Rhode Island Ethics Commission Affirmative Action Plan



Rhode Island Ethics Commission 40 Fountain Street Providence, Rhode Island 02903 Effective Dates: July 1, 2020 – June 30, 2021

Accepted by:

Jason Gramitt, Executive Director

Approved by:

ODEO/State Equal Opportunity Office

Date: $\frac{3}{\lambda}$

Date: 3/21/22

Rhode Island Ethics Commission Affirmative Action Plan

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Agency Organization and Structure

Agency Operations

The independent, non-partisan Rhode Island Ethics Commission was established pursuant to an amendment to the Rhode Island Constitution, approved by the voters on November 4, 1986. The Commission's first members were appointed on July 25, 1987, pursuant to Title 36, Chapter 14 of the Rhode Island General Laws. The operations of the Ethics Commission include formulating policies and regulations relating to the conduct of public officials and employees; investigating and adjudicating complaints alleging violations of the Code of Ethics; maintaining files on more than 4,000 Financial Disclosure Statements per year; issuing advisory opinions to public officials and employees at their request regarding the application of the Code of Ethics to a specific situation, and educating public officials, employees and members of the public as to the requirements of the Code of Ethics and the functions of the Commission.

The staff of the Commission is headed by an Executive Director/Chief Prosecutor, who is hired by the Commission. The Commission's operations are funded solely with state general revenues.

Agency Objectives

Ensure that public officials and employees adhere to the highest standards of ethical conduct, respect the public trust, avoid the appearance of impropriety, and not use their position for private gain or advantage.

Respond efficiently and thoroughly to public inquiries regarding requirements of the Code of Ethics for public officials and employees.

Thoroughly investigate complaints alleging violations of the provisions of the Code of Ethics in a timely manner.

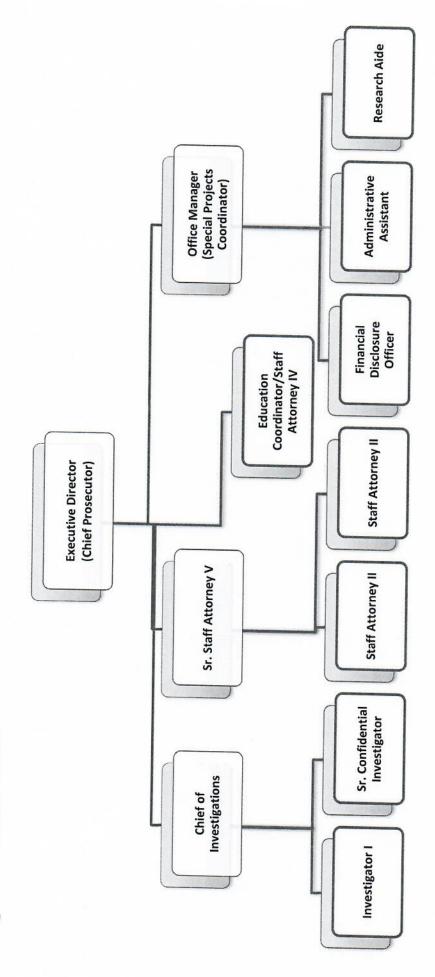
Expand the use of technology in all aspects of the Commission's operations and ensuring greater public access to information and more effective use of investigative and informational resources.

Provide educational and informational seminars, programs and publications for public officials and employees and the public-at-large regarding codes of conduct for public servants and the workings of the Ethics Commission.

Statutory History

Article III, sections 7 and 8 of the Rhode Island Constitution mandates the establishment of the Ethics Commission, empowers the Commission to adopt a code of ethics, sets forth its jurisdiction over all elected and appointed officials and employees of state and local government, and authorizes the Commission to investigate code violations and to impose penalties. Title 36, Chapter 14 of the Rhode Island General Laws sets forth the legislative provisions of the Code of Ethics and defines the Commission's advisory, investigative and adjudicative procedures.

Rhode Island Ethics Commission Organizational Chart



THE RHODE ISLAND ETHICS COMMISSION STATEMENT OF POLICY ON EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

It is the policy of the Rhode Island Ethics Commission ("Commission") to promote fair and equitable treatment of all employees and applicants, and to fully comply with federal and state legislation and executive orders. Therefore, the Commission will strive to ensure that all employees adhere to the following directives.

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

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

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

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

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

The Americans with Disabilities Act Coordinator for the Commission is Tracy A. Teixeira.

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

Jason Gramitt

Executive Director, Rhode Island Ethics Commission

Date: 3 |23 | 21

APPLICANT DATA

DATE: 7/1/19-6/30/20

Rhode Island Ethics Commission

AGENCY:

									Applical its							
Classification Title	Position Number	EEO Jo	Union	Non- Union	List	No List	White Male	Minority	Female	Disabled	Veterans	E	Promotion	Transfer	Terminations	Pay
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APPLICANT FLOW DATA

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TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0				

Agency had no new hires during plan year.

Not Hispanic or Latino
 Include disabled in appropriate job categories.

