

# AFFIRMATIVE ACTION PLAN

July 1, 2022 to June 30, 2023

Submission Date: November 2, 2023

AFFIRMATIVE ACTION PLAN JULY 1, 2022 THROUGH JUNE 30, 2023<sup>1</sup>

# THE UNIVERSITY OF RHODE ISLAND

Green Hall 35 Campus Avenue Kingston, Rhode Island 02881

Accepted and Approved by: Marc B. Parlange, Ph.D. President, University of Rhode Island

State Equal Opportunity Officer Representative

<sup>&</sup>lt;sup>1</sup> Workforce data reported reflects employment actions that took place between July 1, 2021, and June 30, 2022 (FY2022). When appropriate, goals were established in accordance with the Rhode Island Department of Administration, Division of Equity, Diversity, and Inclusion (DEDI) guidelines for the reporting period of July 1, 2022, to June 30, 2023 (FY2023). The agency organization and structure section reflect the University's leadership as of June 30, 2023.

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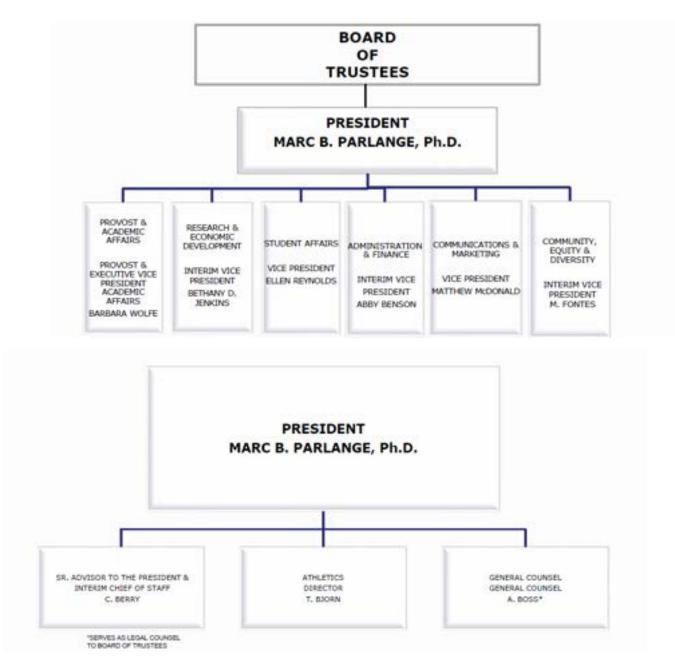
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# PART A

# UNIVERSITY OF RHODE ISLAND ORGANIZATION AND STRUCTURE

### **ORGANIZATIONAL CHART**



Other members of the President's Leadership Council, with different reporting lines, include; Anne Marie Coleman, Assistant Vice President, Office of Human Resource Administration; Dean Libutti, Associate Vice President of Enrollment Management and Student Success; Karlis Kaugars, Chief Information Officer, Information Technology Services; and Lil Breul O'Rourke, President of the University of Rhode Island Foundation. See page 8 for details.

# UNIVERSITY OF RHODE ISLAND STRUCTURE

The University of Rhode Island Board of Trustees is the University's governing body. The board is a public corporation that appoints and reviews the president. The board is responsible for establishing performance goals for the president and the University, and for the buildings, employees, and property of the University. The board approves the budget, the awarding of degrees, and the awarding of tenure to faculty.

The board consists of 17 members appointed by the governor in consultation with the University president, and with the consent of the Senate. The University president appoints one full-time student and one faculty member to serve on the board as non-voting members. The University president, the chair of the Council on Postsecondary Education, and the chair of the Rhode Island Board of Education also serve in an ex officio capacity.

# UNIVERSITY OF RHODE ISLAND HISTORY

The University was chartered as the state's agricultural school in 1888. The oldest structure in the district is the Oliver Watson Farmhouse (ca. 1796), part of the farmland purchased in 1888 to establish the agricultural school that would one day become the University of Rhode Island. The school became the Rhode Island College of Agriculture and Mechanic Arts in 1892, and the first class of 17 members graduated two years later.

The Morrill Act of 1862 provided for the sale of public lands. Income from these sales was to be used to create at least one college in each state with the principal purpose of teaching agriculture and mechanic arts. From this grant of land comes the term "land grant," which applied to the national system of state colleges. In a later adaptation of the concept, federal funds given to colleges for marine research and extension are called "sea grants."

In 1909 the name of the college was changed to Rhode Island State College, and the program of study was revised and expanded. In 1951 the college became the University of Rhode Island by an act of the General Assembly. The University has played an important role in the educations and careers of many from Rhode Island and beyond.

# UNIVERSITY OF RHODE ISLAND MISSION

The University of Rhode Island is the state's flagship land and sea-grant research institution, with a commitment to urban initiatives. A student-centered research institution, the University of Rhode Island actively partners with other organizations globally and locally to advance knowledge and to develop informed residents and leaders. The University of Rhode Island is committed to high-quality education, community engagement, and solving the world's most important challenges. Situated on the traditional land and territories of the Narragansett Nation and the Niantic People, the University of Rhode Island strives to create a diverse and inclusive environment for researchers, teachers, learners, and community members.

University of Rhode Island Foundational Values

- Freedom to learn, teach, create, and conduct research with integrity in the pursuit and dissemination of new knowledge aimed at contributing to the public good.
- An inclusive, accessible, equitable and diverse community whereby we respect the rights and dignity of all.
- Intellectual curiosity, lifelong learning, leadership, and scholarship in creating a thriving URI community in service to Rhode Island and the world.
- Sustainability and care of our environment conducive to the physical and mental health of our community.
- Self- and institutional reflection of our values in our work, scholarship, and interactions, holding ourselves, each other, and the institution accountable to uphold them to a high standard.

# DIVISION

Office of the President Interim Chief of Staff

Provost and Academic Affairs

Research and Economic Development

Administration and Finance

**Student Affairs** 

Communications and Marketing

Community, Equity and Diversity

Office of the General Counsel

Human Resources

Department of Athletics

Information Technology Services

Enrollment Management and Student Success

University of Rhode Island Foundation

### **OFFICE OF THE PRESIDENT**

### DIVISION

Office of the President

### CABINET MEMBER NAME AND TITLE

Marc B. Parlange, Ph.D., President Chelsea Berry, Interim Chief of Staff

Barbara E. Wolfe, Ph.D., Provost and Executive Vice President

Bethany D. Jenkins, Ph.D., Interim Vice President

Abby Benson, Interim Vice President

Ellen Reynolds, Ed. D., Vice President

Matthew McDonald, Vice President

Michelle E. Fontes, Interim Vice President

Alyssa V. Boss, Esq., General Counsel

Anne Marie Coleman, Assistant Vice President

Thorr D. Bjorn, Director of Athletics

Karlis Kaugars, Ph.D., Chief Information Officer

Dean Libutti, Ph.D., Associate Vice President

Lil Breul O'Rourke, President

# NAME AND TITLE

Chelsea Berry, Communications Specialist

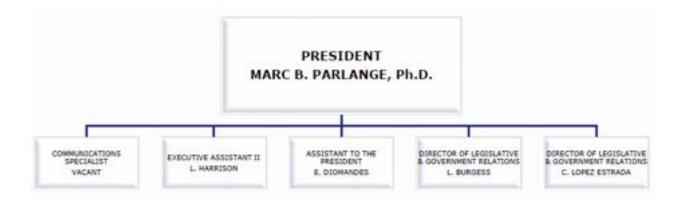
Lauren Burgess, Director, Legislative and Government Relations

Carlos Lopez Estrada, Director, Legislative Affairs and Government Relations

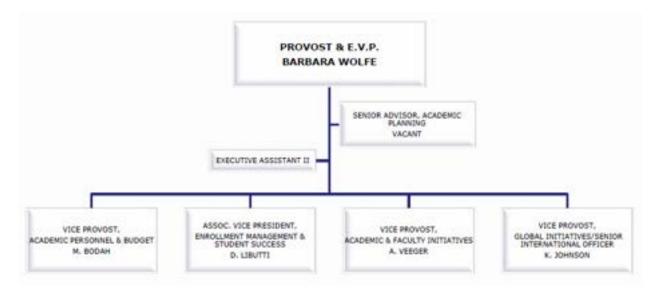
Emily Diomandes, Assistant to the President

Lisa Harrison, Executive Assistant II

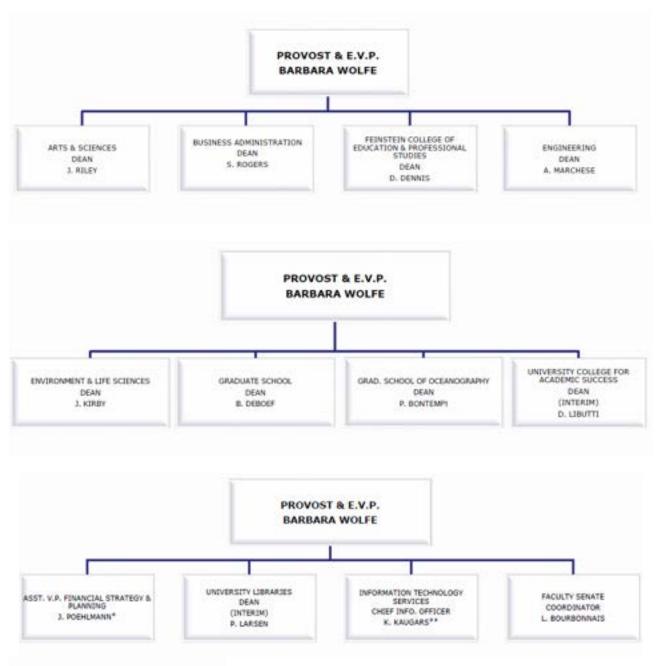
# **ORGANIZATIONAL CHARTS CONTINUED**



**ACADEMIC AFFAIRS** 



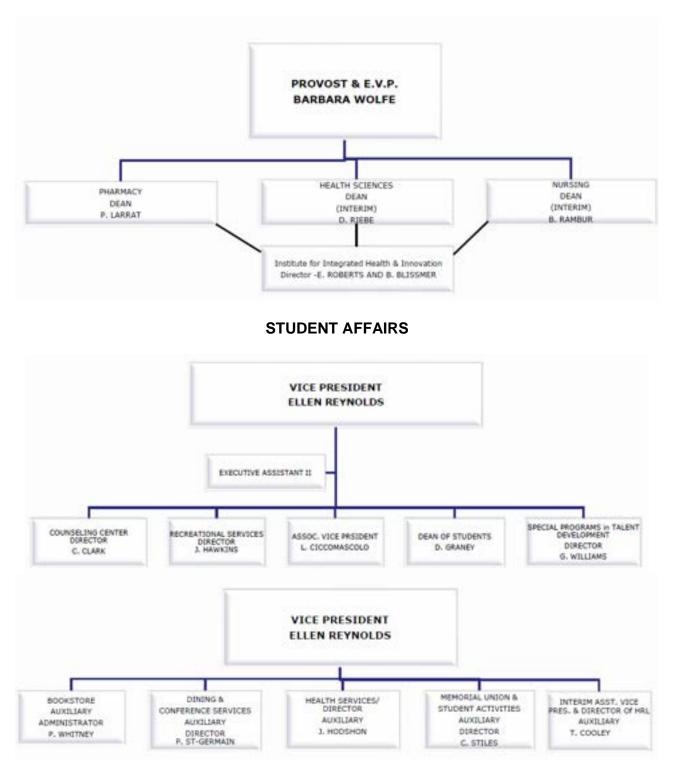
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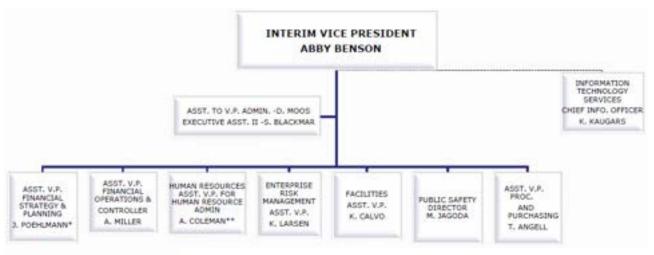
\* DUAL REPORT TO VP ADMIN & FINANCE

" DOTTED LINE REPORT TO VP ADMIN & FINANCE

# ACADEMIC AFFAIRS CONTINUED



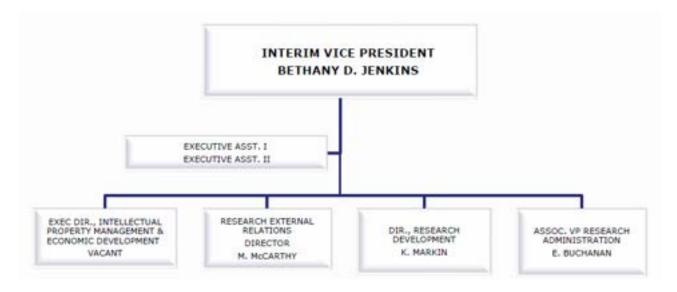
# **ADMINISTRATION AND FINANCE**



\*DUAL REPORT TO PROVOST

"SERVES AS A FUNCTIONAL RESOURCE FOR THE BOARD OF TRUSTEES

### **RESEARCH AND ECONOMIC DEVELOPMENT**



# UNIVERSITY CAMPUSES

### **KINGSTON CAMPUS**

Located in the historic village of Kingston, the University of Rhode Island is close to the ocean and major beaches. Our 1,200-acre campus, a mix of ivy-covered buildings and contemporary architecture, is 30 miles south of Providence, and within easy reach of Newport, Boston, and New York City.

### FEINSTEIN PROVIDENCE CAMPUS

The University's Alan Shawn Feinstein College of Education and Professional Studies and several other departments were housed at the historic Shepard Building in the heart of downtown Providence for part of fiscal year 2023. The Providence Campus, which has been serving students for more than 50 years, offers a wide variety of degree and certificate programs. The University of Rhode Island is moving out of the Feinstein Providence Campus at the end of 2023 calendar year.

### NARRAGANSETT BAY CAMPUS

Overlooking the West Passage of Narragansett Bay, this 153-acre campus is home to URI's highly acclaimed Graduate School of Oceanography, one of the top five oceanographic institutions in the country. The campus also houses the University's Coastal Institute on Narragansett Bay, which features an interactive coastal environment exhibit and conference center.

### W. ALTON JONES CAMPUS

Located in the western section of Rhode Island just 30 minutes from Providence, the Alton Jones Campus features 2,300 acres of pristine forests, streams, ponds, and a 75-acre lake. Alton Jones offers an ideal setting for important research projects and field work for classes in environmental sciences.

# NURSING EDUCATION CENTER

Located in a vibrant section of Providence, the Rhode Island Nursing Education Center opened in August 2017, offering 133,000 square feet of laboratory, classroom, and office space at 350 Eddy Street. The Center is the educational anchor of a regional hub for health care learning, practice, and biomedical research in Providence.

### **COLLEGE ORGANIZATION AND PROGRAM SUMMARIES**

The University of Rhode Island offers bachelor's degrees, master's degrees, and doctoral degrees in numerous undergraduate and graduate areas of study through nine degree-granting colleges. The Colleges include the College of Arts and Sciences, College of Business, Feinstein College of Education, College of Engineering, College of the Environment and Life Sciences, College of Health Sciences, College of Nursing, College of Pharmacy, and Graduate School of Oceanography.

### COLLEGE College of Arts and Sciences

### DEAN Jeanette Riley, Ph.D.

The College of Arts and Sciences encourages excellence in teaching through academic programs in the arts, humanities, social sciences, Harrington School of Communication and Media, mathematics, and physical sciences. The College of Arts and Sciences engages in internationally renowned programs of research, scholarship, and creative activities; and supports the application of knowledge through outreach to serve the changing needs of the state, the country, and the world. The College offers graduate and undergraduate programs of research, scholarship, and artistic expression to enable students to understand the intellectual and cultural heritages in the global community, the physical world, rapidly changing technologies and social, economic, and political development. The College promotes students' ethical and intellectual development and capabilities through critical and independent thinking, reading, and communicating. The College fosters breadth through engagement with theoretical foundations and basic skills, and depth through the intellectual challenges explored via intensive study in a field of concentration. Student-faculty interaction is enhanced through independent and collaborative experiences to inspire life-long learning and civic engagement.

# COLLEGE College of Business

### DEAN Sean Edmund Rogers, Ph.D.

The College of Business is the state's flagship institution for business, education, research, and outreach. The College offers a range of majors and specializations, with accredited programs at the bachelor's, master's, and doctoral levels. The College of Business is accredited by the Association to Advance Collegiate Schools of Business (AACSB). AACSB accreditation is highly sought after by universities due to its high level of academic merit— accreditation has been achieved by less than 6% of the world's schools offering business degree programs, and less than 2% have earned dual accreditation in accounting. With an interdisciplinary approach and emphasis on experiential learning and entrepreneurial thinking, our academic model encourages students to discover new perspectives. We combine a strong core in the liberal arts and sciences with a focused business curriculum, designed to expand the depth and breadth of your learning experience. Our courses push you to identify problems and find innovative solutions. At every level, the classroom offers you a safe space to learn and grow—inspiring critical thinking, communications, problem-solving, and a global outlook.

### COLLEGE Feinstein College of Education

The Feinstein College of Education spanned two (2) campuses during part of fiscal year 2023. As of the submission of this report, the Kingston Campus was the primary location of the College of Education. The College of Education offers a range of bachelor's, master's, doctoral, and teacher certification programs. The College of Education offers applied educational opportunities for traditional students, transfer, adult, and returning students. Our programs provide learners access to innovative and flexible approaches to gaining knowledge and practical experiences in community settings.

# COLLEGE College of Engineering

The College of Engineering is a diverse community of scholars, learners, and professional staff dedicated to the development and application of advanced technologies, working together to enhance the quality of life for all. We are creative problem-solvers, innovators, inventors, and entrepreneurs, applying our skills for the advancement of knowledge, service to our community, and the economic development of the

and beyond. We prepare our graduates to be global leaders in a wide range of engineering disciplines and to create new knowledge, products, and services.

### COLLEGE College of Environmental and Life Sciences

The College of Environmental and Life Sciences strives for excellence in teaching, research, and service, and prepares its students with the skills, knowledge, and insight to address the challenges of today's world and support their development as lifelong learners. The College fosters collaboration among undergraduate and graduate students, staff, and faculty in experiential learning and provides opportunities for students to apply their knowledge beyond the university, addressing contemporary problems through innovative, relevant, and scholarly research. The College extends research-based knowledge through community engagement in the tradition of Land Grant and Sea Grant heritage and is dedicated to outreach and service to the state, national, and global community.

### COLLEGE College of Health and Sciences

The College of Health Sciences promotes the health and well-being of individuals, families, and populations in a diverse global society through excellence in teaching, research, and outreach. The College of Health Sciences is a leader in education, research, and outreach in the promotion of optimal health and wellness across the lifespan. The College is committed to high-quality teaching that emphasizes evidence-based practices, engages students in multidisciplinary learning, and produces graduates who can effectively translate and apply knowledge in their professions. The College's research seeks to develop innovative solutions to complex problems that improve the health and well-being of others.

### DEAN Danielle Dennis, Ph.D.

DEAN Anthony Marchese, Ph.D.

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**INTERIM DEAN** 

Deborah Riebe, Ph.D.

### DEAN John Kirby, Ph.D.

### COLLEGE College of Nursing

### INTERIM DEAN Betty Rambur, Ph.D.

The College of Nursing prepares nurses to excel as outstanding and compassionate clinicians, scholars, and leaders who enhance the health care of individuals, families, communities, and populations both locally and globally. The College of Nursing values social justice, diversity, inclusivity, and civic engagement. The College of Nursing is a dynamic catalyst for improving health and transforming healthcare through innovation and excellence in education, knowledge development, discovery, and professional practice to meet the needs of a global society. The traditional undergraduate baccalaureate degree program has approximately 850 enrolled students and the graduate nursing programs has over 150 students. The baccalaureate degree program in nursing Practice program and post-graduate APRN certificate program at the University of Rhode Island are accredited by the Commission on Collegiate Nursing Education.

### COLLEGE College of Pharmacy

### DEAN E. Paul Larrat, Ph.D.

The URI College of Pharmacy is a welcoming and inclusive student-centered research community that pursues lives of service and intellectual exploration to solve scientific challenges and prepare students to deliver interdisciplinary healthcare with compassion and intention. The College brings together some of the brightest minds and most inventive scientists in the industry to deliver a world-class education in Biomedical and Pharmaceutical Sciences and Pharmacy Practice and Clinical Research. The College of Pharmacy is among the top 5% nationally in federal research funding and led the way in that category in the Northeast region in the last decade. The College has a top 10 rank in postgraduate year one (1) residency placements the highest in the region. Students are employed upon graduation at a rate of 97%. The College had the second-highest graduation rate in the Northeast last year and was among the schools with the highest pharmacy board pass rates.

### ACADEMIC SCHOOL Graduate School of Oceanography

### DEAN Paula S. Bontempi, Ph.D.

As one of the nation's premier academic oceanographic institutions, the University of Rhode Island's Graduate School of Oceanography (GSO) educates marine scientists, students, policymakers, business leaders, and citizens and helps develop the knowledge and skills necessary to address present and future marine challenges. This mission is accomplished through an integrated program of research, education, and public outreach. Field and shipbased observations, including time-series studies coupled with laboratory work and modeling, provide a comprehensive approach to studying coastal and blue water oceans throughout the world.

### ACADEMIC SCHOOL Graduate School

### DEAN Brenton DeBoef, Ph.D.

The University of Rhode Island Graduate School supports, advances, and champions graduate education. Serving over 2,000 graduate students, the Graduate School offers over 85 master's, doctoral, professional, and certificate programs. Graduate Faculty work in partnership with the Graduate School to manage degree programs, including requirements for admission and degree completion. The Graduate School is responsible for processing applications, granting degrees, and ensuring compliance with the University's policies for all advanced degree programs, with the exception of the Pharmacy Doctorate. Additionally, the Graduate School develops programming to help students build leadership and professional skills and provides tuition scholarships, fellowships, and grants to support student research.

# COLLEGE University College for Academic Success

### INTERIM DEAN Dean Libutti, Ph.D.

University College for Academic Success helps to create and sustain a clear, coherent, and inspiring academic environment for all undergraduate students, supporting their journey from orientation to commencement and on to employment. University College for Academic Success supports students, faculty, and staff through programs and services that enhance intellectual engagement both in and out of the classroom. Our priorities align with the 2021-2024 URI Strategic Plan, focusing on innovative strategies for greater retention, on-time graduation, and successful employment. A consequence of this support will be more satisfied graduates, with a greater propensity to give back to their alma mater.

# PART B

# AFFIRMATIVE ACTION PLAN ADMINISTRATION

# NON-ADMISSION STATEMENT

It is understood that the University of Rhode Island Affirmative Action Program, or any part thereof, does not constitute an admission by the University of Rhode Island of any violation of Executive Order 11246, as amended, Section 503 of the Rehabilitation Act of 1973, as amended, the Vietnam Era Veterans' Readjustment Act of 1974, as amended, Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, or any federal, state or local law. This Affirmative Action Plan has been developed to reaffirm the University of Rhode Island's policy of providing equal employment opportunity for all persons without regard to race, color, age, country of ancestral or national origin, genetic information, religion, disability status, military status, marital status, pregnancy status, whistleblower activity, sexual orientation, gender identification, or expression, status with regard to public assistance, or any other protected class, category, or characteristic. Goals have been established, where appropriate, to endeavor to meet affirmative action obligations. This document is not intended to and will not be used to discriminate against any applicant or employee because of race, national origin, religion, age, color, sex, sexual orientation, gender identity, disability, protected veteran status, or any other characteristic protected by local, state, or federal laws, rules, or regulations.

# PURPOSE

Affirmative action is defined by Office of Federal Contract Compliance Programs regulations as the obligation on the part of the contractor (University of Rhode Island) to take action to ensure that applicants are employed, and employees are treated during employment, without regard to their protected status. The purpose of this Affirmative Action Plan is to reaffirm our commitment to ensuring equal employment opportunities for applicants and employees. It is based on the premise that, absent discrimination, over time [the University of Rhode Island's] workforce generally will reflect the demographics of the qualified available workforce in the relevant job market. Affirmative action requirements are intended to ensure that applicants and employees of federal contractors have equal opportunity for recruitment, selection, advancement, and every other term and privilege associated with employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran."

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

The University of Rhode Island is actively committed to affirmative action and equal opportunity. The Office of Equal Opportunity is responsible for leading enterprise compliance with the law and spirit of affirmative action and equal employment opportunity in all aspects of employment and the administration of the University's policy on Nondiscrimination.

Pursuant to the philosophy of the University of Rhode Island Board of Trustees, the University prohibits discrimination, including harassment and retaliation, due to protected status, in employment and service delivery. It is the policy of the University to promote fair and equitable treatment in all activities and to comply with Titles VI and VII of the Civil Rights Act of 1964, as amended; Title IX of the 1972 Educational Amendments to the Higher Education Act; the

Age Discrimination in Employment Act of 1967; Section 503 of the Rehabilitation Act of 1973, as amended; and Section 504 of the Rehabilitation Act of 1973, as amended; Section 402 of the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended; the Equal Pay Act of 1963, as amended; the Americans with Disabilities Act of 1990; the Americans with Disabilities Act Amendments Act of 2008; the Genetic Information Nondiscrimination Act of 2008; Executive Order 11246, as amended; Executive Order 91-39; Executive Order 92-2; and Rhode Island General Laws §§ 28-5-1, and other applicable local, state, or federal laws, rules, or regulations.

# a. Hiring and Recruitment

The University of Rhode Island is an equal-opportunity employer committed to community, equity and diversity, and to the principles of affirmative action. All employees and applicants have a right to equal opportunity in all terms, conditions, or privileges of employment, including, but not limited to recruitment, hiring, certification, appointments, working conditions, work assignments, promotions, benefits, compensation, training, transfers, layoffs, recall from layoffs, disciplinary actions, terminations, demotions, or requests for leave.

The Office of Equal Opportunity supports the recruitment, selection, and hiring process by enforcing compliance with Title VII of the Civil Rights Act of 1964, Executive Order 11246, the Americans with Disabilities Act of 1990, and Section 503 of the Rehabilitation Act of 1973. Through this effort, the Office of Equal Opportunity works with the University leadership to establish and measure recruitment goals, offers training on civil rights topics, and educates those involved in the recruitment, selection, and hiring process to minimize bias and discrimination in all aspects of employment.

During the hiring and recruitment phase:

- Hiring authorities, search chairs, search committees, and the Office of Human Resource Administration will make efforts to conduct outreach and seek referrals of qualified individuals to increase the flow of minority, female, and other underrepresented candidates;
- As appropriate, the University of Rhode Island will make efforts to advertise a reasonable portion of vacancy announcements in media directed to minorities, women, and other underrepresented groups;
- 3) The Office of Human Resource Administration and hiring authorities will evaluate and analyze job requirements using job-performance criteria. Special attention will be given to academic accomplishments, experience, and skills requirements to ensure that such specifications are consistent and free from bias that could lead to exclusion and discrimination. When requirements screen out a disproportionate number of candidates from protected groups, the continued use thereof will be evaluated, "validation" will be considered; and
- 4) The Office of Equal Opportunity will conduct periodic underutilization analysis and distribute its findings. See page 102 for the FY2022 Identification and Analysis of Growth areas to review the latest underutilization analysis.

# b. Employment

All employment decisions will be made without regard to race, color, age, country of ancestral or national origin, genetic information, religion, disability status, military status, marital status, pregnancy status, whistleblower activity, sexual orientation, gender identification, or expression, status with regard to public assistance, or any other protected class, category, or characteristic.

The University of Rhode Island will post all vacancies on the University's website. To engage a wide applicant pool that is representative of the communities the University serves, hiring authorities, search chairs, search committees, and the Office of Human Resource Administration will make efforts to distribute vacancy announcements on career management websites administered by professional associations, and service organizations, whenever possible. This will be done in consultation with the Office of Human Resource Administration. Additional information regarding outreach can be found in the Employment Recruitment and Selection Process section, page 119.

# c. Sexual Harassment

The University of Rhode Island recognizes its obligation to provide an atmosphere free of harassment and intimidation. Any forms of sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature, will not be tolerated. Violations of this policy will be handled appropriately as part of the university's disciplinary procedures and its posted policy letter in support of the federal guidelines on sexual harassment. Harassment by supervisors or coworkers in employment based on race, color, age, country of ancestral or national origin, genetic information, religion, disability status, military status, marital status, pregnancy status, whistleblower status with regard to public assistance, sexual orientation, activity, aender identification/expression, or any other protected class, category, or characteristic is an unlawful employment practice and will be addressed through the University's Policy on Nondiscrimination, which was administered by the Office of Equal Opportunity. Harassment in service delivery is addressed through the University's Policy on Sexual Misconduct, which is administered by the Title IX Coordinator.

The Office of Equal Opportunity takes reasonable steps to prevent harassment in employment from occurring by informing employees of their right to raise the issue of sexual harassment under Title VII of the Civil Rights Act of 1964 and offers training to educate supervisors and employees of the nature of this problem. Under Title VII of the Civil Rights Act of 1964, sex is defined to include pregnancy, sexual orientation, and gender identity.

The Title IX Coordinator takes reasonable steps to prevent harassment in education programs or activities from occurring by informing students and relevant stakeholders of their right to raise the issue of sexual harassment under Title IX of the Education Amendments of 1972 and offers training to educate students and university personnel of the nature and prevention of this problem.

# d. Equal Opportunity Program Coordinator

Dorca P. Smalley, Director of the Office of Equal Opportunity, has been designated by the President as the person who shall have overall responsibility for the implementation and maintenance of the University's civil rights compliance programs; Titles VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, and the Americans with Disabilities Amendments Act of 2008, affirmative action, and equal opportunity. In this capacity, the Office of Equal Opportunity offers training on civil rights topics, gathers and reports statistical data, works with the University leadership to establish goals and timetables, and works with stakeholders across campus to investigate and address illegal discrimination and harassment.

# e. Americans with Disabilities Act Program Coordinator

Dorca P. Smalley, Director of the Office of Equal Opportunity, has been designated as the Coordinator of enterprise compliance with the Americans with Disabilities Act and the Rehabilitation Act and serves as the institutional Section 504 Coordinator. The Office of Equal Opportunity is responsible for investigating complaints of discrimination or harassment on the basis of disability and other protected categories, in employment and service delivery. The Office of Equal Opportunity works with the individuals below to promote accessibility inclusivity in service delivery and employment:

- Laura Kenerson, Director of Personnel Services, is the designated Section 501 and Section 503 Coordinator, responsible for approving and monitoring reasonable accommodation requests made by University personnel and applicants. Requests for work accommodation are made in writing to the Director of Personnel Services, who is a member of the Office of Human Resource Administration and consults with appropriate officials to consider the request. Once an accommodation is made for an employee, its effectiveness is periodically monitored by both the employee and the Office of Human Resource Administration. If, at some point, the accommodation ceases to be effective in enabling the person to perform the job or is no longer deemed to be necessary (upon medical documentation), alternative accommodation is sought if appropriate.
- Lauren Jensen, Esq., Associate General Counsel, is the designated Office of General Counsel liaison for any questions relating to compliance with the ADA, Section 504, and any other state and federal laws that provide protections for individuals with disabilities. The General Counsel is the chief legal officer of the University and is responsible for the coordination and management of all legal issues affecting the University.
- Paige Ramsdell, Assistant Dean, Disability, Access, and Inclusion, promotes compliance with Section 504 of the Rehabilitation Act by accepting, reviewing, and approving reasonable accommodation requests made by students.

- Brandon J. C. Fuller, Manager of Web Communications, is responsible for promoting website accessibility.
- The Facilities Group is responsible for ensuring Americans with Disabilities Act standards for accessible design are met in accordance with Title II and Title III regulations, which require that people with disabilities have access to spaces to allow equal participation in University events.

Achieving full participation and integration of people with disabilities requires the cooperative efforts and responsibility of all University departments, offices, and personnel.

I, the undersigned, concur in the above-referenced policy statements and will ensure its implementation.

Marc B. Parlange, Ph.D. President, University of Rhode Island

# 2. DIVERSITY OFFICERS WORKING GROUP

The University of Rhode Island does not have an official Equal Opportunity Advisory Committee. The Equal Opportunity Coordinator consults with the Vice President of Community, Equity and Diversity, and with the Diversity Officers listed below.

