



CITY OF EAST PROVIDENCE AFFIRMATIVE ACTION PLAN 2019 - 2020



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I. GOVERNANCE, DEMOGRAPHICS, AND EDUCATION

Governance

The City of East Providence is governed by an elected Mayor and a five member City Council, with the Mayor and Counselors elected every four years. City Council members are elected one each from four wards and one elected at-large.

Executive Branch

The Mayor is both the ceremonial leader of the city and the chief executive officer. The Mayor runs the daily operations of the city, enforces the charter and ordinances of the city and appoints all department heads except the City Clerk. The current Mayor of East Providence is [Roberto DaSilva](#) who took office on January 9, 2019.

Up until January 9, 2019, the day-to-day operations were managed by a professional City Manager appointed by the City Council and the Mayor was the President of the City Council, acting ceremonially.

Legislative Branch

The City Council sets all city ordinances, sets the budget of the city (with recommendation from the Mayor) and provides legislative oversight for city operations.

The City Council elects a Council President and Council Vice-President to preside over meetings. The City Council also appoints the City Clerk.

Up until 2019, The City Council served two-year terms and the City Council oversaw the entire city government under a Council-Manager system.

As of 2019, the members of the East Providence City Council are:

- Robert Rodericks—At-Large (Council Vice-President)
- Robert Britto—Ward 1 (Council President)
- Anna Sousa—Ward 2
- Nathan Cahoon—Ward 3
- Ricardo Mourato—Ward 4

Judicial Branch

- The City of East Providence has a Municipal Court which hears cases regarding violations of municipal ordinances, housing code violations and minor traffic violations. The city also has a Probate Court which handles estates, name changes, guardianships and related matters. Judges for both courts are appointed by the Mayor with confirmation by the City Council for a term of two years.

Other Boards and Commissions

- The City of East Providence has an appointed Library Board of Trustees which governs the city's library system and various other appointed governing and advisory boards and commissions.

Recent development

- The City of East Providence has recently created a commission charged with facilitating the redevelopment of old industrial sites and brownfields along most of East Providence's 14-mile coastline on the Seekonk River as mixed use residential, commercial, and light industrial zones.

DEMOGRAPHICS

- As of 2018, there were 47,476 people, 20,530 households, and 12,851 families residing in the city. The [population density](#) was 3,632.1 people per square mile (1,401.8/km²). There were 21,309 housing units at an average density of 1,589.6 per square mile (613.5/km²). The racial makeup of the city was 82.0% [White](#), 7.2% [African American](#), 0.1% [Native American](#), 1.15% [Asian](#), 3.4% [Pacific Islander](#), 0.1% from [other races](#), and 4.9% from two or more races. [Hispanic](#) or [Latino](#) of any race were 5.5% of the population.
- There were 20,530 households out of which 27.1% had children under the age of 18 living with them, 46.3% were [married couples](#) living together, 12.7% had a female householder with no husband present, and 37.4% were non-families. 32.4% of all households were made up of individuals and 14.6% had someone living alone who was 65 years of age or older. The average household size was 2.33 and the average family size was 2.99.
- Percentage of residents living in Poverty as of 2018: 10.6%. (8.6%) for White Non-Hispanics, (14.0%) for African American residents. (24.5%) for Hispanic or Latino residents. (23.1%) for American Indian Residents. (31.5%) for other races. (17.4%) for two or more races residents.
- The median income for a household in the city was \$39,108, and the median income for a family was \$48,463. Males had a median income of \$34,342 versus \$26,423 for females. The [per capita income](#) for the city was \$19,527. About 6.3% of families and 8.6% of the population were below the [poverty line](#), including 10.7% of those under age 18 and 11.0% of those aged 65 or over.
- The population has large immigrant communities from [Portugal](#), [the Azores](#), [Madeira](#) and [Cape Verde](#).

Education

East Providence has 13 public and 5 non-public schools:

Public Elementary Schools are the following

Agnes B. Hennessey Elementary School
Alice. M. Waddington Elementary School
Emma Whiteknact Elementary School
James R.D. Oldham Elementary School

Kent Heights Elementary School
Myron J. Francis Elementary School
Orlo Avenue Elementary School
Silver Spring Elementary School

Public Middle Schools: Edward R. Martin Middle School and Riverside Middle School - built 1977

Public High Schools: Grove Ave. Educational Development Center; East Providence Area Career & Technical Center, and East Providence High School - built 1952.

Non-public Elementary and Junior-High Schools: St. Mary Academy (Bay view), Sacred Heart School, St. Margaret School, The Gordon School & Providence Country Day (PCD).

Education Governance

The City also has an elected School Committee, elected for two year terms by the same ward system as the City Council. The School Committee has broad authority to manage the school system including setting all school system policies, setting the school system budget (within the general appropriation by the city, state and federal government) as well as selecting and overseeing the Superintendent of Schools.

PREFACE

The City of East Providence re-affirms its commitment to the principles of affirmative action, non-discrimination and equal employment opportunity. It is the City's firm belief that any employment decision, policy or program, regardless of intent, which through its design, implementation or impact limits the full utilization of qualified individuals. It is the policy of the City not to discriminate against any employee or applicant for employment in the terms, conditions, and benefits of employment because of race, color, age (*40 years or older*), religion, expression, national origin, sex (*pregnancy*), sexual orientation, genetic information, gender identity, veteran status, disability or any basis protected by State and Federal Law. The City's personnel policies and practices are designed to provide equal opportunity for all persons. All employment decisions and actions will be made without preference based on the aforementioned characteristics.

A policy of non-discrimination by itself, however, is not sufficient enough to erase the effects of past employment practices. In addition to vigilance over activities aimed at elimination of discriminatory barriers to employment, the City of East Providence undertakes positive measures (*affirmative action*) to ensure equal employment opportunity to members of the protected classes, minorities, women, people with disabilities and veterans. The goal is to achieve the equitable participation of minorities, women, people with disabilities and veterans in all City Departments and on all job levels.

