

Rhode Island Ethics Commission

Affirmative Action Plan



Rhode Island Ethics Commission
40 Fountain Street
Providence, Rhode Island 02903
Effective Dates: July 1, 2022 – June 30, 2023

Accepted by:

/s/ Jason Gramitt
Jason Gramitt, Executive Director

Date: 02/23/2023

Approved by:

DEDI/State Equal Opportunity Office

Date: _____

Rhode Island Ethics Commission
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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.

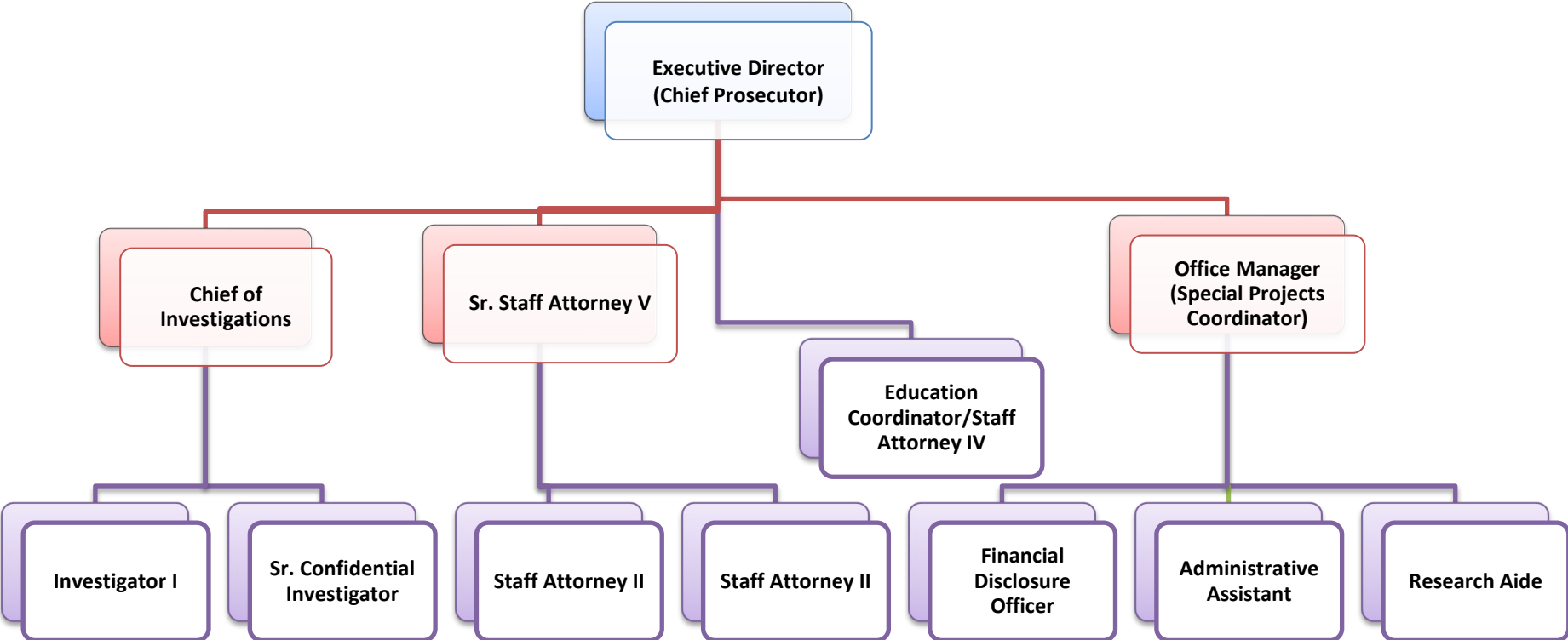
Expand the use of technology in all aspects of the Commission's operations and ensuring greater public access to information and more effective use of investigative and informational resources.

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/ 504 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.