<b>DIVISION</b> Community, Equity, and Diversity	NAME AND TITLE Sean Edmund Rogers, Vice President (1M) -served until June 3, 2023
	Michelle Fontes, Interim Vice President (1F)
College of Arts and Sciences	Kamilah A'Vant, Assistant Dean of ustice, Equity, Diversity and Inclusion Initiatives (1F)
College of Business	Alejandro Hazera, Executive Director of Inclusive Excellence and Professor (2M)
College of Engineering	Chales A. Watson, Assistant Dean, Diversity, Equity, and Inclusion (1M)
College of the Environment and Life Sciences	Aura Fajardo Grandidge, Interim Assistant Dean, Diversity and Student Success Initiatives (2F)
College of Health and Sciences	Ashon Bradford, Assistant Dean of Diversity, Equity, Inclusion, and Justice Initiatives (1M)
College of Pharmacy	Jie Shen, Associate Professor, Biomedical and Pharmaceutical Science and Chemical Engineering (4F)
	Britny R. Brown, Clinical Assistant Professor (5F)
Department of Athletics	Jeff C. Johnson, Associate Director for Student-Athlete Development and Inclusive Excellence (1M)
Graduate School	Colleen B. Mouw, Associate Dean of Diversity and Academic Affairs and Associate Professor of Oceanography, Graduate School (5F)
Graduate School of Oceanography	Princess Metuge, Assistant Dean of Justice, Equity, Diversity and Inclusion Initiatives (1F)
Office of Equal Opportunity	Dorca P. Smalley, Director (2F)

### Duties and Responsibilities of the Diversity Officers Working Group

During fiscal year 2022, the Diversity Officers met a total of three (3) times. The primary objective of the meetings is to share information and advise the Vice President of Community, Equity and Diversity on University-wide policies, procedures, and initiatives that advance diversity, equity, and inclusion.

Meeting agendas are developed by Community, Equity and Diversity. Meetings took place on November 19, 2022, February 16, 2023, and March 21, 2023. Copies of available meeting minutes may be found in Appendix, page 244.

# 3. DIVISION HEADS, SUPERVISORS, OFFICE OF HUMAN RESOURCE ADMINISTRATION AND PERSONNEL

The University of Rhode Island President's Leadership Council consists of the President; the Office of Community, Equity and Diversity; the General Counsel; the Assistant Vice President of Human Resource; The Executive Vice President of Academic Affairs; the Executive Vice President of Administration and Finance; the Vice President of Research and Economic Development; the Vice President of Student Affairs; the Vice President of Communications and Marketing; the President of the University of Rhode Island Foundation; the Associate Vice President of Enrollment Management and Student Success; the Chief Information Officer of Information Technology Services, and the Director of Athletics.

Each member of the President's Leadership Council provides leadership, strategic direction, policy development and administrative oversight of their divisions. Deans, Department Chairpersons and Directors are responsible for employees and reviewing the employment actions of individual departments to ensure that all procedures are in compliance with the University's civil rights compliance efforts and applicable policies.

The Vice President of Community, Equity and Diversity leads the Office of Community, Equity and Diversity, and is responsible for influencing effective policy formation and collaborating with the university leadership. The Vice President of Community, Equity and Diversity also collaborates with divisional, college and departmental diversity committees, such as the Office of Equal Opportunity, to ensure the accomplishment of strategic diversity goals identified in the President's Strategic Plan.

The final responsibility, authority, and accountability reside with the President of the University. When sought, the Director of the Office of Equal Opportunity advises the Provost, Vice Presidents, Assistant Vice Presidents, Deans, Department Chairpersons, Diversity Officers, and Directors, on civil rights compliance topics such as Title VI and Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990, the Rehabilitation Act of 1973, and all other applicable laws and regulations involving affirmative action and equal opportunity.

All hiring authorities, supervisors, division heads, members of the President's Leadership Council, diversity officers, designated employees within each college, and the civil rights enforcement officer are responsible for the successful implementation of this plan, and must work with the Office of Equal Opportunity to develop goals and timetables for affirmative action, and demonstrate positive results in the employment, appointment, and delivery of services so that representation of underrepresented groups improves.

The Office of Human Resource Administration will continue to collect and maintain hiring, promotion, transfer, and termination data, and will continue to make it available to the Office of Equal Opportunity for reporting to the Board of Trustees, the President, the State of Rhode Island Division of Equity, Diversity, and Inclusion (DEDI), and to regulatory and enforcement agencies. By policy, every division head will ensure that terminating and transferring employees receive an exit interview form and the means to submit the form to the State Equal Opportunity Office. All efforts will be documented by recording these acknowledgments in the Office of Human Resource Administration, which disseminates the exit interview forms.

# 4. AFFIRMATIVE ACTION PROGRAM COORDINATOR

Sean Edmund Rogers served as the Vice President of Community, Equity and Diversity until June 3, 2023, and was the institutional diversity officer responsible for advising and informing the President and the President's Leadership Council on all issues related to diversity and equity. At the time of submission of this report, Michelle E. Fontes was the Interim Vice President of Community, Equity and Diversity. The Vice President of Community, Equity and Diversity provides vision, leadership, coordination, strategic direction, and planning to advance the University's mission and academic strategic plan. This role is responsible for assessing community needs and working collaboratively across the campus community to address needs that enhance the experience for students, faculty, and staff. The Vice President leads the Office of Community, Equity and Diversity; supports and enhances a stronger sense of inclusion among campus community members; provides innovative, progressive leadership, and leads the University's efforts to build an environment of inclusive excellence. The position was vacant at the time this report was issued.

Dorca P. Smalley, the Director of the Office of Equal Opportunity, is the designated civil rights compliance officer and reports to the Assistant Vice President for Enterprise Risk Management. The Vice President of Community, Equity and Diversity works alongside the Director of the Office of Equal Opportunity and University leadership to identify evidence-based practices in recruitment, retention, and promotion of a diverse, engaged workforce.

# 5. AMERICANS WITH DISABILITIES ACT/504 COMPLAINT PROCEDURE

The Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 complaint procedures are administered in accordance with the University Policy on Nondiscrimination and the supporting procedures, page 182. Per the University's Policy on Nondiscrimination, the Office of Equal Opportunity, accepts, investigates, and addresses complaints of discrimination on the basis of disability in employment and service delivery.

All complaints under the existing policy must be filed within one (1) year after the last alleged discriminatory act. The University's ability to respond to complaints filed beyond this time is limited. However, complaints involving allegations of continuing unlawful discrimination, harassment, or retaliation may be thoroughly investigated, including occurrences beyond the

one-year time frame, so long as the last act of alleged discrimination occurred within the prescribed filing deadline of one (1) year. Complainants have the option of choosing to file a formal or informal complaint.

The informal resolution process consists of voluntary mediation or facilitated resolution offered by the Office of Equal Opportunity. The mediation or facilitated resolution must be completed within thirty (30) calendar days of the date the complaint was filed. If the informal resolution process does not result in a resolution within thirty (30) calendar days, and absent an extension, abeyance, or other contrary rulings by the Director of the Office of Equal Opportunity, the informal resolution process will be deemed terminated, and the complaint will be resolved pursuant to the investigation procedures. The Director of the Office of Equal Opportunity may adjust any time periods or deadlines in the investigation process that were suspended due to the informal resolution. A copy of the resolution should be kept in a file in the Office of Equal Opportunity unless the resolution specifies otherwise.

Step 1: Notifying the parties. Step 2: Agreement to the informal process. Step 3: Resolution or next steps

The formal resolution process consists of a formal review that involves investigating, factfinding, determining whether sufficient credible evidence exists to support the allegation(s), and issuing written findings. The formal investigation and related proceedings, which are described below, shall provide a prompt, fair, and impartial investigation and resolution of the allegations. Respondents named in a formal complaint may write a formal response within twenty (20) calendar days of receiving notice of the complaint. After the investigation concludes, the Complainant and Respondent receive a preliminary investigation report and have three (3) business days to respond by providing additional evidence, asking questions, or challenging the information on the report. After the final investigative report is issued, the complainant and respondent may appeal the findings within ten (10) business days. All investigations conclude within ninety (90) days after the complaint is filed unless the Director of the Office of Equal Opportunity determines that more time is needed.

- Step 1: Complainant's written statement.
- Step 2: Acknowledging receipt of the complaint and notifying the Respondent.
- Step 3: Respondent's written response.
- Step 4: Investigation.
- Step 5: Preliminary Investigation Report.
- Step 6: Final Investigative Report.
- Step 7: Appeals and actions on appeals.
- Step 8: Disciplinary Action: Office of Human Resource Administration.

Alternative means of filing a complaint are made available upon request. Individuals seeking an accommodation on the basis of disability may contact the ADA/Section 504 Coordinator, Dorca P. Smalley, <u>dorca paulino@uri.edu</u>, TTY 1-800-745-5555. The ADA/Section 504 Coordinator will maintain the files and records relating to the complaints filed.

### 6. INTERNAL AND EXTERNAL DISSEMINATION OF PLAN AND POLICY

The Equal Opportunity Program Coordinator shall distribute copies of the approved affirmative action plan to each member of the President's Leadership Council, to each Dean, and to the Diversity Officers. The Equal Opportunity Program Coordinator will publish a copy of the plan and applicable policies and supporting procedures on the Office of Equal Opportunity public website. Lastly, a copy of the plan will be distributed through Rhody Today; the University's official newsletter.

The University disseminates the policy internally as follows:

- 1) The University's policy on non-discrimination is published on the official University Policies website. Links to the official policy can be on the Office of Equal Opportunity website and in the official University Student Handbook.
- 2) University Stationery includes the statement "The University of Rhode Island is an equal opportunity employer committed to community, equity, and diversity and to the principles of affirmative action." In addition, a statement of non-discrimination is in all areas and has been placed in University publications issued by the Publications Office since 1975.
- 3) Publications such as multi-page departmental brochures, university catalogs, booklets, smaller brochures, leaflets, and flyers produced for individual departments and programs as well as all official departmental letterheads produced through the University Printing Services may contain one of the following statements:

"URI is an equal opportunity employer committed to the principles of affirmative action."

4) The Office of Human Resource Administration website and other publications contain the statement below:

"The University of Rhode Island is an Affirmative Action Equal Opportunity Employer. Women, persons of color, protected veterans, individuals with disabilities, and other protected group members are encouraged to apply. Reasonable accommodation will be made to enable an individual with a disability to participate in the URI application process, and to enjoy benefits and privileges of employment equal to those available to other employees. If you need assistance with this application website, please contact Laura Kenerson at Ikenerson@uri.edu or 401-874-5271."

- 5) The University includes non-discrimination clauses in all union agreements and reviews all contractual provisions to ensure they are non-discriminatory.
- 6) The University periodically publishes articles covering equal employment opportunity programs, diversity, equity, inclusion, and civil rights topics, and offers training to employees on civil rights compliance topics and diversity and inclusion topics.

- 7) The University Affirmative Action Plan 2022-2023 will be posted on the Office of Equal Opportunity website, Affirmative Action tab, to communicate the existence of the Affirmative Action Program to employees and prospective applicants.
- 8) The policy is stated, in abbreviated form, on all State of Rhode Island application for employment (CS-14) forms.
- 9) When partnering with external search firms, the University informs all recruiting sources of its policy, stipulating that these sources actively recruit and refer to minorities, women, veterans and the disabled for all positions listed.
- 10) Employers recruiting through the University of Rhode Island Office of Career Services must comply with Federal and State laws regarding equal employment.
- 11) The University incorporates the equal opportunity clause in all purchase orders, leases, contracts, etc., covered by Executive Order 11246, as amended, and its implementing regulations.
- 12) University policies require all vendors and subcontractors with invoices of ten thousand dollars (\$10,000) or more, to comply with all non-discrimination clauses relative to equal employment opportunity. The University of Rhode Island further notifies said Vendors and Subcontractors that, as an entity supplying goods and/or services to the university, its organization may be subject to, and required to take action pursuant to, the following laws and accompanying regulations:
  - a. Executive Order 11246 (and its implementing regulations at 41 C.F.R. part 60);
  - b. The Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended (and its implementing regulations at 41 C.F.R. 60-300); and
  - c. Section 503 of the Rehabilitation Act of 1973, as amended (and its implementing regulations at 41 C.F.R 60-741); and,
  - d. Executive Order 13496 (and its implementing regulations at 29 C.F.R. part 471, Appendix A to subpart A).
- 13) The University of Rhode Island has requested the University Vendor Registration information be included in the letter from the State of Rhode Island Division of Equity, Diversity, and Inclusion (DEDI)/Minority Business Enterprise Compliance Office, which is distributed to any business newly approved as a Minority or Women Business Enterprise by DEDI.
- 14) When employees are pictured in any university or help wanted advertising, efforts are made to have men and women, minority and non-minority, and disabled employees shown.

### 7. POLICY STATEMENTS

### a. POLICY ON COMPLAINTS OF ALLEGED DISCRIMINATION

The University of Rhode Island is committed to maintaining a work environment free from discrimination. Consistent with this commitment, the University prohibits all forms of illegal discrimination in all aspects of employment. The University's Office of Equal Opportunity accepts complaints from employees and applicants on the basis of race, color, creed, national or ethnic origin (including language), gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status, veteran status, and any other legally protected characteristic. This prohibition applies to all employment actions including but not limited to recruiting, hiring, promotion, demotion, compensation, and benefits. The Office of Equal Opportunity accepts and investigates all complaints made under the Policy on Nondiscrimination. Individuals subject to discrimination are encouraged to complete the Incident Report Form attached on page 182 of the Appendix and to contact the Office of Equal Opportunity if assistance is required to complete the form. When it is determined that a violation of policy has occurred, the Office of Equal Opportunity shares its findings with the Office of Human Resource Administration, which is charged with taking corrective action and sanctioning the responsible party, when necessary. The Office of Equal Opportunity and the Office of Human Resource Administration work collaboratively with the University community to prevent the recurrence of prohibited discrimination and remedy its effects. The University's Policy on Nondiscrimination and the Incident Report Form can be found at https://web.uri.edu/policies/. Copies may be requested by calling 401-874-4939, or by reviewing page 182 of the Appendix.

Marc B. Parlange, Ph.D. President, University of Rhode Island

### b. POLICY ON SERVICE DELIVERY

The University of Rhode Island is committed to maintaining an environment free from discrimination. Consistent with this commitment, the University will administer all programs, services, and activities, without regard to race, color, creed, national or ethnic origin (including language), gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status, veteran status, and any other legally protected characteristic. In accordance with the University Policy on Nondiscrimination, page 181, the University prohibits students, employees, affiliates, volunteers, visitors, service recipients, program participants, and contractors (collectively, "Covered Individuals") from engaging in illegal discrimination (including discriminatory harassment). The Office of Equal Opportunity accepts and investigates all complaints made under the Policy on Nondiscrimination are encouraged to complete the Incident Report Form on page 181 and to contact the Office of Equal Opportunity for assistance completing the form. The University's Policy on Nondiscrimination and the Incident Report Form can be found at <a href="https://web.uri.edu/policies/">https://web.uri.edu/policies/</a>. Copies may be requested by calling 401-874-4939, or by reviewing page 182 of the Appendix.

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Marc B. Parlange, Ph.D. President, University of Rhode Island

### c. POLICY ON CONTRACTS

The University of Rhode Island is subject to the Board of Trustees Procurement Regulations, the University Purchasing Manual, and Rhode Island General Laws §§ 28-5-1, which require all vendors to sign contracts containing an Equal Opportunity Clause. The Clause shall state that the parties agree to adhere to Federal Executive Orders 11246, 11375, 11625, 11830, 13496, Title VII of the Civil Rights Act of 1964, Section 503 of the Rehabilitation Act, as amended and its implementation regulations at 41 CFR 60-741.5(a), and the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended (and its implementing regulations at 41 CFR 60-300.5(a). Every effort will be made to solicit bids from Minority Business Enterprises and Women's Business Enterprises registered as approved vendors. This policy is and will continue to be posted in conspicuous areas).

Marc B. Parlange, Ph.D.

President, University of Rhode Island

# d. POLICY STATEMENT ON INDIVIDUALS WITH DISABILITIES, DISABLED VETERANS, AND COVERED VETERANS

The University of Rhode Island is fully committed to meeting the specialized affirmative action requirements to employ and advance individuals with disabilities, disabled veterans, and covered veterans in accordance with the Americans with Disabilities Act of 1990 Rhode Island General Laws §§ 28-5-1, Executive Order 92-2 and the Vietnam Era Veterans Readjustment Act of 1974.

It is the policy and practice of the University of Rhode Island to provide equal opportunity for every employee. The University encourages qualified individuals with disabilities, disabled veterans and covered veterans to participate fully in all employment opportunities. This policy applies to all employment actions including but not limited to recruiting, hiring, promotion, demotion, compensation, benefits, transfers, layoffs, and other conditions of employment. Accordingly, all employment decisions shall be consistent with the principles of equal employment opportunity. The University will communicate to all employees and applicants its obligation to take affirmative action to employ qualified individuals with disabilities, disabled veterans, and covered veterans, in such a way as to ensure understanding and acceptance.

The University will contact recruiting sources such as Vocational Rehabilitation Services, the Department of Human Services and appropriate educational or training institutions to assist in recruiting qualified individuals with disabilities and covered veterans. Dorca P. Smalley of the Office of Equal Opportunity is designated as the Americans with Disabilities Act/ Section 504 Coordinator for the University of Rhode Island. This entails coordination of all divisions in the implementation of all Federal rules and regulations affecting the University in terms of compliance with the mandates of Section 504 of Title V of the Rehabilitation Act of 1973.

Marc B. Parlange, Ph.D.

Marc B. Parlange, Ph.D. President, University of Rhode Island

### e. COMPLIANCE WITH GUIDELINES ON DISCRIMINATION BECAUSE OF RELIGION OR NATIONAL ORIGIN

The University of Rhode Island will not discriminate in employment based on religion, national origin, or ancestry, and any other protections offered under religion, national origin or ancestry. The University will continue to fulfill requests for religious accommodation through voluntary substitutions. In response to employee requests, the University will consider the following options: flexible work schedules, changes in job assignments, and voluntary substitutions. represented transfers. For employees, religious accommodations will be in conformance with the appropriate labor agreement provisions of the bargaining union. The University will strive to fulfill requests for religious accommodation through voluntary substitutions, and will not discriminate against any gualified person in any facet of hiring or employment because of their religion, national origin, or ancestry,

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Marc B. Parlange, Ph.D. President, University of Rhode Island

### f. COMPLIANCE WITH SEX DISCRIMINATION IN EMPLOYMENT

Under Title VII of the Civil Rights Act of 1964, sex is defined to include pregnancy, sexual orientation, and gender identity. In our efforts to comply with federal law, state law, and executive orders on discrimination based on sex, the University of Rhode Island will comply with the following procedures and practices:

- Candidates will be recruited for all jobs without regard to sex, pregnancy, sexual orientation, and gender identity.
- Advertisements will not express a preference for applicants of a particular sex or gender-identity when placed for recruitment of personnel.
- Written personnel policies indicate that there will be no discrimination on the basis of sex, pregnancy, sexual orientation, and gender identity.
- No distinction based on sex, pregnancy, sexual orientation, and gender identity will be made in employment opportunities, wages, and hours of work, employee benefits, or any other condition of employment.
- Mandatory or optional ages for retirement will be equal for both males and females and administered without regard to pregnancy status, sexual orientation, and gender identity.
- Appropriate physical facilities will be provided. Lack of facilities will not be used to reject applicants due to the individual's sex, pregnancy status, sexual orientation, and gender identity.
- Pregnancy leaves of absence for female employees are granted on an individual basis, depending on an individual's physical condition, under the University's leave of absence policy. Parental leave is afforded to all employees for the purpose of child raising in accordance with Personnel Rule 5.0661 (d) and State and Federal Family

and Medical Leave Act provisions. Effective June 27, 2023, pregnancy leave will be administered in accordance with the Pregnant Workers Fairness Act.

- Where seniority lists or lines of progression are used they shall not be based on an employee's sex, pregnancy status, sexual orientation, and gender identity.
- Salaries and wage schedules will not be based on an employee's sex, pregnancy status, sexual orientation, and gender identity.
- As openings occur, the University will take affirmative action to recruit and place women in those jobs in which we have determined that females are underrepresented.
- 11. Women will have equal opportunity to participate in training programs sponsored by the University to the extent that they are under-represented. Special efforts will be made to include women in any management training programs that are offered.
- 12. The University recognizes its obligation to provide a work atmosphere free of harassment and intimidation. Any forms of sexual harassment, such as unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature, will not be tolerated. Violations of this policy will be handled appropriately as part of the University's disciplinary procedures in accordance with the Policy on Sexual Misconduct.

Marc B. Parlange, Ph.D.

President, University of Rhode Island

### g. PROHIBITION AGAINST RETALIATION

The University of Rhode Island will address all complaints of retaliation accordingly and prohibits discrimination through the use of retaliation, coercion, intimidation, threats, or other such action. An employee or agent of State Government who shall discriminate against an individual because such individual has opposed any act made unlawful under the Americans with Disabilities Act of 1990 or Rhode Island General Laws §§ 28-5-1, et seq., 28-50-3, 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. No adverse action shall be taken against any individual for exercising their rights or responsibilities under any provision of law or the University's policies or procedures.

Marc B. Parlange, Ph.D. President, University of Rhode Island

# PART C

# **PROGRAM STATISTICS**

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Coordinator, Internal Payers Systems (2.Postorie)	109140, 109180	=		×	F	*	+					8				'n
Manager: Engineering/Enament	105360		×			×		-		+		8				12
Providencies Parton in Planmace of Participal Science and Management	108231			×	Γ	×		8	•			8				2
Business Average1, Trismel	108303		×			×	-	-	h-			b				0
Postsperver Factors in Physically	109601			×		×	-	4				8				=
Associate Director, Attestca/Communication & New Matte	105410			×		×	*	1	+	-		ŝ				14
Academic Advace (Tranship	109600	8	×			×		-	11	-	-	b				40
Artist	108.404	0	×			×	-		.0			R				40
Contrivery, Order Education and Perhampha, Conega of Discretion and Perhamonal Studies (CEPS)	109402	8	×			×	*	1				b				44
Coordinatory, URI Laureth Late	106412		×			х	2	-		-		8				1
Specials), Summer Sessions & URI WHEN J Term	105544		. ж			×			0			b				•
Lab Manager, Microbiology Undergraduate Teaching Laboratories	1 CT WEN		×			×			۲	•		1h				÷
Manager, Student Cartist Support Cartier	109419		×		F	×		-	e			ъ				12
Harver, Campus Preparatimis/Office of Emisgency Management (2014)	108-055		×			×				e		b				
Partec Canpa ProprietanoChus d'Emogeny Management (2014)	103-031		×			×						ъ				
Coordination, Computer Science Education Outnamh	106307		×			×			+			b				11
Assistant Costh, Wormer's Socoar	107114			×		×	R	7		•	-	ħ				3
Manager, IT/Unitied Communications	106967	=	×			х	1				-	8				15
Sociality Reputment and Student Support	109401	0	х			×		-	-	-		0 M				-
Water Presidente	1085444	-	×			×			2			ъ				-91
Cestrer, Child Development Center	109901		×			×			10	Ŧ		b				11
Fasther, Orid Devisionment Center	105500	8	×			×			10	+		ъ				11
Contineor: Deabling, Access, and Installen	108231		×			×		-	22	¢		3				÷
Contineer, Spots Mutmada	100704		×			×			-	-		8				
Sense Business Analyst (Vendor and Payment Disbusement)	108409	.0	×			×						ь				12
Assistant to the President	106510	8		×		×			1	-	-	h				4
	Contraction of	3	12			34	136	2	900	5					1	

Clevel Carol Title	Fostion Number	EEO Job Canapory	-			No Lint W	White their	Amonth	-	Disabled	Values	â	Powertan		Teminations	1
					t	-	T				1					
Specialitie III, Climite & Committee	100403	0	×		F	×		ä	5	-		a				
Coordination Number Contract Programs	100113		×		F	×			•			3				2
Aladema Advace (Lolege of Numero)	136063	8	×			×		•	\$			8				\$
Manne Research Associate II, Residence (CRC)	106641	8	×			×		-	14			3				2
Coordination, Fire & Life Stafety Operations	100,000		×			×	*					N				\$
Research Assistanti (CMB)	100001		×			×		÷	+			8				-
Research Associate (1) (6FM6/P)	10001	8	×			×		+				æ				11
Coordination: Flood Security Outreactin	10101	8	×			×	++	=	10	-		2				*
Coordination: Academic Teelbrg Center (ATC)	10072			×		×				8						*
Cirros Courseille (Multiouture Specialist)	12021	8	×			×	8		•			*				13
Specialist, Aconsi and Other Drugs Education	120000		*			×		-		+		2				2
Research AssociateClats Arekys I	10000	8	×			×			-			8				10
Associate Athletic Therapiter (27Pusitions)	10862, 10806	0	*			×		÷	3			2				
Associates Atrivitia Therapetri (2 Psisteria)	109802, 108006	8	×		F	×		-	6			a				•
Research Associate/Cala Arebur II. DetectionA	100302	8	×			×						n				11
Service Lifetimetrics Technologies (Headth Services)	100001	8	×			×	2		-			3				22
Marce Research Specialist //	100000	8	*			×				÷		h				
Marce Research Specialet 1	100002	8	×			×	*		3	+		M				1
Executive Assistant II (Provat)	106610	8	8			×		4	12			'n				
Desculate Associant (Placehae)	107574	9		×		×			12	-		n				1
Research Assistance (05/53)	2094025	0		×		×			1	-						-
Cookington Doctanda at Business Administrati Program	10004	9	×		1	×			4		0	8				1
Cooldinator, Communications	100001	8		×		×		1	11	+		8				- 11
Speciality, Coastle Resources Center (CRC)	1005000	8	×			×		1	14	+		a				•
Technician Hillaboratory Animal Canel	10001		×			×	+	+	2	*		10.05				1
Accounters (Calm Reconditions	1061406, 1061405		×			×	+	-	12			28				
Accountert (Calm Reconstration)	100500, 100140	a	×			×			12			ъ				
Research Assistant III (Fam)	10000	8	×			×			9			3h				*
Binnight and Conditioning Collari	100400			×		×	p.	+	2			N				- 10
Coordinator, Events, Conferences and Catering Services	100340		×			×	+		+			28				4
Internation Technologist (Pharmacy)	1004000	8	×			×		-	+			8				10
Service Information Technologies (Public Safety)	1200518		×			×		*			-	h				\$
Academic Advisor (College of Engineering)	100100		×			×		*	12			0.4				10
Coordination, Residential Communities / 1691,	2003021 1240/05		×			×	-		2		+	GND				- 10
Coordination Real dentate Communities J HRL	107080, 108861	8	×			×			2		+	N				55
Research Associate/Cens Analysis III	1000300		*			×	-	8	ę			20				2
Coordinator, Informal Payotal Systema	100185			×		×	1		. 1	10	+	8				1
Wab Developer	100103	8	×			×		+				3				12
<b>Eprolement Services Officer</b>	10000		×		1	×	-	-				8				2
	Contraction of the local data				1				-	•		-		Ì		

Cleant Control Title	Position Number	KED Job Canagory	(Million	United 1	and and	No Line White Main	Aurouge a	ding.	Disting.	Values	No.	President	WINN	Terminations	Grade
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and Coath, Mar's Damatowi	107,200	8		×		ж	+				8				-
Secalar, Mecar Fertilas Communications	1034234		×		2	-	-	1			h				
pecialist, Public information & Communications	108522		×			× ×	-	+			æ				2
continuation (Trainert Developments)	106912		×	-		X 2	0	*	+		ħ		1		+
continues. College of BasinessMarketing	106467		×			×		2			ъ				13
saidert Coxin, Marin Baskatati (2 Postsoni)	107212, 107254			×		Х	*	-		÷					*
section Costh, Maria Basinettari () Postiane)	107212, 107205			×	2	X N	×	5		+	2				
conditation. Engineering/Careter Services & Employeer assistent	108080	-	×			× 2		*	•		8				ε
vrine (Grautrice Design)	109555		×			× 10	+	2			8				21
continuers. Provil, exercing Assessment	108160		×			4 F	-	*			ъ				04
asiniare Coach, Woman's Saimming	1005001		×			*		•			8				66
acclinetor. Operation/College of Health Sciences	104507		×		2	× ×	-	9	1		26				-
contrivator of Student Alfairs, College of Hawth Sciences	108817		×		_	× 0		*			*				11
pedator, Oraris & Contacts (Thamacy)	108775	-	×			×		8			b				:
pectelnii, UntrempMriddo Content	100302		×		-	×	4		+		8				1
gestelen, Grente & Contracte (CB/3)	108547	1	×		2	×		**			h				-
continueror, HEURO Service Management	1005005	0	×		7	X 2					844				10
eastert University Purchasing Agent	107062	-	×			×	2	7			h				4
saided University Purchases Apert Construction	106209		×			×	-	+			3				2
reponsi Admission Officer, Virgina and Southern Adams	108219		×		-	×	-	-			ð				10
sotimery. VideoWomen's Basebal	100,007	-		×		K B	-		-		8				4
unitees Araijet Encontrast Services	108260			×	-	×		•	-		8				40
enter information Technistogiat (Emoleneurt Services)	108036		×		2	× +	-	7			R				2
soldination, Valenana Barretta Centification	205.001	8	×			X 2					8				01
read Coach - Witeman's Lacrasea	108560			×	2	* ×	-	\$			h				-
Latine Research Associate 1	107400	-	×			* ×	9	14			3				2
peciating. Trainet Applications	100560			×		X t									11
assilat Costh, Womer's Volleyber	106302	-		×	2	× *	+	•			8				-
asolate Director, ITS innovation Services	107216			×		×		-			ъ				94
Manager, Busine exitoringe of Hawth Sciences	108540		×		0	× 2	2		1		h				0
mown'h Associate 1	105366	8	×			×	-	**			h				
peciaint, Research Dante (CON)	108910		×			*	-	•			h				-
aptimitor. Payer Development/Merfa Beakeball	106200			×		×	*	+							*
conditation, Education and Théraing (Pharmaceutical Development Institute) (PCD)	1085001		×		_	K 1		-			ħ				13
continuor, Ha-Enrithment	108729		ж			K.					3				40
		3				100 100	100	-	,	-					

Classification Title	Position Number	RED.Job Category	(Intern	Non-	3	Wo Line		Amonth	1	Disation	Value	÷.	President	Witten	Terminations	Qeads.
c	2				1				0							
Scientific Research Grant Assistant	2952	¢	×			×			2			h				8
Internation Services Technicker!!	210	0	×			×	-		1			8				22
Pool Sarvoa Appresitator	407	0	×			×	-		2			h				2
Server Scientific Research Onert Assistant	- 286	0	×			×			1	+		b				214
Scientific Research Grant Assariant	ž	0	×			×		-	1	-		8				210
Scientific Research Grant Assistant	191	0	*			×			1	+		ъ				-
Scientific Passants Grant Assistant	101	0	×			×	+	÷		+		R.				10
Ships Technician II	109641, 109406	0	×			×	*	**		+		*				2
Steps Fectrician II	109841, 109606	0	×			×		2				N				42
Technises I (Evidence & NIBD)	100236	0	*			×	-	+	\$	+	+	8				*
Contineor. 05:0 Down Ropolice Programs	100204	0	×			×			*			ħ				
Technologi 1	106902	0	*			×		-				8				4
Internation Technologist (Dering Services)	1094001	0	×			×	-		-			ħ				10
Technister II, Lock Step.	109613	0	×			×	n,					8				r
Precisional Environmental Management Controls Systems (EMCS) (0501)	100MBL	0	×			×						8				2
			-		•	35		8	10	1	1	*		1		
a																
Research Assistant Purfesor, RU-RURE Contractors Research One Fix Biy	100204	8	×			×	-	*		۰	÷	8				8
Assistant Professor, Political Science	107407	a,	×			×	8	-	90		4	ъ				8
presented interesting a fighting a fighting of the	100,000	0	*			×	ŧ	н				N				8
Assistant Professor In Insepand Chemany	100127	di.	×			×	я	R	5	*		N.				8
Assistant Professor, Ogial Preservation Manager	106206	CP.	×			×		2	11			h				90
Professor, Nursing (Family Nurse Preditioner specially area)	1004022	CP.	×			×						b				0.0
Lettre: Bonedos Engelentro	1000001	5	×			×	8	•	-			8				8
Assistant Professor, Phances	107328-8.120770		×			×	14	8	36	2	2	-				8
Assistant Professor, Poince	107108 A.100710		×			×	14	8	38		1	N				8
Research Assectant Professor	100225	CF.	*			×						w				-
Assistant Professor, Heartry Ageg n HOF	10060	5	×			×	÷	\$	18			ið				80
Assistant Professor in Martie Alfairs with Experies in Martie and Coastal Law	100,900	Q.	*			×		+				8				8
Assetar Professor in Coetal Georgenoes and Cenate	108017	c,	×			×	=	2	10			8				80
Circol Asserter Professor, Narring	100100	o,	×			×		-	4			*				8
Assessed Professor-Computer Engreeong	107060	ce.	×			×	17	8		-		W				8
Cirect Assessed Professor Communicative Deprints	107330	0	*			×			13			3				8
Assistant Professor, Early Childhood, Numan Development & Pamily Science	100575	5	×			*	-		10			8				8
Assistant Professor in Matsoutum! Social Phychology	100302	0	*			×	-	Ŧ	12	1		h				8
Assestant Professor in Social Physics of	100.000	5	×			*	#	1	12	10	-	20				8
Assistant Professor, Mehematica	107-802	đ	×			×	ą	2	2	-		80				8
			-			-	1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.1.	-	1.000			3				