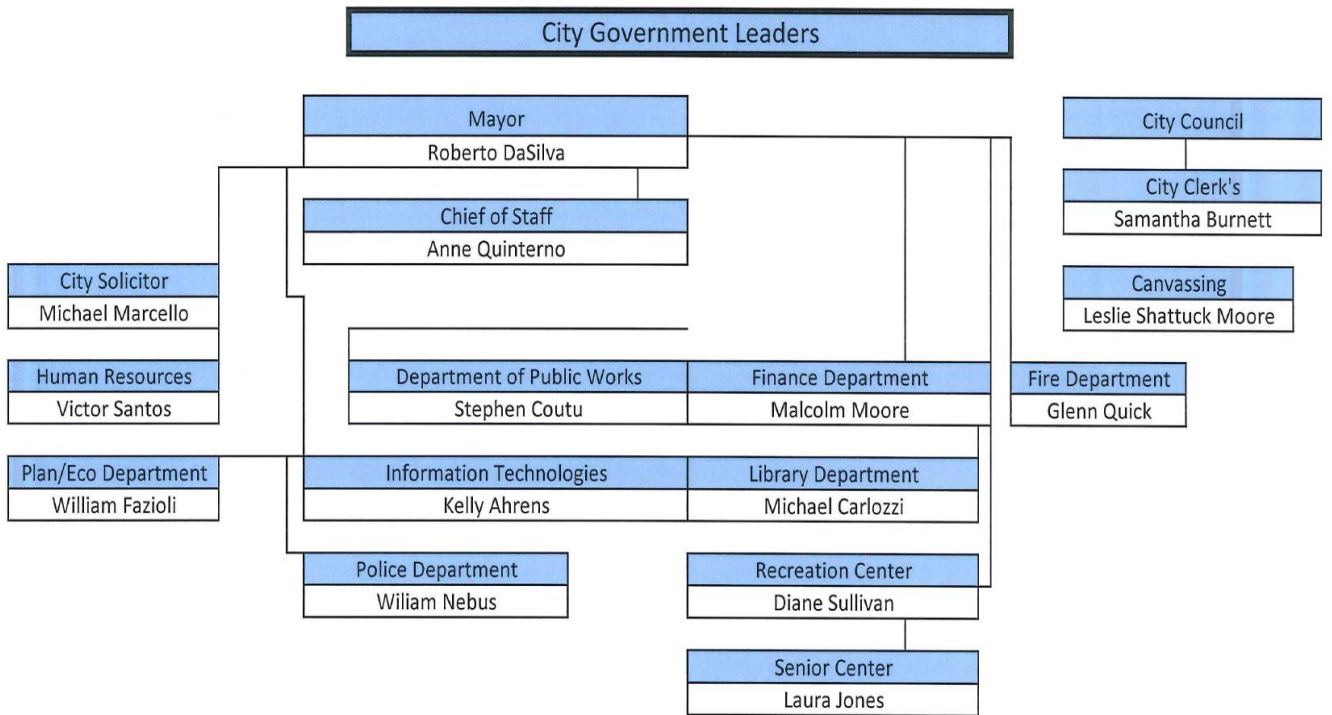
Each City Department has the responsibility to undertake affirmative action and promote the full realization of such through outreach and recruitment of underutilized protected classes. The City needs and should take affirmative steps to train and promote employees to improve their opportunities to participate in higher level employment opportunities with the emphasis in job classifications where members of protected classes are under-utilized and under-represented.

We celebrate the diversity of our great City and remain dedicated to affirmative actions, policies, procedures and attitudes necessary to continue to build and retain a workforce that is reflective of the community that we are here to serve.

II. ORGANIZATIONAL STRUCTURE

City of East Providence

Municipal Department Organizational Chart



III. LEGAL FRAMEWORK

The legal basis for equal employment opportunity, affirmative action, and other efforts to protect individuals from discriminatory practices may be found in the following federal, state, and local laws:

Federal Laws

14th Amendment to the U.S. Constitution: Adopted in 1868, this amendment prohibits state and local government officials from depriving persons of life, liberty, or property without legislative authorization. It also requires each state to provide equal protection under the law to all people with its jurisdiction.

Equal Pay Act of 1963: The Equal Pay Act requires that men and women in the same workplace be given equal pay for equal work. The jobs need not be identical, but they must be substantially equal. Job content determines whether jobs are substantially equal. All forms of pay are covered by this law, including salary, overtime pay, bonuses, stock options, profit sharing and bonus plans, life insurance, vacation and holiday pay, cleaning or gasoline allowances, hotel accommodations, reimbursement for travel expenses and benefits. If there is an inequality in wages between men and women, employers may not reduce the wages of either sex to equalize their pay.

Civil Rights Act of 1964 Title VI, 42 U.S.C. Sec 2000d, et seq.: Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. It was amended by the Civil Rights Restoration Act of 1987 to include all the operations of educational institutions, government entities, or private employers that receive federal funds.

Under Title VI, recipients of federal financial assistance have the responsibility to ensure meaningful access to their programs and activities by persons with limited English proficiency.

Civil Rights Act of 1964 Title VII, 42 U.S.C. Secs. 2000 d-4, et seq.: Title VII outlawed unequal application of voter registration requirements, and racial segregation in schools, in housing, in the workplace and in facilities that serve the general public. This act provides that it shall be an unlawful employment practice for an employer with 15 or more employees to fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to compensation, and terms, conditions or privileges of employment because of their race, color, religion, sex, or national origin.

Executive Order 11246 signed 1965: The Executive Order 11246 prohibits federal contractors and subcontractors and federally-assisted construction contractors and subcontractors that generally have contracts that exceed \$10,000 from discriminating in employment decisions on the basis of race, color, religion, sex, or national origin. It also requires covered contractors to take affirmative action to ensure equal opportunity is provided in all aspects of their employment.

Age Discrimination in Employment Act of 1967: The Age Discrimination in Employment Act of 1967 (ADEA) protects individuals who are 40 years of age or older from employment discrimination based on age. The ADEA's protection applies to both employees and job applicants. Under the ADEA, it is unlawful to discriminate against a person because of his/her age with respect to any term, condition, or privilege of employment, including hiring, firing, promotion, layoff, compensation, benefits, job assignments, and training.

The ADEA permits employers to favor older workers based on age even when doing so adversely affects a younger worker who is 40 or older.

Title IX of the Education Amendments of 1972: Title IX prohibits discrimination on the basis of sex in any federally funded education program or activity. The law states, in part, that: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...”