/s/ Jason Gramitt

Jason Gramitt

Executive Director, Rhode Island Ethics Commission

Date: 02/23/2023

APPLICANT FLOW DATA

AGENCY: Rhode Island Ethics Commission

DATE: 7/1/2021 - 6/30/2022

	TOTAL APPLICANTS	MALE							FEMALE							**DISABLED	VETERANS
		BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)	BLACK OR AFRICAN AMERICAN (NHL*)	HISPANIC OR LATINO	ASIAN (NHL*)	AMERICAN INDIAN OR ALASKA NATIVE (NHL*)	WHITE (NHL*)	NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER (NHL*)	TWO OR MORE RACES (NHL*)		
APPLICANTS																	
OFFICIALS/MANAGERS, ADMINISTRATORS																	
PROFESSIONALS	106	4	0	0	1	68	0	1	4	1	3	0	18	0	3	0	6
TECHNICIANS																	
FACULTY																	
PROTECTIVE SERVICES																	
PARA-PROFESSIONALS																	
ADMINISTRATIVE SUPPORT	424	8	9	1	0	58	0	4	21	84	10	3	195	0	26	15	4
SKILLED CRAFT																	
SERVICE/MAINTENANCE																	
TOTAL	530	12	9	1	1	126	0	5	25	85	13	3	213	0	29	15	10
HIRES																	
OFFICIALS/MANAGERS, ADMINISTRATORS																	
PROFESSIONALS	3	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	0
TECHNICIANS																	
FACULTY																	
PROTECTIVE SERVICES																	
PARA-PROFESSIONALS																	
ADMINISTRATIVE SUPPORT	2	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0
SKILLED CRAFT																	
SERVICE/MAINTENANCE																	
TOTAL	5	0	0	0	0	3	0	0	0	1	0	0	1	0	0	0	0
PROMOTIONS																	
OFFICIALS/MANAGERS, ADMINISTRATORS																	
PROFESSIONALS																	
TECHNICIANS																	
FACULTY																	
PROTECTIVE SERVICES																	
PARA-PROFESSIONALS																	
ADMINISTRATIVE SUPPORT																	
SKILLED CRAFT																	
SERVICE/MAINTENANCE																	
TOTAL	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TERMINATIONS																	
OFFICIALS/MANAGERS, ADMINISTRATORS																	
PROFESSIONALS	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1	0
TECHNICIANS																	
FACULTY																	
PROTECTIVE SERVICES																	
PARA-PROFESSIONALS																	
ADMINISTRATIVE SUPPORT	2	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0
SKILLED CRAFT																	
SERVICE/MAINTENANCE																	
TOTAL	3	0	0	0	0	1	0	0	0	1	0	0	1	0	0	1	0

* Not Hispanic or Latino

** Include disabled in appropriate job categories.

Minority Applicants	183
Total Applicants	530
Minority Hires	1
Total Hires	5
Female Applicants	368
Total Applicants	530
Female Hires	2
Total Hires	5
Minority Terminated	1
White Female Terminated	1
White Male Terminated	1
Total Terminated	3

JOB GROUP ANALYSIS SUMMARY

Agency: Rhode Island Ethics Commission

DATE: 7/1/2021 - 6/30/2022

EEO Job Categories	Total Employees	Total Minorities	%	Male														Female													
				1 Black (NHL)	%	2 Hispanic or Latino	%	3 AI/AN (NHL)	%	4 Asian (NHL)	%	5 White (NHL)	%	6 NH/OPI (NHL)	%	7 Two or More Races (NHL)	%	1 Black (NHL)	%	2 Hispanic or Latino	%	3 AI/AN (NHL)	%	4 Asian (NHL)	%	5 White (NHL)	%	6 NH/OPI (NHL)	%	7 Two or More Races (NHL)	%
Officials/Managers, Administrators	4	0	0%	0	0%	0	0%	0	0%	0	0%	2	50%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	2	50%	0	0%	0	0%
Professionals	5	0	0%	0	0%	0	0%	0	0%	0	0%	2	40%	0	0%	0	0%	0	0%	0	0%	0	0%	3	60%	0	0%	0	0%		
Faculty	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%		
Technicians	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%		
Protective Services	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%		
Para-Professionals	1	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	100%	0	0%	0	0%		
Administrative Support	2	1	50%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	1	50%	0	0%	0	0%		
Skilled Craft	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%		
Service Maintenance	0	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%		
GRAND TOTAL	12	1	8%	0	0%	0	0%	0	0%	0	0%	4	33%	0	0%	0	0%	0	0%	0	0%	0	0%	7	58%	0	0%	0	0%		

NOTE: NHL means Not Hispanic or Latino

Race/Ethnic Code :