Minority Applicants	0
Total Applicants	0
Minority Hires	0
Total Hires	0
Female Applicants	0
Total Applicants	0
Female Hires	0
Total Hires	0
Minority Terminated	0
White Female Terminated	0
White Male Terminated	0
Total Terminated	0

Agency had no new hires during plan year.

Date: July 1, 2019 - June 30, 2020

AGENCY: Rhode Island Ethics Commission

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Increases or Decreeses Numerical projections, July 1st, 2019 to June 30th, 2020 for employment of minorities and women. Difference: Goals:

Percent 0.00% Minority Applicants 0.00% Minority Hiring

0.00% Female Applicants 0.00% Female Hiring

Termination Percent 0.00% Minority 0.00% White Female 0.00% White Male

Total Current/Workloce Percent 35 35% Monothy 8 50 5% Monothy 15 60 5% Deabled 15 60 5% Deabled 15 60 5% Monothy 15 60 5% Monotes In Indian or Alaska Native ("Not Hispanic or Latino) 15 60 5% Monotes In Indian or Alaska Native ("Not Hispanic or Latino) 15 60 5% Monotes In Indian or Alaska Native ("Not Hispanic or Latino) 15 60 5% Monotes Indian ("Not Manager or Latino) 15 60 5% Main's Hawalain or Ober Darico Islander ("Not Hispanic or Latino) 15 60 5% Main's Hawalain or Ober Darico Islander ("Not Hispanic or Latino) 15 60 5% Monotes Indian ("Not Hispanic or Latino)

Goals Met =Achieved Plus =Achieved Plus =Did Not Achieve =Partially Achieved

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JOB GROUP ANALYSIS SUMMARY

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EEO Job Categories	Total	Total Minorities	s	Black (NHL)	%	Hispanic or Latino	%	AliAN (NHL)	%	Asian (NHL)	%	S (NHL)	%	NH/OPI (NHL)	%	7 Two or More Races (NHL)	%	Black (NHL)	%	2 Hispanic or Latino	%	3 Al/AN (NHL)	%	A Asian (NHL) %	%	5 White (NHL)	%	6 NH/OPI (NHL)	%	7 Two or More Races (NHL)	
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Technicians	0	0	%0	0	960	0	960	0	%0	0	%0	0	%0	0	%0	0	%0	0	960	0	960	0	360	0	%	0	%0	0	960	0	0
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Skilled Craft	0	0	%0	0	960	0	940	0	%0	0	%0	0	%	0	%0	0	360	0	%0	0	9%0	0	%0	0	ź	0	960		360	-	5 6
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Based on current workforce as of 6/30/2020

NOTE: NHL means Not Hispanic or Latino

Race/Ethnic Code:

1 - Black or African American (Not Hispanic or Latino)

2 - Hispanic or Latino

3 - American Indian or Alaska Native (Not Hispanic or Latino)

4 - Asian (Not Hispanic or Latino)

5 - White (Not Hispanic or Latino)

6 - Native Hawailian or Other Pacific Islander (Not Hispanic or Latino)

7 - Two or More Races (Not Hispanic or Latino)

EEO JOB Category:

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Executive Director/Chief Prosecutor	845 A	-	0	%0	-					-		(NHL)	0							2
Staff Attorney V	836 A	٠	0	%0	0							-	-							
Chief of Investigations	836 A	-	0	%0	-					-	-	-						-		
Office Manager/Special Projects Coodinator	829 A	-	0	%0	0								-							
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JOB GROUP ANALYSIS

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JOB TITLE	GRADE	TOTAL	TOTAL	%	TOTAL MALE	(NHL)	Hepanic or Latino	Alitan (NHL)	Asian (NHL)	S White (NHL)	6 NHUOPA (NHL)	7 Two or More Races	TOTAL	Black (AHL)	2 Hispanie or Latino	3 ANAN (NHL)	Assen (34L)	White	NHOP!	Two or More
Staff Attorney IV/Education Coordinator	834 A	-	0	%0	0							7	,							(NAC
Staff Attorney II	830 A	2	0	%0	0													- (
Senior Confidential Investigator	832 A	-	0	%0	-					-								7		
Investigator	823 A	+	0	%0	-					-			0							
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JOB TITLE	ORADE	TOTAL EMPLOYEES	MINORITIES	8	TOTAL MALE	Black (NHL)	Hispanic or Latino	AIIAN (PHL)	Asser	White (NHL)	NHOPI (NHL)	Two or More Races GALLI	TOTAL. FEMALE	Black (1841.)	Hispanie or Latino	AVAN (NHL)	Asian (NHL)	White (PHL)	MHIOP!	Two or More Races
Financial Disclosure Officer/Coordinator, Special Projects	827 A	-	0	%0	0								-					-		
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EEO JOB Category Administrative Support

DATE: 30-Jun-20

AGENCY: Rhode Island Ethics Commission

DATE: ALY 1, 2019, JUNE 30, 2020

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Officials/ Managers Administrators	•		7		2					•				0	0	7	0	-		0	7	0	0	7			6		1550				11
Professionals	•									w			. 2	0			0	-			7	0	0					188					
Faculty													0			•	•		0	0		0		16				1	1				
Technicians													0						. 0			. 0		10-1	128				-				
Protective Services	7																		0		0												
Para- Professionals			-							-				0		. 0						0	0										
Administrative Support	2	-	2				-			-					0			7	0		0		0										
Skilled Craft																0	0					0	0					+	1	100			
Service Maintenance															e						100			100			+	100	10	-			