Section 503 of the Rehabilitation Act of 1973: Section 503 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities. It requires employers with federal contracts or subcontracts that exceed \$10,000 to take affirmative action in the hiring, retention, and promotion of qualified individuals with disabilities. All covered contractors and subcontractors must also include a specific equal opportunity clause in each of their nonexempt contracts and subcontracts.

Section 504 of the Rehabilitation Act of 1973: Section 504 prohibit employers who receive federal grants or funding from discriminating against employees solely by reason of their disability.

Vietnam Era Veterans Readjustment Assistance Act of 1974: The Vietnam Era Veterans ‘Readjustment Assistance Act (VEVRAA) requires covered federal government contractors and subcontractors to take affirmative action to employ and advance in employment specified categories of veterans protected by the Act and prohibits discrimination against such veterans. In addition, VEVRAA requires contractors and subcontractors to list their employment openings with the appropriate employment service delivery system, and that covered veterans receive priority in referral to such openings. Further, VEVRAA requires federal contractors and subcontractors to compile and submit annually a report on the number of current employees who are covered veterans. The affirmative action and mandatory job listing provisions of VEVRAA are enforced by the Employment Standards administrations of the Federal Contract Compliance Programs (OFFCCP) within the U.S. Department of Labor (DOL). DOL’s Veterans Employment and Training Service (VETS) administers’ employment reporting requirement.

Pregnancy Discrimination Act of 1978: The Pregnancy Discrimination Act amended Title VII of the Civil Rights Act of 1964. Discrimination on basis of pregnancy, childbirth, or related medical conditions constitutes unlawful sex discrimination under Title VII, which covers employers with 15 or more employees, including state and local governments. Title VII also applies to employment agencies and to labor organizations, as well as to the federal government. Women who are pregnant or affected by pregnancy-related conditions must be treated in the same manner as other applicants or employees with similar abilities or limitations.

Americans with Disabilities Act of 1990: Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations. The ADA’s nondiscrimination standards also apply to federal sector employees under section 501 of the Rehabilitation Act, as amended, and its implementing rules.

Civil Rights Act of 1991: An act which, among other things, provided for the right to trial by jury on discrimination claims and introduced the possibility of emotional distress damages, while limiting the amount that a jury could award.

Family and Medical Leave Act of 1993: The Family and Medical Leave Act (FMLA) of 1993 requires employers with 50 or more workers to provide eligible employees up to 12 weeks of unpaid, job protected leave in a 12 month period to care for a newborn, or newly placed adopted or foster child; to care for a seriously ill child, spouse, parent, or because of the employee's own illness.

Genetic Information Nondiscrimination Act of 2008: The Genetic Information Nondiscrimination Act of 2008 (GINA), which prohibits employment discrimination based on differences in DNA/genetic information that may affect an employee's health. The law prevents discrimination from health insurers and employers.

ADA Amendments Act of 2008: On September 25, 2008, the President signed the Americans with Disabilities Act Amendments Act of 2008 ("ADA Amendments Act" or "Act"). The Act makes important changes to the definition of the term "disability" by rejecting the holdings in several Supreme Court decisions and portions of EEOC's ADA regulations. The Act retains the ADA's basic definition of "disability" as an impairment that substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment.

Rhode Island State Laws

CHAPTER 28-5-1 through 28-5-42 Fair Employment Practices

<http://webserver.rilin.state.ri.us/Statutes/TITLE28/28-5/INDEX.HTM>

CHAPTER 28-5.1-1 through 28-5.1-17 Equal Opportunity and Affirmative Action

<http://webserver.rilin.state.ri.us/Statutes/TITLE28/28-5.1/INDEX.HTM>

CHAPTER 28-6-16 through 28-6-21 Wage Discrimination Based on Sex

<http://webserver.rilin.state.ri.us/Statutes/TITLE28/28-6/INDEX.HTM>

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER 521

AN ORDINANCE IN AMENDMENT OF CHAPTER 11 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED "PERSONNEL"

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Subsection (b) of Sec. 11-153 entitled "The affirmative action committee." of Article IV entitled "Affirmative Action Plan" of Chapter 11 of the Revised Ordinances of the City of East Providence, Rhode Island 1998, as amended, entitled "Personnel" is amended to read as follows:

(b) The committee shall consist of the three members of the personnel hearing board, as well as **nine** appointed members of the citizenry, among whom shall be at least one woman and representatives of minority groups. These citizens shall serve after appointment by the city council for a period of two years. A member may be removed for cause upon a vote of the city council. The Affirmative Action committee shall elect two officers, a chair and vice-chair who shall serve in these positions for one year. The director of personnel and the affirmative action officer shall be ex officio members of this Committee.

SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CITY OF EAST PROVIDENCE

CHAPTER 561

**AN ORDINANCE IN AMENDMENT OF CHAPTER 11 OF THE
REVISED ORDINANCES OF THE CITY OF EAST PROVIDENCE,
RHODE ISLAND, 1998, AS AMENDED, ENTITLED "PERSONNEL"**

THE COUNCIL OF THE CITY OF EAST PROVIDENCE HEREBY ORDAINS:

SECTION I. Article IV entitled "Affirmative Action Plan" of Chapter 11 of the Revised Ordinances of the City of East Providence, Rhode Island 1998, as amended, entitled "Personnel" is amended by adding thereto the following:

DIVISION 7. EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

Sec. 11-212. Policy Statement.

(a) The City of East Providence hereby affirms its commitment to equal opportunity and affirmative action by fostering and actively promoting equitable employment opportunities throughout its departments. Moreover, the city affirms its commitment to the prevention and elimination of discrimination on the basis of race, color, religion, sex, pregnancy, sexual orientation, gender information, gender identity, expression, age (40 or older), national origin, veteran status, disability or any other basis protected by State or Federal Law. The affirmative action officer, under the administrative supervision of the personnel director, is responsible to the Mayor, in accordance with the City Ordinance, Book 5, Chapter 61, entitled: *An Ordinance Adopting an Affirmative Action Plan for the City of East Providence, Rhode Island*, adopted April 19, 1976, and is duly empowered with full authority and responsibility to develop and ensure compliance with laws, policies and practices established to assist the city in achieving its equal opportunity and affirmative action goals.

