or coerce the doing of any act declared by this section to be an unlawful employment practice, or to obstruct or prevent any person from complying with the provisions of this chapter or any order issued pursuant to this chapter, or to attempt directly or indirectly to commit any act declared by this section to be an unlawful employment practice;

(7) For any employer to include on any application for employment, except applications for law enforcement agency positions or positions related to law enforcement agencies, a question inquiring or to otherwise inquire either orally or in writing whether the applicant has ever been arrested, charged with or convicted of any crime; provided, that:

(i) If a federal or state law or regulation creates a mandatory or presumptive disqualification from employment based on a person's conviction of one or more specified criminal offenses, an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses; or

(ii) If a standard fidelity bond or an equivalent bond is required for the position for which the applicant is seeking employment and his or her conviction of one or more specified criminal offenses would disqualify the applicant from obtaining such a bond, an employer may include a question or otherwise inquire whether the applicant has ever been convicted of any of those offenses; and

(iii) Notwithstanding, any employer may ask an applicant for information about his or her criminal convictions at the first interview or thereafter, in accordance with all applicable state and federal laws.

(8)(i) For any person who, on June 7, 1988, is providing either by direct payment or by making contributions to a fringe benefit fund or insurance program, benefits in violation with §§ 28-5-6, 28-5-7 and 28-5-38, until the expiration of a period of one year from June 7, 1988 or if there is an applicable collective bargaining agreement in effect on June 7, 1988, until the termination of that agreement, in order to come into compliance with §§ 28-5-6, 28-5-7 and 28-5-38, to reduce the benefits or the compensation provided any employee on June 7, 1988, either directly or by failing to provide sufficient contributions to a fringe benefit fund or insurance program.

(ii) Where the costs of these benefits on June 7, 1988 are apportioned between employers and employees, the payments or contributions required to comply with §§ 28-5-6, 28-5-7 and 28-5-38 may be made by employers and employees in the same proportion.

(iii) Nothing in this section shall prevent the readjustment of benefits or compensation for reasons unrelated to compliance with §§ 28-5-6, 28-5-7 and 28-5-38.

**TITLE 28**  
**Labor and Labor Relations**

**CHAPTER 28-5**  
**Fair Employment Practices**

**SECTION 28-5-41.1**

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



2013 MAY -9 PM 1:11

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

SECRETARY OF STATE  
STATE OF RHODE ISLAND

Lincoln D. Chafee  
Governor

EXECUTIVE ORDER

13-05

May 9, 2013

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

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

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

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

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

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

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

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

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

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

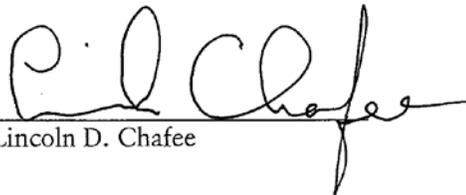
NOW, THEREFORE, I, LINCOLN D. CHAFEE, by virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

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

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

This Order shall take effect immediately.

So Ordered:



Lincoln D. Chafee

## SEXUAL HARASSMENT STATUTE

# PUBLIC LAW 97-118

## AN ACT

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

#### CHAPTER 51 SEXUAL HARASSMENT, EDUCATION AND TRAINING IN THE WORKPLACE

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

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

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

(b) Every employer shall:

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

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

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

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

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

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

(2003)

**EMPLOYEE SELF-IDENTIFICATION  
OF DISABILITY AND REQUEST FOR REASONABLE  
ACCOMMODATION FORM**

CONFIDENTIAL  
EMPLOYEE SELF-IDENTIFICATION OF DISABILITY &  
REQUEST FOR REASONABLE ACCOMMODATIONS

In accordance with the Americans with Disabilities Act of 1990, Rhode Island Law §28-5.1 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 desired position. FOR EO REPORTING PURPOSES ONLY. COMPLETION OF THIS FORM IS COMPLETELY VOLUNTARY.