Classification Title	<b>Puskion Number</b>	EEO Job Category	(Min	-	R R	No List White Male	the Minorly	Participa	Disatised	Volume	Nire	Premotion	Million of	Terminations	Grade
a		14		A STATE									1000		1
active: Mathematics	108711	o	×		-		8	15	*		h				08
acture of Computer Science	1094601	ð	×			* ×	Ŧ	•			w				3
userial Prifess in Eastes and Bravios Psychology	106401	ð	×		-		*	2			54.0				g
variat Professor - Kressogs	106347	ð	×			K tt	4	*							00
exercise Protector of TELOUSERguid/Dust Language Buoston	107100	8	×	-	-	8	ų	4	4		ъ				2
educer - taking	108713	5	×	-	-	×	-	11	+		8		T		8
usurat Proteccy of Japanese	105-301	5	×	F	$\vdash$		F	-			4		Γ		8
ecturer in Spanish	106662	5	×			х 3	0		-		Ъ				8
useriat Professor (Phint Media)	108339	5	×		$\vdash$	K 7	×	18	•		8				8
usuiter Professor-Dender and Women Studies	106427	5	×	-	-	x z	ħ	2	•		h				8
asister Professor-Gender and Women Studies	107506	5	×		-	_	5	8			ų				\$
losiment Professor - Arts of the American	1082580	ð	×				*	1	+		h				-
assimat Protessar-Nutribon	108-800	ð	×		-	× ×	*	15	+		SF D.				00
potent in Manuerg	1061901	0	×		-	x 2	•	•			h				8
acturer in Hispanys Studies	108714	di.	×		-		R	-	•		R				2
Not Assessed Professor of Pharmacy Ambulatory Care	1080001	c	х			e ×	**	0			N				00
ventart Professar, Bragcal Bannes	1084001	0	×		-	× *	8	•		-	3				8
STEM E-duration Constraints Analysis Professor	10001	ð	×	-	-		ĸ	#			8				3
unustant Professor, Physical Therapy	108606	o	×		-		**	a.			8				8
eduters in Chemology and Chimelal Justice	100744	6	×		-	×	*	*	2		O NG				8
actual in Macigement	1084001	a,	×	_	-	× ×	1	12		e	8				-
ectarer in Proteixel Science	109401	5	×		-	* ×	*	**	*	+	ani				3
delatant Photeeex of Chemical Education	106566	5	×			*	*	**			W				8
edurar in Chemistry	1 OPERA	o	×				8	ű.	+		4				8
anocide Professoring in Bainess Auflied 2. Versecits Indived Professoring in Bainess Analytics and Artificial milliperce	106422	5	×		-	×	-				\$				8
ectaric Virting and Reeson	106640	5	×			*		15	2		ъ				2
		я	28				940	1907	4	8					
Ð			1		-										
Campus Placed Pareon		0	×	-	-	K. 8	1		0		M				15
ampus Patrick Panan	1	¢.	×				+				NN.				15
Campus Patrol Parcel	56.30	0	×		-		-		+		W				10
while Safety Disponsiver	1227	0	×		-	a ×		*	-	1	b				2
doce Stately Disperiment	2002	0	×	_	-		.e.,	4	1		2				16
Ablic Sidely Dispetter	10128	0	×		-	*	-	*			h				10
Autoice Sailety Dispercher	2.0	0	×		-	K. 3	_			•	h				\$
Interestry Deputy Proce Check	106708	Q		×	-	* ×	+	+	-	1	N				44
						1	1	-			•				

Classification Title	Position Number	EEO Job Cenegory	and a	-	-	No Lint V	White Make	Minority	Female	Disation	VICTOR	â	Promotion		Territoria	distant.
0																
Drenkty Police Leutenan	107254	a	×		F	×	z					8				12
University Police Officer (	10001	0	×		t	×	,			-	n	8				1
University Police Oftenni	108-410	0	×			×				-	-	O A NO				2
University Police Sergeant	107206	D	×			×						8				- 4.6
											•	*				
10 10 10 10 10 10 10 10 10 10 10 10 10 1																
Madoal Assessed	190	+	×			×			1			'n				22
ligher Education Administrative Assistants	20005	- F.	×			×	-	÷	11	**		ъ				12
Information Servicies Techniciani	10-10	4	×			×		+		-		h				2
Date Control Clerk (part fine)	CS0+NaT	4	×			×			-	-		18				11
protiment Services Representative	14004		×			×		÷				ъ				-
Enrolment Senices Representative	1001	- F	×			×		+				ъ				15
Education Administrative Assistant E	10.00	*	×			×	2					h		-		44
Sr. Word Phonesing Typet	10.35		×			×			1			*				12
Figher Education Administrative Assistants	04.10	+		×		×	+					*				42
9. Ward Processing Typet	101		*			×		**	-			n				12
Enrolment Samices Representative	10.00	*	×			×			2			h				Ŧ
Sr. Ward Precaming Typed	0.001		×			×			2			8				52
Madeat Assertant	404	- A	*			×	-					0,40				22
Spher Estacation Administrative Associants	19-62	- F	*		1	×			2			h				11
Internation Services Technicant	1011		×			×	-		2			2		1		- 91
Note Clerk (partiting)	tax		×			×		-	-			2				14
Sr. Ward/Peomaing Types	2000	F	×			×		+	1			*				12
proliment Services Representative	10 Million		×			×			4			R				14
brothment Services Representative	1000		8		1	×			8			2				11
protiment Services Representative	807.026	. F.	×			×			-8			8				16
Drottmark Bandoss Papresenstrya	100.00	F	×			×		-	-			ħ				15
Development Services Representative	11000	*	×			×		ñ	1			*				11
P. Recordsetor Clen.	10		×			×			-			ъ				12
figher Elstoothin Administrative Assistant II.	17.0		*			×						*				11
waith Unit Clark	109	P	×			×			8			2				15
Sr. Word Processing Typist	22455	F .		×		×			8			21				21
righer Education Administrative Assistants	0000		×			×		3	11		-	n				2
Sr. Ward Processing Types	222		×			×		+	+	1		4				12
Denominant Denvices Representative	1000		×			×			1			ъ				15
Sr. Word Proceeding Typist	C501365		×			×			3	-		21				2
Medical Assistant	1901		×			×						h				82
Medical Assistant	137	. 4	×			×						8				82
nternation Services Technicain	20.02		×			×		6	*			h				91
					1	1		1			1	1				

Clease forcine Title	Position Number	EEO Joo Category	(Brion	1	Ule -	No Lint W	No List White Male	Amonte	Farmer	Classed	Venne	÷.	Premotion	No.	Terrenations	Dista.
1 million 1																
march-Unit Clark	105	. 4	*			×	*		34			h				10
Nigher Education Administrative Assessment	10.00	4	×			×					-	h				16
Nigher Tchurdton Administrative Assistants	202		×			×	-		40			ìh				15
Higher Education Administrative Associant's	12101		×			×		1	16			h				12
Higher Education Administrative Assistants	100		×			×	-	+	2			'n				10
Executive Assistant 1	1 CANESS			×		×		2	11			h				4
Executive Assistant II	108612			. ж		×	4		20		- 2					+
		1		1		4		0	100	*		1				
U							1									
Mator	10	0		. 8	F	×	-					8				14
Painter	н	0		×	T	×	•	÷	e.			ħ				*
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F084534Y408 7488	88	н	×			×	1		#			ħ				
Post Service Ade	0450	±	×		F	×	1					h				
Cooks Haper	416	×	×	Ī	F	×		-	-			R				0
Sr. Maintenance Technician	1945	z	×			×	5	-				8				14
Sr. Maintenance Technican	2041	x	*			×	2	-				R				1.4
Sr. Maintenance Technican	12.00	1	×			×	4					-				14
Print Saltanger	0	£	×			×	*	*	+			R				10
Laborar	916	×	×			×	+					N				
Citola	100	×	×			×			+			2				\$
Cooks Heiger	100		×			×	2	•	*			h				•
Catologi Hasper	200	*	×			×		÷1	-			h				
Caters Helper	56	E	×			×	1		4			8				
Cooks Heter	ñ	E	×			×		1	1			h				0
Cook's Halper	404	*	×			×			-			8				
Cook's Halper	м	x	×			×		-	*			8				
-sourcessing or	CSOTTA	x	*			×		-	•			h				10
Proceedings of the second s	CB CN 194	z	×			×	*	+	1			a				10
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tookstere Clerk	620417	x	×			×			2		1	N				
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Sc. Maintenance Technican	2002	x	×			×	2					ARC.				14
risusteegen	1000	н	×			×	2	•			-	ħ				10
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Cleastforcion Title	Position Number	EEO Job Category	(minu)	-	N N	No Lint W	While Male	Minorly	Twenty	Classified	VANNA	-	Pumpton		Terrinatore	
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Houseseer	460	z	×			×		-	4			h				10
Houseware	612	r	×			×		**	*			8				40
Houseoutur	4953	z	×			×	+					4				10
Househooger	10.10	r	×			×	+					8				10
Cook's Heiger	181	r	*			×	4					-				
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Classification Title	Function Number	KO NO CANADON	(Min	-	2	No List White Male		Annut	-	Distant	VICTOR	NVe	Puscelar	Within Term	Terminations	1
н																
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a downey a	12	Ŧ	×			×						R				10
A Deserved as	101	н	×			*		-	+	-		h				10
adaeseedaa.	8		×		-	*			+			h				\$
An Operation of the American Street S	1.02	I	×			×		+	1	2		h				22
ICIDER'S Heigher	101	I	×		-	*	-	-	-			4				
Coot's History	180	I	×			×	+					8				
Cook's Heiger	180	н	×			×	-					h				
Cooks Heiger	100	н	×			×	-		4			8				
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1000mmbla	10018		×			×	~		-	-		h				2
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Property Control and Supply Officer	10134		×			×	0	*				h				12
an Observation of the	100-02	Ŧ	*			*			÷			8				2
Sr. Maintenance Technician	3687	Ŧ	×			×	9					8				
Processing an	10047	н	×			×		+				R				\$
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-tombailed at	8117	+	×			×						h				\$
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Classification The	Position Number	EEO Job Category	Union	11	Lie .	No Lint W	White Male	Wronthy	Pomate	District	Verse	Rr.	Princken	Name of	Terminethen	Conte
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Special Advance to President	200004	A.		×		×	-						M			8
Own, Gradischool	100000			×		×	+						34			R
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Ort Counseling	10000	¥		×		×	-						W			4
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righter bit Admen Assil 1	000413		×		F	×			-				ħ			9
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		**	-	2		=		-						0		
Count Player DevMents Baskar	10000	. 0		×		×	4						NA.			8
Even Die. Thi Simeri Bue Dev Cit-	100010	8		×		×	-						*			14
Head Coach. Strength-& Criding	016906	8		×		×							80			8
Asset Coach, Women Social	1,26656			×		×			1							8
Spec, Financials Functs Sup	101005	8	×			×			-				h			12
HeadCoach News Track/Teld/Co	2010004	8		×		×							84			8
Spec. Financieli Funchi Sup	9/27902	8	×			×	-		-				h			9
Business Mpr.AHC	100301	а	×			×			-				h			
Land App Integration Programmer	906100	0	×			×	+						N			N.
Service influencement Technologist	10708		×		1								10			\$
Admission Officer	100301		×			×	-						10			2
Specialist III One Contract	100001	8	×		H	×			-				h			2
Asset Dean, Engineering	100000		×			×			-				-			π
Marine Rasserdy Specialat II	1000001	8	×			×			-							8-
Special Number Anniel Physics Lab Peed	100001		×		-	×		+	+				ħ			IJ
May Aust Access Mean & Plats	100000	8	×			×			-				ħ			11
Research Associate II	126421	8	×			×			-				8			2
Spec, Admission Mirrig Comm.	51544D		×			×			-				h			2
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Classification Title	Predition Muniber	EEO JAS CATAGONY	Union	1 inter	114	No Line W	White Main	WHOMAN	Funde	Classed	Values	•	Printer	Name of	Territorian	-
paral Administracy Commit Manualing	1027164		×		-	×			+				h			Ð
coounters (then the ownitions)	1096004		×										3			
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Man	1036007			*		×							W			4
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University Pisioa Official 1	100719		×			×	1						W			2
Mg. Deta Governarica/DetaGoeA	1000		×			×			+				в			2
Daig Spoll, Fort Available	12810			×		×	-						N			ż
Mg Driving Hope Common Commiss	10000		×			×			-		Ì		ъ			E
My, Vie Construction	1000001		×		F	×	-					Γ	w			2
core CRC US Denertic Programs	100410		×			×			-				8			5
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in Associate Antipet I	100407			×	F	×			-				h			9
artDean Div Equity Indian COE	100000		×		-	×		-					IN			2
and information Technologist	102,001	0	×			×	+						N			2
dmissbrt Advisor	102100		×						-				ih			9
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materi Officer	107104		×			×	+						W			9
cored, if the IAMNS WIRE Distribut Physics	100000		×			×			-				b			2
Jacket, Planeter Fam Control Englishe	100000		×			×			+				8			2
24. Student Loodwards Dev	12540		×		T	×			-				3			2
Dr. Summer JTerm Degree Compti	00000			×		×	+						W			z
want Dir Disatility Access in	100/001		×			×							b			27
Mg MBC Martia Scientific Sec.	100.028		×			×	-						8			9
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mearch Associate III	102.024		×			×			-				3			Ε
ason Dr. Reeawarth Heging	100144			×		×			1				8			9
week Dir, ABADom & New Media	106418			×		×	ж ж						W			z
Mg. Digmontoglations	100.004	9	×			×			-				35			ti.
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Classification Title	Position Number	EEO Job Category	00m	Mon.	n.	No Lint	White their	Winorth	Passale	Disation	Vision	10.4	Promotion Transfor	Terminations	N. Co
May Student Cardant Support CI	109419	-	×			ĸ			+				ð		\$2
Research Assistant Nr.	108746		×			×							b.		*
Assistant Manager Procham Farm	106519		×			×							ь		*
and information Technologies	108402	.0	×			ж	-						10		7
Die Bu AttuBase Pgris & Svis	109-001			×		×			-		-		b		2
Or Research Info Systems	108510	-		×		×		-					4		-
low ILGrant & Connects	108-023	-	×			×			-				in.		•
lever Burren Averyti	108.679	-	*			×			-				ъ		\$
Cost, Reptig & Solid View Mg	100614		×			×	-						8		=
Assoc Dr. Grad Decision Mg	106915	-		×		×			3				b		7
Unwindy Police Officer II	10652		×			×							8		8
Othersky Prace Officer II	100-002		×			×	-						a		2
Presently Prices Officer III	108708	-	×			×	-						8		2
Priversky Poston Officer III	109210					×	2						94		2
meanth Assistant Si	107340		×			×			+				h		-
wellCoach, Wanter's Swimming	10990	-		×		×			-				ь		8
Coord, Finel, de Sariety Oper	100300	-	ж			*	-						8		\$
Assimption UCLTImera ResourceCtr	1001800		×			×	2			+			8		Ŧ
May, 17/Josted Constructions	106367		×			×	-						R		15
AssertDir UIC Asim/Studentifingrams	108266		×			×		-					ą		=
Adent Dears of JEDI Intratives	109900		х			×		-	-				- A		11
Dr. OfTHIMMITHOMM WISH DRV	109424			×		×			+				'n		12
Austrict Die Community Stands die	107067	8	×			×			+				b		ŧ
Coord, Brieffall CorVideoM 88	108780			×		×	-						8		-
feenarch Associate /V	100504		×			×			+				h		5
Spec Adv XVP Fields Controller	106511	-		×		×			+				*		4
Dir COP Assess & Accredit Dev	100713			×		×	-						10		*
Coort, Braittait OperMinnie 88	1007001	-		×		×	-						8		-
Sr Covenial Plan Magr (CPIC/M0003)	106233	-		×		×			2				8		11
fasearch Associate II	100311		*			×			-				8		
Coord, Internal Payrol Sys.	108100	-		×		×			-				b		*
Account (Cash Reconcilation)	106540		×			×			÷				ħ		0
Account (Cesh Reconciliator)	100100		ж			×			Ť						
Diri, COP Photessionel Programs	100100	-		×		×			+				h		11
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Assert DV. Staffing & Development	107000		×			~			×				8		1
Dic URI Online	106345			×		×			-				h		¥
Research Associate II	100001	-	×			×			-				h		=

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My GSONGC Inti Tech Services	9/2001	-	×			×	-						8			
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Van	100105		×			×							8			
Austientic Advisor	100205		×			×			-				3			8
Asset Dr. Courseing Transig	106280		×			×							8			*
Charl Engineer, RV Entering	106702			×		×	ĸ									2
Court Operation Health Science	100001		×			×			-				*			-
Costs of Studiet Aftern, CHS	100001	-	×		F	×			5				8			Ŧ
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Costet, Alartea	041001	0	×			×							R			Ŧ.
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Event Coant, University Events	10001	0	к			×			-				8			-
Flood Simma Administrator	000407	0	×			×			-				2			Ĥ.
Service Scored Ree Converting	81018	0	×			х			-				æ			
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1		18						-	=	a	•			-		
C.				0		-										
Assistant Professor	100740	ð	×			*		1	-		Ì		'n			8
Autoclatta Professor	100308	ъ	×			×							ą			8
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Associate Professor	127.402	5	×			×							8			8
Associates Professor	100238	10	×			×			-				b			8
Associate Phylosisci	100001	3	×			×		-	-				*			8

CiseedScation Title	Pusition Number	EEO Joh Canagary	(him	Non-	11et	No Lint	White their	Minorth	Form	Cincter	Values	Nire	Promotion	Without a	Tensingtons	and a
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feacing Polesson	109304	8	×			×			+				3			8
(ectars) (Temporary)	11571	5	×			×	4						8			8
(ectaria (Temporary)	110714	ð	×			×							R			8
Assistant Professor Research	100204	8	×			×		-					-			8
Assistant Professor Research	108427	ð	×			×							8			8
Associate Professor Dinnal	100284	8	×		Γ	×			-				h	Γ		8
(edurer (Temporary)	11274	5	×			×							10			8
Professor	1001001	5	×			×	+						M			8
Associate Professor Onvice	108041	8	×			×			+				2			8
lense Lecture	108601	5	×		Γ	*			•				h			8
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1. B. C.					Π											
Decidine Assistant 1	106.967			×		×		-	-				ħ			2
Decidive Assistant I	100618	4		×		×			+	-			h			4
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Higher Ed Admin Aust I	040280	w.	×			×		+	+				'n			t
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A REPORT OF A PARTY OF A								1				•		1		
															10	
Bolantiff V Endeavor	10660	×		×		×							M			
Central Mail Room Clerk	010280	×	×			×		-					8			Ξ
Principal Janton	010186	×	×			×			+				h			2
Landscape Manthole Tech	002614	х	×			×			+				h			×
AVB Seamon, HTV Shteever	105100	I		×		×	+						-			2
Building Systems Technisen	000000	ж	×			×	+						8			4
Date	000004	ж	×			×							8			2
Matrix & Dech Shop Super-	004770	×	×			×							an i			8
Principal Cook	000387	x	×			×			-							
Sense James	10000	x	×			×										21
Bursteingen	000-000	x	×			×	+						8			-
University Deputy Police Chert	100705	×		×		×	+						N			2
Campus Plants Panan	040000	ж	×			×							N			2
Serior James	000,000	π	×			×			-				ъ			9
Carryona Pratrici Personi	00000		×			×							M			10
Cases	000388	×	×			×	3						IN			IJ
Sector Marriemence Technicien	126900	x	×			×							m			z
Food Service Supervisor	000407	x	×			×			-				a,			2
HOU MAKE SPORT	1/0014	E	×			×			1				8			2
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Classification Title	Position Number	EEO Job Category	(hom	-	U.M. NO	No Line White	OTHER MADE IN	Manery	-	Disation	VANANY	-	Provident	and a statement	Tarminelione	
Ŧ							-							-		
Service Janvatur	10000	z	×			×	-		-				'n	-		Þ
Servicit food the Auth	620.005	£	×			×							æ			12
Breaster	640045	x	. *		-	×			-				8	-		9
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Classification Title	Position Manteer	EEO Job Category	theory	Not-	114	No Lise When	White the Mile	Minuth	Familie	Disation	Version	Hire	Franction	Transfer	Terminations	E
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Classification Title	Pusition Number	ELO JOB Category	- theorem		Die No	Mo Lind White Hair	Minute	Part of	Distant	Values	Hire	Promotion	Contraction of the local data	Termination	1
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Coort of Studiet Afters, CHS	108917	-	×	ſ	┝	×								37	Ŧ
Cond, COBMINING	100ML		×	F	$\vdash$	×								4	2
Asset to Phylodia Strepholither	108473			×	-	×								36	1
Last reservation Technologist	100/001		×			×								10	2
Myr. Deta Governmos/Deta6pe/k	107803		×			×								11	н
Human Plancount, Analysis	010084		×		×									11	R
Mg. Unay/Sunsar TechLates	109082		×			×								10	
Enriciment Services Officer	100030		×			×								10	2
Remained Assistance	109040			×		×								21	
Coord, Net'S See Grant Ultrary	106340		×											11	2
Mage, instater Spettern	107564		×			*								34	p
AC Prog Aproat On Campus Build	109922		×			×								10	=
Spos. Financias Functs Sup	107606		*	-	-	*								34	2
Post-Doctorial Fallow	100000			×	-	×								111	8
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AssetCoach, Mers Dailetail	100250			×	-	×								14	8
Assert Coach. Mans Easiestari	106001			×		×								1	8
Coord: Beistrall OpriVoleOM (0	108792	-		×	-	×								10	*
Head Coach, Marts Research	10952			×		×								100	8
Post-Doctors Fallow	106750			×		×								111	8
Assert Dr. AA. Equal Opp & Div	100000			×		×								1m	9
Specification Student Support	109428		×		_	×.								114	+
Accure (Cash Reconditions	108186		×			×								114	
Assert Dream AADP Student AcadS vo	108422	8	×			×								14	2
Asset Coach, Woman Socoar	100000			×		×							1		8
Land information Technologist	100702		×			×									14
Aunt Coach, Mere PlaCer	100301			×		×								1	8
Cherlingnese, NV Enderor	107200			×	-	×								111	2
Strength-& Conditioning Coath	108914			×		×								111	8
Post-Doctorial Pattan	100347			×	_	×.								101	8
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Marine Research Specialist I	100302	-	×			×								10	1
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Cleanification Title	Position Number	EEO Arb Category	-	-	List 1	So List W	White Main	Minority	Tents	Dusting	Vature	10.4	Promotion	and and and and and and and and and and	Terminations	- Constant
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Service Information Technologist	1000714		ж			×									100	ġ
Peesarch Associate II	1027-1411		×			×									104	<u>_</u>
Head Claim Mere Tracks/PergnCC	100102			÷		×					+				0.04	8
Spec. Grants & Contracts (WIC)	1000773		×			×									Dial Dial	2
Dr. Unidensit Bus Device	26020		×			×									100	2
Post-Contonal France	000004			×		×									1041	8
Autors May, Phyrol	10662		×			×									248	2
Court, Studier Laubering Park	100001		×		F	×									R/S	Ε
Post-Demons Press	100/23	-		×		×									104	8
Assert Coach, Mans Socool	907119			×		×									144	8
Part-Doctoral Failow	1004014			×		×									5M	8
Research Associate II	000004		ж		-	×									100	
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Post-Doctorial Pation	107562			×		×									208	8
Staff Physician Olivical Proc	100000		ж.			×									546	8
Research Associate II	100001		. Ж			×					100				244	
Mgr. UK & Environment Compili	NORCEN	=	×			×									IM	14
Presidentific Associate III	100000	8	×			×									Date:	*
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Possesurch Assistants	10000			×		×									2.44	
May, Sys Dev & NBC Comp.Ctr	INCOME.		*			×									244	\$2
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Classification Title	Position Number	<b>IEO Job Category</b>	(Miles	-	a la	No Line W	White Male	Ministry	Passa	Dustriet	Videoster	Has	Promotion	Witten	Terminations	Contra
-	30															
Arguet	100101		×			×									1990	2
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	10		1			*					0		•	0	*	
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Information Technologist	100227	0	×			×									14	2
Continuing Nutriton Australian	900200	0	×			×									36	R
feari	10901	0	×			×									10	*
Namer, Carpus Projections	100500	0	×			×									48	
Employee Benefits Speciality	0094600	0	×			×									26	R
Medical Addition	90100	0	×		F	×									34	8
Tech (Dights Media)	100300	0	×			×									35	-
Ship's Technician I	100841	0	×			×									10	2
Ramer, Campus Preparathese	100120	0	×			×									- 15	
Parter, Carpus Preparations	100130	0	×			्र					+				10	ø
Organi Content Strateger	106960	0	×			×									av1	Ŧ
Tech Start Assister	000304	0	×			×									and .	R
Ford Assessed Engineer	10729	0	×			×									SME	
Intermetion Technologist	1005000	0	×			×									DAM .	0
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5																
Associate Professor	100.967	CF CF	×			Ж			Ĵ						14	8
Professor Vating	100001	c.	×			×									14	8
Asked the Professor	10550	CP.	×			×									44	8
Service Conductor	100902	ð	×			ж.									26	8
Assistant Phylosoph Research	106700	0	×			×									24	
Professor Lönstan	107364	5	×			×									46	8
(Gaudual) (autom)	1 19080	c.	×			×									45	8
(Active (Senpore))	1 12746	CF.	×			×									4.F	8
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centurer (hemporany)	1 10 202	Cr.	×			×			Ĩ,						10	8
Professor	107081	đ	×			्र									24	8
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Assistant Professor Clinical	107336	CF.	×			×									-	8

Classification Tite	Position Number	EEO Job Category	Union	Non-	List No	No List White Male	Minority	Fem ale	Disabled	Veterans	Hire	Promotion	Within	Terminations	Grada
CF															
Professor	106075	CF	×		^	×								5F	8
Associate Professor	107173	СF	×		-	×								5F	8
Lecturer (Temporary)	109217	CF	×		^	×								5F	8
Lecturer (Temporary)	117.462	CF.	×		<u> </u>	×								6F	8
Lecarrer (Temporary)	116047	CF	×		-	×								6F	8
Senior Lecturer	108112	СF	×		-	×								6F	8
Professor	108413	G	×		-	×								5F	8
Professor	108673	СF	×		~	×								5F	8
Professor	106394	сF	×		-	×								5F	8
Associate Professor Clinical	108041	C۴	×		-	×								5F	8
Associate Professor	106463	сF	×		-	×								6F	8
Professor	106452	СF	×		-	×								6F	8
Lecturer (Temporary)	118575	СF	×		-	×								6F	8
Lecturer (Temporary)	119181	СF	×		~	×								5F	8
Senior Lecturer	109931	GF	×		-	×								5F	8
Professor	108039	ч	×			×								5F	8
Professor	106684	сF	×		-	×								6F	8
Teaching Professor	106406	СF	×		-	×								5F	8
Lecturer (Ad Hoc)	106311	CF	×		-	×								5F	8
Professor	107697	CF	×		^	×								5F	8
Assistant Professor	108575	CF	×		_	×								5F	8
Lecturer (Temporary)	118017	CF	×		~	×								5F	8
Professor	108291	CF	×			×								5F	8
Lecturer (Temporary)	116127	CF	×		^	×								5F	8
Associate Professor Research	109806	CF	×		^	×								5F	8
Lecturer (Ad Hoc)	109339	CF	×			×								5F	8
Associate Professor	106620	CF	×		~	×								6F	8
Professor	106604	CF	×		~	×								5F	8
Lecturer (Temporary)	116.862	CF	×		<u> </u>	×								5F	8
Serior Lecturer	108483	CF	×		~	×								1M	8
Associate Professor	106228	CF	×			×								1M	8
Professor	107 442	CF	×		-	×								4M	8
Lecturer (Temporary)	119282	CF	×		-	×								4M	8
Lecturer (Temporary)	118339	CF	×		^	×								5M	8
Associate Professor Research	106898	CF	×		-	×								5M	8
Professor	106045	CF	×		<u> </u>	×								5M	8
Professor Visiting	109221	CF	×		~	×								5M	8
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Classification Title	Position Number	EEO Job Category	Union	Tintes .	Lief No	No List White Main	· Minority	Farmer	Distant	Volume	and a	Promotion	WIND I	Termination.	firsh.
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usocials Professor	100120	5	×			×								2N	8
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hutbaser	10000	8	×			*								ns:	8
hyberor	10001	ð	×			×								N	8
Ideadual (Lauband)	10.01	5	×			×					F			20	8
hurbanic	100301	ð	×			×								ns.	8
usercians Phylasoph	108223	ð	×		-	*								ns.	8
Actual (Tenpore)	13631	0	×			×					T			N	8
Patheeser Librarian	105.001	5	×			×								- SN	8
Acture (Temporary)	142511	ъ	×			×								R	8
Actual (Tempore)	115110	ð	×			×					T			SN	8
tesociete Professor	10000	8	×		-	×								N	8
actual (Terpore)	110311	5	×											N	8
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Hearth-Unit Clark	910120	4	×			×									45	2
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### DISCIPLINARY ACTION

EQUAL EMPLOYMENT OPPORTUNITY CIVIL RIGHTS COMPLAINT PROFILE

ACENCY: University of Rhode Island

DATE: July 1, 2023 - June 30, 2023

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## PART D

## DETERMINING UNDERREPRESENTATION AND GOAL SETTING

\*Due to the retroactive nature of this annual report, no goals were established for fiscal year 2023. The University of Rhode Island will continue to make efforts to develop a workforce that is representative of the communities it serves.

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PART E

## IDENTIFICATION AND ANALYSIS OF GROWTH AREAS

## INTRODUCTION

This Affirmative Action Plan supports the University's mission to advance practices that help to foster a more inclusive, diverse, and people-centered culture. The workforce data reported in the subsequent section represents cross-sectional data; collected at one point in time. Data for fiscal year 2022 represents the workforce of the University of Rhode Island [or "University"] as of June 30, 2022. Personally identifiable information has been removed to ensure confidentiality.

When making comparisons, the Office of Equal Opportunity will use the term "labor force" to refer to individuals employed or actively seeking employment. The term "workforce" refers to University of Rhode Island personnel. The Underutilization Analysis section will assess the University's workforce and will make comparisons between the University's workforce, and;

- The Rhode Island labor force, as reported in the 2021 American Community Survey 1-Year Estimates. Table IDS2301, ACSST1Y2021;
- The United States labor force, as reported in the 2021 American Community Survey 1-Year Estimates. Table IDS2301, Dataset ACSST1Y2021;
- The Rhode Island population, as reported in the Rhode Island Department of Administration, Division of Equity, Diversity, and Inclusion, FY2022 guidelines, per 2021 U.S. Census Bureau, QuickFacts Estimates;
- The United States population, as reported in the 2021 U.S. Census Bureau QuickFacts Estimates; and
- The U.S. Census Bureau Occupational Title Chart: Professors, 381726-2021 SED -All fields, for the United States and New England labor area.

It is important to recognize the differences among the data sources listed above. Per the U.S. Census Bureau: "Although the American Community Survey (ACS) produces population, demographic and housing unit estimates, it is the Census Bureau's Population Estimates Program that produces and disseminates the official estimates of the population for the nation, states, counties, cities, and towns and estimates of housing units for states and counties."

Population percentages produced by ACS and the U.S. Census Bureau include data for all Rhode Island and United States residents, regardless of their status in the labor force. Labor force estimates produced by the QuickFacts division of the U.S. Census Bureau provide an estimate of representation in the labor force and exclude individuals under the age of 16, and those who are retired.

This Affirmative Action Plan was developed following guidance from the U.S. Department of Labor Office of Federal Contract Compliance (OFCCP) and in accordance with Rhode Island General Laws §§ 28-5-1, and other applicable local, state, or federal laws, rules, or regulations. Definitions used are consistent with those used by enforcement agencies.

Per the OFCCP, the purpose of affirmative action "is to ensure equal employment opportunities for applicants and employees. It is based on the premise that, absent discrimination, over time [the University of Rhode Island's] workforce generally will reflect the demographics of the qualified available workforce in the relevant job market. Affirmative action requirements are intended to ensure that applicants and employees of federal contractors have equal opportunity for recruitment, selection, advancement, and every other term and privilege associated with employment, without regard to their race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or status as a protected veteran."