(b) The city values the culture and background of all people, and recognizes that the goals of equal opportunity and affirmative action can only be achieved through committed leadership and administrative policies and practices that lead to a culture of inclusion. Thus, the implementation of this Equal Opportunity and Affirmative Action Policy is intended to enhance programs and introduce strategies that, once implemented, will bring about the positive, proactive changes necessary to the achievement of the city's equal opportunity and affirmative action goals.

(c) In accordance with the city's Affirmative Action Plan and the commitment affirmed through this policy, the city shall continue to promote equal opportunity and affirmative action in all areas of operation. Special emphasis shall be given to the following areas:

- (1) Ensuring that all employment practices and decisions, as well as appointments to boards and commissions, are made without discrimination on the basis of race, color, religion, sex (*pregnancy*), sexual orientation, gender identity or expression, age (*40 or older*), national origin, veteran status or disability or any other basis protected by State and Federal Law.
- (2) Disseminating the Affirmative Action Plan and this policy to all municipal, along with a written statement by the Mayor affirming the city's commitment to its affirmative action programs.
- (3) Investigating allegations of discrimination on the basis of race, color, religion, sex (*pregnancy*), sexual orientation, gender identity, genetic information, expression, age (*40 or older*), national origin, veteran status or disability or any other basis protected by State and Federal Law.
- (4) Take reasonable steps to ensure that all contractors and firms doing business with the city adhere to applicable federal and state laws, rules and regulations governing fair labor and equal employment practices during the performance of their contract.
- (5) Training municipal employees on the topics of equal opportunity, harassment/sexual harassment prevention, and diversity.

Sec. 11-213. Employment Practices

(a) The city will make every effort to ensure that all employment practices and decisions are made fairly and equitably. Such employment practices shall include, but not be limited to, employee recruitment, hiring, transfer, promotion, training, compensation, benefits, layoff, and termination. The affirmative action officer, in conjunction with the personnel director, and with the assistance of personnel office staff, shall oversee all employment practices to ensure they are conducted in accordance with the provisions of City Ordinance, Book 5, Chapter 61, Section 11 – 136 through Section 11 – 230, and Section 11 – 65(e). This shall include, but not be limited to:

- (1) Reviewing and revising employment practices, personnel rules, policies and procedures, as needed, to ensure that they comply with federal and state laws, and that they are rendered fairly, appropriately, and without discrimination.
- (2) Developing and implementing best practices for recruitment that broadens outreach and increases the likelihood of attracting a more diverse applicant pool of individuals who meet the minimum requirements for job openings, especially for those job classifications and categories where there exists an underrepresentation of women and minorities. Practices shall also be developed to ensure that boards and commissions are adequately represented by women and minorities.
- (3) Developing and implementing a process for collecting and analyzing employment data, including applicant demographic data for each position filled. The data from the analysis shall be used to identify areas

of underutilization of women and minorities throughout the city's workforce and to determine whether the selection process adversely impacted women or minorities. The data shall also be used for the purpose of setting hiring goals for each job classification and category where underutilization exists.

(4) Demographic data shall also be collected and analyzed of those serving on the city's boards and commissions. At the request of the affirmative action officer, each board and commission shall submit a list of its members, along with their race, gender, and date of appointment. Every effort shall be made to appoint women and minorities to those boards and commissions where underrepresentation exists.

(b) The affirmative action officer and personnel director shall work cooperatively in carrying out their respective responsibilities with regard to the above. Any conflict that may arise between the affirmative action officer and the personnel director in relation to their responsibilities shall be resolved by the Mayor.

Sec. 11-214. Dissemination of Affirmative Action Plan

The city affirms its support for the development and implementation of the Affirmative Action Plan. Furthermore, the city acknowledges that it is the responsibility of every municipal employee, as well as those doing business with the city to adhere to the laws, policies, and procedures outlined in the Affirmative Action Plan and to support the affirmative action officer with regard to the plan's implementation. Therefore, in addition to complying with all aspects of the City Ordinance, Book 5, Chapter 61, Sec. 11-139, entitled: *Dissemination*, the Mayor shall disseminate the Affirmative Action Plan, along with this policy, and a written statement to all municipal directors affirming the city's commitment to its affirmative action programs. A copy of the Affirmative Action Plan and this policy shall also be provided to any employee of the city upon request. Additionally, general contractors, subcontractors, vendors, and suppliers doing business with the city, as well as firms and businesses performing services for the city, shall receive a copy of the Affirmative Action Plan and this policy, and the city shall require their compliance to all federal and state laws throughout the term of their contract or provision of services.

Sec. 11-215. Allegations of Discrimination

The affirmative action officer shall be responsible for the investigation of any allegation of discrimination in employment practices, provision of services, or city sponsored programs and activities, on the basis of race, color, religion, sex, pregnancy, sexual orientation, genetic information, gender identity, expression, age (*40 or older*), national origin, disability, veteran status or any other basis protected by State and Federal Laws. Any employee, applicant for employment, service provider or recipient, or participant in city sponsored programs and activities, believing that they have been discriminated against on the basis race, color, religion, sex, sexual orientation, gender identity, genetic information, expression, age, national origin, disability, veteran status, or any other basis protected by State and Federal laws may contact the affirmative action officer, who will promptly investigate the matter in accordance with grievance procedures outlined in the city's Affirmative Action Plan. In addition, the following actions shall be taken:

- (a) The affirmative action officer, will maintain the confidentiality of the allegations of the complaint, to the fullest extent possible consistent with the need to conduct an investigation, and to ensure the safety and well-being of the complainant and other employees supported by factual information and impartial judgment.
- (b) Whenever necessary, all officers, employees, and service providers of the city shall furnish the affirmative action officer with any information and records within their custody that may, in the opinion of the affirmative action officer, be deemed necessary to any inquiry or investigation involving an allegation of discrimination and/or retaliation, except as prohibited by law.
- (c) In the event that an officer or employee fails to provide such information or records, or the personnel director disagrees with the necessity of such information and/or otherwise impedes the progress of any inquiry or investigation, the affirmative action officer may call upon the Mayor to resolve the situation in an appropriate manner.
- (d) The findings of any investigation conducted by the affirmative action officer shall be reported to the Mayor and the Personnel Hearing Board, who shall promptly resolve the matter.