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Hiring Goals:

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ignificant turnover. As of FY 2020, (7) staff members have been in the Commission's employ for more than I decade, three (3) have been employed for more than twenty (20) years. As vacancies occur, the positions nvestigators and four (4) administrative staff members. Historically, the Commission does not experience When fully staffed, the Ethics Commission consists of 12.0 FTEs, including five (5) attorneys, three (3) re publicly posted, including outreach through the Office of Diversity, Equity and Opportunity.

Rhode Island Ethics Commission

Diversity Plan to Improve Minority Hiring and Workplace Inclusion

Historically, the Rhode Island Ethics Commission ("Commission") does not experience significant turnover among its twelve (12) FTE staff. When fully staffed, the Commission is comprised of five (5) attorneys, three (3) investigators and four (4) administrative staff members. As of FY 2018, seven (7) staff members have been in the Commission's employ for more than a decade, three (3) have been employed for more than twenty (20) years. Based on the State of Rhode Island's civilian labor force percentages and our current workforce as of June 30, 2020, the Commission staff presently exceeds statistical representation in the following categories: female; disabled; and White. The Commission meets statistical representation in the following categories: American Indian or Alaskan Native; Asian; Native Hawaiian or Other Pacific Islander; and Two or More Races. Due to its small size and lack of personnel turnover, the Commission is statistically underrepresented in the following categories: Black or African American; Hispanic or Latino; veterans and minorities. As an agency with twelve (12) FTE staff members, the Commission is unable to achieve statistical goals for all minority representation in its labor force in the categories described.

The Commission is committed to identifying and eliminating past and present effects of discrimination in employment. All vacancies, as well as any newly created positions, shall be publicly posted, including outreach notification through the Office of Diversity, Equity and Opportunity. In order to achieve equality and opportunity, the Commission recognizes the need to take affirmative action to increase the employment of underrepresented groups from among qualified applicants for such posted positions. The Commission Office Manager shall notify all staff members of training programs related to diversity, equity, and inclusion in the workplace that are made available through the Office of Diversity, Equality and Opportunity or its designee. Staff members shall be encouraged to participate in such training as part of their Commission employ.

RETALIATION OR COERCION STATEMENT

An employee or agent of State Government who shall discriminate against an individual through the use of retaliation, coercion, intimidation, threats or other such action because such individual has filed a complaint, testified or participated in any way in any investigation proceeding or hearing regarding discrimination in employment or public service or because such individual has opposed any act made unlawful under the American with Disabilities Act (ADA) of 1990 or Rhode Island Fair Employment Practices Act or any rules and regulations issued pursuant to either, shall be subject to disciplinary action. Said action may include suspension from employment or dismissal where the discrimination is found to be willful or repeated.

AMERICANS WITH DISABILITIES/504 COMPLAINT PROCEDURE

The Rhode Island Ethics Commission has adopted an internal grievance procedure to address complaints alleging any action prohibited by the Americans with Disabilities Act (ADA) of 1990. The complaint procedure outlined below will provide prompt and equitable resolution of complaints alleging any discrimination against persons on the basis of disability in employment matters.

Complaint process:

Complainants seeking to file a grievance should submit the complaint in writing by completing the Rhode Island Ethics Commission's Americans with Disabilities Act Complaint form.

Complaints should be addressed to Tracy Teixeira who has been designated to coordinate ADA/504 Compliance efforts.

Complaints shall be submitted to the ADA Coordinator within ten (10) business days after the complainant becomes aware of the alleged violation.

An investigation, as may be appropriate, will follow the filing of a complaint. The investigation will be conducted by Executive Director Jason Gramitt or his designee. This procedure contemplates an informal but through investigation, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a complaint.

A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by Executive Director Jason Gramitt or his designee. The ADA Coordinator will forward a copy of the report to the complainant within fifteen (15) business days after the complaint was received, unless further time is necessary.

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

A person may also report a complaint orally or in writing to the Division of Human Resources, Site Operations/Business Partner Team. A fillable pdf form is available for use on the Division of Human Resources website located at http://www.hr.ri.gov/.



RHODE ISLAND ETHICS COMMISSION AMERICANS WITH DISABILITIES ACT COMPLAINT FORM

Complainant Informat	<u>ion</u>	
Address:		
Phone:		
E-mail:		
Complaint Information	1	
Date(s):		
Place(s):		
0		
Witness(es):		
55	ional pages as necessary.	
Submit this complet	ted form and any additional pages or information to:	
	Tracy A. Teixeira	
	Office Manager and ADA Coordinator	
	Rhode Island Ethics Commission	
	40 Fountain Street, 8th Floor	
	Providence, RI 02903	
Complainant Signature		Date
Received by:		Dute
Signature	Name/Title	
		Date