## I. SELF-EVALUATION AND UNDERUTILIZATION ANALYSIS

## WORKFORCE COMPOSITION

As of June 30, 2022, the University of Rhode Island had a total of 2,634 employees (faculty and staff), of which 399 identified as members of minority groups (15.15%). The Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity have established the following reporting categories for data on race and ethnicity: (1) Black or African American; (2) Hispanic or Latino; (3) American Indian or Alaska Native; (4) Asian; (5) White; (6) Native Hawaiian or Other Pacific Islander; (7) Two or More Races. The Office of Equal Opportunity recognizes that while it must comply with existing standards, defining race and ethnicity using these limiting categories does not capture the diversity of the University's workforce.

-- Black or African American. A person having origins in any of the black racial groups of Africa.

-- *Hispanic or Latino*. A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.

-- *American Indian or Alaska Native*. A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.

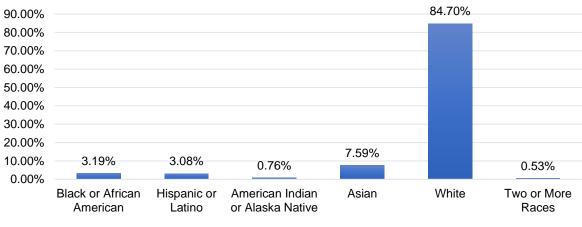
-- **Asian**. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

-- *White*. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

-- *Native Hawaiian or Other Pacific Islander*. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

-- *Two or More Races*. (Not Hispanic or Latino): All persons who identify with more than one of the above five races.

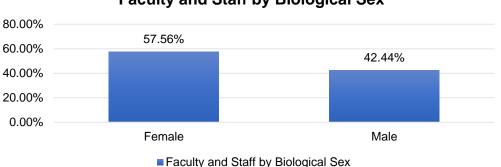
Members of the University's workforce (faculty and staff) identified as follows; Black or African American 3.19%; Hispanic or Latino 3.08%; American Indian or Alaska Native 0.76%; Asian 7.59%; White 84.70%; and Two or More Races 0.53%. No members of the workforce identified as Native Hawaiian or Other Pacific Islander.



## Faculty and Staff by Race and Ethnicity

Faculty and Staff by Race and Ethnicity

The standard for sex reporting is male or female. For the purposes of this report, sex was defined as biological sex as required by federal and state enforcement agencies. The Office of Equal Opportunity recognizes that while it must comply with existing standards, defining sex as male or female does not capture the diversity of the University's workforce. A total of 1,516 employees (faculty and staff) identified as female (57.56%), and 1,118 as male (42.44%).



## Faculty and Staff by Biological Sex

## UNDERUTILIZATION ANALYSIS: FACULTY AND STAFF

The next section compares the University's workforce to the R.I. population, the U.S. population, the R.I. workforce, and the U.S. workforce. The Office of Equal Opportunity has limited comparisons to race and ethnicity diversity measures, which is the approach the U.S. Census followed in the most recent decennial census, and it is the standard followed by federal and state enforcement agencies. Per the U.S. Census Bureau:

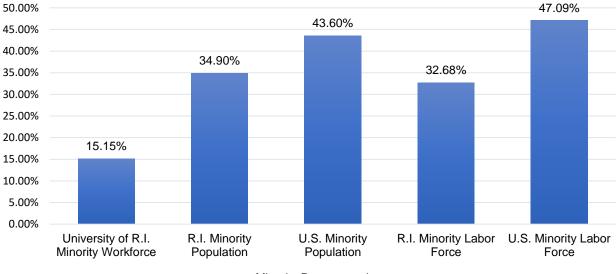
In the past, the Census Bureau had sometimes used the concept of "majority" and "minority" for measuring diversity, but this approach has several conceptual and practical challenges that limit its ability to illustrate the complex racial and ethnic diversity of the U.S. population.

For example, while some people classify individuals who identify with multiple population groups (such as Hispanic and White; White and Black or African American; and White and Asian) as part of the majority population, others classify them as part of the minority population. The dual identities of these groups highlight the social, political, and economic complexities of race and ethnicity in 21<sup>st</sup>-century U.S. society.

The inclusion of certain groups as part of the "majority" or "minority" has also become more complex and contested in recent decades, especially as many people may not identify with certain population groups even if that is how they are classified and tabulated per federal standards. The majority-minority approach is ambiguous, and it is further complicated by complex demographic and social realities.

To overcome these limitations, the Office of Equal Opportunity, and the U.S. Census Bureau, focused on race and ethnicity as separate diversity measures. The University's underutilization analysis was conducted including and excluding *Two or More Races*.

Minority personnel, including Two or More Races, made up 15.15% of the University's workforce. Individuals identifying as minorities, including Two or More Races, made up 34.90% of the R.I. population; 43.60% of the U.S. population; 32.68% of the R.I. labor force; and 47.09% of the U.S. labor force.



## Minority Representation

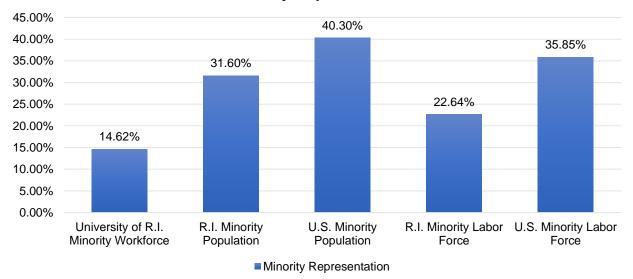
Minority Representation

Including Two or More Races, when comparing the University's workforce (faculty and staff) to the:

- Rhode Island population, minorities are underrepresented by 19.75%.
- United States population, minorities are underrepresented by 28.45%.
- Rhode Island labor force, minorities are underrepresented by 17.53%.
- United States labor force, minorities are underrepresented by 31.94%.

Per the OFCCP, the purpose of affirmative action "is to ensure equal employment opportunities for applicants and employees. It is based on the premise that, absent discrimination, over time [the University of Rhode Island's] workforce generally will reflect the demographics of the qualified available workforce in the relevant job market." To develop a workforce that reflects the qualified available labor force, if using the general job market as a guide, the University of Rhode Island needs to increase minority representation, based on the R.I. labor force availability estimates, by 17.53%, and based on the U.S. labor force availability estimates, by 31.94%.

Minority personnel, excluding Two or More Races, made up 14.62% of the University's workforce. Individuals identifying as minorities, excluding Two or More Races, made up 31.60% of the R.I. population; 40.30% of the U.S. population; 22.64% of the R.I. labor force; and 35.85% of the U.S. labor force.



## **Minority Representation**

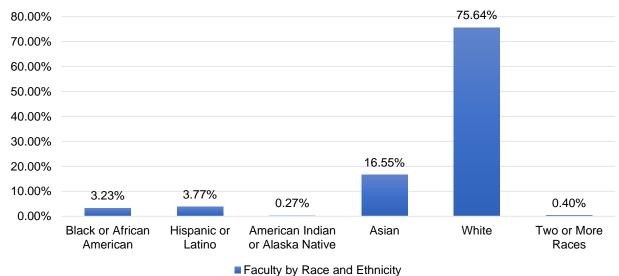
Excluding Two or More Races, when comparing the University's workforce (faculty and staff) to the:

- Rhode Island population, minorities are underrepresented by 16.98%.
- United States population, minorities are underrepresented by 25.68%.
- Rhode Island labor force, minorities are underrepresented by 8.02%.
- United States labor force, minorities are underrepresented by 21.23%.

Per the OFCCP, the purpose of affirmative action "is to ensure equal employment opportunities for applicants and employees. It is based on the premise that, absent discrimination, over time [the University of Rhode Island's] workforce generally will reflect the demographics of the qualified available workforce in the relevant job market." To develop a workforce that reflects the qualified available labor force, if using the general job market as a guide, the University of Rhode Island needs to increase minority representation, based on the R.I. workforce availability estimates, by 8.02%, and based on the U.S. labor force availability estimates, by 21.23%.

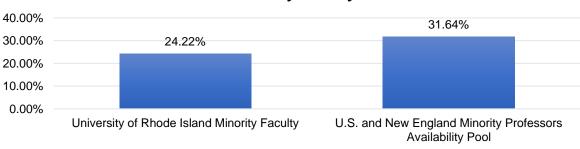
## UNDERUTILIZATION ANALYSIS: FACULTY ONLY

As of June 30, 2022, the University of Rhode Island had a total of 743 faculty members of which 180 identified as members of minority groups, 368 as male and 375 as female. To review a detailed table of showing faculty members by title, rank, race, ethnicity, and gender, see the chart on page 68. Minority faculty, including Two or More Races, made up 24.22% of the faculty body, and identified as follows: Black or African American 3.23%; Hispanic or Latino 3.77%; American Indian or Alaska Native 0.27%; Asian 16.55%; White 75.64%; and Two or More Races 0.40%. No members of the workforce identified as Native Hawaiian or Other Pacific Islander.



## Faculty by Race and Ethnicity

The U.S. Census Bureau Occupational Title Chart for Professors, no. 381726-2021 SED -All fields, notes that minority professors make up 31.64% of the available selection pool in the U.S. and New England labor area. When comparing the University's faculty body to the available selection pool in the U.S. and New England labor area, minority faculty members are underrepresented by 7.42%.



**Minority Faculty** 

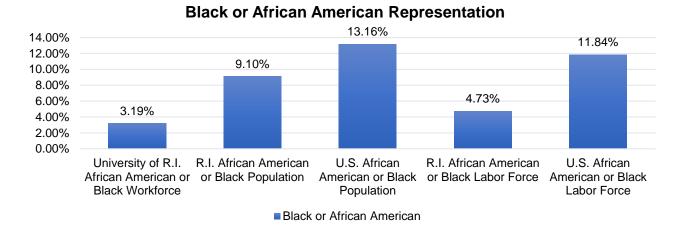
Minority Faculty

Per the OFCCP, the purpose of affirmative action "is to ensure equal employment opportunities for applicants and employees. It is based on the premise that, absent discrimination, over time [the University of Rhode Island's] workforce generally will reflect the demographics of the qualified available workforce in the relevant job market." To develop a faculty body that reflects the qualified available workforce, if using the U.S. and New England labor area market as a guide, the University of Rhode Island needs to increase minority representation by 7.42%.

# ASSESSMENT OF WORKFORCE COMPOSITION BY GROUP: FACULTY AND STAFF

## African American or Black

In FY2022, a total of 84 members of the University's workforce identified as Black or African American (3.19%). Black or African American individuals made up 9.10% of the R.I. population; 13.60% of the U.S. population; 4.73% of the R.I. labor force; and 11.84% of the U.S. workforce.

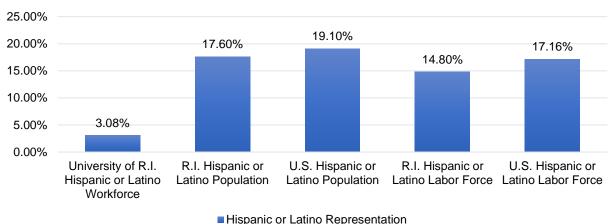


When comparing the University's Black or African American workforce (faculty and staff) to the:

- Rhode Island population, Black or African American personnel are underrepresented by 5.91%.
- United States population, Black or African American personnel are underrepresented by 10.41%.
- Rhode Island labor force, Black or African American personnel are underrepresented by 1.54%.
- United States labor force, Black or African American personnel are underrepresented by 8.65%.

## **HISPANIC OR LATINO**

In FY2022, a total of 81 members of the University's workforce identified as Hispanic or Latino (3.08%). Hispanics or Latinos made up 17.60% of the R.I. population; 19.10% of the U.S. population; 14.80% of the R.I. labor force; and 17.16% of the U.S. labor force.



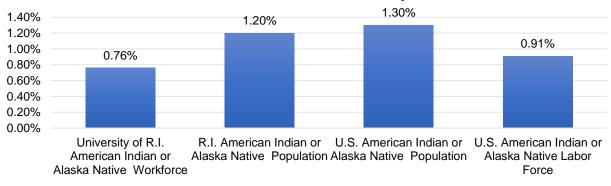
## **Hispanic or Latino Representation**

When comparing the University's Hispanic workforce (faculty and staff) to the:

- Rhode Island population, Hispanics or Latinos are underrepresented by 14.52%.
- United States population, Hispanics or Latinos are underrepresented by 16.02%.
- Rhode Island labor force, Hispanics or Latinos are underrepresented by 11.72%.
- United States labor force, Hispanics or Latinos are underrepresented by 14.08%.

#### American Indian or Alaska Native

In FY2022, a total of 20 members of the University's workforce identified as American Indian or Alaska Native (0.76%). American Indian or Alaska Native individuals made up 1.20% of the R.I. population; 1.30% of the U.S. population; and 0.91% of the U.S. labor force. It is unclear what percentage of the R.I. labor force identifies as American Indian or Alaska Native.



#### American Indian or Alaska Native Representation

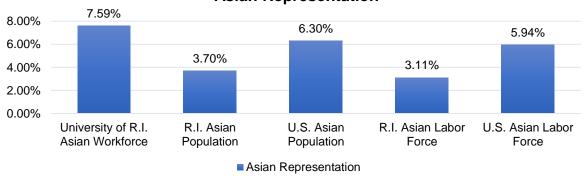
American Indian or Alaska Native Representation

When comparing the University of Rhode Island American Indian or Alaska Native workforce (faculty and staff) to the:

- Rhode Island population, American Indian or Alaska Native personnel are underrepresented by 0.44%.
- United States population, American Indian or Alaska Native personnel are underrepresented by 0.54%.
- United States labor force, American Indian or Alaska Native personnel are underrepresented by 0.15%.

# Asian

In FY2022, a total of 200 members of the University's workforce identified as Asian (7.59%). Asian personnel made up 3.70% of the R.I. population; 6.30% of the U.S. population; 3.11% of the R.I. labor force; and 5.94% of the U.S. labor force.



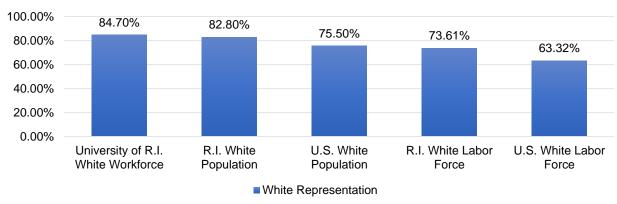
## **Asian Representation**

When comparing the University's Asian workforce (faculty and staff) to the:

- Rhode Island population, Asian personnel are overrepresented by 3.89%.
- United States population, Asian personnel are overrepresented by 1.29%.
- Rhode Island labor force, Asian personnel are overrepresented by 4.48%.
- United States labor force, Asian personnel are overrepresented by 1.65%.

## White

In FY2022, a total of 2,231 members of the University's workforce identified as White (84.70%). White individuals made up 82.80% of the R.I. population; 75.50% of the U.S. population; 73.61% of the R.I. workforce; and 63.32% of the U.S. workforce.



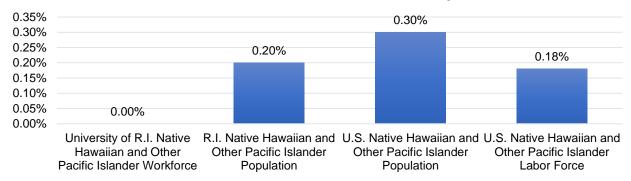
White Representation

When comparing the University's White workforce (faculty and staff) to the:

- Rhode Island population, White personnel are overrepresented by 1.90%.
- United States population, White personnel are overrepresented by 9.20%.
- Rhode Island labor force, White personnel are overrepresented by 11.09%.
- United States labor force, White personnel are overrepresented by 21.38%.

#### Native Hawaiian or Pacific Islander

In FY2022, zero members of the University's workforce identified as Native Hawaiian and Other Pacific Islander. It is estimated Native Hawaiian and Other Pacific Islander individuals make up 0.20% of the R.I. population; 0.30% of the U.S. population; and 0.18% of the U.S. labor force. It is unclear how many members of the R.I. labor force identified as Native Hawaiian and Other Pacific Islander.



## Native Hawaiian and Other Pacific Islander Representation

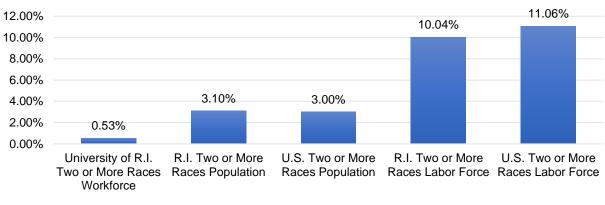
Native Hawaiian and Other Pacific Islander Representation

When comparing the University's Native Hawaiian and Pacific Islander workforce (faculty and staff) to the:

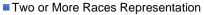
- Rhode Island population, Native Hawaiian and Other Pacific Islander individuals are underrepresented by 0.20%.
- United States population, Native Hawaiian and Other Pacific Islander individuals are underrepresented by 0.30%.
- United States workforce, Native Hawaiian and Other Pacific Islander individuals are underrepresented by 0.18%.

# Two or More Races

In FY2022, 14 members of the University's workforce identified as Two or More Races (0.53%). It is estimated that individuals identifying as Two or More Races make up 3.10% of the R.I. population; 3.00% of the U.S. population; 10.04% of the R.I. workforce; and 11.06% of the U.S. workforce.



## Two or More Races Representation

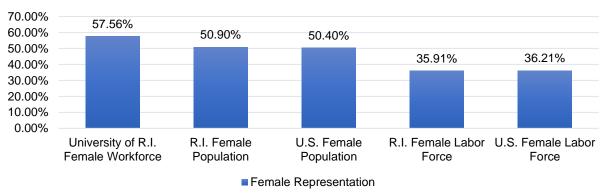


When comparing the University's Two or More Races workforce (faculty and staff) to the:

- Rhode Island population, personnel who identified as Two or More races are underrepresented by 2.57%.
- United States population, personnel who identified as Two or More races are underrepresented by 2.47%.
- Rhode Island labor force, personnel who identified as Two or More races are underrepresented by 9.51%.
- United States labor force, personnel who identified as Two or More races are underrepresented by 10.53%.

## Female

In FY2022, a total of 1,517 members of the University's workforce identified as Female (57.59%). Female persons made up 50.90% of the R.I. population; 50.40% of the U.S. population; 35.91% of the R.I. workforce; and 36.21% of the U.S. workforce.



# Female Representation

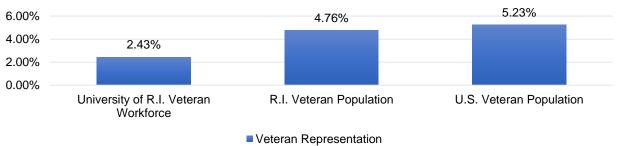
When comparing the University's Female workforce (faculty and staff) to the:

- Rhode Island population, Female personnel are overrepresented by 6.66%.
- United States population, Female personnel are overrepresented by 7.19%.
- Rhode Island labor force, Female personnel are overrepresented by 21.68%.
- United States labor force, Female personnel are overrepresented by 21.38%.

#### Veterans

In FY2022, a total of 64 members of the University's workforce reported their Veteran status (2.43%). Per the U.S. Census Bureau, "veteran status is used to identify people with activeduty military service and service in the military Reserves and the National Guard. Veterans are men and women who have served (even for a short time), but are not currently serving, on active duty in the U.S. Army, Navy, Air Force, Marine Corps, or the Coast Guard, or who served in the U.S. Merchant Marine during World War II. People who served in the National Guard or Reserves are classified as veterans only if they were ever called or ordered to active duty, not counting the initial training or yearly summer camps. All other civilians are classified as nonveterans. While it is possible for 17-year-olds to be veterans of the Armed Forces, ACS data products are restricted to the population 18 years and older." Two active Reserve members and two inactive Reserve members were excluded from the report due to not meeting the definition of a veteran.

Veterans made up 4.76% of the R.I. population and 5.23% of the U.S. population. Active-duty military personnel are not considered part of the civilian labor force.



# **Veteran Representation**

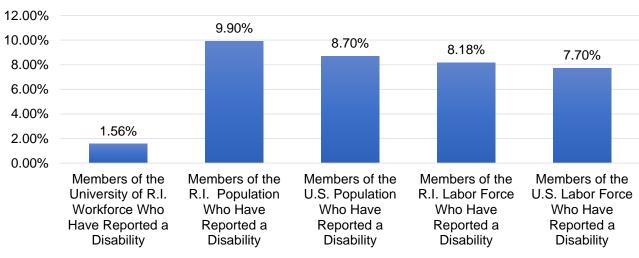
When comparing the University of Rhode Island Veteran workforce (faculty and staff) to the:

- Rhode Island population, Veteran personnel are underrepresented by 2.33%.
- United States population, Veteran personnel are underrepresented by 2.80%.

# Disabled

In FY2022, 41 members of the University's workforce reported a disability (1.56%). The OFCCP defines disability with respect to an individual as 1) a physical or mental impairment that substantially limits one or more of an individual's major life activities; 2) a record of such an impairment; 3) or being regarded as having such an impairment, per 41 CFE 60-741.2(g) and related definitions.

It is estimated that individuals who have reported a disability make up 9.90% of the R.I. population; 8.70% of the U.S. population; 8.18% of the R.I. labor force; and 7.70% of the U.S. labor force.



# Persons Who Have Reported a Disability

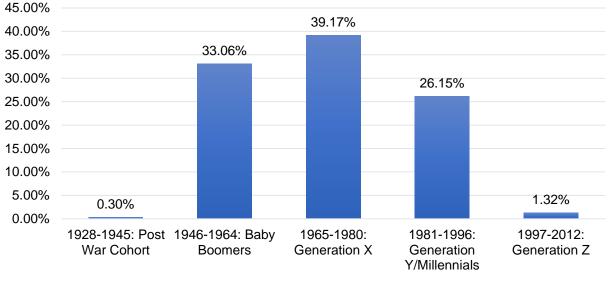
Persons Who Have Reported a Disability

When comparing University of Rhode Island personnel (faculty and staff), who have reported a disability, to the:

- Rhode Island population, personnel who have reported a disability are underrepresented by 8.34%.
- United States population, personnel who have reported a disability are underrepresented by 7.14%.
- Rhode Island labor force, personnel who have reported a disability are underrepresented by 6.62%.
- United States labor force, personnel who have reported a disability are underrepresented by 6.14%.

# Generations Represented in the Workforce and Retention

Workforce statistics demonstrated there were five generations represented in the University's workforce as of June 30, 2022, and the average age of employed persons was 50 years old, and 76% of the University's workforce was 40 years old or older.

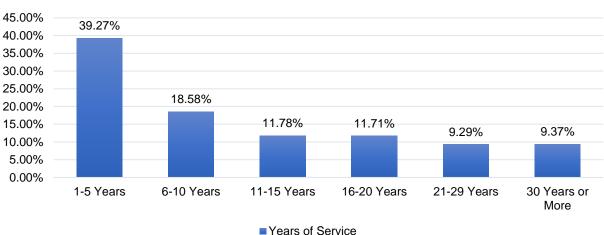


# **Generations Represented**

Generations Represented

The average person employed by the University has worked for the University for 11.61 years, and:

- 39.27% of the FY2022 workforce has worked for the University for 1 to 5 years.
- 18.58% of the FY2022 workforce has worked for the University for 6 to 10 years.
- 11.78% of the FY2022 workforce has worked for the University for 11 to 15 years.
- 11.71% of the FY2022 workforce has worked for the University for 16 to 20 years.
- 9.29% of the FY2022 workforce has worked for the University for 21 to 29 years.
- 9.37% of the FY2022 workforce has worked for the University for 30 years or more.



## Years of Service

# Internal Payroll Employees

The chart below represents the demographic composition of internal payroll employees; parttime faculty and temporary part-time employees. Due to the nature of temporary part-time positions, which are short-term, or emergent in nature with a required specialized skill set, advertising for these positions is not cost-effective, and it is detrimental to efficient University operations. Continuing part-time positions are advertised in accordance with the Collective Bargaining Agreements or council policy.

Hiring of part-time faculty is governed by the applicable collective bargaining agreement; Rhode Island Council 94, AFSCME, AFL-CIO, Part-time Faculty, Local 145. Part-time faculty are assigned courses based on the applicable collective bargaining agreement. Each term of employment may be up to one semester in duration.

Title	Total Employees	Male	Female	Not Specified Gender	Minority	Black or African American	Hispanic or Latino	American Indian or Alaska Native	Asian	White	Native Hawaiian or Pacific Islander	Two or More Races	Not Specified Race or Ethnicity
Academic Instructors	40	11	26	3	4	2			2	21			15
Academic Testing Ctr	1		1							1			
Aquatic Instructors	2		2							1			1
Athletic Coaches	8	7		1						2			6
Athletics per Event Employees	1	1								1			
CEPS Academic Professional	361	149	209	3	67	9	11	1	46	257			37
Classified Limited Hourly	28	3	25		1				1	26			1
Facilities Supervisor	3		3							3			
Medical Duties	8	5	3		1	1				4			3
Non-Classified Limited Contract	40	13	25	2	6	1	2	1	2	15			19
Non-Classified Limited Hourly	209	64	140	5	24	6	11	1	6	138			47
Performing Artists Contract	1		1										1
Police and Security	43	40	3		3	2	1			39			1
Recreation Services	7	3	1	3						2			5
Summer Recontracting Summer Research Faculty	43	19	24		11		6		5	31			1
Total Employees	78 873	43 358	35 498	17	117	21	4 35	1 4	19 <b>81</b>	54 595	0	0	137
Percentages		41.01%	490 57.04%	1.95%	13.40%	2.41%	4.01%	4 0.46%	9.28%	68.16%	0.00%	0.00%	15.69%

Including Two or More Races, when comparing internal payroll employees to the:

- Rhode Island population, minorities are underrepresented by 21.50%.
- United States population, minorities are underrepresented by 30.20%.
- Rhode Island labor force, minorities are underrepresented by 19.28%.
- United States labor force, minorities are underrepresented by 33.69%.

Excluding Two or More Races, when comparing internal payroll employees to the:

- Rhode Island population, minorities are underrepresented by 18.20%.
- United States population, minorities are underrepresented by 26.90%.
- Rhode Island labor force, minorities are underrepresented by 9.24%.
- United States labor force, minorities are underrepresented by 22.45%.

# II. EMPLOYMENT RECRUITMENT AND SELECTION PROCESS

# CHANGES TO EMPLOYMENT, RECRUITMENT, AND SELECTION PROCESS

Effective July 1, 2022, the University established the Office of Equal Opportunity and separated talent acquisition activities and affirmative action compliance. The primary role of the Office of Equal Opportunity is to enforce civil rights compliance, uphold anti-discrimination laws, and promote equal access and equal opportunity for all.

The Office of Equal Opportunity is responsible for leading enterprise compliance with the law and spirit of affirmative action and equal employment opportunity in all aspects of employment, including recruitment, selection, hiring, ongoing service, and the administration of the University's Policy on Nondiscrimination. All Employees and applicants have a right to equal opportunity in all terms, conditions, or privileges of employment, including, but not limited to recruitment, hiring, certification, appointments, working conditions, work assignments, promotions, benefits, and compensation.

The Office of Equal Opportunity provides leadership, strategic direction, technical assistance, and guidance, promotes continuous dialogue through education and training, and plays a vital role in advancing civil rights in the hiring and recruitment process through:

- Objective investigations and enforcement of the Policy on Nondiscrimination.
- Establishing Affirmative Action goals and conducting underutilization analyses.
- Reporting affirmative action progress to the President, the Deans, hiring authorities, University stakeholders, and state and federal enforcement agencies
- Working with University stakeholders to remove barriers hindering access to employment opportunities.
- Training and education efforts about civil rights compliance topics, such as affirmative action.

The Office of Equal Opportunity supports the recruitment, selection, and hiring process by reinforcing compliance with Title VII of the Civil Rights Act of 1964, as well as affirmative action compliance, and other applicable laws and regulations. Through this effort, the Office of Equal Opportunity works with the University leadership to establish and measure recruitment goals and offers training to educate those involved in the recruitment, selection, and hiring process to minimize pre-discriminatory behaviors and discrimination in all aspects of employment.

The Office of Equal Opportunity works with the Office of Human Resource Administration, hiring authorities, and search committee members to foster a workforce, at all levels of the organization, that is reflective of the communities we serve. The Office of Equal Opportunity is not directly involved with the recruitment, selection, or hiring process as it relates to talent acquisition and the University's Hiring and Recruitment Policy. The Office of Human Resource Administration is not directly involved with the enforcement of civil rights compliance, including affirmative action compliance, during the stages of the recruitment life cycle.

Stages of the recruitment life cycle:

- Stage I: Pre-recruitment planning (writing the job description).
- Stage II: Sourcing (conducting outreach, searching for active and passive candidates).

- Stage III: Evaluation of applicants (selecting the applicants who advance to the next stage).
- Stage IV: Interview and selection (ensure the hiring process is consistent, formulate interview questions, invite candidates to interview).
- Stage V: Hiring (selecting the most qualified candidate using skills and qualifications as a hiring basis).
- Stage VI: Onboarding (setting up your new hire for success).
- Stage VII: Post-recruitment Evaluation (6- and 12-month reviews).

# RESPONSIBLE OFFICIAL(S):

Hiring authorities are responsible for the screening of applicants, and selection of successful candidates, in addition to:

- Working with the Office of Human Resource Administration to comply with the hiring and recruitment process established.
- Working with the Office of Equal Opportunity to comply with applicable civil rights laws and regulations.
- Selecting search committee members and assigning a chair to lead each search.
- Participating in the search committee training the Office of Equal Opportunity and the Office of Human Resource Administration plan to introduce during FY2024 and encouraging search committee members to participate.
- Confirming search committee members have participated in the Civil Rights Compliance Training for Search Committees.
- Evaluating applicants objectively; solely on skills and qualifications.
- Engaging a diverse applicant pool through outreach.
- Working with the Office of Human Resource Administration to draft the job description.
- Identifying required and preferred skills and qualifications that are consistent with business necessity, and do not hinder the University of Rhode Island's ability to foster a diverse workforce. The U.S. Census Bureau, 2016-2020 American Community Survey 5-Year Estimates, found that those holding a bachelor's degree or higher in the State of Rhode Island identify as follows:

RACE AND HISPANIC OR LATINO ORIGIN BY EDUCATIONAL ATTAINMENT	Percent
Asian alone	54.0%
White alone, not Hispanic or Latino	38.3%
Native Hawaiian and Other Pacific Islanders alone	32.0%
Two or More Races	25.5%
Black or African American	23.8%
Hispanic or Latino	15.9%
American Indian or Alaska Native alone	15.4%

Some Other Race alone	13.1%

The Office of Equal Opportunity encourages hiring authorities to develop job descriptions with skills and qualification requirements that are consistent with business necessity, meet State of Rhode Island guidelines enforced by the Office of Human Resource Administration, and do not hinder the University's ability to continue to develop a diverse workforce.

Search committee chairs are responsible for:

- Developing an outreach plan and encouraging search committee members to distribute vacancy announcements among their networks, and in referral associations listed in the Office of Equal Opportunity Hiring and Recruitment Toolkit.
- Reporting outreach activity to the Office of Human Resource Administration for tracking purposes as part of their Search Plan.
- Developing interview questions in conformity with Title VII of the Civil Rights Act of 1964, and other applicable laws and regulations.
- Completing the applicant evaluation rubric and submitting the rubric to the Office of Human Resource Administration.
- Evaluating applicants objectively; solely on skills and qualifications.
- Completing the applicant evaluation rubric, gathering applicant evaluation rubrics, and submitting an official committee evaluation to the Office of Human Resource Administration.
- Participating in the search committee training the Office of Equal Opportunity and Office of Human Resource Administration plan to introduce during FY2024 and encouraging search committee members to participate.

Search committee members are responsible for:

- Distributing vacancy announcements among their networks, and in referral associations listed in the Outreach section of the Office of Equal Opportunity Search Committee Toolkit.
- Reporting outreach activity to the search committee chair for tracking purposes.
- Working with the search committee chair to develop interview questions in conformity with Title VII of the Civil Rights Act of 1964, and other applicable laws and regulations.
- Completing the applicant evaluation rubric and submitting the rubric to the search committee chair.
- Evaluating applicants objectively; solely on skills and qualifications.
- Participating in the Search Committee training the Office of Equal Opportunity and the Office of Human Resource Administration plan to introduce during FY2024.

# APPLICANT FLOW

In FY2022, a total of 7,511 job seekers submitted applications for vacancies within the University of Rhode Island. The applicants identified as follows:

- 1,473 identified as members of minority groups (19.61%).
- 2,972 identified as white (39.57%)

• 3,066 did not disclose their racial or ethnic demographic information (40.82%).

Applicants who did not disclose their demographic information were excluded from the Applicant Flow data chart on page 65.

Minority new hires slightly exceeded the minority applicant pool by 0.39%. The University of Rhode Island hired a total of 395 individuals during FY2022. The new hires identified as follows:

- 79 identified as members of minority groups (20.00%).
- 316 identified as white (80.00%).