Sec. 11-216. Construction Project Nondiscrimination Compliance

The city values the services provided by contractors and firms. It is expected, however, that any prime contractor, subcontractor, or firm doing business or awarded a contract with the city, take appropriate action in assuring the city that there will be equal employment opportunity during the performance of their contract. In accordance with City Ordinance, Book 5, Chapter 61, Sec. 11-196, entitled: *Measures to ensure nondiscriminatory hiring practices*, the city will ensure that all practices and procedures outlined in the ordinance are followed and that the affirmative action officer is provided the support and personnel office staff assistance needed to comply with requirements under this section.

Sec. 11-217. Training

- (a) The city affirms the importance of administering training programs designed to give municipal and school department employees an overview of equal opportunity laws and policies which cover discrimination and harassment/sexual harassment prevention. The city also acknowledges that diversity training designed to sensitize municipal and school department employees to attitudes, behaviors, and systemic practices that create barriers and hinder progress toward the achievement of equal opportunity and diversity, is needed.
- (b) The affirmative action officer shall design and facilitate a training orientation program on the topics of equal opportunity, harassment/sexual harassment, and diversity. Such training shall be mandatory for all directors, managers, supervisors, and employees within one year of the effective date of this policy, and thereafter mandatory for all new employees within one year of their date of hire. Additional training on related topics may be included on an as needed basis.

Sec. 11-218. Applicability

This policy and its implementation affirm the city's commitment to Equal Opportunity and Affirmative Action. All municipal department directors, managers, supervisors and employees are expected to work cooperatively with the Affirmative Action Officer in monitoring and ensuring compliance with this policy, as well as the laws, policies, and procedures outlined in the City's Affirmative Action Plan.

SECTION II. This ordinance shall take effect upon second passage and all ordinances and parts of ordinances inconsistent herewith are hereby repealed.

IV. POLICY STATEMENTS

Policy on Harassment Prevention and Prohibition Against Retaliation

Employees and applicants will not be subject to harassment because of disability or their status as a protected veteran. If an employee or applicant believes that they have been subject to harassment, they may file a formal complaint with the Affirmative Action Officer.

Any employee or applicant who believes that they have been subject to harassment because of their disability or status as a protected veteran should promptly contact a manager in their chain of command, or promptly contact the Affirmative Action Officer for assistance.

Retaliation, including intimidation, threat, or coercion, against an employee or applicant because they have objected to discrimination, engaged or may engage in filing a complaint, assisted in a review, investigation, or hearing or have otherwise sought to obtain their legal rights under any Federal, State, or local EEO law regarding individuals with disabilities or protected veterans is prohibited. Any employee or applicant who believes that they have been subject to retaliation because of their disability or status as a protected veteran should contact the Personnel Director or the Affirmative Action Officer for assistance.

Retaliation by any City of East Providence employee against any individual for reporting discriminatory behavior or sexual harassment, or against any individual who cooperates in an investigation of a discrimination or sexual harassment claim is illegal. The City of East Providence will not tolerate such behavior and a retaliator will be subject to disciplinary action. Any employee who knowingly provides false information regarding a complaint of discrimination or sexual harassment will be subject to disciplinary action.

This policy shall be communicated to all Officials, Managers, Supervisors, other responsible City officials, and employees, annually, and all are expected to behave in a professional manner and comply with this policy. A copy of this policy shall be posted in the personnel office.

Sexual Harassment Policy and Reporting Procedures

The purpose of this policy is to set acceptable standards of conduct for all municipal employees by providing a work place free of discrimination based on race, color, sex, sexual orientation, pregnancy, gender identity, genetic information, age (40 or older), national origin, disability or veteran status, or any other basis protected by State and Federal Laws.

Sexual harassment is a form of sexual discrimination and is therefore unlawful. Sexual harassment is prohibited by federal, state and local laws, rules and regulations in the area of nondiscrimination and harassment of employment.

Sexual harassment is defined as any unwelcome or unwanted sexual advance, request for sexual favors, or other verbal or physical conduct of a sexual nature from someone in the workplace that creates discomfort and/or interferes with the job. Conduct constitutes harassment when:

- (a) Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment;
- (b) Submission to or rejection of such conduct by an individual is used as the basis for employment decisions and/or retaliation; or
- (c) Such conduct has the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Examples of sexual harassment include but are not limited to:

Verbal:

- (a) Sexual propositions, sexual innuendo, or suggestive comments
- (b) Sexual teasing or kidding, practical jokes, jokes about gender specific traits
- (c) Whistling, cat calls, verbal slurs, or stereotypical comments
- (d) Gender based remarks about someone's clothing, body or sexual activities
- (e) Requesting sexual favors in exchange for employment or to avoid negative consequences

Non-verbal:

- (a) Giving gifts of a personal nature, sexually explicit materials such as posters, cartoons, pictures, calendars or similar materials
- (b) Displaying of foul or obscene printed or visual materials

Physical:

- (a) Touching or rubbing oneself sexually around another person
- (b) Hugging, patting, pinching or brushing against another person's body
- (c) Sexual gestures with hands or through body movements
- (d) Assault, attempted rape, rape

Harassment due to race, religion, sex, sexual harassment, national origin, disability, age, military or veteran status will not be tolerated in the City of East Providence's workplace. Such conduct is subject to discipline, up to and including termination. Any employee who believes he or she is a victim of sexual harassment must immediately report any incident to their supervisor, Personnel Director, and/or the Affirmative Action Officer.

The City of East Providence will not tolerate retaliation against any employee who complains of sexual harassment or provides information in connection with any such complaint.

If the City receives an allegation of sexual harassment or believes sexual harassment is occurring, it must take the necessary steps to promptly, impartially investigate and address the matter. If it is determined that the allegation is credible, the City must take immediate and effective action to end the unwelcome behavior. The City must take action if it learns of possible sexual harassment, even if the victim of such action does not wish to file a formal complaint.

It is the responsibility of all officials, managers, supervisors, and other responsible City officials who may observe, be informed of, or suspect that an incident of possible sexual harassment immediately report such incidents to the Personnel Director and the Affirmative Action Officer, simultaneously, so that the incident may be promptly investigated. Officials, managers, supervisors, and other responsible City officials must take effective measures to ensure that no further alleged harassment occurs while the investigation is underway and until such time that the investigation is complete.