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:

- |   |   |
|---|---|
| <input type="checkbox"/> AIDS   | <input type="checkbox"/> Alcoholism                     |
| <input type="checkbox"/> Blindness or Visual Impairment   | <input type="checkbox"/> Cancer                         |
| <input type="checkbox"/> Cerebral Palsy   | <input type="checkbox"/> Deafness or Hearing Impairment |
| <input type="checkbox"/> Diabetes   | <input type="checkbox"/> Drug Addiction                 |
| <input type="checkbox"/> Epilepsy   | <input type="checkbox"/> Heart Disease                  |
| <input type="checkbox"/> Mental Retardation   | <input type="checkbox"/> Mental or Emotional Illness    |
| <input type="checkbox"/> Multiple Sclerosis   | <input type="checkbox"/> Muscular Dystrophy             |
| <input type="checkbox"/> Orthopedic   |   |
| <input type="checkbox"/> Perceptual Disabilities such as: Dyslexia, Minimal Brain Dysfunction, Developmental Aphasias, or Speech Impairment |   |
| <input type="checkbox"/> Other  |   |

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

Additional Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

HEEO 5/90A  
REVISED 2/23/98  
SEE EO (401) 222-3090

**AMERICAN WITH DISABILITIES/504  
COMPLAINT FORM**

## AMERICANS WITH DISABILITIES/ 504 GRIEVANCE PROCEDURE

(Agency/Department) 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: (J.B. Person) who has been designated to coordinate ADA/504 Compliance efforts.

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

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

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

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

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

**STATE EQUAL OPPORTUNITY OFFICE  
DISCRIMINATION COMPLAINT PROCEDURE**

## GRIEVANCE PROCEDURE

### RHODE ISLAND EQUAL OPPORTUNITY OFFICE TELEPHONE (401) 222-3090 TDD (401) 222-6144

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

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

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

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

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

An individual may also file a complaint with the RI Human Rights Commission or the Equal Employment 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)

**STATE EQUAL OPPORTUNITY OFFICE  
COMPLAINT INFORMATION FORM**

DEPARTMENT OF ADMINISTRATION  
DIVISION OF HUMAN RESOURCES  
Equal Opportunity Office

COMPLAINT INFORMATION FORM

1. Complainant Information:  
State your name and address:

\_\_\_\_\_  
\_\_\_\_\_  
City State Zip Code  
Telephone Number (S)  
Work: \_\_\_\_\_  
Home: \_\_\_\_\_

2. Name of Department

\_\_\_\_\_

3. Name of Immediate Supervisor:

\_\_\_\_\_

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

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

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

\_\_\_\_\_

6. Date of alleged violation:

\_\_\_\_\_

7. Place of alleged violation:

\_\_\_\_\_

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

8. Basis alleged Complaint:

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

9. Nature Change:

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

**COMPLAINT INFORMATION FORM**  
(Continued)

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

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11. Why do you believe these events occurred?

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12. Have you brought this changed 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

## RETALIATION/COERCION STATEMENT

## RETALIATION/COERCION STATEMENT

The Judiciary is in compliance with Personnel Rule 12.10:

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

## **EXIT INTERVIEW PROCEDURE**

## CONFIDENTIAL EXIT INTERVIEW FORM

1. The purpose of this form is to record information concerning reasons why employees are terminated/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. Employee who is terminating or transferring completes the form, which is provided by the employee's court administrator. Employee is interviewed by the Chief Judge and/or court administrator.
4. The form is voluntary and confidential.

STATE EQUAL OPPORTUNITY OFFICE

1 Capitol Hill  
Providence, RI 02908-5865

Rhode Island Department of:

EXIT INTERVIEW SIGN-OFF FORM \*

NAME OF EMPLOYEE (Please print or type)

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

SIGNATURE OF EMPLOYEE

DATE EMPLOYEE SIGNED

\*\*\*\*\*

DATE EXIT INTERVIEW WAS  
MAILED TO EMPLOYEE

SIGNATURE OF PERSONNEL OFFICER

\* INSTRUCTIONS:

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

Revised 1990

Rhode Island State Equal Opportunity Office  
**CONFIDENTIAL EXIT SURVEY INQUIRY**

All information obtained from this inquiry will be handled in a confidential manner and will not be divulged to supervisors, co-workers, or anyone inside or outside the agency. The information will be used as a tool for change and improvements and will not be made part of your personnel record and will not be used to respond to reference checks by future employers. We ask that you be as honest and fair as possible. Please complete and return to the State Equal Opportunity Office, 1 Capitol Hill, Providence, RI 02908-5865. Thank you.