Despite good faith efforts carried out by the University of Rhode Island, the University was unable to meet its overall recruitment goal as established in accordance with federal and state laws and regulations. Per the OFCCP, the purpose of affirmative action "is to ensure equal employment opportunities for applicants and employees. It is based on the premise that, absent discrimination, over time [the University of Rhode Island's] workforce generally will reflect the demographics of the qualified available workforce in the relevant job market."

Minorities make up 22.64% of the Rhode Island labor force and 35.85% of the U.S. labor force. If using the Rhode Island labor force or the U.S. labor force as guides, excluding Two or More Races, the University of Rhode Island did not meet hiring goals. Minority new hires, excluding Two or More Races, made up 18.48% of the new hires.

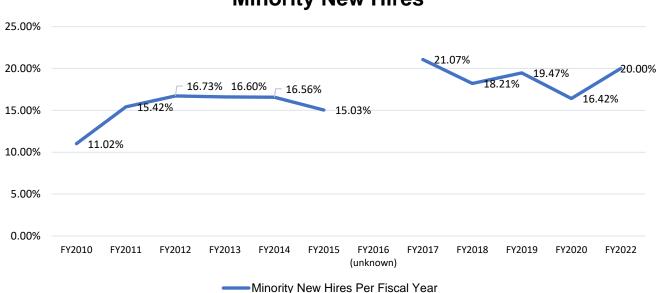
- If using the Rhode Island labor force as a guide, minority new hires, excluding Two or More Races, were underrepresented by 4.16%.
- If using the U.S. labor force as a guide, excluding Two or More Races, minority new hires were underrepresented by 17.37%.

The University of Rhode Island will continue to work with University stakeholders to promote equal opportunity in all aspects of employment and to evaluate and remove barriers to preventing access to equal opportunity in the hiring and recruitment process. Furthering the ideals of our mission and making the University a place where every member of the community can enjoy equal access and realize their potential, without regard to their protected status, is the responsibility of each member of the workforce.

The work of advancing civil rights compliance does not begin or end with one person, one division, one initiative, or one program. Achieving civil rights compliance and removing barriers in employment requires collaborative efforts, and the full participation and cooperation of all University departments, offices, personnel, and stakeholders. Maintaining civil rights compliance and promoting equal opportunity requires continuous evaluation of programs and intentional actions that promote accountability and transparency.

Hiring authorities and search committees play a vital role as it relates to increasing representation in the workforce and working with the Office of Equal Opportunity and the Office of Human Resource Administration to remove barriers to employment. The most effective tool available to meet affirmative action goals is outreach. As the applicant pool of qualified diverse candidate increases, representation in the workforce will increase. For this reason, hiring authorities and search committee members are responsible for conducting outreach to increase the pool of diverse applicants.

The University of Rhode Island has demonstrated improvements in the representation of minorities in the workforce as evidenced by the chart below. The average percentage of minority new hires since FY2010 is 16.95%. The State of Rhode Island did not require an Affirmative Action Plan for FY2021. For this reason, no State Affirmative Action Plan was completed for FY2021. From FY2018 to FY2022, excluding FY2021, the University has observed an upward trend in the percentage of minority new hires.



**Minority New Hires** 

The University of Rhode Island will continue to make efforts to review, monitor, and evaluate hiring and recruitment procedures to ensure that no discriminatory practices exist.

**RESPONSIBLE DIVISIONS AND OFFICIALS:** 

Office of Equal Opportunity Office of Human Resource Administration Hiring Authorities Search Committee Chairs Search Committee Members

#### POSTING OF POSITIONS AND PUBLIC AWARENESS

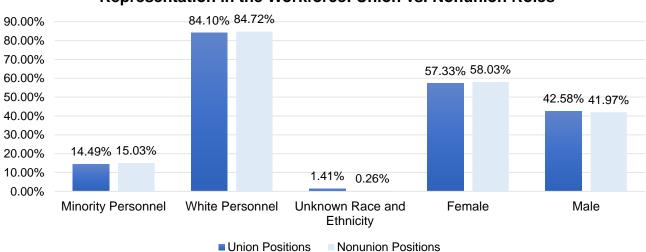
The University posted vacancy announcements on https://jobs.uri.edu/, encouraged employee referrals, and advertised vacancies with diversity recruitment sources, the State of Rhode Island Department of Labor and Training -Rhode Island State Jobs website: https://dlt.ri.gov/individuals/rhode-island-state-jobs, and associations serving members of protected groups. The University will continue to evaluate outreach efforts carried out to engage diverse applicants. Efforts will continue with hiring authorities and search committees regarding ways to identify recruitment sources that can significantly impact the representation of women, veterans, the disabled, and minorities in applicant pools.

Vacancy announcements were advertised on the following networking, professional, and service organizations, associations, and agencies:

IMDiversity.com; the Swearer Center; NAACP Providence Chapter; LinkedIn; the Journal of Blacks in Higher Education; American Association of Hispanics in Higher Education; Association for Black Psychologists; American Psychological Association; Tech National; Society of Black Engineers; Society of Hispanic Engineers; Blacks in Technology; Black Data Processors Association; Military Indeed; Diversejobs.net; ZipRecruiter; Nurse Recruiter; International Musician; Society for the Advancement of Chicanos/Hispanics and Native Americans in Science; MinorityNurse.com; the Black Criminology Network; American Academy of Nursing Newsletter; Rhode Island Veterans Network; Indeeddiversejobs.net; International Society for Microbial Ecology; the Council of Academic Programs in Communication Sciences and Disorders; the National Black Association; American Indian Library Association; Chronicle of Higher Education; Higheredjobs.com; Inside Higher Ed; the Providence Journal; Monster; others.

# TRANSFER AND PROMOTION PRACTICES

OFCCP defines promotion as "any personnel action resulting in, for example, the movement to a position affording higher pay, greater rank, change in job title, or increase in job grade; an increase in pay, requiring greater skill or responsibility; or the opportunity to attain such. A promotion may be either competitive or noncompetitive." The University is committed to non-discriminatory actions with regard to transfers and promotion of persons in all job classifications. 85.43% of University positions filled in FY2022 were subject to collective bargaining agreements. As a result, a significant number of promotions come from within the ranks of each union. Existing representation in the collective bargaining unions can hinder the University's ability to hire minorities since the filling of vacancies generally comes from the existing pool of employees within the University, which currently had a minority representation of 14.49% as of June 30, 2022. Nonunion positions have a minority representation of 15.03%.



#### **Representation in the Workforce: Union vs. Nonunion Roles**

During FY2022, the University of Rhode Island promoted a total of 197 individuals occupying union and nonunion positions, which identified as:

- 23 identified as members of minority groups (11.68%).
- 174 identified as white (88.32%).

The individuals promoted identified as follows:

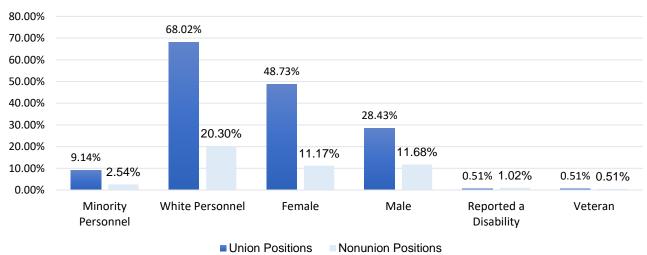
# **Union Roles**

- 18 identified as members of minority groups (9.14%)
- 134 identified as white (68.02%).
- 96 identified as female (48.73%)
- 56 identified as male (28.43%)
- 1 reported a disability (0.51%)
- 1 reported their veteran status (0.51%)

# **Nonunion Roles**

- 5 identified as members of minority groups (2.54%)
- 40 identified as white (20.30%).
- 22 identified as female (11.17%)
- 23 identified as male (11.68%)
- 2 reported a disability (1.02%)
- 1 reported their veteran status (0.51%)

The chart below illustrates the demographic composition of individuals promoted in FY2022 and separates union and nonunion employees.



Demographic Composition of Employees Promoted: Union vs. Nonunion Roles

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

**RESPONSIBLE DIVISIONS AND OFFICIALS:** 

Office of Equal Opportunity Office of Human Resource Administration Hiring Authorities Search Committee Chairs Search Committee Members

## FLEXTIME

Flextime (modification of start and end times, daily variable, seasonal, one-day-a-week, etc.) is addressed in some of the union contracts and must be approved by the Office of Human Resource Administration. Flex time is considered on a case-by-case basis. Successful flextime arrangements serve the needs of both individual employees and the unit or department where they work and shall not hinder departmental operations.

## **TECHNICAL COMPLIANCE**

The University of Rhode Island will continue to comply with Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; the Vietnam Era Veterans' Readjustment Act of 1974, as amended; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Rhode Island General Laws §§ 28-5-1; and other applicable federal, state, or local civil rights laws and regulations. The Office of Equal Opportunity is responsible for monitoring civil rights compliance.

#### **DIVERSITY OFFICERS WORKING GROUP**

During fiscal year 2022, the Diversity Officers Working Group met a total of three (3) times. The primary objective of the meetings is to share information and advise the Vice President of Community, Equity and Diversity on University-wide policies, procedures, and initiatives that advance diversity, equity, and inclusion.

Meeting agendas are developed by the division of Community, Equity and Diversity. Diversity Officers may recommend agenda items. Meetings took place on November 19, 2022, February 16, 2023, and March 21, 2023. Copies of available meeting minutes may be found in the Appendix.

#### TRAINING PROGRAMS

The Office for the Advancement of Teaching and Learning is responsible for promoting excellence and innovation in teaching and learning at the University and offers faculty development opportunities to the faculty. In addition to training offerings introduced by the Office for the Advancement of Teaching and Learning, the University of Rhode Island offered mandatory sexual violence prevention and cyber security awareness training to new hires and existing employees (faculty and staff). Additionally, the training sessions listed below were offered during FY2022 (July 1, 2023 to June 30, 2022).

## Search Procedures

Description: This training was offered by the Office of Affirmative Action, Equal Opportunity, and Diversity. The content included information and guidance from federal and state laws and statutes on the employee selection process, unconscious bias; the significance of a diverse search committee, responsibilities of the chair and committee members, the purpose of the applicant evaluation rubric, legal vs illegal interview questions, the significance of confidentiality and the process of approvals for interview pending and recommended for hire. The Office of Affirmative Action, Equal Opportunity, and Diversity became the Office of Equal Opportunity, effective July 1, 2022. Talent acquisition activities and civil rights compliance, which were previously merged together, were separated. The Office of Equal Opportunity will introduce civil rights compliance training for search committees in FY2024. The Office of Human Resource Administration will introduce talent acquisition training for search committees in FY2024.

## Campus Security Authority

Description: Identifies whom CSAs are according to the Clery Act, Clery reporting exemptions, reporting obligations, what to say before the information is disclosed, where and what to report, why this is important, internal and external resources, and frequently asked questions.

## Mandatory NCAA Sexual Violence Prevention

Description: Information includes definitions of sexual violence, definitions, intervention and response, consent, bystander intervention, sexual harassment, stalking, and hazing. Covers campus policies and processes addressing sexual violence prevention and acts of sexual violence, particularly those related to adjudication and resolution of matters related to sexual violence.

## TERMINATIONS

Terminations can be voluntary or involuntary and are in accordance with the provisions of the ten (10) collective bargaining agreements and the Office of Human Resource Administration Personnel Policy. Examples of terminations include demotion, resignation, transfer, and job abandonment. Reasons for terminations are evaluated regularly by the Office of Human Resource Administration and the Office of Equal Opportunity.

During FY2022, a total of 370 employees were terminated from employment, of which:

- 59 identified as members of minority groups (15.95%).
- 311 White identified as white (84.05%).

Employees who voice concerns about discrimination are afforded the opportunity to file a grievance by completing an internal Incident Report Form. Employees may also contact the Rhode Island Commission for Human Rights, the U.S. Equal Employment Opportunity Commission, the Department of Justice Office of the Americans with Disabilities Act Civil Rights Division, or the State of Rhode Island Division of Equity, Diversity, and Inclusion (DEDI). Employees interested in filing a complaint are encouraged to contact the Office of Equal Opportunity for a consultation.

As noted on the Equal Employment Opportunity Civil Rights Complaint Profile chart located on page 98 of this report.

# EXIT INTERVIEWS

In accordance with Rhode Island General Laws §§ 28-5-1, an exit interview program has been established in order to assure that terminating and transferring employees are not leaving because of discriminatory circumstances. Employees who have left the institution are provided a formalized exit interview letter and informational forms, which are optional. The Office of Human Resource Administration will afford any terminated and transferring employee a personal exit interview with the Director of Personnel upon request or with an Office of Human Resource Administration representative for all non-classified employees on unlimited appointments who are scheduled to terminate their employment with the University for any of the following reasons, resignation, retirement, lay-off (lack of work or funding) or discharged for just cause. The Office of Human Resource Administration encourages all terminating employees to exercise the option of a "face-to-face" interview. The State Equal Opportunity Office receives forms for all classified employees in addition to regular reporting on the composition of the total workforce.

**RESPONSIBLE DIVISIONS AND OFFICIALS:** 

Office of Human Resource Administration

## ADDENDUM: Diversity Plan to Improve Minority Hiring and Workplace Inclusion

The University of Rhode Island is committed to maintaining a learning and working environment free from discrimination and harassment. Consistent with our foundational values, the University will continue to foster an inclusive, accessible, equitable, and diverse community with respect for the rights and dignity of all as our cornerstone. The initiatives listed below are underway and will be introduced during fiscal year 2024.

To increase the representation of members of underrepresented groups in the workforce, such as women, minorities, persons with disabilities, and veterans, the University will introduce a new:

- Hiring and Recruitment Policy
- Training for Search Committees and Hiring Authorities
- Civil Rights Compliance Toolkit

The toolkit will include civil rights resources to address discriminatory and pre-discriminatory behaviors and a list of service organizations and associations dedicated to serving members of underrepresented groups. This effort, which is underway, and is being led by the Office of Equal Opportunity and the Office of Human Resource Administration, reaffirms the University's commitment to foster a more inclusive, diverse, and people-centered culture, and supports ongoing institutional efforts to move beyond compliance and align initiatives to the President's 2023-2033 Strategic Plan, Priority 3: Foster an Inclusive Culture.

The Office of Human Resource Administration will continue to manage talent acquisition activities and will work with Search Committees and Hiring Authorities to increase the pool of diverse applicants through direct outreach. The Office of Equal Opportunity will continue to work with the Office of Human Resource Administration to collect, update, and report workforce data, and measure trends, and will continue to introduce education and training opportunities and accept complaints of illegal discrimination and harassment in employment and service delivery. In alignment with our foundation values of self and institutional reflection, transparent accountability will be promoted through reporting progress. Reports, such as this plan, will be made available to the Board of Trustees, the President, search committees, hiring authorities, and enforcement agencies.

To remove barriers in service and employment for individuals who are blind or visually impaired, d/Deaf or Hard of hearing, or persons who have Limited English Proficiency, the University will introduce an institutional Language Access Plan, consisting of training, a policy, and procedures.

To establish standards in the workplace and continue to foster a culture of civility and respect grounded on principles of diversity, equity, and inclusion, the University plans to re-introduce new-hire orientation and periodic voluntary lunch-and-learn events on civil rights and employee relations topics. Additionally, the University will continue to offer the mandatory Preventing Sexual Violence Together training to students and staff.

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## 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

## 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."

## STATE EXECUTIVE ORDERS

**EXECUTIVE ORDER 13-05** 

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

EXECUTIVE ORDER 05-02

Establishes the Human Resources Outreach and Diversity Office and their responsibilities

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

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

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

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

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

**EXECUTIVE ORDER 85-16** 

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



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State of Rhode Island and Providence Plantations State Human, Room 224 Providence, Rhode Island 02003 401-222-2080 SPERIATE OF STATE

Lincoln D. Chafee Governor

#### EXECUTIVE ORDER

#### 13-05

#### May 9, 2013

#### PROMOTION OF DIVERSITY, FOUAL 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 bland; 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 tesidents. 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 Executive Order 13-05 May 9, 2013 Page 2

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 § 37-14.3-1 et stej., enacted in 1986, declared a State policy by which minority business enterprises (MBEa), which include minority-owned, women-owned and disadvastaged 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.J. Gen. Laws § 28-5.1-1 et ang., 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.
- 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, which a plan for improving minority hiring no barer than October 1, 2013.

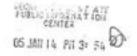
Executive Order 13-05 May 9, 2013 Page 3

- 3. The Division of Purchases MBE Compliance Office shall identify State contracts and sub-contracts that could increase the number of minorityowned 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 an 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 Governot due on August 1, 2013 and every August 1 thereafter, for the prior fiscal year, demonstrating the Stare's progress in minority employment and MNE procurement and any recommendations for continued improvements in these programs. This report shall take into account the Affirmative Action. Plans that are submitted by every State agency on an annual basis, as required under R.I. Gen. Laws Chapter 28-5.1.
- 5. The Department and the Human Resources Outreach and Diversity Office shall develop and conduct a diversity training program within one year of the effective date of this Order. For future hires, such training may be part of the standardized orientation provided to new employees.

This Order shall take effect immediately.

So Ordered: Lincoln D. Chafee





State of Rhode Island and Providence Plantations State House Providence, Rhode Island 02903-1196 401-22.2-2080

Donald L. Carcieri Governor

#### EXECUTIVE ORDER

#### 05-02

#### January 17, 2005

#### FROMOTION OF A DIVERSE STATE GOVERNMENT WORKFORCE.

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

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

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

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

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

NOW, THEREFORE, I, DONALD L. CARCIERI, by the authority vested in met as Governor of the State of Rhode Island and Providence Plantations, do h ereby order as follows: Executive Order 05-02 January 17, 2005 Page 2

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

Office of the Governor Human Resources Outreach and Diversity Office De partment of Labor & Training Office of Personnel Administration Human Resources Office of Labor Relations Office of Labor Relations Office of Equal Opportunity Governor's Commission on Women Executive Order 05-02 January 17, 2005 Page 3

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

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

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

So Ordered:

z Donald L. Carcieri

Dated: January 17, 2005



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

Donald L. Carcieri Governor

## EXECUTIVE ORDER 05-01 January 17, 2005 <u>PROMOTION OF EQUAL OPPORTUNITY AND</u> THE PREVENTION OF SEXUAL HARASSMENT IN STATE GOVERNMENT

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

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

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

WHEREAS, to provide equal opportunity for all employees and applicants in all aspects of employment including, but not limited to recruitment, hiring, retention, training, compensation, benefits, leave, assignment, transfer, promotion, discipline, demotion, terminations, and layoffs, and to ensure reasonable steps are taken to actively promote employment opportunities to all qualified individuals that historically have been underutilized in the state government workforce there is a need to reaffirm policies, practices consistent with State and Federal law. NOW, THEREFORE, I, DONALD L. CARCIERI, by the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, do hereby order as follows:

 All Directors, their senior staff and all supervisory employees of agencies, departments, state boards, commissions, public authorities and quasi-public corporations of state government ("Agencies") are responsible for ensuring that all aspects of state programs for which they manage are available without discrimination or sexual harassment.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Rhode Island Commission for Human Rights

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

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

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

Donald L. Carcieri Dated: January 17, 2005

State of Rhode Island and Providence Plantations

Bruce Bundkin, Governor

EXECUTIVE ORDER No. 94-22

8

#### December 23, 1994

#### MINORITY BUSINESS ENTERPRISE

State House Providence

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

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

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

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

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

## Article I - Applicability

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

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## Article II - Minority Business Enterprise Program

(A) The Director of the Department of Administration shall assume overall responsibility for the MBE Compliance Program. The Director of Administration shall create the position of Administrator - MBE Compliance and shall delegate day to day operational responsibility to that official. The Administrator - MBE Compliance shall serve as the primary operational officer of the MBE Program and shall be supported by staff as determined by the Director, Department of Administration. The Administrator - MBE Compliance shall assume responsibility as the Executive Director of the MBE Commission and provide staff support for the Commission. The Administrator - MBE Compliance shall, with the support of the MBE Program staff, advise and assist the Governor, the Director of Administration, the Purchasing Agent, and other entities and individuals directly affected by the contract and procurement practices of State government. The Administrator - MBE Compliance shall assist in the development of effective and innovative strategies for promoting MBE participation in the State's procurement, construction, professional, consulting, and legal service contracts in order to comply with R.1. General Laws Section 37-14.1-7.

(B) The MBE Program shall:

• 7

 Assist the Director of Administration to issue rules, regulations and reporting requirements necessary to implement the objective of this Executive Order.

 Monitor the progress of each department, agency, and quasi-state authority or corporation in the attainment of MBE policy objectives, participation goals, and requirements.

 Conduct such activities as visits to job sites, public hearings and examination of records and practices of various departments as may be necessary to ensure compliance with the requirements of this Executive Order.

 Arrange for technical assistance, support and resource identification to assist the various department, agency and quasi-state authority or corporation purchasing entities in attaining the objectives of this Executive Order.

 Identify and seek assistance from various community based organizations, local, state and federal agencies active in the field of MBE development as well as offices in other state and federal jurisdictions.

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

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

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

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

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

(C) The MBE Program shall certify MBEs:

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

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

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

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

## Article III - MBE Commission

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

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

A cabinet level official to be appointed by the Governor

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

Representative Joseph Newsome

Executive Director, Commission for Human Rights

Casby Harrison, III Licht & Semenoff

President (or designee) Black Contractors Association of Rhode Island

Executive Director (or designee) Rhode Island Commission on Women

President (or designee) Hispanic Contractors Association

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

Director of Policy Governor's Office

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

Associate Director - Department of Administration Division of Human Resources

State Controller Department of Administration - Office of Accounts and Control

Chief Civil Rights Officer Department of Transportation

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

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

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

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

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

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

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

1. Targeting some bid invitations to MBEs.

2. Promoting joint ventures between MBEs and non-MBEs.

3. Requiring prime contractors, where subcontracting opportunities exist, to subcontract a minimum amount of work on projects to MBEs.

4. Designating MBEs as suggested vendors when submitting requests to the purchasing agent.

5. Dividing large contracts into smaller units to afford opportunities for MBEs, where legally permissible.

6. Developing a plan to require prime contractors, whenever possible, to purchase supplies, services and equipment from MBEs.

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

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

1. Notifying all possible bidders, especially potential MBE suppliers of purchasing for departments, agencies and quasi-state authorities or corporations. Such notification might include direct mail, advertising in media reaching the minority community, and such other outreach efforts as may be necessary.

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2. Seeking out MBEs from the list of certified MBEs to be included in. prospective bidder lists, and targeting some bid invitations to MBEs. No.

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Providing information to minority suppliers and conducting outreach and information sessions for existing and potential MBEs.

4. Monitoring the utilization of MBEs in the area of Utility Order Purchases.

5. Provide such information as may be requested by the MBE Commission.

 Performing any such other activities that generally support objectives of this Executive Order and R.I. General Laws Section 37-14.1 et.seq.

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

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

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EXECUTIVE ORDER

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No. 93-1

**JANUARY 18, 1993** 



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

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

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

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

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

4. In addition, my administration will not tolerate discrimination by any recipient of state government funds. This includes lending institutions, developers, contractors, sub-contractors and entities doing business with the State. Deliberate or persistent violation of the affirmative action policies met forth berein may result in the withdrawal of State support or involvement in a project and/or debarment from further State involvement. Any person or corporation doing business with the State shall cooperate with the monitoring of this policy. The Director of Administration shall promulgate such rules and regulations as are necessary to effectuate compliance with this paragraph. Page Two Executive Order 93-1 Affirmative Action Policy Statement

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

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

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

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

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

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Page Three Executive Order 93-1 Affirmative Action Policy Statement

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

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

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

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

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

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

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

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

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

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Page Four Executive Order \$3-1 Affirmative Action Folicy Statement

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

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

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

16. Persons having questions or meeding assistance for minority or women business enterprises should contact the Executive Director of the Minority Business Enterprise Commission at 277-6246(v) 277-1090 (tdd).

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Page Five Executive Order 93-1 Affirmative Action Policy Statement

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

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

RI Conmission for Human Rights 10 Abbott Park Place Providence, RI 02903-3768 TEL. \$277-2661 TDD \$277-2664 PAX \$277-2616 RI State Equal Opportunity Office One Capitol Hill Providence, RI 02908-5865 TEL. 0277-3090 TED 0277-6144 FAX 0277-6378

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

-12-4 **GOVERNOR** DATE





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State of Rhode Island and Providence Plantations

**Brass Sundhin, Governor** 

#### COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT

EXECUTIVE ORDER NO. 92-2 JANUARY 23, 1992

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

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

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

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

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

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

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



Page Two Executive Order 92-2 January 23, 1992

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

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

- 4. The duties of the ADA Coordinator shall include:
  - A. monitoring the State's compliance with all federal and state laws and regulations affecting individuals with handicaps, including but not limited to Section 544 of the 1973 Rehabilitation Act and the Americans with Disabilities Act;
  - B. establishing a technical assistance program to inform and advise State and local government agencies, human service providers, providers of public accommodations, real estate agents, brokers, developers, architects, landlords, builders, and other affected entities and individuals on their obligations under the ADA;
  - C. establishing a grievance procedure to promptly and equitably resolve complaints of noncompliance with the ADA involving departments, agencies or divisions of State government;
  - D. establishing a procedure for initiating complaints against ary department, agency or division within State government that willfully fails to comply with the requirements of the ADA or the ADA Compliance Plan.
  - E. developing, making periodic revisions to, and overseeing implementation of an ADA Transition Plan for the removal of environmental and communication barriers in State owned facilities;
  - presiding at future meetings of the State Coordinating Committee on the ADA.



Page Three Executive Order 92-2 January 23, 1992

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

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

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

This Executive Order shall take effect-on the date hereof,

Date

Governor



State of Rhode Island and Providence Plantations DECEME GRADER, NEWDERCE

Edward D. DiPreie Governor EXECUTIVE ORDER

NO. 86-10

APRIL 15, 1986

REPUGEE POLICY

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

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

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

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

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

WHEREAS, Rhode Island recognizes that refugees have great potential to contribute to the state and its communities, and that it is in the interest of all that their potential be nurtured and encouraged; and Executive Order 86-10 Page TWO April 15, 1986

WHEREAS, the Rhode Island Office of Refugee Resettlement was created for the purpose of implementing the requirements of the Refugee Act of 1980 (P.L.96-212) to assist refugees in the state to become self-sufficient as rapidly as possible; and

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

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

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

Executive Order 86-10 Page Three April 15, 1986

- 4. Those state agencies as previously stated that conduct programs and activities directly or indirectly relating to the service needs of the refugee population shall immediately undertake an affirmative planning process with regard to refugees. This planning process shall be completed by October 1, 1986, and shall include the following elements:
  - A. Needs Assessment: Determining the current and potential requirements refugees have for the agencies' services;
  - Current Use: Measuring and documenting the extent to which refugees now use the services;
  - C. Agency Service Plan for Refugees: Formulating a plan, including a timetable for implementation, that ensures that delivery of the agencies' services to refugees meets the needs identified in the needs assessment and are in compliance with Title VI of the United States Civil Rights Act of 1964.
- 5. Rhode Island Office of Refugee Resettlement and Rhode Island Equal Opportunity Office Assistance -

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

6. State Agencies Preparing Agency Service Plans -

The following state agencies shall engage in the planning process: the Department of Human Services, The Department of Health, the Department of Employment Security, The Department of Mental Health, Retardation and Bospitals, the Department for Children and Their Families, the Department of Education, Executive Order 86-10 Page Pour April 15, 1986

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

7. Transitional Education Program -

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

8. Consultation with Attorney General -

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

This Executive Order shall take-effect on the date hereof.

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Edward D. DiPrete Governor



Edward D. DiPrete

State of Rhode Island and Providence Plantations EXECUTIVE OWNER, MICHERE

EXECUTIVE OFFICE

#### NO. 85-16

#### JULN 23, 1985

## SECTION 504 COORDINATOR

WERSEAS, Title V of the Mehabilitation Act of 1973 sets forth the civil rights of handicapped persons; and

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

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

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

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

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

 23,	e Order 1985	No.	85-16	

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

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

Respectfully yours 10.0. Pm

Bdward D. DiFrete GOVERNOR

# PUBLIC LAW 97-118

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.

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University of Rhode Island Incident Report Form, Policy and Procedures on Nondiscrimination

# **INCIDENT REPORT FORM**

**Complainant Information** 

G FORMAL

□ INFORMAL

Name	Date
Name of immediate supervisor:	Cell Phone: Zip
If you are a student and the alleged violation is against your profe provide the semester, class title and section number	ssor and occurred while you were taking a class, please
Basis of alleged complaint: Age (40 and older) Date of birth Disability Date of birth Gender National Origin Race color: Specify Race by association Religion Sexual Orientation Other	Discrimination     Harassment     Sexual Racial     Gender Other     Hiring     Intimidation/Retaliation     Other
Name of witnesses, if any.	Date of alleged violation:
	Have you brought this charge to anyone else's attention?
	Yes, to whom No

What action would you like taken?


Person Receiving Complaint

# Policy on Nondiscrimination

Policy Title	Policy on Nondiscrimination
Policy #	01.002.2
Policy Owner	Director, Office of Equal Opportunity
Contact Information	Questions regarding this policy should be directed to the Director, Office of Equal Opportunity at (401) 874-4929
Approved By	The University of Rhode Island Board of Trustees (September 24, 2021; Administrative Policy Committee approval on June 2, 2021)
Effective Date	June 2, 2021
Next Review Date	No later than June 30, 2023
Who Needs to Know About this Policy	All faculty, staff, students, visitors, and affiliates of the University, including University contractors and vendors with a presence on University Property.
Definitions	<ul> <li>constitutes prohibited discrimination or retaliation.</li> <li>Covered Individuals. University employees, students, volunteers, visitors, affiliates, and contractors.</li> <li>Respondent. An individual who has been reported to be the perpetrator of conduct that could constitute prohibited discrimination or retaliation.</li> <li>University Property. Property belonging to the State of Rhode Island and held in trust by the University of Rhode Island Board of Trustees; property held by the University of Rhode Island or any of its component units in its own</li> </ul>
	name; and property owned by third parties but assigned to, occupied by, or managed by the University or any of its component units. University-Related Activity. Any activity undertaken by URI faculty, staff, or students, by recognized student groups, or by contractors or agents of URI on behalf of URI, which relate in whole or in part to any academic, research, public service, administrative, or other function or purpose performed under the auspices of URI, or in pursuance of URI employment-related obligations, URI academic or curricular programs, or recognized URI extracurricular activities.

	42 USC § 2000e et seq. (Title VII of the Civil Rights Act of 1964 ["Title VII"], as amended)
	29 USC § 206 (Equal Pay Act (EPA) of 1963, as amended)
	29 USC §§ 621-634 (Age Discrimination in Employment Act (ADEA) of 1967)
	29 USC § 793 (Section 503 of the Rehabilitation Act of 1973, as Amended)
	38 USC Sec. 4212, Sub-Section 402 (Vietnam Era Veterans Readjustment Assistance Act of 1974)
	20 USC § 1681 et seq. (Title IX of the Education Amendments of 1972)
	42 USC § 12101 et seq. (The Americans with Disabilities Act (ADA) of 1990)
Statutes, Regulations, and Policies	42 USC §2000d et seq. (Title VI of the Civil Rights Act of 1964 ["Title VI"], as amended)
	42 USC § 20000ff et seq. (Genetic Information Nondiscrimination Act (GINA) of 2008)
Governing or	28 CFR Parts 35 and 36
Necessitating This Policy	29 CFR Parts 1614, 1615, 1620, 1621, 1625, 1626, 1630, 1635 (Section 504 Regulations)
	34 CFR Part 104
	34 CFR Part 106
	36 CFR Part 1194, Appendix D (Electronic and Information Technology Accessibility Standards)
	Executive Order 11246, as Amended
	Rhode Island General Law § 28-5-7 (Rhode Island Fair Employment Practices Act
	University of Rhode Island Student Handbook
	University Manual
	University of Rhode Island Policy on Sexual Misconduct
Reason for Policy / Purpose	To eliminate, prevent, and address conduct that constitutes prohibited discrimination or retaliation at the University. This policy describes the prohibited conduct, sets standards by which the University will manage allegations, and defines roles and responsibilities for all parties involved.
Forms Related to this Policy	Incident Report Form

### **Policy Statement**

### I. GENERAL

The University of Rhode Island is committed to maintaining an educational and working environment free from discrimination. Consistent with this commitment, the University prohibits all forms of illegal discrimination in all University programs and activities. The University prohibits students, employees, affiliates, volunteers, visitors, and contractors (collectively, "Covered Individuals") from engaging in illegal discrimination (including discriminatory harassment) based on an individual's race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, mantal status, citizenship status, veteran status, and any other legally protected characteristic, and from engaging in acts of retaliation for another's making a complaint of discrimination or cooperating in an investigation of discrimination. This prohibition applies to all programs and activities—including admissions and all employment actions including but not limited to recruiting, hiring, promotion, demotion, compensation, and benefits. The University will investigate, to the full extent possible, all complaints made in good faith under this policy that allege the occurrence of behavior or actions by Covered Individuals that might constitute prohibited discrimination, and, when it is determined that prohibited discrimination has occurred, take appropriate action, as warranted, to appropriately sanction the responsible individuals, prevent the recurrence of prohibited discrimination, and remedy its effects.