To the extent possible, the City shall seek to protect the identities of the alleged victim and harasser, except as reasonably necessary (for example, to complete an investigation successfully). Any employee, who has been found to have subjected another employee to unwelcome conduct of a sexual nature, will be subject to discipline appropriate to the circumstances, ranging from a letter of reprimand to termination for cause.

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.

This policy shall be communicated to all Officials, Managers, Supervisors, other responsible City officials, and employees, annually, and all are expected to behave in a professional manner and comply with this policy. A copy of this policy shall be posted in the personnel office.

Policy on Discrimination Because of Religion or National Origin

It is the policy of the City of East Providence to take affirmative action to insure that applicants are employed, without regard to their religion or national origin. Such action includes, but is not limited to the following employment practices: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, termination, rates of pay or other forms of compensation and selection for training.

The following practices will be reviewed to determine whether members of the various religions and/or ethnic groups are receiving fair consideration for job opportunities.

- (a) Internal recruitment and selection procedures to ensure that the City of East Providence's obligation to provide equal employment opportunity without regard to religion or national origin is being fully implemented.
- (b) Recruiting sources will include our commitment to provide equal employment opportunity without regard to religion or national origin.
- (c) Promotional opportunities will be afforded to all employees regardless of religion or national origin.
- (d) Contact with religious and ethnic organizations will be made for purposes of advice, education, technical assistance and referral of potential employees as necessary to accomplish the purpose of our affirmative action program.
- (e) Recruitment activities will include engagement with educational institutions with substantial enrollments of students from various ethnic and religious groups.
- (f) Ethnic and religious media may be used for employment advertising.

Reasonable accommodations to the religious observances and practices of employees or prospective employees will be made, unless doing so would result in undue hardship. In determining whether undue hardship exists, factors such as the cost and the impact on the rights of other employees, will be considered.

This policy shall be communicated to all Officials, Managers, Supervisors, other responsible City officials, and employees, annually, and all are expected to behave in a professional manner and comply with this policy. A copy of this policy shall be posted in the personnel office.

Policy on Reasonable Accommodation for Persons with Disabilities

The City of East Providence is committed to making reasonable accommodation to employees or applicants that have known physical or mental limitations of qualified persons with disabilities and qualified disabled veterans, unless such accommodation would impose an undue hardship on the conduct of its business. The City is also committed to engaging in an interactive process with the person requesting the accommodation (or their representative), as needed, to determine an appropriate accommodation. The City of East Providence provides reasonable accommodations:

- When an applicant with a disability needs an accommodation to have an equal opportunity to compete for a job.
- When an employee with a disability needs an accommodation to perform the essential functions of the job or to gain access to the workplace
- When an employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g. trainings, office sponsored events)

Undue hardship will be determined by assessing whether the requested accommodation would cause significant difficulty or expense, as provided for in the Section 503 of the Rehabilitation Act of 1973.

A reasonable accommodation is any change in the workplace or the way things are customarily done that provides an equal employment opportunity to an individual with a disability. While there are some things that are not considered reasonable accommodations (e.g. removal of an essential job function or personal use items such as hearing aid that is needed on and off the job), reasonable accommodations can cover most things that enable an individual to apply for a job, perform a job), or have equal access to the workplace and employee benefits such as kitchens, parking lots, and office space events.

Common types of accommodations include:

- Modifying work schedules or supervisory methods
- Granting breaks or providing leave
- Altering how or when job duties are performed
- Removing and/or substituting a marginal function
- Moving to different office space
- Providing telework beyond that provided by the collective bargaining agreement
- Making changes in workplace policies
- Providing assistive technology, including technology and communication equipment or specially designed furniture.
- Providing a reader or other staff assistant to enable employees to perform their job functions, where the accommodation cannot be provided by current staff
- Removing an architectural barrier, including reconfiguring work places.
- Providing accessible parking
- Providing materials in alternative formats (e.g. Braille, large print.)
- Providing a reassignment to another job.

This policy shall be communicated to Department Heads, Division Heads and all Supervisors and Employees annually, and a notice shall be posted in the personnel office.

Guidelines for Ensuring Unbiased Work Environments

Rhode Island General Law 28-5.1 and the 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 it's 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 groups employees, are not to be tolerated. An example of unlawful race and sex bias at work environment is the use if the diminutive term "**boys**" when referring to minority male employees and "**girls**" when referring to female employees.

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 slurs or jokes based on national origin are unlawful. An employer is also under the obligation to maintain a work environment free of religious bias. Permitting a supervisor to espouse his/her beliefs to employees while at work may amount to religious discrimination.

This policy shall be communicated to all Officials, Managers, Supervisors, other responsible City Officials, and employees, annually, and all are expected to behave in a professional manner and comply with this policy. A copy of this policy shall be posted in the personnel office.

V. WORKFORCE STATISTICS

- A. Equal Employment Opportunity / Civil Rights Complaint Profile
- B. Training Participation Summary
- C. Disciplinary Action
- D. Applicant Flow Data
- E. Applicant Data
- F. Applicant Refusal of Positions Offered
- G. Annual Affirmative Action Statistical Summary
- H. Job Group Analysis Summary
- I. Job Group Analysis
- J. Determining Underrepresentation & Goal Setting

CITY OF EAST PROVIDENCE

TRAINING PARTICIPATION SUMMARY

Department:	Municipal										Date:	1/1/2020		
EEO Job Categories	Total Trainees	# Disabled	# Minority	# Female	Male					Female				
					White	Black	Hispanic	Asian/Pac. Islander	Am. Ind/AK Native	White	Black	Hispanic	Asian/Pac. Islander	Am. Ind/AK Native
Officials/Mgrs. Administrators	9			3	2						1			
Professionals	6		3	2	1	1				1				
Faculty														
Technicians	32		9	2	21	6				1	1			
Protective Services														
Para-Professionals	98		11	5	77	6	2	1		5				
Administrative Support														
Skilled Craft Service Maintenance	24		3	1	18	1				1				
TOTALS	169		26	13	119	14	2	1		9	1			
					Total Percent									
					Minority: 15%									
					Female 8%									

CITY OF EAST PROVIDENCE

DISCIPLINARY ACTION

Department: MunicipalDate: 01/01/2020

DISCIPLINARY ACTION TAKEN	White		Black		Hispanic		Asian/Pac. Islander		Am. Indian AK Native		Disabled	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Suspension (Indefinitely)	0											
Suspension (Specified Time)		1										
Loss of Pay												
Written Reprimand		1										
Duty On Off Days												
Oral Reprimand		2										
Other (Explain)												
TOTAL	0	4										

The disproportionate treatment of any class should be a warning to an administrator that counseling of supervisors is necessary. Oral reprimands, if noted in supervisors' ratings or written reprimands, should be included in the graph.