NAME _____ ADDRESS _____ TELEPHONE _____ DATE HIRED _____	JOB TITLE _____ DEPT./AGENCY _____ DIVISION / UNIT _____ DATE DEPARTED _____
--	---

(Please Check For Equal Opportunity Purposes Only)

Female <input type="checkbox"/>	White <input type="checkbox"/>	Asian Amer/Pacific Islander <input type="checkbox"/>	Hispanic <input type="checkbox"/>
Male <input type="checkbox"/>	Black <input type="checkbox"/>	Amer. Indian/Alaskan Native <input type="checkbox"/>	Handicapped <input type="checkbox"/>

What is your main reason for leaving? \_\_\_\_\_

\_\_\_\_\_

What did you like best about your job? \_\_\_\_\_

\_\_\_\_\_

What did you dislike about your job? \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

Do you feel career opportunities were adequately afforded to you? \_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

(Over)

Revised 1990

# CONFIDENTIAL EXIT SURVEY INQUIRY

(Continued)

Was your supervisor effective in handling problems or complaints? \_\_\_\_\_

Was the Leave of Absence Procedure clearly explained to you? \_\_\_\_\_

Did you receive fair treatment while employed? \_\_\_\_\_

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

Do You feel you were discriminated against? \_\_\_\_\_

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

DATE \_\_\_\_\_

Comments

**EQUAL EMPLOYMENT OPPORTUNITY  
ADVISORY COMMITTEE**

## **EQUAL EMPLOYMENT 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 include:
  - i. Representation from each division of agency (appointed by chief judge of each court)
  - ii. Various job levels
  - iii. Minorities, women, and the handicapped

### 2. **STRUCTURE:**

- a. Terms of membership
- b. Election of officers
- c. How many members (one from each court)
- d. Alternates
- e. Subcommittees
- 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 and, if necessary, make recommendations to improve

### 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 the absence of chairperson
  - b. Record minutes of the meeting
  - c. Prepare minutes for distribution
  
6. EEO COORDINATOR:
  - a. Ex-Officio
  - b. Advisor
  
7. EEO OFFICERS/LIAISONS:
  - a. Ex-Officio
  - b. Advisor
  
8. AGENCY HEAD:
  - a. Should make a commitment that all recommendations will be reviewed and acknowledged
  
9. EMPLOYEES SHOULD BE INFORMED OF AGENCY POLICY:
  - a. Newsletter
  - b. Pay envelopes
  - c. Employee handbook
  - d. Copies of the affirmative action plan policy statement of key program elements
  
10. The state equal opportunity officer may issue such guidelines, directives, or instructions as necessary to carry out the RI General Law §28-5.1.

## ENFORCEMENT AGENCIES

Department of Administration  
Office of Personnel Administration  
State Equal Opportunity Office  
One Capitol Hill  
Providence, RI 02908-5865  
TEL # (401) 222-3090  
TDD # (401) 222-6144  
FAX # (401) 222-6391

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

U.S. Equal Employment Opportunity Commission  
1801 L Street NW  
Washington, D.C. 20507  
TEL # (202) 663-4900/Voice  
TDD # (800) 800-3302  
FAX # (202) 663-4494 (for all Area Codes)

Department of Justice  
Office of the Americans with Disabilities Act  
Civil Rights Division  
P.O. Box 66118  
Washington, D.C. 20035-6118  
TEL # (202) 514-0301/Voice  
TDD # (202) 514-0381  
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