### II. BACKGROUND

This policy is intended to be consistent and compliant with the procedural and substantive provisions of appropriate state and federal laws and regulations. The Office of Equal Opportunity, in close consultation with relevant campus stakeholders, is responsible for developing, publishing, and revising from time to time the Procedures needed to implement this policy in compliance with applicable laws. Detailed reporting, investigation, and resolution procedures are set forth in the Procedures accompanying this policy.

### III. APPLICABILITY

### A. GENERAL

This policy applies to the perpetration of prohibited discrimination or retaliation by Covered Individuals. All Covered Individuals must comply with this policy.

### B. RELATIONSHIP TO THE UNIVERSITY OF RHODE ISLAND SEXUAL MISCONDUCT POLICY

Complaints involving sexual misconduct as defined by the Sexual Misconduct Policy will be addressed exclusively through that policy and its accompanying procedures. This nondiscrimination policy addresses all other forms of prohibited discrimination, including sex-based harassment that is not sexual misconduct as defined in the Sexual Misconduct Policy.

### IV. DEFINITIONS

### A. DISCRIMINATION

Discrimination prohibited under this policy is defined as treating a person differently because of their membership in a protected class (or a perception that the person is a member of a protected class) in matters of admissions, employment, housing, services, or any other educational programs or activities of the University. Disparate treatment discrimination occurs when there has been an adverse impact on the individual's work or educational environment, individuals outside of the protected class have received more favorable treatment, and there is no legitimate, non-discriminatory reason for the action. Disparate impact discrimination occurs when a University's policy or practice has a disproportionately negative effect on members of a protected class even though the policy or practice is nondiscriminatory on its face, i.e., any discrimination is unintentional but still results in adverse impact.

### **B. DISCRIMINATORY HARASSMENT**

Discriminatory Harassment, which is a form of discrimination, is defined as verbal or physical conduct (including conduct using digital technology) directed toward an individual because of their membership in a protected class (or a perception that the person is a member of a protected class) that has the purpose or effect of substantially interfering with the individual's educational or work performance, or creating an intimidating, hostile, or offensive working or academic environment.

A person's subjective belief that behavior is intimidating, hostile, or offensive does not make that behavior harassment. The behavior must create a hostile environment from both a subjective and objective perspective and must be so severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives a member of the community of the ability to participate in or to receive benefits, services, or opportunities from the University's education or employment programs and/or activities. In determining whether a hostile environment exists, the University of Rhode Island examines the context, nature, scope, frequency, duration, and location of incidents as well as the relationships of the persons involved. Examples of harassment can include offensive jokes, slurs, namecalling, intimidation, ridicule, or mockery, or displaying or circulating offensive objects and pictures that are based on a protected class.

### C. RETALIATION

Retaliation consists of materially adverse action taken against a person because the person made a good faith report of discrimination or harassment or participated in the investigation of a report of discrimination or harassment (such as by serving as a witness or support person).

Retaliation against any complainant or witness is prohibited and shall be treated as a separate violation under this policy. Furthermore, no member of the University community shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under any provision of law or the University's policies or procedures.

### V. FILING A COMPLAINT

Complaints alleging discrimination or harassment in violation of this policy, or questions regarding this policy and its procedures, should be directed to the following:

University of Rhode Island Office of Equal Opportunity 201 Carlotti Administration Building 75 Lower College Road Kingston, RI 02881 Phone: 401-874-4929

Complaints specifically regarding the President, members of the Board of Trustees, or employees of the Office of Equal Opportunity should be filed with the Office of General Counsel.

Complaints involving prohibited discrimination, including harassment or retaliation, against a group or class of individuals that reflects an apparent pattern or practice of discrimination will be investigated and addressed pursuant to this policy by the University regardless of whether there is an identified Complainant.

The provisions of the collective bargaining agreements governing unionized employees may provide additional mechanisms for addressing allegations of discrimination or harassment.

### VI. GOOD FAITH REPORTS

The University encourages the good faith reporting of discrimination and harassment. However, the University will not allow this policy or the attendant procedures to be abused for improper means. Therefore, if the University's investigation reveals that a complaint was knowingly false, the complaint will be dismissed and the person who filed the false complaint may be subject to discipline, up to and including termination and/or expulsion. Such disciplinary action will not constitute prohibited retaliation. A person makes a bad faith report of discrimination or harassment if, at the time they make the report, they know the report to be false or frivolous.

Further, the University may take disciplinary action against any person who knowingly provides false information during the investigation and resolution of a complaint of discrimination or harassment. Such disciplinary action will not constitute prohibited retaliation.

### VII. REPORTING OBLIGATION

All members of the University community are strongly encouraged to report discrimination or harassment in violation of this policy when they receive a report of such conduct or witness such conduct. The report should be made to the appropriate office listed above and should include all known relevant details of the alleged discrimination or harassment. Employees with supervisory authority over other employees are required to report discrimination or harassment in violation of this policy about which they have information, except mental health courselors, pastoral courselors, psychologists, heath services staff, or other employees with a professional license that requires confidentiality. Failure to report in accordance with this policy may be grounds for discipline, up to and including termination.



### VIII. THIRD-PARTY REPORTING

Any individual may make a report of discrimination or harassment. The report may be made without disclosing the identities of the parties involved. However, the University's ability to respond to a third-party report of discrimination or harassment may be limited by the amount of information provided.

### IX. FREE SPEECH AND ACADEMIC FREEDOM

The University of Rhode Island is committed to the principles of free expression and critical inquiry undertaken in an atmosphere of civility and mutual respect. On some occasions, certain types of speech may be seen as offensive or even discriminatory. In such cases, the University will weigh carefully whether the speech has crossed a line from speech protected by the First Amendment and academic freedom to speech that constitutes illegal threats or discriminatory harassment, while keeping in mind legal precedents that prohibit or limit the ability of public universities and public agencies from punishing pure speech, even when it is viewed as inappropriate and unwelcome.

### Exceptions

None

### Policy Review and Revisions

(Versions earlier than the first policy number may be paper only)

Policy #	Effective Date	Reason for Change	Changes to Policy
RIOPC P-17 (Sexual Harassment and Sexual Violence Policy) and RIOPC P-18 (Complaint Procedures for Discrimination, Sexual Harassment, and Sexual Violence)	n/a		n/a
01.002.01	June 2. 2021	New policy specific to URI	Fully separate policy form previous OPC policies (P17, P-18). Focuses solely on nondiscrimination.
01.002.02	June 2. 2021	Board of Trustees approval on September 24, 2021	No changes except notation regarding Board of Trustees approval on September 23, 2021

## PROCEDURES for Policy on Nondiscrimination

Effective Date: September 14, 2022

Policy # 01.002.1

### Introduction

The University's Nondiscrimination Policy prohibits students, employees, contractors, affiliates, volunteers, and visitors from engaging in discrimination and harassment based on an individual's race, color, creed, national or ethnic origin, gender, gender identity or expression, religion, disability, age, sexual orientation, genetic information, marital status, citizenship status, veteran status, and any other legally protected characteristic. This prohibition applies to all programs and activities—including admissions and all employment actions, including but not limited to recruiting, hiring, promotion, demotion, compensation, transfers and benefits. The University will investigate all complaints made under this Policy and, if necessary, take action to prevent the recurrence of prohibited discrimination, harassment, or retaliation and remedy its effects.

These procedures, as amended from time to time, have been established to ensure compliance with the Nondiscrimination Policy and are intended to be consistent and compliant with the procedural and substantive provisions of appropriate state and federal law and regulations.

Questions regarding these procedures should be directed to the Director of the Office of Equal OpportunityEqual Opportunity at (401) 874-4929.

### Procedure or Standard

- I. Applicability
  - A. All faculty, staff, and URI students must comply with these procedures to help foster an inclusive and safe academic and work environment. These procedures apply to the perpetration of prohibited discrimination or harassment by one member of the University's community (faculty, staff, student, affiliate, or volunteer) against another. These procedures may also apply where one of the involved or affected parties is a visitor or a contractor performing work on behalf of the University.
  - These procedures cover the process for investigating and adjudicating complaints of discrimination or discriminatory behavior by any employee: faculty, staff, or administrator.
  - C. The process for investigating and adjudicating complaints of discrimination or discriminatory harassment by students is detailed in the Student Code of Conduct, also known as Community Standards, as outlined in the Student Handbook. Further information about the Student Code of Conduct can be provided by the URI Office of Community Standards.
  - D. Complaints of discrimination or harassment by graduate assistants in their role as instructors follow the process outlined in these procedures. In contrast, complaints against them in their role as students follow the process outlined in the Student Code of Conduct.
  - E. A complaint may also be filed against University affiliates, vendors, and other contractors. In these instances, the Office of Equal Opportunity shall determine, in its discretion, the appropriate response and action.
  - F. The provisions of applicable collective bargaining agreements may provide additional mechanisms for addressing discrimination allegations.

### II. Reporting Prohibited Discrimination

If any University faculty, staff, student, volunteer, visitor, affiliate, or contractor, believes their rights (and/or the rights of others) have been violated and wish further information, advice, or assistance in filing a complaint, they should contact.

Office of Equal Opportunity / Deputy Title IX Coordinator 201 Carlotti Administration Building Kingston, Rhode Island 02881 Phone: (401) 874-4929 TTY - via RI Relay at 1-800-745-5555

All individuals shall be informed regarding their right to seek redress through the following outside agencies:

Office of Civil Rights, Region I US Department of Education 5 Post Office Square, 8<sup>th</sup> Floor Boston, MA 02109-3921 Tel.: (617) 289-0111 Fax: (617) 289-0150 http://www2.ed.gov/about/offices/list/ocr/docs/howto.html

United States Equal Employment Opportunity Commission John F. Kennedy Federal Building 475 Government Center Boston, MA 02203 Phone: 1-800-669-4000 Fax: 617-565-3196 http://www.eeoc.gov/field/boston/index.cfm

Rhode Island Commission for Human Rights 180 Westminster Street, 3rd Floor Providence, Rhode Island 02903 Tel: 401-222-2661 // 401-222-2664 Fax: 401-222-2616 http://www.richr.ri.gov/

#### III. Key Definitions and Interpretive Principles

- A. Discrimination refers to actions that may deny a member (or in some complaints, a potential member) of the community employment, promotion, transfer, access to academic courses, housing, or other University benefits and entitlements due to a member's protected status.
- B. Sexual harassment under Title VII of the Civil Rights Act of 1964 is defined as unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature when:
  - Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
  - Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

 Such conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

In determining whether a hostile environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant; the nature and severity of the conduct at issue; the frequency and duration of the conduct; the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

- C. Discrimination or harassment need not be intentional. The intent of the alleged person to have committed such behavior may not be relevant to determining whether a violation has occurred. The relevant determination is whether a reasonable person similarly situated could have reasonably considered the alleged conduct to be harassment.
- D. Acts that do not necessarily involve conduct of harassment but are based on sex or genderstereotyping, and which may include physical aggression, intimidation, hostility, humiliation, insulting, and hazing may also be considered harassment.
- E. Verbal or physical conduct directed at the Complainant's protected class status is considered in the determination of discrimination or harassment. The University will consider the totality of the complaint and its circumstances, the private or public environment of the behavior, the intensity or severity of the actions, the pattern of behavior, and the power relationship, if any, between the parties.
- F. A single incident that creates a distractingly, uncomfortable atmosphere may not constitute discrimination or harassment. However, even isolated or sporadic acts may constitute severe harassment. A series of individual incidents can have the cumulative effect of becoming pervasively harassing behavior.
- G. Unreasonable interference with an individual's participation in University life may be signified by responses such as:
  - 1. Avoiding areas of the campus where the behavior in question typically takes place;
  - Academic performance or work assignments becoming more difficult because of the behavior in guestion, including absenteeism; or
  - 3. Leaving a job, a class, or the University itself because of the behavior in guestion.
- H. In determining whether discrimination or harassment exists, the University will evaluate the evidence from a reasonable person's reaction and perspective under the circumstances presented. The standard of evidence to be used to determine responsibility is the *preponderance of the evidence standard*. If there are any questions, contact the Director of the Office of Equal Opportunity.

#### IV. Relationship to the Sexual Misconduct Policy

Complaints involving Sexual Misconduct, as defined by the <u>Sexual Misconduct Policy</u>, shall be addressed exclusively through that policy and its accompanying procedures. This non-discrimination procedure addresses all other forms of discrimination, including sexual harassment, that does not rise to the level of sexual misconduct as defined in the Sexual Misconduct Policy.

#### V. Complaints Against Students

If an employee files a complaint against a student, the Office of Equal Opportunity will determine which office will proceed with the complaint's processing. Proceedings involving student-to-student complaints will be adjudicated through the Dean of Students Office and must comply with the procedural guidelines contained in the University's Student Handbook.

### VI. Filing Deadlines

To provide adequate opportunity for a prompt investigation that enables access to the most current evidence, the parties are encouraged to file complaints as soon as possible. All complaints under this procedure must be filed within **one (1) year** after the last alleged discriminatory act. The University's ability to respond to complaints filed beyond this time is limited. However, complaints involving allegations of continuing unlawful discrimination, harassment, or retaliation may be thoroughly investigated, including occurrences beyond the one-year time frame, so long as the last act of alleged discrimination occurred within the prescribed filing deadline of **one (1) year**.

#### VII. Advisors and supporters

All parties meeting with the Office of Equal Opportunity may be accompanied by an individual of their choice (who may be an attorney) for support and/or advice. This individual: may not address or question the investigator, other parties, or witnesses; may not present evidence or make arguments; and shall not have any role other than to accompany and communicate with the party requesting support.

#### VIII. Discrimination Against Groups

Complaints involving unlawful discrimination, including harassment or retaliation, against a group or class of individuals, reflecting an apparent pattern and practice of discrimination, will be appropriately acted upon by the Office of Equal Opportunity regardless of whether there is an identified Complainant.

### IX. Criminal Violations

If a complaint reported to the Office of Equal Opportunity involves potential criminal violations, the Office of Equal Opportunity shall forward a report of the complaint to the campus police and/or local police.

In complaints involving allegations of sexual violence or other crimes, Complainants will also be informed of their right to file a complaint with the Title IX Coordinator, campus police, or local law enforcement authorities. However, regardless of whether a Complainant files a complaint with local law enforcement authorities, and irrespective of any investigations or other actions taken by local law enforcement, the University will continue to have an obligation to undertake and duly complete its internal complaint and investigation procedure.

### X. Retaliation Prohibited

Retaliation against any Complainant, Respondent, or witness is prohibited and shall be treated as a separate violation of the Policy. Specifically, no officer, employee, or agent of the University shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual who files a complaint or participates in any investigation or proceeding brought according to this procedure.

There shall be no disciplinary action, retaliation, or reprisal for bringing a complaint in good faith. Individuals shall not, however, knowingly make false charges of discrimination, harassment, or retaliation.

### XI. Modification of Procedure

This procedure constitutes the University's general complaint process to be followed by the University to address and resolve unlawful discrimination, harassment, and retaliation. The University shall have the right to reasonably after and/or deviate from the procedural guidelines contained herein when it is warranted by either the circumstances of a complaint or required by applicable state and federal laws and regulations. The University shall also have the right to authorize and appoint a designee to serve in the capacity of the Office of Equal Opportunity to execute these procedures.

The parties must be provided timely written notice of any such designation and any substantive deviation from the procedural guidelines.

### XII. Response to a Complaint

#### A. Initial consultation

The Office of Equal Opportunity shall meet with the prospective Complainant to discuss the Complainant's concerns, and review the complaint procedure, determine the appropriate jurisdiction, and explain the different methods available to resolve the alleged complaint under these procedures. (See; formal resolution and informal resolution, where applicable).

The purpose of this initial step is to assist prospective Complainants in identifying the source of the concern and provide the Complainant with information concerning the University's resources, policies, and procedures; so that the prospective Complainant might best assess the most appropriate course of action, given their circumstances.

#### **B.** Supportive Measures

- Supportive measures are available to both the Complainant and Respondent and will be offered regardless of whether a formal complaint is filed or not.
- 2. Services are individualized, i.e., tailored to the unique circumstances of the Complainant and Respondent and are measures designed to restore or preserve access to the University's programs and/or activities, including measures designed to protect all parties' safety or the education work environment, or deter discrimination or harassment. The University will determine the reasonableness, necessity, and scope of any supportive measures, which may include:
  - Employment or Residence Modifications: A reporting party or responding party may request an academic or employment accommodation or a change in residence after a report of discrimination or harassment. An individual who requests assistance in changing their educational or working environment after an incident of discrimination or harassment will receive appropriate and reasonably available accommodations.
  - Interim Separation: Where the report of harassment poses an ongoing risk of harm to the safety or well-being of an individual or members of the campus community, the University may place an individual or organization on interim suspension or impose leave for employment where applicable. Pending resolution of the complaint, the individual or organization may be denied access to campus. When interim suspension or leave is imposed, the University will make reasonable efforts to complete the investigation and resolution within an expedited time frame.
- Supportive measures will not be punitive, disciplinary, or unreasonably burdensome against any party.
- The University will attempt to keep the supportive measures confidential unless doing so will impair the University's ability to provide them.

#### C. Procedural options

If it is determined that the Office of Equal Opportunity shall retain responsibility for the complaint, the Office of Equal Opportunity will ascertain from the Complainant which of the resolution options described below – information or formal – they prefer to utilize.

#### D. Confidentiality

When a procedural option is selected, the Complainant will also be asked to decide on confidentiality. The University will make all reasonable efforts to honor confidentiality requests, to the extent permitted by law. However, it must be understood that while some concerns or complaints can be resolved without disclosing one's identity, often successful resolution cannot be achieved under such circumstances. Further, individuals who are directly accused of unlawful and discriminatory behavior and who, as a result, may be subject to disciplinary action, are entitled to a copy of the formal complaint and a summary of the charges against them so that they may prepare a proper defense.

Any member of the Board of Trustees, students or employees of the University who participates in a formal or informal proceeding under this policy or otherwise gains knowledge thereof shall treat all information acquired, whether written or oral, as confidential, however, the parties to a proceeding may share such information with their advisors, advocates and representatives.

#### XIII. Grievance Process

#### A. Informal Resolution Process

At any time after the parties are provided written notice of the complaint and before the completion of any appeal, the parties may voluntarily consent, with Director of the Office of Equal Opportunity approval, to engage in mediation, facilitated resolution, or other forms of dispute resolution, where the goal is to enter into a final resolution resolving the allegations raised in the complaint by agreement of the parties.

The specific manner of an informal resolution process will be determined by the parties and the Director of the Office of Equal Opportunity, in consultation together.

#### Step 1: Notifying the parties

Before commencing the informal resolution process, the Office of Equal Opportunity will transmit a written notice to the parties that:

- (a) Describes the parameters and requirements of the informal resolution process;
- (b) Identifies the individual responsible for facilitating the informal resolution (who may be the Director of the Office of Equal Opportunity, another University official, or a suitable third-party);
- (c) Explains the effect participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the complaint; and
- (d) Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

#### Step 2: Agreement to the Informal process

- (a) After receiving the written notice specified in Step 1 above, each party must voluntarily provide written agreement to the Office of Equal Opportunity before the informal resolution may commence;
- (b) While the informal resolution process is pending, the investigation process that would otherwise occur is stayed, and all related deadlines are suspended. A party may withdraw their consent.

to participate in the informal resolution process at any time before a resolution has been finalized;

(c) If the parties do not resolve through the informal resolution process, the Complainant may choose to proceed with the formal investigation and adjudication process outlined in these procedures.

#### Step 3: Resolution or Next Steps

- (a) Through discussion with the Complainant and the Respondent separately or together, the Director of the Office of Equal Opportunity may be able to resolve the matter to the satisfaction of all persons involved. If the parties reach a resolution through the informal resolution process, and the Director of the Office of Equal Opportunity agrees that the resolution is not clearly unreasonable, the Director of the Office of Equal Opportunity will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties sign the resolution, the resolution is final. The allegations addressed by the signed solution are considered resolved. They will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as provided in the resolution itself, absent a showing that a party induced the solution by fraud, misrepresentation, or other misconduct or were required to avoid a manifest injustice to either party or the University. Informal resolution reached, according to this section, is not subject to appeal.
- (b) Absent extension by the Director of the Office of Equal Opportunity, any informal resolution process must be completed within thirty (30) calendar days. If an informal resolution process does not result in a resolution within thirty (30) calendar days, and absent an extension, abeyance, or other contrary rulings by the Director of the Office of Equal Opportunity, the informal resolution process will be deemed terminated, and the complaint will be resolved pursuant to the investigation procedures. The Director of the Office of Equal Opportunity may adjust any time periods or deadlines in the investigation process that were suspended due to the informal resolution. A copy of the resolution should be kept in a file to be in the Office of Equal Opportunity, unless the resolution specifies otherwise.

#### **B. Formal Resolution Process**

Any person(s) who believes they have been the victim of discrimination, harassment, retaliation, sexual harassment, or who witnesses acts of discrimination, harassment, retaliation, sexual harassment against others may file a formal complaint with the Office of Equal Opportunity. Utilizing the informal process is not a prerequisite. A formal review consists of investigating, fact-finding, determining whether sufficient credible evidence exists to support the allegation(s), and issuing written findings. The formal investigation and related proceedings, which are described below, shall provide a prompt, fair, and impartial investigation and resolution of the allegations.

### Step 1: Complainant's Written Statement

Usually, a signed incident complaint form containing a written statement of allegations initiates the formal process. To enable the Investigator to most effectively investigate the complaint, the written statement of allegations should contain a detailed description of the conduct being complained about, the name(s) of the alleged offender(s), the name(s) of the alleged victim(s), the names of any alleged witnesses, and the name of the person filing the complaint. The Office of Equal Opportunity will aid anyone for whom completing the complaint form is difficult or impractical. The person or persons filing the complaint and the alleged victim of discrimination shall be referred to hereinafter as the Complainant. Anonymous complaints, and complaints filed by individuals who request confidentiality, will be investigated by the University to the extent possible pursuant to the procedures set forth herein.

#### Step 2: Notifying the Respondent

The person or persons identified as the alleged offender(s) shall be referred to hereinafter as the Respondent. Once the complaint has been filed, the Office of Equal Opportunity will notify the Respondent(s) with a written letter to inform of its existence and provide him/her/ them with a copy of the signed complaint.

#### Step 3: Respondent's Written Response

The Respondent(s) will be provided an opportunity to file a formal response. The formal response shall be filed with the Office of Equal Opportunity by the Respondent(s) within twenty (20) calendar days from the date the Respondent(s) received the signed complaint.

If a Respondent fails to timely file a formal response and/or elect(s) not to participate in the formal resolution process, the complaint will proceed and be investigated without the involvement of the Respondent.

If during the investigation; the Complainant indicates a desire to withdraw his/her complaint, the Complainant shall sign a written statement of withdrawal containing the reasons. Therefore, the complaint may be closed at the Director of the Office of Equal Opportunity's discretion. However, the Office of Equal Opportunity may continue to conduct the investigation and take action to address the issues raised by the Complainant regardless of the Complainant's wishes.

#### Step 4: Investigation Process

The Director of the Office of Equal Opportunity will appoint an investigator. The investigator is neutral, objective and does not act as an advocate for either party. The investigator is authorized to contact all persons who may have information relevant to the complaint and shall have access to all relevant University records. The investigator shall also collect and evaluate other available documents and information relevant to the complaint and investigation (e.g., email communications, social media posts, photographs), as appropriate. The investigator shall maintain a record of the investigation, including any interviews, which shall be retained as an official Office of Equal Opportunity record.

The parties are not restricted from discussing the allegations under investigation or gathering and presenting relevant evidence to the Investigator.

A party whose participation is invited or expected at an investigative interview or meeting will be provided written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

#### Step 5: Preliminary Investigation Report

At the conclusion of the investigation, the investigator will prepare a preliminary written report. The preliminary report will contain a summary of the alleged conduct in violation of Policy, summary of the response to the allegations; summary of the scope of the investigation; summary of the relevant exculpatory and inculpatory evidence; and a summary of material facts on which the parties agree and disagree.

The report will include copies of all relevant evidence received and considered during the investigation. Both parties will be provided a copy of the preliminary report and have three (3) business days to respond to it in writing.

In their responses, the parties may ask clarifying questions, seek clarifying information, clarify information previously shared, offer additional comments, suggest additional witnesses, or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the investigation. The Complainant and the Respondent may also request that the investigator ask clarifying questions of the other party, provided the questions are directly relevant to the complaint. If, after receiving the written responses from the Complainant and the Respondent regarding the Preliminary Investigation will be deemed complete and final. If, in the sole discretion of the investigator(s), further inquiry is necessary.

the investigator(s) will follow up on the information and ask any clarifying questions of the parties and witnesses before finalizing and completing the investigation. Any additional relevant information received and/or answers to clarifying questions will be included in the final investigative report.

#### Step 6: Final Investigative Report

A final investigative report shall be prepared, which sets forth the investigator's findings and the basis and rationale for his/her conclusion(s). Unless otherwise indicated in the report, the report's date shall be considered the date upon which the results of the investigation become final. In making his/her findings, the investigator shall utilize the evidentiary standard of "preponderance of the evidence." The final investigative report will normally be issued to the parties within ninety (90) days after the complaint is filed. When more than ninety (90) days is needed to complete the investigation, the investigator shall notify the parties and proceed as expeditiously as possible. In cases involving employees, a copy of the final investigative report is provided to the Assistant Vice President for Human Resources.

### Step 7: Appeals and Actions on Appeals

Either party (Complainant or Respondent) may appeal the investigator's findings. Such appeals shall be filed with the University's President. The appeal may be conducted by the President or the President's designee. Parties wishing to file an appeal must do so in writing within ten (10) days after receiving the investigator's final letter. The appeal process will not involve the reinvestigation of the complaint. Appeals must raise specific issues related to the investigator's findings. Appeal decisions (which shall include a statement of the rationale for the decision) shall be rendered within thirty (30) days after the request for appeal is received unless extended for good cause as reasonably determined by the Appeals Officer. Copies of the appeal decision shall be simultaneously provided to the parties and the Office of Equal Opportunity. In cases involving employees, a copy of appeal decision is provided to the Assistant Vice President for Human Resources.

#### Step 8: Disciplinary Action

When the investigative findings (together with the appeal decision in cases in which there is an appeal) result in a finding of discrimination, harassment or retaliation by an employee, the findings are forwarded to the appropriate Vice President or Provost, who, in consultation with the Office of Human Resources, shall render a written determination (which includes a statement of the rationale for the determination) regarding the appropriate disciplinary or corrective action, if any, and provide a copy of the written determination to the Respondent.

Disciplinary action of faculty or union represented staff will follow the procedural requirements of applicable collective bargaining agreements and any applicable statutory and judicial mandates. The Assistant Vice President of Human Resources or Provost will be responsible for the implementation of all such disciplinary/corrective action measures. A record of the outcome of each complaint will remain a part of the permanent file of the complaint maintained by the Office of Equal Opportunity.

Findings of discrimination, harassment or retaliation by non-employees will be referred to the appropriate authority for sanctions.

#### XIV. Record Keeping

A confidential record of any complaint, informal or formal, including any resolution or disciplinary actions, will be filed in the Office of Equal Opportunity and retained for seven (7) years, providing there are not recurring incidents, in which case the records will be retained seven years from the last incident.

Special procedures are required if suspension without pay or termination is contemplated for a Respondent who is a member of the faculty collective bargaining unit (see collective bargaining agreement). State of Rhode Island Department of Administration Division of Equity, Diversity and Inclusion (DEDI) Complaint Procedure



### STATE OF RHODE ISLAND DEPARTMENT OF ADMINISTRATION

Division of Equity, Diversity and Inclusion State Equal Opportunity Office One Capitol Hill Providence, RI 02908-5890 401-222-3090

### DISCRIMINATION COMPLAINT PROCEDURE

Handling employee complaints internally is a highly sensitive, multi-faceted process that may involve many people. The purpose of this procedure is to make sure complaints (harassment, discrimination, workplace violence, or retaliation) are investigated in a timely manner and any appropriate corrective action is taken to ensure inappropriate and/or illegal actions and behaviors cease immediately.

The Division of Human Resources Site Operations / Business Partner Team investigates HRrelated complaints across Executive Agencies. This includes complaints related to discrimination, harassment, sexual harassment, workplace violence and retaliation.

When the HR Site Operations / Business Partner Team receives a complaint, it will promptly and thoroughly investigate the allegations. The HR Site Operations / Business Partner Team will also maintain regular contact with employees involved in the complaint throughout the process.

#### How to Report a Complaint

A person may report a complaint orally or in writing to the Division of Human Resources, Site Operations / Business Partner Team or continue to report through any existing channels, including the employee's supervisor or manager, Executive Director of Human Resources, Human Resources Chief of Staff, and the Office of Diversity, Equity and Opportunity (DEDI). The reported complaint will be brought to the Division of Human Resources Site Operations / Business Partner Team who will investigate all complaints.

### Employees can report a complaint directly to Human Resources in any of the following ways:

Complete a Complaint Form - Fillable .pdf available at www.hr.ri.gov

- Phone 1-401-574-8381
- Email: HRInvestigations/ahr.ri.gov

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



### STATE OF RHODE ISLAND DEPARTMENT OF ADMINISTRATION

Division of Equity, Diversity and Inclusion State Equal Opportunity Office One Capitol Hill Providence, RI 02908-5890 401-222-3090 coo.compliance@doa.ri.gov

### DISCRIMINATION COMPLAINT INFORMATION FORM

1. Complainant Information: State your name and address	7. Basis of alleged Complaint:
Name Address	Race Color Sex Age: (40 or above) National Origin
City State Zip Code Telephone Number(s)/Email Address Work: Cell:	Disability Religion Sexual Orientation Gender Identity or Expression
Email: 2. Name of Department:	Unlawful Questions (arrest record, criminal conviction, or other) Retaliation
3. Name of Immediate Supervisor:	Explain Basis:
<ol> <li>Name and title of individual(s) who allegedly discriminated against you</li> </ol>	

Name	Title	
Name	Title	
Name	Title	

Place of alleged violation:		
e Number		82500.03.87 Revised 2018
DISCRIMINATION CO	MPLAINT I	
	ontinued)	
	ed. Be sure to include	criminated against (attach additional paper bow other persons were treated different o your complaint.
10. Why do you believe these even	ts occurred?	
11. Have you brought this complaint to a	anyone else's attentior	n?
12. Please list below any persons ( that we may contact for additional statements of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the statement of the st		mployees, supervisors, or others) o support or clarify your complaint
20. 20. 		

State of Rhode Island Department of Administration Sexual Harassment Guidelines

### State of Rhode Island Guidelines For Preventing Sexual Harassment

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

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

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

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

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

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

DIVISION OF HUMAN RESOURCES (401) 574-8381 <u>HRInvesigations@hr.ri.gov</u>

Revised (2023)

University of Rhode Island Sexual Misconduct Policy and Procedures

# Policy on Sexual Misconduct

Policy Title	Policy on Sexual Misconduct
Policy #	01.001.3
Policy Owner	University of Rhode Island Board of Trustees
Contact Information	Questions about this policy should be directed to the Assistant Vice President for Enterprise Risk Management (401) 874-5593
Approved By	University of Rhode Island Board of Trustees
Effective Date	April 22, 2022
Next Review Date	No later than June 30, 2024
Who Needs to Know About this Policy	All faculty, staff, students, and Affiliates of the University as well as University vendors and contractors with a presence on University Property. Complainant. An individual who is alleged to be the subject of conduct that could constitute Sexual Misconduct.
	Respondent. An individual who has been reported to be the perpetrator of conduct that could constitute Sexual Misconduct.
Definitions	Sexual Misconduct. An umbrella term covering any unwelcome behavior or attempted behavior of a sexual nature that is enacted on another person without that person's consent.
	University Affiliate. Any individual who is not a faculty member, staff, or studen who otherwise has a formal relationship with the University, including bu not limited to visiting scholars, visiting students, research fellows professional program participants, club sports coaches, and volunteers as well as employees and associates of the URI Foundation and Alumn Engagement, URI Research Foundation, and members of the University of Rhode Island Board of Trustees. Vendors and contractors are no considered University Affiliates, except for those with an ongoing presence on the University campus as regular operations support staff.
	University Property. Property belonging to the State of Rhode Island and held in trust by the University of Rhode Island Board of Trustees; property held by the University or any of its component units in its own name; and propert owned by third parties but assigned to, occupied by, or managed by the University or any of its component units.
	University-Related Activity. Any activity undertaken by University faculty, staff or students, by recognized student groups, or by contractors or agents of the University on behalf of the University, which relate in whole or in part to an academic, research, public service, administrative, or other function of purpose performed under the auspices of the University, or in pursuance of University employment-related obligations. University academic of curricular programs, or recognized University extracurricular activities.