APPLICANT DATA

Department: MUNICIPAL

Date: 1-Jan-20

Effective Date	Job Title	EEO Job Category	Union	Non-Union	Male							Female					Hire	Pro-motion	Transfer Within	Ter-minate	Pay Grade
					White	Black	Hispanic	Asian/Pac. Islander	Amer. Ind. AK Native	Disabled	White	Black	Hispanic	Asian/Pac. Islander	Amer. Ind. AK Native	Disabled					
10/21/19	Library	B	X		1											5M					
09/03/19	Assessors Dept.	A	X								1					5F				3	
06/10/19	Assessors Dept.	F	X								1					5F				3	
10/25/19	Public Buildings	H	X		1											5M		1		1	
12/09/19	DPW - Water Dept.	C	X		1											5M				1	
06/14/19	Library	B	X		1											5M				1	
06/17/19	Human Resources Dept.	A		X	1											5M				1	
02/22/19	City Clerks	B	X								1					2M		1		1	
06/17/19	Finance Dept.	B	X								1					5F				1	
09/03/19	Police Dept.	F	X		1											5M				1	
12/11/19	Police Dept.	F	X									1				5F				1	
12/11/19	Police Dept.	F	X									1				5F				1	
07/22/29	Police Dept.	D	X		1											5M				1	
07/22/29	Police Dept.	D	X		1											5M				1	
07/29/19	DPW - Public Buildings	B	X									1				5M				1	
12/09/19	Senior Center	A		X							1					5F				1	

EEO Category

- A- Officials/Managers/Administrators
- B- Professionals
- C- Technicians
- CF- Faculty
- D- Protective Services
- E- Para-Professionals
- F- Administrative Support
- G- Skilled Craft
- H- Service Maintenance

Race/Ethnic Code

- 1- Black
- 2- Hispanic
- 3- American Indian/Asaskan Native
- 4- Asian American/Pacific Islander
- 5- White

Gender Code

- F - Female
- M - Male

Disability Code

- D - Disabled

CITY OF EAST PROVIDENCE

DEPARTMENT:

MUNICIPAL

Date:

30-Jun-15

APPLICANT FLOW DATA

JOB CATEGORIES	TOTAL APPLICANTS	MALE						FEMALE					
		WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISL.	AMER. INDIAN/ALASKAN NAT.	DISABLED*	WHITE (NHO)	BLACK (NHO)	HISPANIC	ASIAN PACIFIC ISL.	AMER. INDIAN/ALASKAN NAT.	DISABLED*
		A	B	C	D	E	F	G	H	I	J	K	L
APPLICANTS													
OFFICIALS/ADMIN.													
PROFESSIONALS	102	12						68					
FACULTY													
TECHNICIANS	70	54						5					
PROTECTIVE SERVICES													
PARA-PROFESSIONALS													
ADMINISTRATIVE SUPPORT													
SKILLED CRAFT													
SERVICE/MAINTENANCE													
TOTAL	172	66						74					
HIRES													
OFFICIALS/ADMIN.	3	2						1					
PROFESSIONALS	2							2					
FACULTY													
TECHNICIANS	6	6											
PROTECTIVE SERVICES													
PARA-PROFESSIONALS													
ADMINISTRATIVE SUPPORT													
SKILLED CRAFT													
SERVICE/MAINTENANCE													
TOTAL	11	8						3					
HIRES													
OFFICIALS/ADMIN.													
PROFESSIONALS													
FACULTY													
TECHNICIANS	2	2											
PROTECTIVE SERVICES	10	9											
PARA-PROFESSIONALS													
ADMINISTRATIVE SUPPORT	1							1					
SKILLED CRAFT													
SERVICE/MAINTENANCE													
TOTAL	12	11						1					
HIRES													
OFFICIALS/ADMIN.	3	2						1					
PROFESSIONALS													
FACULTY													
TECHNICIANS													
PROTECTIVE SERVICES													
PARA-PROFESSIONALS													
ADMINISTRATIVE SUPPORT													
SKILLED CRAFT													
SERVICE/MAINTENANCE													
TOTAL	3	2						1					

*Also includes disabled in appropriate job categories

CITY OF EAST PROVIDENCE

APPLICANT REFUSAL OF POSITIONS OFFERED

Department: Municipal

Date: 1/1/2020

EEO JOB CATEGORIES	TOTAL Applicants	No. Disabled	No. Minority	No. Female	MALE					FEMALE				
					White	Black	Hispanic	Asian/Pac. Islander	Amer. Ind. AK Native	White	Black	Hispanic	Asian/Pac. Islander	Amer. Ind. AK Native
Officials/Mgrs. Administrators														
Professionals														
Faculty														
Technicians														
Protective Services														
Para-Professionals														
Administrative Support														
Skilled Craft														
Service Maintenance														
TOTALS														

TOTAL PERCENT:

Minority: _____

Female: _____

Disabled: _____

CITY OF EAST PROVIDENCE

ANNUAL AFFIRMATIVE ACTION STATISTICAL SUMMARY

Department: MUNICIPAL

Date: 1/1/2020

EEO - 4 JOB CATEGORIES	CURRENT					LAST YEAR'S WORKFORCE					DIFFERENCE +/-					HIRING GOALS		GOALS MET	
	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DIS ABLED	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DIS ABLED	TOTAL EMPLOYEES	WHITE MALE	MINORITY	FEMALE	DIS ABLED	MINORITY	FEMALE	MINORITY	FEMALE
Officials/Mgrs. Administrators	20	12	1	6		20	12	1	6										
Professionals	50	23	2	27		50	23	2	27										
Faculty																			
Technicians	26	20	1	7		26	20	1	7										
Protective Services	200	115	27	13		192	184	27	13		8	-69							
Para- Professionals	18	5	1	16		13	3	1	10		5	2		6					
Administrative Support	35	2	2	28		33	2	2	31		2			-3					
Skilled Craft	28	27	2	1		27	25	2	1		1	2							
Service Maintenance	46	35	8	1		43	35	7	1		3		1						
TOTALS EMPLOYEES	423	239	44	99	0	404	304	43	96	0	19	-65	1	3	0				

Current Workforce: As of January 1, 2020

Last Year's Workforce: As of January 1, 2019

Difference: Increases or Decreases

Goals: Numerical projections, July 1st, 2013 to Jun30th, 2014 for employment of minorities and women.