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

JOB GROUP ANALYSIS

EEO JOB Category: Officials/Managers, Administrators

DATE: 7/1/2021 - 6/30/2022

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female							
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	
Executive Director/Chief Prosecutor	845 A	1	0	0%	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Staff Attorney V	836 A	1	0	0%	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0
Chief of Investigations	836 A	1	0	0%	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Office Manager/Special Projects Coordinator	833 A	1	0	0%	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	0
SUBTOTAL		4	0	0%	2	0	0	0	0	2	0	0	2	0	0	0	0	2	0	0	0

JOB GROUP ANALYSIS

EEO JOB Category: Professionals

DATE: 7/1/2021 - 6/30/2022

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	Male								Female								
					TOTAL MALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	TOTAL FEMALE	1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	
Staff Attorney IV/Education Coordinator	834 A	1	0	0%	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0
Staff Attorney II	830 A	2	0	0%	0	0	0	0	0	0	0	0	2	0	0	0	0	2	0	0	
Senior Confidential Investigator	832 A	1	0	0%	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Deputy Chief Investigator	826 A	1	0	0%	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
SUBTOTAL		5	0	0%	2	0	0	0	0	2	0	0	3	0	0	0	0	3	0	0	

JOB GROUP ANALYSIS

EEO JOB Category Para-Professionals

DATE: 7/1/2021 - 6/30/2022

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female							
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)	
Financial Disclosure Officer/Coordinator, Special Projects	827 A	1	0	0%	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0
SUBTOTAL		1	0	0%	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0	

JOB GROUP ANALYSIS

EEO JOB Category Administrative Support

DATE: 7/1/2021 - 6/30/2022

JOB TITLE	GRADE	TOTAL EMPLOYEES	TOTAL MINORITIES	%	TOTAL MALE	Male							TOTAL FEMALE	Female						
						1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)		1 Black (NHL)	2 Hispanic or Latino	3 AI/AN (NHL)	4 Asian (NHL)	5 White (NHL)	6 NH/OPI (NHL)	7 Two or More Races (NHL)
Administrative Assistant	819 A	1	0	0%	0	0	0	0	0	0	0	0	1	0	0	0	0	1	0	0
Administrative Aide	814 A	1	1	100%	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	0
SUBTOTAL		2	1	50%	0	0	0	0	0	0	0	0	2	0	1	0	0	1	0	0

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 four (4) Officials/Managers, Administrators, five (5) Professionals, one (1) Paraprofessional, and two (2) Administrative Support staff. During FY 2022, five (5) staff members were in the Commission’s employ for more than twenty (20) years, with two (2) additional staff members employed for more than a decade. The Commission continues to work on overall minority and protected class state hiring goals. Based on the workforce during the reporting period, and the State of Rhode Island’s civilian labor force percentages, our statistical representations in all job categories are listed below.

In the Officials/Managers, Administrators job category, 50% of positions were held by females, of which one (1) was disabled and comprised 25% of positions in this category. This represents a 25% decrease from the prior reporting period due to a retirement. The Commission was underrepresented in the minorities and Hispanic or Latino categories.

In the Professionals job category, 60% of positions were held by females. The Commission was underrepresented in the minorities and Hispanic or Latino categories.

In the Paraprofessionals job category, consisting of one (1) female employee, the Commission met statistical representation in all categories.

In the Administrative Support job category, consisting of two (2) female employees, one (1) employee, or 50%, was Hispanic or Latino. The Commission exceeded statistical representation in the female and Hispanic or Latino categories.

Although the Commission generally does not experience substantial turnover, during the reporting period the agency posted multiple positions due to one (1) employee retirement and two (2) employees leaving state service. All three (3) hires created additional vacancies within the Commission’s 12 FTE complement as a result of hiring from within the agency. As a small agency, 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 on the State of Rhode Island’s ApplyRI website, which includes 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 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.

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

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 thorough 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.

A person may also report a complaint orally or in writing to the Division of Human Resources at (401) 574-8381 or via email: HRInvestigations@hr.ri.gov. A fillable pdf Complaint Form is available for use on the Division of Human Resources website located at www.hr.ri.gov.



RHODE ISLAND ETHICS COMMISSION
AMERICANS WITH DISABILITIES ACT
COMPLAINT FORM

Complainant Information

Name: _____

Address: _____

Phone: _____

E-mail: _____

Complaint Information

Date(s): _____

Place(s): _____

Description: _____

Witness(es): _____

Please attach additional pages as necessary.

Submit this completed 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:

Signature

Name/Title

Date