Statutes, Regulations, and Policies Governing or Necessitating this Policy	20 USC § 1681 et seq. (Title IX of the Education Amendments of 1972 ["Title IX"]) and its implementing regulations at 34 C.F.R. Part 106
	42 USC § 2000e et seq. (Title VII of the Civil Rights Act of 1964 ["Title VII"])
	20 USC §1092(f) (Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990 [the "Clery Act"]) and its implementing regulations at 34 CFR 668.46
	34 USC §12291 et seq. (Violence Against Women Reauthorization Act of 2013 ["VAWA"]
	Rhode Island General Law § 28-5-7 (Rhode Island Fair Employment Practices Ac
	Rhode Island General Laws §§ 11-37 (Sexual Assault); 11-59 (Stalking); 12-29 (Domestic Violence Prevention Act); 16-21-30 (Dating Violence Policy)
	University of Rhode Island Student Handbook
	University Manual
Reason for Policy/Purpose	To eliminate, prevent, and address conduct that constitutes Sexual Misconduct at the University. This policy describes the prohibited conduct, sets standards by which the University will manage allegations regarding Sexual Misconduct, and defines roles and responsibilities for all parties involved.
Forms Related to this Policy	Sexual Misconduct Reporting Form https://web.uri.edu/titleix/report/

### **Policy Statement**

### I. GENERAL

The University of Rhode Island is committed to maintaining an environment free from discrimination. Consistent with that commitment, the University prohibits all forms of discrimination in all University programs and University-Related Activities. The University has implemented this policy specifically to address Sexual Misconduct, which is one form of sex-based discrimination. This policy is intended to: (1) describe the types of conduct that will be considered to be prohibited Sexual Misconduct; (2) set forth the reporting obligations pertaining to Sexual Misconduct; and (3) identify University personnel and resources available to individuals who experience, witness, or discover acts of Sexual Misconduct.

Sexual Misconduct corrupts the integrity of the educational process and is contrary to the mission and values of the University. It will not be tolerated. All students; faculty; staff; administrators; Affiliates; visitors to campus; guests on campus; and the agents, representatives, and employees of vendors, suppliers, and contractors are strictly prohibited from engaging in Sexual Misconduct. The University will investigate all allegations of Sexual Misconduct and take immediate responsive action.

The Assistant Vice President for Enterprise Risk Management and Title IX Coordinator, in close consultation with relevant campus stakeholders, is responsible for developing, publishing, and revising from time to time the Procedures needed to implement this policy in compliance with applicable law. Reporting, investigation, and resolution procedures are set forth in the Procedures accompanying this policy.

In addressing allegations of Sexual Misconduct, the University complies with Title IX, which prohibits discrimination on the basis of sex in education programs and activities; Title VII, which prohibits discrimination, including discrimination on the basis of sex, in employment; the Violence Against Women Reauthorization Act of 2013 (VAWA); the Clery Act; and applicable state laws, including the Rhode Island Fair Employment Practices Act and the Rhode Island Civil Rights Act of 1990.

This policy applies regardless of the Complainant's or Respondent's sex, gender identity or expression, sexual orientation, marital status, age, race, ethnicity, national origin, religion, disability status, veteran status, immigration status, or citizenship status.

### II. DEFINITIONS AND SCOPE OF SEXUAL MISCONDUCT

Sexual Misconduct is any unwelcome behavior or attempted behavior of a sexual nature that is enacted on another person without that person's consent. Sexual Misconduct need not be intentional. The intent of the person who is alleged to have committed such behavior may not be relevant to determining whether a violation has occurred. The University will evaluate the totality of circumstances from the perspective of a reasonable person in the Complainant's position.

Sexual Misconduct can arise from many different types of unwelcome verbal, nonverbal, physical, and online conduct ranging from sexual gestures or teasing to sexual assault, sexual violence, domestic and dating violence, stalking, and other coercive activity. Examples of such conduct and behaviors that may lead to a finding of Sexual Misconduct include, but are not limited to, the following:

- Verbal: Sexual remarks, comments, jokes and innuendos, communicating unwelcome stories about someone's social or sexual life, and propositions or pressure for social or sexual contact.
- Non-verbal: The display of sexually explicit stares, gestures, or suggestive pictures, including secretly video recording sexual acts or objects.
- Physical: Unwanted touching, patting, grabbing, or pinching, including sexual assault, domestic violence, dating violence, stalking, and rape.
- Online: Sexual voyeurism, unwanted sexual exposure, distribution of recordings without consent, or cyberstalking via email, text, social media, or any other online/digital platform or service.

This policy applies to all such conduct occurring on University Property; at or during a University-Related Activity; or that otherwise relates to or could impact upon any aspect of the University's educational programs and activities; including, but not limited to, employment, admissions, academics, athletics, and student services.

Sexual Misconduct includes, but is not limited to: (A) "Sexual Harassment" as that term is defined under Title IX;

(B) "Sexual Harassment" as that term is defined under Title VII; (C) "Sexual Exploitation"; (D) "Sexual Violence";

(E) "Dating Violence"; (F) "Domestic Violence"; and (G) "Stalking."

#### A. SEXUAL HARASSMENT UNDER TITLE IX

Sexual Harassment under Title IX means conduct on the basis of sex, occurring within the United States, which satisfies one or more of the following categories:

- An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity; or
- (3) "Sexual assault" as defined in the Clery Act, or "dating violence," "domestic violence," or "stalking" as defined in VAWA.

In order to trigger the requirements of Title IX, the Complainant must be participating in or attempting to participate in an education program or activity of the University at the time a formal complaint (as that term is defined in the Title IX implementing regulations and as set forth in the Procedures accompanying this policy) is filed.



### B. SEXUAL HARASSMENT UNDER TITLE VII

Sexual harassment under Title VII is defined as unwelcome sexual advances, requests for sexual favors, and any other verbal or physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (2) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- (3) Such conduct is so severe, persistent, or pervasive that it has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

In determining whether a hostile environment exists, the University will consider the totality of circumstances, including factors such as the actual impact the conduct has had on the Complainant, the nature and severity of the conduct at issue; the frequency and duration of the conduct, the relationship between the parties (including accounting for whether one individual has power or authority over the other); the respective ages of the parties; the context in which the conduct occurred; and the number of persons affected. A person's adverse subjective reaction to conduct is not sufficient, in and of itself, to establish the existence of a hostile environment.

### C. SEXUAL EXPLOITATION

Sexual exploitation is a type of Sexual Misconduct that means purposefully taking sexual advantage of another person for the benefit of oneself or a third party when consent is not present. This includes, but is not limited to, the following actions (including when they are done via electronic means, methods, or devices):

- Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another
  person without that person's consent;
- Indecent or lewd exposure or inducing others to expose themselves when consent is not present.
- Recording any person engaged in sexual or intimate activity in a private space without that person's consent;
- Distributing personal sexual information, images, or recordings about another person without that
  person's consent (applies even if the videos were originally obtained with consent);
- Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation;
- Inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs;
- Prostituting another person; or
- Knowingly transmitting a sexually transmitted disease to another person through sexual activity when that person has not consented to engage in such sexual activity.

### D. SEXUAL VIOLENCE

Sexual violence includes sexual assault, sexual battery, sexual coercion, and rape. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent because of their temporary or permanent mental or physical incapacity, because they are below the minimum age of consent in the applicable jurisdiction, or because of their incapacitation due to the use of drugs and/or alcohol. A single instance of sexual violence may be sufficiently severe to deny or limit a person's ability to participate in or benefit from the University's programs or activities, and, therefore, constitute Sexual Misconduct.

Verbal misconduct or any misconduct not involving unwanted sexual touching does not constitute sexual violence under this policy, but may constitute another form of Sexual Misconduct.

Sexual violence includes:

- Sexual assault: sexually penetrating, attempting to sexually penetrate, or having sexual contact with
  another individual by force or threat of force; without consent; or where the individual is incapacitated.
- Sexual battery: non-consensual touching (clothed or unclothed) of the intimate body parts of another person in a sexual manner.
- Rape: penetration, no matter how slight, of the vagina or anus with any body part or object, or oral
  penetration by a sex organ, without consent.
- Intentional contact of a sexual nature with the body parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without consent.

### E. DOMESTIC VIOLENCE

Domestic violence includes acts of violence committed by: (i) a current or former spouse or intimate partner of a Complainant; (ii) a person with whom the Complainant shares a child in common; (iii) a person who is residing with or has resided with the Complainant as a spouse or intimate partner in the prior three (3) years; (iv) a person similarly situated to a spouse or the Complainant under Rhode Island law; (v) any other person against an adult or youth who is protected from that person's acts under Rhode Island law.

#### F. DATING VIOLENCE

Dating violence means violence committed by a person: (i) who is or has been in a social relationship of a romantic or intimate nature with the Complainant, and (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- Length of the relationship;
- · The type of the relationship; and
- The frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, behavior where one person uses threats of, or actually uses, physical, sexual, verbal, or emotional abuse to control their dating partner.

### G. STALKING

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (i) fear for their safety or the safety of others; or (ii) suffer substantial emotional distress.

For the purposes of this definition, "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means (including social media) follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.

"Reasonable person" means a reasonable person under similar circumstances and with similar identities to the Complainant.

"Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking includes cyberstalking, which is a form of stalking occurring in electronic media such as the Internet, social networks, blogs, cell phones, texts, or emails that are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Examples of stalking include: unwelcome and repeated visual or physical proximity to a person; repeated oral or written threats; unwelcomed/unsolicited written communications, including letters, cards, texts, emails, instant messages, or messages on social media or message bulletin boards.

### H. CONSENT

Consent is a mutual, voluntary, and informed agreement to participate in specific sexual acts with another person that is not achieved through manipulation, force, or coercion of any kind and that requires having cognitive ability

to agree to participate. Consent requires an outward demonstration, through mutually understandable words,

conduct, or action, indicating that an individual has freely chosen to engage in the specific sexual acts. A verbal "no" constitutes lack of consent, even if it sounds insincere or indecisive.

Impairment or incapacitation due to alcohol and/or drug use, permanent/temporary psychological or physical disability, and being below the age of consent (age sixteen [16] in Rhode Island) are factors that detract from or make consent impossible.

Silence or an absence of resistance does not imply consent, and consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Even in the context of an ongoing relationship, consent must be sought and freely given for each specific sexual act. Consent may be withdrawn at any time. When consent is withdrawn, sexual activity must immediately stop.

- "Force" is the use or threat of physical violence or intimidation to overcome an individual's freedom of will to choose whether or not to participate in sexual activity. There is no requirement that a party resists the sexual advance or request, but resistance shall be viewed as a clear demonstration of non-consent.
- "Coercion" is the use of pressure to compel another individual to initiate or continue sexual activity
  against an individual's will. Coercion can include a wide range of behaviors, including intimidation,
  manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion
  if they wrongfully impair another individual's freedom of will and ability to choose whether or not to
  engage in sexual activity.
- "Incapacitation" means the person is incapable of giving consent. A person is incapacitated if they are
  in a physical or mental state that makes them unable to make a knowing and voluntary choice to engage
  in the specific sexual acts. A person may become incapacitated due to many factors, including the use
  of alcohol and/or drugs, or when the person is asleep or unconscious, or due to intellectual or other
  disability. When determining incapacitated and could not provide consent. One's own intoxication
  is not an excuse for failure to recognize another person's incapacitation.

Sexual contact while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other person's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

No single factor is determinative of incapacitation. Commons signs that someone is incapacitated may include: slurred speech, confusion, bloodshot eyes, the smell of alcohol on breath, unsteadiness when walking, vomiting, unusual behavior, etc.

### III. TITLE IX STATEMENT AND COORDINATORS

It is the policy of the University to comply with Title IX of the Education Amendments of 1972 and its implementing regulations, which prohibit discrimination based on sex in the University's educational programs and activities, including employment and admissions.

The Title IX Coordinator and Deputy Title IX Coordinators are responsible for the oversight and implementation of this policy. The contact information for the Title IX Coordinator is:

Address: Room 114 Carlotti Administration Building, 75 Lower College Road, Kingston, RI 02881 Phone Number: 401-874-5593

Email: tixc@etal.uri.edu

### IV. REPORTING ALLEGATIONS OF SEXUAL MISCONDUCT

All reports of Sexual Misconduct must be submitted to one of the following individuals:

- The Assistant Vice President for Enterprise Risk Management, who is the University's Title IX Coordinator. The Title IX Coordinator is the University official charged with coordinating compliance with Title IX and its implementing regulations.
- A designated Deputy Title IX Coordinator.
- An Official with Authority, who is a University officer who has authority to institute corrective measures, specifically: the President, the Provost, Vice Presidents, Deans, and the Assistant Vice President of Human Resource Administration.

Specific information regarding reporting procedures can be found in the Procedures accompanying this policy.

The University encourages individuals to report Sexual Misconduct immediately. However, the University realizes that individuals who have been subjected to sexual misconduct may desire to maintain confidentiality. A person who wishes to talk confidentially about their situation may contact the confidential resources identified in the Procedures accompanying this policy. Additionally, individuals who have been subjected to sexual offenses may also seek help from off-campus organizations that have trained professionals able to provide assistance. Offcampus resources are also identified in the Procedures accompanying this policy. However, these organizations are not associated with the University and therefore disclosure will not trigger a University investigation into the incident.

Unless designated as a confidential resource, the University encourages all members of the University community to report any and all instances of possible Sexual Misconduct, even if they are unsure whether the conduct rises to the level of a violation of this policy.

It is a violation of this policy to retaliate against any member of the University community who reports or assists in making a report of Sexual Misconduct or who participates in the investigation of a report in any way. Persons who believe they have experienced retaliation in violation of this policy should make a report in the manner set forth above in this section.

### V. APPLICABLE PROCEDURES UNDER THIS POLICY

The University will investigate all reports of Sexual Misconduct. Upon receipt of a report of Sexual Misconduct, the Title IX Coordinator will review the allegations and determine the applicable procedures, which will depend upon

(1) the status of the Complainant; (2) the status of the Respondent; (3) the location of the alleged conduct; and (4) the nature of the allegations.

Formal complaints of Sexual Harassment that meet the applicable definitions under Title IX, as set forth
in the Procedures accompanying this policy, will follow the process prescribed by the Title IX regulations.



published on May 19, 2020 by the US Department of Education and set forth in the Procedures that accompany this policy, as amended from time to time.

- Reports of Sexual Misconduct not under the jurisdiction of Title IX that involve students will be addressed under the University Student Conduct System as outlined at <u>https://web.uri.edu/studentconduct/conduct-system/</u> and in the Student Handbook. Reports of Sexual Misconduct by or regarding employees will be investigated by the Office of Affirmative Action, Equal Opportunity, and Title IX.
- Reports of Sexual Misconduct involving Affiliates, contractors, vendors, guests, or visitors will follow the process set forth in the Procedures accompanying this policy.

If a report of Sexual Misconduct is found to be substantiated, the University will take appropriate corrective, disciplinary, and remedial action to stop the inappropriate conduct, address its effects, and prevent its recurrence.

In certain instances, the University is required to report the outcomes of investigations regarding sexual misconduct under this policy, particularly instances where an employee is placed on administrative leave or has modified employment, to state or federal agencies that are providing support to the University, including research grants and other sponsored awards.

### VI. ROLES AND RESPONSIBILITIES OF UNIVERSITY COMMUNITY MEMBERS

#### A. Title IX Coordinator

It is the responsibility of the Title IX Coordinator to: (1) receive complaints of Sexual Misconduct under this policy, either directly or indirectly, (2) refer complaints that fall within the jurisdiction of Title IX to the Title IX process and refer complaints that do not fall under Title IX to the appropriate process; (3) oversee the applicable processes of responding to Sexual Misconduct complaints; (4) oversee the University's Sexual Misconduct prevention education and training programs; (5) identify and address any patterns or systemic problems that arise during the review of Sexual Misconduct complaints; (6) assist members of the University community in understanding that Sexual Misconduct is prohibited by this policy; (7) answer questions about this policy; (8) ensure that employees and students are aware of the procedures for reporting and addressing complaints of Sexual Misconduct; (9) monitor full compliance with the requirements and timelines specified in the Procedures adopted under this policy; (10) conduct periodic campus climate surveys; and (11) compile an annual report on incidents of Sexual Misconduct.

The Title IX Coordinator may consult with other University officials and legal counsel as necessary when carrying out duties under this policy.

### B. Deputy Title IX Coordinators

It is the responsibility of the Deputy Title IX Coordinators to: (1) assist members of the University community in understanding that Sexual Misconduct is prohibited by this policy; (2) answer questions about this policy; (3) ensure that employees and students are aware of the procedures for reporting and addressing complaints of Sexual Misconduct; (4) implement or designate appropriate persons to implement the Procedures adopted under this policy; and (5) provide regular updates and information to the Title IX Coordinator.

It is further the responsibility of the Deputy Title IX Coordinator for Education, Prevention, & Outreach to coordinate dissemination of information and education and training programs.

The Deputy Title IX Coordinators may consult with other University officials and legal counsel as necessary when carrying out their duties under this policy.

### C. Administrators, Deans, and Other Managers

It is the responsibility of administrators, deans, and other managers (i.e., those that formally supervise other employees) to:

- · Inform employees under their direction or supervision of this policy;
- Work with the Title IX Coordinator and Deputy Title IX Coordinators to implement education and training
  programs for employees and students; and
- Implement any corrective actions that are imposed as a result of findings of a violation of this policy.

### D. All Employees

It is the responsibility of all employees to review this policy and comply with it.

### E. Students

It is the responsibility of all students to review this policy and comply with it.

### VII. AMNESTY

The health and safety of every student at the University is of utmost importance. The University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an incident of violence occurs, including, but not limited to, domestic violence, dating violence, stalking, or sexual assault, may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report incidents of violence to institution officials. The reporting party, a bystander acting in good faith, or a reporting individual acting in good faith who discloses any incident of violence to the University or law enforcement will not be subject to the University's student conduct code for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the incident of violence.

### VIII. ACADEMIC FREEDOM

While the University is committed to the principles of free inquiry and free expression, conduct constituting Sexual Misconduct is neither legally protected expression nor the proper exercise of academic freedom.

### IX. REVIEW

This policy is maintained by the University's Title IX Coordinator. The Title IX Coordinator will review this policy regularly, with the assistance of the Deputy Title IX Coordinators and legal counsel. The review will capture evolving legal requirements, evaluate the supports and resources available to the parties, and assess the effectiveness of the Procedures accompanying this policy. The review will incorporate an aggregate view of reports, resolutions, and climate.

### X. DISTRIBUTION

This policy will be disseminated widely to the University community through email communication, the University's website, inclusion in orientation programs for employees and new students, and through other appropriate channels of communication.

Nothing in this policy or associated materials should be interpreted so as to limit the University's right to resolve, investigate, and/or take disciplinary action against any improper conduct of a sexual nature even though such conduct is not of the type, severity, or pervasiveness that constitutes Sexual Misconduct as defined in this policy.

# **PROCEDURES** for Policy on Sexual Misconduct

Effective Date: September 14, 2022

### I. Policy # 01.001.3

### II. Introduction

The University's Sexual Misconduct Policy prohibits Sexual Misconduct. Sexual Misconduct is any form of sexually based behavior by students, faculty, staff, administrators, affiliates, visitors, guests, and agents, representatives and employees of contractors or vendors, which has the effect of denying someone participation in or the benefits of any University program or activity.

These procedures, as amended from time to time, have been established to ensure compliance with the above policy with respect to Sexual Harassment prohibited by Title IX of the Education Amendments of 1972 and to Sexual Misconduct alleged to have been perpetrated by parties other than students, faculty or staff. Other procedures will apply to other forms of Sexual Misconduct not covered by Title IX; such as Sexual Harassment as defined by Title VII and Sexual Misconduct covered by the Student Handbook.

Questions regarding these procedures should be directed to the Title IX Coordinator.

### III. Reporting Sexual Misconduct

Any person may trigger the University's response obligations by reporting sexual misconduct to the Title IX Coordinator, to a Deputy Title IX Coordinator, or Official with Authority.

The Title IX Coordinator is Assistant Vice President for Enterprise Risk Management Kara Larsen:

Carlotti Administration Building, Room 114 75 Lower College Road Kingston, RI 02881 401-874-5593 toccitetal uri edu

The following are Deputy Title IX Coordinators:

- Dorca Paulino-Smalley, Director Office of Equal Opportunity, 201 Carlotti Administration Building, 75 Lower College Road 401-874-4929 dorca\_paulino@uri.edu
- Keith Labelle, Deputy Title IX Coordinator for Education, Outreach & Training, Tootell 125G, 3 Keaney Road 401-874-5222 klabelle@uri.edu
- Kacey Light, Chief NCAA Compliance Officer NCAA Compliance Office, 3 Keaney Road, Suite One 401-874-5457 klight@uri.edu

- Matt Bodah, Vice Provost Office of the Provost, Green Hall 401-874-2497 mbodah@uri.edu
- Kathleen Shannon, Assistant to the VPR for Strategic Initiatives Division of Research and Economic Development 401-874-2408 kshannon11@un.edu
- Danielle Dennis, Interim Dean College of Education and Professional Studies, Providence Campus 401-277-5489 danielle dennis@uri.edu
   David Smith, Associate Dean Academic Affairs, Graduate School of
- David Smith, Associate Dean Academic Altairs, Graduate School of Oceanography, Narragansett Bay Campus 401-874-6172 dcsmith@uri.edu

The following are Officials with Authority:

- President 401-874-4209
- Provost and Vice President for Academic Affairs... 401-874-4410
- Vice President for Administration & Finance 401-874-2433
- Vice President for Research & Economic Development 401-874-4576
- Vice President for Student Affairs 401-874-2427
- Assistant Vice President, Human Resource Administration 401-874-5270
- Dean, Admissions 401-874-7100
- Dean, Graduate School of Oceanography 401-874-6222
- Dean, University Libraries 401-874-4602
- Dean, Graduate School 401-874-9480
- Dean, College of Business 401-874-4348
- Dean, College of Environment & Life Sciences 401-874-2957
- Dean, College of Pharmacy 401-874-5003
- Dean, College of Health Sciences 401-874-9330
- Dean, University College for Academic Success 401-874-5505
- Dean, College of Arts & Sciences 401-874-4104
- Dean, College of Education and Professional Studies 401-874-5489
- Dean, College of Nursing 401-874-5324
- Dean, College of Engineering 401-874-2186

The person who reports does not need to be the Complainant (i.e., the person alleged to be the victim); a report may be made by "any person" who believes that Sexual Misconduct may have occurred and requires a response by the University.

The Complainant retains control over whether, and when, they want the University to respond to the Sexual Misconduct experienced by the Complainant.

The following are confidential resources available to a Complainant:

- <u>Violence Prevention and Advocacy Services (VPAS)</u>: 401-874-9131 The offices are located in the Potter Building
- <u>Counseling Center</u> 401-874-2288 The offices are located in Roosevelt Hall, Room 217

- Health Services: 401-874-2246 The Health Services clinic is located in the Potter Building
- <u>Psychological Consultation Center</u>. 401-874-4261 The Center is located in the Chafee Building
- <u>URI Chaplains Association</u> 401-874-2740 The offices are located at 6 Fratemity Circle

Victims of sexual offenses may also file a criminal complaint with law enforcement.

- University of Rhode Island Police Department. 401-874-2121 (Emergency); 401-874-4910 (Non-Emergency) The Police Department is located at 85 Briar Lane
- Local Law Enforcement: 911

Victims of sexual offenses may also seek help from off-campus organizations that have trained professionals able to provide assistance to victims of Sexual Violence. These organizations are not associated with the University and therefore disclosure will not trigger a University investigation into the incident. Victims may contact the following organizations for assistance:

- Day One: 1-800-994-4100 (24/7 support)
- State Victim of Crimes Helpline: 1-800-494-8100
- Women's Resource Center of South County, 401-782-3990
- South County Hospital ER: 401-782-8010
- Women & Infants Hospital: 401-274-1100
- Rhode Island Coalition Against Domestic Violence: 401-467-9940

### IV. Response to a Report of Sexual Misconduct

- A. Upon receiving a report of Sexual Misconduct, the Title IX Coordinator or a designated Deputy Title. IX Coordinator will conduct a preliminary assessment to determine:
  - Whether the conduct, as reported, falls or could fall within the scope of the Policy; and
  - Whether the conduct, as reported, constitutes or could constitute Sexual Harassment under Title IX.

As part of the preliminary assessment, the Title IX Coordinator or designated Deputy may take investigative steps to determine the identity of the Complainant, if such identity is not apparent from the report.

If the Title IX Coordinator or designated Deputy determines that the conduct reported could not fall within the scope of the Policy, and/or could not constitute Sexual Harassment under Title IX, even if investigated, the Title IX Coordinator or designated Deputy will close the matter and may notify the reporting party if doing so is consistent with the Family Educational Rights and Privacy Act ("FERPA").

The University will investigate reports of Sexual Misconduct against students that do not meet the definition of Sexual Harassment under Title IX in accordance with procedures described in the Student Handbook.

Reports of Sexual Misconduct involving employees that do not meet the definition of Sexual Harassment under Title IX will be investigated in accordance with procedures established by the Human Resource Administration and the Office of Equal Opportunity.

If the Title IX Coordinator or designated Deputy determines that the conduct reported could fail within the scope of the Policy, the Title IX Coordinator or designated Deputy will proceed to contact the Complainant to discuss supportive measures, as set forth in Part B of this Section. The Title IX Coordinator or designated Deputy will consider the Complainant's wishes regarding supportive measures and will inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint. The Title IX Coordinator or designated Deputy will also explain the process of filing a formal complaint and provide options for filing complaints with the local and State police and provide information about resources that are available on campus and in the community.

#### B. Supportive measures

- Supportive measures are available to both the Complainant and Respondent and will be offered regardless of whether a formal complaint is filed.
- Services are individualized, i.e., tailored to the unique circumstances of the party and are measures designed to restore or preserve access to the University's education program or activity, including measures designed to protect the safety of all parties or the education environment, or deter Sexual Misconduct.

The University will determine the reasonableness, necessity, and scope of any supportive measures, which may include:

- No Contact Order: A Reporting Party or Responding Party may request, or the University
  may impose, communication and contact restrictions to prevent further potentially harmful
  interaction. These communications and contact restrictions generally preclude in-person,
  telephone, electronic, or third party communications.
- Academic, Employment or Residence Modifications: A Reporting Party or Responding Party may request an academic or employment accommodation or a change in residence after a report of Sexual Misconduct. An individual who requests assistance in changing their academic or living situation after an incident of Sexual Misconduct will receive appropriate and reasonably available accommodations. These may include:
  - Change of residence hall room;
  - Change in work assignment or schedule;
  - Providing an escort to facilitate safe movement between classes and activities;
  - Academic accommodations, including a change in class schedule, taking an incomplete, dropping a course without penalty, providing an academic tutor, extending deadlines for assignments, rescheduling exams and assignments, providing alternative course completion options, or allowing a voluntary leave of absence; or
  - Providing medical services available through the University clinic.
- Emotional Support: Counseling and emotional support is available to any student through the Counseling Center free of charge. The University will also assist in providing a referral to off campus agencies.
- Interim Separation: Where the report of Sexual Misconduct poses an ongoing risk of harm to the safety or well-being of an individual or members of the campus community, the University may place an individual or organization on interim suspension or impose leave for an employee. Pending resolution of the complaint, the individual or organization may

be denied access to campus. When interim suspension or leave is imposed, the University will make reasonable efforts to complete the investigation and resolution within an expedited time frame.

- Supportive measures will not be punitive, disciplinary, or unreasonably burdensome against any party.
- 4. If the Respondent is a student, the University may remove the Respondent from an education program or activity on an emergency basis, with or without a pending grievance process, but the Respondent will be given notice and an opportunity to challenge the removal.
- The University will attempt to keep the supportive measures confidential unless doing so will impair the University's ability to provide them.

## V. Filing a Complaint

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail using the following contact information:

Address: Room 114 Carlotti Administration Building 75 Lower College Road Kingston, RI 02881 Phone Number: 401-874-5593 Email: tixc@etal.uni.edu

Or online at

https://web.uri.edu/titleix/report/

The Title IX Coordinator may, in her discretion, file a formal complaint on the Complainant's behalf.

If a Complainant proceeds with filing a formal complaint, the Title IX Coordinator or designated Deputy will determine whether, at the time the complaint is filed, the Complainant was participating in or attempting to participate in the University's education program or activity, whether the alleged conduct occurred in the United States; and whether the alleged conduct meets the definition of Sexual Harassment under Title IX. If these criteria are met, the Title IX grievance process will be started.

Education program or activity includes all the operations of the University, including locations, events, or circumstances over which the University exercises substantial control over both the Respondent and the context in which the alleged sexual harassment occurs, and includes any building owned or controlled by a student organization that is officially recognized by the University.

If the above criteria are not met, the Title IX Coordinator or designated Deputy will refer the allegation to the appropriate alternative process. For complaints involving students, the Title IX Coordinator will refer the allegation to the Office of Student Affairs. For complaints involving employees, the Title IX Coordinator will refer the allegation to the Office of Equal Opportunity.

Upon receipt of a complaint, written notice will be provided to the parties. The notice will include the following information:

- specific details about the alleged incident of Sexual Harassment, including the identities of
- parties involved, conduct alleged to constitute sexual harassment, date and location
- time to prepare a response to the allegations
- the respondent is presumed not responsible and that a determination of responsibility is

made at the conclusion of the grievance process

- the parties have the right to an advisor of their choice, who may be an attorney
- · the parties may inspect and review evidence
  - the parties are not prohibited from discussing the allegations or gathering evidence and they will have an equal opportunity to present relevant evidence that they gather
- the parties will be provided advance written notice when invited or expected to participate in an interview, meeting, or hearing
- time frames for different steps of the grievance process
- the provision in the code of conduct that prohibits making knowingly false statements or knowingly submitting false information during the grievance process
- retaliation prohibited
- option for informal resolution process

The Title IX Coordinator may dismiss a complaint if.

- the Complainant notifies the Title IX Coordinator in writing that the Complainant wishes to withdraw it,
- the Respondent is no longer enrolled or employed by the University, or
- specific circumstances prevent the University from gathering evidence sufficient to reach a
  determination on the Complaint.

The Title IX Coordinator must dismiss the complaint if:

- The conduct alleged in the complaint would not constitute Sexual Harassment under Title IX, even if proved; or
- The conduct alleged in the complaint fails outside the scope of the Policy (i.e., because the alleged conduct did not occur in the University's education programs or activities and/or the alleged conduct occurred outside the geographic boundaries of the United States).

The University may consolidate Formal Complaints as to allegations of Sexual Harassment under Title IX against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Sexual Harassment arise out of the same facts or circumstances.

Only the Title IX Coordinator is authorized to initiate the grievance process against the wishes of a Complainant by signing a formal complaint.

### VI. Grievance Process

#### A. Investigation

- The University will investigate the allegations made in the complaint using an objective outside investigator. The investigator will gather evidence relevant to the alleged misconduct, including inculpatory and exculpatory evidence.
- The burden of gathering evidence sufficient to reach a determination in the adjudication lies with the University and not with the parties.
- 3. The parties have equal opportunity to have others present during any investigative interview or meeting, including the opportunity to be accompanied by the advisor of their choice, who may be, but is not required to be, an attorney; The University will not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or interview; however, the

University may establish restrictions regarding the extent to which the advisor may participate in the proceeding, but such restrictions will apply equally to both parties.

- 4. The University cannot access, consider, disclose, or otherwise use a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so.
- The parties are not restricted from discussing the allegations under investigation or gathering and presenting relevant evidence to the Investigator.
- A party whose participation is invited or expected at an investigative interview or meeting will be provided written notice of the date, time, location, participants, and purpose of all investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- 7. Both parties will have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the University does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.
- 8. Prior to completion of the investigative report, the University will send to each party, and the party's advisor, if any, at least 10 days prior to any hearing, the evidence for inspection and review in an electronic format or a hard copy. The parties and their advisors are permitted to review the evidence solely for the purposes of this grievance process and may not photograph or disseminate the evidence to the public.
- The parties will have 10 days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- 10. After the period for the parties to provide any written response as specified above has expired, the investigator will complete a written investigation report that fairly summarizes the various steps taken during the investigation, summarizes the relevant evidence collected, lists material facts on which the parties agree, and lists material facts on which the parties do not agree. When the investigation report is complete, the investigator will transmit a copy to the Title IX Coordinator. The Title IX Coordinator will also transmit the investigation report to each party and their advisor, in either electronic or hard copy form. The parties and their advisors are provided the report for the purposes of this complaint resolution process and may not disseminate the report to the public.

#### B. Hearing

1. Hearing Officer

After receipt of the investigation report, the Title IX Coordinator will promptly appoint a hearing officer who will oversee the hearing process. The hearing officer may be internal or external to the University depending on the circumstances. The hearing officer will preside over the hearing, determine the relevancy of questions or evidence and rule on objections.

The Title IX Coordinator will call for a hearing panel to hear the evidence and render a determination of responsibility for the allegations at the conclusion of the hearing process. The Title IX Coordinator will see that the hearing officer is provided a copy of the investigation report and a copy of all evidence transmitted to the parties by the investigator.

2. Notice of Hearing and Opportunity to Respond to the Investigation Report

After the hearing officer is appointed by the Title IX Coordinator, the hearing officer will promptly transmit written notice to the parties notifying the parties of the hearing officer's appointment; setting a deadline for the parties to submit any written response to the investigation report; setting a date for the pre-hearing conference; setting a date and time for the hearing; and providing a copy of the University's Hearing Procedures.

Neither the pre-hearing conference, nor the hearing itself, may be held any earlier than ten (10) calendar days from the date of transmittal of the written notice of hearing.

A party's written response to the investigation report must include:

- To the extent the party disagrees with the investigation report, any argument or commentary regarding such disagreement;
- Any argument that evidence should be categorically excluded from consideration at the hearing based on privilege, relevancy, the prohibition on the use of sexual history, or for any other reason;
- A list of any witnesses that the party contends should be requested to attend the hearing
  pursuant to an attendance notice issued by the hearing officer;
- A list of any witnesses that the party intends to bring to the hearing without an attendance notice issued by the hearing officer;
- Any objection that the party has to the University's Hearing Procedures;
- Any request that the parties be separated physically during the pre-hearing conference and/or hearing;
- Any other accommodations that the party seeks with respect to the pre-hearing conference and/or hearing;
- The name and contact information of the advisor who will accompany the party at the prehearing conference and hearing;
- If the party does not have an advisor who will accompany the party at the hearing, a request
  that the University provide an advisor for purposes of conducting cross-examination.

A party's written response to the investigation report may also include:

- Argument regarding whether any of the allegations in the complaint are supported by a
  preponderance of the evidence; and
- Argument regarding whether any of the allegations in the complaint constitute Sexual Harassment under Title IX.

3. Pre-Hearing Conference

Prior to the hearing, the hearing officer will conduct a pre-hearing conference with the parties and their advisors. During the pre-hearing conference, the hearing officer will discuss the hearing procedures with the parties; discuss the witnesses the parties have requested be served with notices of attendance and/or witnesses the parties plan to bring to the hearing without a notice of attendance; and resolve any other matters that the hearing officer determines, in the hearing officer's discretion, should be resolved before the hearing.

4. Notices of Attendance

After the pre-hearing conference, the hearing officer will transmit notices of attendance to any University employee (including administrator, faculty, or staff) or student whose attendance is requested at the hearing as a witness. The notice will advise the subject of the specified date and time of the hearing and advise the subject to contact the hearing officer immediately if there is a material and unavoidable conflict.

The recipient of an attendance notice should notify any manager, faculty member, coach, or other supervisor, as necessary, if attendance at the hearing will conflict with job duties, classes, or other obligations. All such managers, faculty members, coaches, and other supervisors are required to excuse the subject of the obligation, or provide some other accommodation, so that the subject may attend the hearing as specified in the notice.

The University will not issue a notice of attendance to any witness who is not an employee or a student. It is the responsibility of the parties to procure the attendance of any such witness.

5. Conduct of proceeding

The hearing will be conducted live, with simultaneous and contemporaneous participation by the parties and their advisors. Generally, the hearing will be conducted with the hearing officer, the hearing panel, the parties, the advisors, witnesses, and other necessary University personnel together in the same physical location. However, upon request of either party, the parties will be separated into different rooms with technology enabling the parties to participate simultaneously and contemporaneously by video and audio.

In the hearing officer's discretion, the hearing may be conducted virtually, by use of video and audio technology, where all participants participate simultaneously and contemporaneously by use of such technology.

The hearing will be audio recorded. The audio recording will be made available to the parties for inspection and review on reasonable notice, including for use in preparing any subsequent appeal.

While the Hearing Procedures and rulings from the hearing officer will govern the particulars of the hearing, each hearing will include, at a minimum:

- Opportunity for each party to address the hearing officer directly and to respond to questions posed by the hearing officer;
- Opportunity for each party's advisor to cross-examine directly, orally, and in real time, relevant questions, and follow up questions, of the other party and any witnesses, including questions that support or challenge credibility;
- Opportunity for each party to raise contemporaneous objections to testimonial or nontestimonial evidence and to have such objections ruled on by the hearing officer and a reason for the ruling provided;
- Opportunity for each party to submit evidence that the party did not present during the investigation due to mistake, inadvertence, surprise, or excusable neglect; and
- Opportunity for each party to make a brief closing argument.

Except as otherwise permitted by the hearing officer, the hearing will be closed to all persons except the parties, their advisors, the investigator, the hearing officer, the hearing panel, the Title IX Coordinator, and other necessary University personnel as determined by the Title IX Coordinator. Witnesses will be sequestered from one another at the hearing until such time as their testimony is complete.

During the hearing, the parties and their advisors will have access to the investigation report and evidence that was transmitted to them before the conclusion of the investigation.

While a party has the right to attend and participate in the hearing with an advisor, a party and/or advisor who materially and repeatedly violates the rules of the hearing in such a way as to be materially disruptive, may be barred from further participation and/or have their participation limited, as the case may be, in the discretion of the hearing officer.

Subject to the minimum requirements specified in this section, the hearing officer will have sole discretion to determine the manner and particulars of any given hearing, including with respect to the length of the hearing, the order of the hearing, and questions of admissibility. The hearing officer will independently and contemporaneously screen questions for relevance in addition to resolving any contemporaneous objections raised by the parties and will explain the rational for any evidentiary rulings.

The hearing is not a formal judicial proceeding and strict rules of evidence do not apply. The hearing officer will have discretion to modify the Hearing Procedures, when good cause exists to do so, and provided the minimal requirements specified in this section are met.

The hearing panel may consider the testimony of any party or witness, whether given during the investigation or during the hearing, if the parties jointly stipulate that the testimony may be considered or in the case where neither party requested attendance of the witness at the hearing.

In applying this section, the hearing panel will not draw an inference about the determination regarding responsibility based solely on a party or a witness's absence from the live hearing and/or refusal to submit to questioning by the parties' advisors.

The hearing panel will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has voluntarily waived the privilege in writing or affirmatively discloses the information to support an allegation or defense.

6. Written determination

After the hearing is complete, the hearing panel will objectively evaluate all relevant evidence collected during the investigation, including both inculpatory and exculpatory evidence, together with testimony and non-testimony evidence received at the hearing, and ensure that any credibility determinations made are not based on a person's status as a Complainant, Respondent, or witness. The hearing panel will take care to exclude from consideration any evidence that was ruled inadmissible at the pre-hearing conference, during the hearing, or because it constitutes impermissible sexual history information. The hearing panel will resolve disputed facts using a preponderance of the evidence (i.e., "more likely than not") standard and reach a determination regarding whether the facts that are supported by a preponderance of the evidence constitute one or more violations of the Policy as alleged in the Formal Complaint. After reaching a determination and consulting with the appropriate University officials and Title IX Coordinator, the hearing panel will prepare a written decision that will include:

- Identification of the allegations potentially constituting Sexual Harassment under Title IX made in the complaint;
- A description of the procedural steps taken by the University upon receipt of the formal
  complaint, through issuance of the written decision, including notification to the parties,
  interviews with the parties and witnesses, site visits, methods used to gather nontestimonial evidence, and the date, location, and people who were present at or
  presented testimony at the hearing.
- Findings of fact, made under a preponderance of the evidence standard, that support the determination;
- A statement of, and rationale for, each allegation that constitutes a separate potential incident of Sexual Harassment under Title IX, including a determination regarding responsibility for each separate potential incident;
- The discipline recommended to the appropriate University official depending on whether the Respondent is a student, employee, or third party;
- Whether the Complainant will receive any ongoing support measures or other remedies as determined by the Title IX Coordinator; and
- A description of the appeal process.

The written determination will be transmitted to the parties. Transmittal of the written determination to the parties concludes the hearing process, subject to any right of appeal.

#### C. Informal resolution

At any time after the parties are provided written notice of the formal complaint, and before the completion of any appeal, the parties may voluntarily consent, with the Title IX Coordinator's approval, to engage in mediation, facilitated resolution, or other form of dispute resolution the goal of which is to enter into a final resolution resolving the allegations raised in the complaint by agreement of the parties.

The specific manner of any informal resolution process will be determined by the parties and the Title IX Coordinator, in consultation together. Prior to commencing the informal resolution process agreed upon, the Title IX Coordinator will transmit a written notice to the parties that:

- Describes the parameters and requirements of the informal resolution process;
- Identifies the individual responsible for facilitating the informal resolution (who may be the Title IX Coordinator, another University official, or a suitable third-party);
- Explains the effect of participating in informal resolution and/or reaching a final resolution will have on a party's ability to resume the investigation and adjudication of the allegations at issue in the complaint; and
- Explains any other consequence resulting from participation in the informal resolution process, including a description of records that will be generated, maintained, and/or shared.

After receiving the written notice specified in this paragraph, each party must voluntarily provide written consent to the Title IX Coordinator, before the informal resolution may commence.

During the pendency of the informal resolution process, the investigation and adjudication processes that would otherwise occur are stayed and all related deadlines are suspended. A party may withdraw their consent to participate in informal resolution at any time before a resolution has been finalized.

If the parties do not reach a resolution through the informal resolution process, the Complainant may choose to proceed with the formal investigation and adjudication process outlined in these procedures.

If the parties reach a resolution through the informal resolution process, and the Title IX Coordinator agrees that the resolution is not clearly unreasonable, the Title IX Coordinator will reduce the terms of the agreed resolution to writing and present the resolution to the parties for their written signature. Once both parties and the Title IX Coordinator sign the resolution, the resolution is final, and the allegations addressed by the resolution are considered resolved and will not be subject to further investigation, adjudication, remediation, or discipline by the University, except as otherwise provided in the resolution itself, absent a showing that a party induced the resolution by fraud, misrepresentation, or other misconduct or where required to avoid a manifest injustice to either party or to the University. Informal resolution reached pursuant to this section is not subject to appeal. If either party leaves the University and is no longer pursuing or attempting to pursue a University education program or activity, the informal resolution agreement will expire.

Absent extension by the Title IX Coordinator, any informal resolution process must be completed within twenty-one (21) calendar days. If an informal resolution process does not result in a resolution within twenty-one (21) calendar days, and absent an extension, abeyance, or other contrary ruling by the Title IX Coordinator, the informal resolution process will be deemed terminated, and the Formal Complaint will be resolved pursuant to the investigation and adjudication procedures. The Title IX Coordinator may adjust any time periods or deadlines in the investigation and/or adjudication process that were suspended due to the informal resolution.

### VII. Remedies

The University will provide persons who have experienced Sexual Harassment under Title IX ongoing remedies as reasonably necessary to restore or preserve access to the University's education programs or activities.

Remedies may include the same services offered as supportive measures during the pendency of the grievance process; however, they need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent.

### VIII. Sanctions

Administrators, faculty members, staff, students, contractors, guests, and other members of the University Community who are found responsible for committing Sexual Harassment under Title IX are subject to the full range of discipline including, but not limited to, verbal reprimand; written reprimand; mandatory training, coaching, or counseling; mandatory monitoring; partial or full probation; partial or full suspension; permanent separation from the institution (i.e., termination or dismissal); physical restriction from University property, cancellation of contracts; and any combination of the same. Disciplinary sanctions for student violations of the Policy are imposed in accordance with the Student Handbook. Disciplinary sanctions for employee violations of the Policy are imposed in accordance with applicable Human Resources policies and collective bargaining agreements.

#### IX. Appeal

Either party may appeal the determination of an adjudication, or a dismissal of a complaint, on one or more of the following grounds:

- A procedural irregularity affected the outcome;
- There is new evidence that was not reasonably available at the time the determination or dismissal was made, that could have affected the outcome;
- The Title IX Coordinator, investigator, or hearing officer had a conflict of interest or bias for or against complainants or respondents generally, or against the individual Complainant or Respondent, that affected the outcome.

No other grounds for appeal are permitted.

A party must file an appeal within seven (7) business days of the date they receive notice of dismissal or written determination. The appeal must be submitted in writing to the University Appeal Board. The appeal must specifically identify the determination and/or dismissal appealed from, articulate which one or more of the three grounds for appeal are being asserted, explain in detail why the appealing party believes the appeal should be granted, and articulate what specific relief the appealing party seeks.

Promptly upon receipt of an appeal, the University Appeal Board will conduct an initial evaluation to confirm that the appeal is timely filed and that it invokes at least one of the permitted grounds for appeal. If the appeal officer determines that the appeal is not timely, or that it fails to invoke a permitted ground for appeal, the appeal officer will dismiss the appeal and provide written notice of the same to the parties.

If the University Appeal Board confirms that the appeal is timely and invokes at least one permitted ground for appeal, the appeal officer will provide written notice to the other party that an appeal has been filed and that the other party may submit a written opposition to the appeal within seven (7) business days. The University Appeal Board shall also promptly obtain from the Title IX Coordinator any records from the investigation and adjudication necessary to resolve the grounds raised in the appeal.

Upon receipt of any opposition, or after the time period for submission of an opposition has passed without one being filed, the University Appeal Board will promptly decide the appeal and transmit a written decision to the parties that explains the outcome of the appeal and the rationale.

The determination of a Formal Complaint, including any discipline, becomes final when the time for appeal has passed with no party filing an appeal or, if any appeal is filed, at the point when the appeal officer has resolved all appeals, either by dismissal or by transmittal of a written decision.

No further review beyond the appeal is permitted.

# X. Recordkeeping

The University will retain those records specified in 34 C.F.R. § 106.45(b)(10) for a period of seven years after which point in time they may be destroyed, or continue to be retained, in the University's sole discretion. The records specified in 34 C.F.R. § 106.45(b)(10) will be made available for inspection, and/or published, to the extent required by 34 C.F.R. § 106.45(b)(10) and consistent with any other applicable federal or state law, including FERPA.

## XI. Exceptions

None.

State of Rhode Island Department of Administration Guidelines for Ensuring Unbiased Work Environments



# STATE OF RHODE ISLAND DEPARTMENT OF ADMINISTRATION

Division of Equity, Diversity and Inclusion State Equal Opportunity Office One Capitol Hill Providence, RI 02908-5890 401-222-3090

## GUIDELINES FOR ENSURING UNBIASED WORK ENVIRONMENTS

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

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

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

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

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

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

(2023)

University of Rhode Island Request for Reasonable Accommodation

CS-388A

# REASONABLE ACCOMMODATION REQUEST FORM (Please forward initially to the ADA Coordinator of your Agency)

Name: Day	Phone # (VOIC)	5)	
(Print Last Name, West Name, MI) Current Title in State Government (if ap			Sec. Sec. 8
Classification Title (Offered):	pricable).		
I am an applicant/employee for the pos	ition named abo	ve and may requir	e a "reasonable
accommodation" to perform the essent	ial function(s) of	the job. I hereby	request that the ADA
Coordinator and/or other individuals i	dentified in the I	Reasonable Accom	modation Policy of the
State of Rhode Island contact me regar	rding this need fo	or reasonable accou	mmodations and
authorize them to verify this request.			**
14			
·	iderstand that I	have a right to app	eal the decision of the
ADA Coordinator noted below. Upon	appeal, a job and	alysis, by the Offic	e of Rehabilitative
Services or its designated vendor, will		i a recommendation	on made within 60
calendar days of the receipt of such rec			101000
PLEASE DESCRIBE BELOW THE A	CCOMMODAT	TON YOU MAY N	NEED:
	TODELE	OF MEDICAL DOCID	MENTATION TO VERIFY
I AUTHORIZE (Realth Professional's Name)			LE ACCOMMODATION
(Manual Francis)		TY DISABILITY.	
Health Professional's Name:		Phone 81	
Address:			
Applicant/Employce Signatur	re .	Date	
po	NOT WRITE BELO	W THIS LINE	
			2010
1. Agency ADA Coord./Appt. Auth Response:	Approved	Net Needed	Denied
AuGasrizzd Nama (Print)	Authorized Signate	re	Dute
2. Office of Rehabilitative Services Response:	Annewed	Not Needed	Denied
. Once of Renadoutive Services Response.	Approved		
Ascheelzed Name (Print)	Authorized Signatu		Duts
		N.4 N	Denied
3. ADA Equipment Committee Response:	Approved	Net Needed	Denses
	1		
Anthonized March (Bellet)	Authorized Signate		Date
Authorized Name (Prist)	Annual offices		1000
If Worlers' Compensation Disability:	263 III		
Workers' Compensation Response:	Approved	Not Needed	Denied
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	Authorized Signatur		Dele

PLEASE COMPLETE REVERSE SIDE ONCE ACCOMMODATION HAS BEEN APPROVED

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Description of Approved Reasonable Accommodation

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APPROVED BY:	
Appointing Authority	
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Signature	Date
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mployee/Applicant	
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Unian Official Signature/Title (if necessary)	Date
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Ferward a copy of the approved Ressonable State ADA Coordinat	
Governor's Commission on the J	
555 Valley Street, Bidg.	51
Providence, RI 02908-5	686

EACH SIGNATORY MUST RECEIVE A SIGNED ORIGINAL Agency ADA Coordinator shall retain the signed original in a confidential file

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State of Rhode Island Department of Administration Employee Self-Identification of Disability and Request for Reasonable Accommodation

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

## CONFIDENTIAL

JOB TITLE:

DATE \_\_\_\_\_

Please Check I 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:

1	11110
	Alcoholism
	Blindness or Visual Impairment
	Cancer
	Cerebral Palsy
	Deafness or Hearing Impairment
	Diabetes
	Drug Addiction
	Epilepsy
	Heart Disease
	Mental Retardation
	Mental or Emotional Illness
	Multiple Sclerosis
	Muscular Dystrophy
	Orthopedic
	Perceptual Disabilities such as: Dyslexia, Minimal Brain
	Dysfunction, Development Aphasia or Speech Impairment
	Other

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

Additional Comments:

Signature:

Date:

RIEEO 5/09A REVISED 7/02/2002 RI 8E00 (401) 222-3090 Rhode Island Department of Administration Voluntary Exit Interview Sign-Off Forms



# STATE OF RHODE ISLAND DEPARTMENT OF ADMINISTRATION

Division of Equity, Diversity and Inclusion State Equal Opportunity Office One Capitol Hill Providence, RI 02908-5890 401-222-3090 eoo.compliance@doa.ri.gov

# EXIT INTERVIEW SIGN-OFF FORM

Rhode Island Department of:

The Division of Equity, Diversity and Inclusion in collaboration with the Division of Human Resources has established this exit interview process in order to assess the overall employee experience while working for the state, to assure that terminating employees are not leaving because of discriminatory circumstances, and to identify opportunities to improve retention and engagement.

I hereby acknowledge that I understand the above and certify that I have received the Confidential Exit Survey from the Division of Human Resources and that the completed Confidential Exit Survey must be forwarded to the State Equal Opportunity Office. I also understand that a copy of this completed sign-off form (not the Confidential Exit Survey) will be placed in my personnel file.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

SIGNATURE OF EMPLOYEE

DATE EMPLOYEE SIGNED

DATE EXIT INTERVIEW WAS GIVEN TO EMPLOYEE SIGNATURE OF HUMAN RESOURCES REPRESENTATIVE

INSTRUCTIONS:

The Human Resources Representative must distribute a copy of the Confidential Exit Survey along with any necessary documents to the terminating employee. The Human Resources Representative must place a copy of the Exit Interview Sign-Off Form in the employee's personnel file. (coo.complaince@doa.ri.gov) immediately upon completion.



# STATE OF RHODE ISLAND DEPARTMENT OF ADMINISTRATION

Division of Equity, Diversity and Inclusion State Equal Opportunity Office One Capitol Hill Providence, RI 02908-5890 401-222-3090 eoo.compliance@doa.ri.gov

# CONFIDENTIAL EXIT SURVEY

Inclusion in a Human Reso interview pro overall employ for the state, employees an discriminator	of Equity, Diversity and collaboration with the Division of urces has established this exit ocess in order to assess the oyee experience while working to assure that terminating re not leaving because of ry circumstances, and to identify s to improve retention and
NAME	JOB TITLE
	ease Check All That Apply - For aal Opportunity Purposes Only) <u>Categories</u>
White	American Indian or Alaska Hispanic

# CONFIDENTIAL EXIT SURVEY INQUIRY (continued)

1.	What is your main reason for leaving?
2.	What did you like best about your job?
3.	What did you dislike about your job?
	Did you find your employment worthwhile in terms of personal growth and achievement?
	No ase explain:

10. Would you seek employment with the State of Rhode	
Island at a future date? Yes No Please explain:	CONFIDENTIAI EXIT SURVEY INQUIRY (continued)
Comments	
-	
Submission Instructions	7

Rhode Island Department of Administration Voluntary Self-Identification Card/EEO Card RHODE ISLAND DEPARTMENT OF ADMINISTRATION

RECO-03/78 (Revised September 2018)

# AFFIRMATIVE ACTION FILE

Employee L								1.1
Address N	umber	Street			City		State	Zip Code
NOTE: When set	ecting racial/ethnic	category. you mu	st select <u>only one</u>	of the boxes num	bered 1 through	7. Fer	male 🗌	Male 🗌
1 - Black or Afric	an American (Not H	spanic or Latino)	2 – Hispanic	or Latino 🗌	1 – American India	n or Alaska Nati	ive (Not Hisp	anic or Latino)
4 - Asian (Not H	spanicor Latino)	5 - White (No	ot Hispanic or Latino	) 🗆 🚺 6 - Nat	ive Hawailan or Ot	her Pacific Islan	der (Not Hisg	oanic or Latino)
		The second second second second second second second second second second second second second second second s	e 1955 - 20	_		1.07/021	- 1	
7 – Two or More	Races (Not Hispanic	or Latino)	Disabled	Vete	ran 🗌 🛛 Di	sabled Veteran		Age: 40 & Over
		or Latino)	Dsabled	Vete	ran 🗌 🛛 Di	sabled Veteran		kge: 40 & Over □
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FOR PERSONNE Department Appropriation Ac Incumbent* Promotion Reason for Action	LUSE ONLY count No (Use this sele Transfer	ection for current	employees who ar	Grade e requesting a cl	sion Position No., hange to their de Offered	mographic des	ignation)	

- 2 Hispanie or Latino A person of Mexican, Paerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- 3 American Indian or Alaska Native (Not Hispanic or Latino) A person having origins in my of the original peoples of North America and South America (including Central America), and who maintains tribul affiliation or community attachment.
- 4 Aslan (Not Hispasle or Latine) A person having origins in any of the original peoples of the Far East. Southeast Asian, or the Indian subcontinent including for example, Cambodia, China, Iadia, Japan, Korea, Malaysia, Pakistan, the Philippine Islands. Thailand, and Vietnam.
- 5 White (Not Hispanic or Latino) A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- 6 Native Hawaiian or Other Pacific Islander (Not Hispanic or Latins) A person having origins in any of the original peoples of Hawaii, Onam. Samoa, or other Pacific Islands.
- 7 Two or More Races (Not Hispanic or Latino) A person who primarily identifies with two or more of the above race categories.

#### DISABLED:

All persons with a physical or mental impairment that substantially limits one or more major life activities. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, enting, sleeping, walking, standing, lifting, bending, speaking, bendling, learning, reading, concentrating, thinking, communicating and working. A major life activity also includes the operation of a major boddy function, including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, endocrine, and reproductive functions. A history of such disability, or the belief on the part of others that a person has such a disability, whether it is so or not, also is recognized as a disability be regulation. Diversity Officers Meeting Minutes and 2022-2023 Guidelines The Diversity Officers Committee is led by Community, Equity, and Diversity, and composed of Sean Rogers, Vice President of Community, Equity, and Diversity; Aura Fajardo Grandidge, Assistant Dean, College of the Environment and Life Sciences; Kamilah A'Vant, Assistant Dean of JEDI Initiatives; Dorca P. Smalley, Director, Office of Equal Opportunity; Jeff C. Johnson, Associate Director, Athletics; Jie Shen, Associate Professor, Biomedical and Pharmaceutical Science; Michelle Fontes, Interim Assistant Vice President, Community, Equity, and Diversity; Princess Metuge, Assistant Dean of JEDI Initiatives; Brittny R. Brown, Assistant Professor Clinical, Pharmacy Practice; Colleen Mouw, Associate Dean of Diversity, Graduate School; Ashton Bradford, Associate Dean of JEDI Initiatives; Charles A. Watson, Assistant Dean, Diversity and Inclusion, College of Engineering; and Alejando Hazera, Professor, Business Instructor, College of Business. Meetings took place on November 19, 2022, February 16, 2023, and March 21, 2023.

# November 19, 2022: Diversity Officer Meeting Notes

The Office of Equal Opportunity (OEO) conducted a presentation introducing the function of the new division and areas of focus. The function of OEO is to:

- Lead and direct the University's civil rights compliance programs, with an emphasis on Title VI, Title VII, Title IX, ADA/Section 504, equal opportunity, and affirmative action;
- Investigate, and adjudicate discrimination and harassment complaints;
- Provide employee training and counseling on civil rights topics;
- Conduct compliance reviews;
- Serve as liaison between state and federal civil rights enforcement agencies and the University; and
- Identify areas of underutilization in the workforce and work with the leadership to develop strategies to increase representation in the workforce.

Since its establishment in 2022, OEO has been working to introduce a Language Access Program in compliance with Title VI of the Civil Rights Act of 1964, defining affirmative action compliance, conducting a civil rights compliance review, and identifying gaps to create an action plan. After fully staffing the division, OEO plans to work with the Human Resources Administration to introduce an employee orientation, and search committee training.

Dorca P. Smalley, the presenter and Director of the Office of Equal Opportunity, discussed bias, pre-discriminatory behaviors, and incivility in the workplace, which are behaviors that do not rise to the legal standard required to be considered discrimination, harassment, or hostile environment due to protected status, but can influence the workplace culture. The presented introduced protected groups and the U.S. Equal Employment Opportunity Commission's role in addressing discrimination under Title VII of the Civil Rights Act of 1964.

Michelle Fontes, Interim Vice President of Community, Equity, and Diversity discussed: 1) the role of Diversity Officers across campus; 2) explored what a campus-wide announcement about the function of diversity officers would look like; 3) anti-racism training; 4) communication structure and setting up a Microsoft Teams group; and 5) considerations for introducing mandatory training.

# February 16, 2023: Diversity Officer Meeting Notes

Charles A. Watson, the Assistant Dean of Diversity and Inclusion in the College of Engineering brought attention to the first African American graduate in the College of Engineering and the University of Rhode Island; Harvey R. Turner became the first American who graduated in 1914, completing his Civil Engineering degree. In his honor, the University of Rhode Island established the Turner Award, given annually to recognize significant student contributions to the Black community on campus. The conversation evolved into what we are doing as an institution to celebrate those who were the first.

Sean E. Rogers, Ph. D., Vice President of Community, Equity and Diversity, shared an update regarding the University's institutional survey report, which was administered under his predecessor. The survey gathered general information but fails to address why people feel the way they do. The measures of job satisfaction do not offer sufficient information that would allow the University to use the data in a manner that leads to results. There was discussion regarding gathering separate data from students versus university employees and through exit interviews. Dr. Rogers also raised the concept of "stay interviews" where managers check in periodically with direct reports and foster an environment to get them to stay. Lastly, Dr. Rogers brought attention to some of the issues diversity officers across the country are facing as legislators introduce legislation that directly affects the role of Diversity Officers.

Michelle Fontes, Interim Vice President of Community, Equity, and Diversity introduced upcoming changes to the Bias Resource Team (BRT), its function, mission, and process. Princess Metuge shared she is working on a code of conduct for the Graduate School of Oceanography that would support the BRT process.

## March 21, 2023: Diversity Officer Meeting Notes

Guest Speakers Kim Stack, Ph. D., Director, Center for Career and Experiential Education CCEE (Co-Chair of Student Success Team); Aura Fajardo Grandidge, M.S., Interim Assistant Dean of Diversity & Student Success Initiatives (HHMI Leadership & SST member); Lori Ciccomascolo, Ed.D., School of Education Associate Vice President, Student Affairs and Student Success (SST sub-team co-chair); and Jennifer Burgess, M.S., M.Ed. Director, Academic Enhancement Center (HHMI Leadership and SST sub-team co-chair) conducted a presentation titled The Gardner Institute, the Student Success Team, and HHMI Grant to discuss how the existing initiatives align and how Diversity Officers across campus can help.

The presenters discussed their participation in the HHMI Inclusive Excellence (3) initiative, which challenges U.S. Colleges and universities to substantially and sustainably build their capacity for student belonging and engage in learning and collaboration with other institutions, and identify and disrupt institutional barriers to student success and belonging. The presenters encouraged the Diversity Officers to engage by offering input that will help develop a glossary of JEDI definitions and to offer feedback in an effort to help the presenters establish buy-in and alignment. There are 15 institutions working together under this initiative.

Sean E. Rogers, Ph. D., Vice President of Community, Equity and Diversity, discussed his transition scheduled to take place in June of 2023, as the Dean of the College of Business, and launching the search to fill the Vice President of Community, Equity and Diversity role, as well as his future involvement with the Diversity Officers while serving as Dean.



# STATE OF RHODE ISLAND DEPARTMENT OF ADMINISTRATION

Division of Equity, Diversity and Inclusion State Equal Opportunity Office One Capitol Hill Providence, RI 02908-5890 401-222-3090 www.dedi.ri.gov

## EQUAL OPPORTUNITY ADVISORY COMMITTEE\* GUIDELINES 2022-2023

## MISSON:

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

## 1. ESTABLISHING THE COMMITTEE:

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

## 2. STRUCTURE:

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

## 3. FUNCTIONS (ROLE):

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

## 4. CHAIRPERSON (DUTIES):

A. Prepare agenda for meeting

- B. Preside over committee meetings
- C. Submit any committee recommendations to the agency head

## 5. SECRETARY (DUTIES)

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

## 6. AGENCY HEAD:

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

## 7. EMPLOYEES SHOULD BE INFORMED OF AGENCY POLICY:

- 1. Newsletter
- 2. Pay envelopes
- 3. Employee handbooks
- 4. Copies of the affirmative action plan policy statement of key program elements
- The state equal opportunity office may issue such guidelines, directives, or instructions as necessary to carry out Rhode Island General Laws § 28-5.1.

For additional guidance and/or technical assistance, contact:

Bearee Henglatsamy, Programming Services Officer State Equal Opportunity Office Division of Equity, Diversity and Inclusion Department of Administration One Capitol Hill Providence, RI 02908 TEL # (401) 222-3090 Rhode Island Relay: 711 Email: bearee.henglatsamy@doa\_ri.gov List of Enforcement Agencies

Office of Equal Opportunity Carlotti Administration Building, Room 201 75 Lower College Road Kingston, Rhode Island 02881 Phone: (401) 874-4929 TTY - via RI Relay at 1-800-745-5555

United States Equal Employment Opportunity Commission John F. Kennedy Federal Building 475 Government Center Boston, MA 02203 Phone: 1-800-669-4000 Fax: 617-565-3196 http://www.eeoc.gov/field/boston/index.cfm

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 # (202) 514-6193 (Electronic Bulletin Board)

Office of Civil Rights, Region I US Department of Education 5 Post Office Square, 8th Floor Boston, MA 02109-3921 Tel.: (617) 289-0111 Fax: (617) 289-0150 http://www2.ed.gov/about/offices/list/ocr/docs/howto.html

Rhode Island Commission for Human Rights 180 Westminster Street, 3rd Floor Providence, Rhode Island 02903 Tel: 401-222-2661 // 401-222-2664 Fax: 401-222-2616 http://www.richr.ri.gov/

Department of Administration Division of Equity, Diversity, and Inclusion State Equal Opportunity Office One Capitol Hill Providence, RI 02908 TEL # (401) 222-3090 FAX # (401) 222-2490 Eoo.compliance@doa.ri.gov **Description of Job Categories** 

## DESCRIPTION OF JOB CATEGORIES

#### OFFICIALS AND ADMINISTRATORS:

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

#### PROFESSIONALS:

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

#### TECHNICIANS:

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

#### PROTECTIVE SERVICE WORKERS:

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

#### PARAPROFESSIONALS:

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

#### ADMINISTRATIVE SUPPORT:

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

#### SKILLED CRAFT WORKERS:

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

#### SERVICE/MAINTENANCE:

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