Goals Met

<u>Percent</u>		<u>Termination Percent</u>	<u>Total Current Workforce Percent</u>	A	Achieved
Minority Applicants		-2.33%	10.40%	Minority	A+ Achieved Plus
Female Applicants			23.40%	Female	N Did Not Achieve
Minority Hiring				Disabled	P Partially Achieved
Female Hiring					

CITY OF EAST PROVIDENCE

JOB GROUP ANALYSIS SUMMARY

Department: MunicipalDate: 1/1/2020

JOB CATEGORY	Total Employees	Total Minorities	Total Disabled	Total Male	White Male	Black Male	Hispanic Male	Asian/PI Male	Amer Ind Male	Total Female	White Female	Black Female	Hispanic Female	Asian/PI Female	Amer Ind Female
Officials/M grs. Administrators	20	1		12	11					6	6				
Professionals	50	2		23	21	1		1		27	26			1	
Faculty															
Technicians	26	1		20	19	1				7	7				
Protective Services	200	27		184	168	7	3	3	4	16	12	1			
Para- Professionals	18	1		3	3					10	9	1			
Administrative Support	35	2		2	2					31	28	2			
Skilled Craft	28	2		25	24	2				1	1				
Service Maintenance	46	8		35	28	7				1	1				
GRAND TOTAL	423	44	0	304	276	18	3	4	4	99	90	4	0	1	0

JOB GROUP ANALYSIS DETAIL**Department: MUNICIPAL****Date: JAN 01, 2020**

JOB TITLES	EEO CAT.	TOTAL EMP.	TOTAL MIN.	TOTAL DIS.	TOTAL MALE	WHITE MALE	WHITE MALE	HISPANIC MALE	ASIAN/PI MALE	AMER. IND MALE	TOTAL FEMALE	WHITE FEMALE	BLACK FEMALE	HISPANIC FEMALE	ASIAN FEMALE	AMER. IND FEM
Fire Chief	A	1			1	1										
Police Chief	A	1			1	1										
Battalion Chief	A	4			4	4										
Mayor	A	1			1	1										
Director of Human Resources	A	1									1			1		
Director of Information Technology	A	1									1	1				
Director of Planning	A	1									1	1				
Director of Public Works	A	1			1	1										
Finance Director	A	1			1											
Highway Superintendent	A	1			1	1										
Library Director	A	1				1						1				
Superintendent of Public Buildings	A	1														
Director of Senior Center	A	1														
Recreation Director	A	1														
Tax Assessor	A	1									1	1				
City Clerk	A	1									1	1				
TOTAL:		19			10	10					8	8				

Department: MUNICIPAL

Date: JAN 01, 2020

JOB TITLES	EEO CAT.	TOTAL EMP.	TOTAL MIN.	TOTAL INS.	TOTAL MALE	WHITE MALE	BLACK MALE	HISPANIC MALE	ASIAN/PI MALE	AMER. /No MALE	TOTAL FEMALE	WHITE FEMALE	BLACK FEMALE	HISPANIC FEMALE	ASIAN/PI FEMALE	AMER. IND FEMALE
Adult Services / Reference Librarian	B	1									1	1				
Affirmative Action Officer	B	1	1		1		1									
Assistant Assessor	B	1	1										1			
Assistant Highway Superintendent	B	1			1	1					2	1	1			
Assistant Super. of Pub. Build.	B	1			1		1									
Asst. Superintendent of Parks	B	1			1	1										
Branch Librarian	B	1				1										
Children's Librarian	B	1										1				
City Engineer	B	1			1	1										
Deputy Treasurer	B	1														
Detective Corporal	B	18	1		16	16						2				
Engineering Aide I	B	1			1	1										
Engineering Aide II	B	2			1	1						1				
Engineering Aide III (Chief Survey)	B	1			1	1										
Fire Captain	B	9			9	9										
Fire Lieutenant	B	21			21	20		1								
Fleet Manager	B	1			1	1										
Human Resource Manager	B	0														
Information Services Librarian	B	1														
Librarian 1	B	0														
Payroll Supervisor	B	0														
Planner / Assistant EMA Director	B	1			1	1										
Planner II	B	0			0	0										
Planner III	B	2			2	2										
Planner IV	B	0														
Police Captain	B	4			4	3	1									
Police Lieutenant	B	9			8	8						1				
Purchasing Agent	B	1			1	1										
Recreation Center Supervisor	B	2			1	1						1				
Recreation Facilities Supervisor	B	0			0	0										
Senior Accountant	B	1			1	1										
Zoning Officer	B	1			1	1										
TOTAL:		38	3		75	73	2				13	12	1			

Department: MUNICIPAL**Date: JAN 01, 2020**

JOB TITLES	EEO CAT.	TOTAL EMP.	TOTAL MIN.	TOTAL OS	TOTAL MALE	WHITE MALE	BLACK MALE	HISPANIC MALE	ASIAN/PI MALE	AMER. IND MALE	TOTAL FEMALE	WHITE FEMALE	BLACK FEMALE	HISPANIC FEMALE	ASIAN/PI FEMALE
Appraise! Technician	C	1									1	1			
Associate Engineer I	C	1			1	1									
Building Official	C	1			1	1									
Central Communication Dispatcher	C	10			7	7					3	3			
Fire Alarm Inspector	C	1			1	1									
Information Technology Technician	C	1			1		1								
Plumb Mech and Building Inspect.	C	1			1	1									
Police Sergeant	C	13	5		13	12	1								
Tech Services / Computer Service	C	1			1	1									
Utility Recorder	C	1			1	1									
Utility Recorder / Inspector	C	1			1	1									
Water Meter Supervisor	C	1			1	1									
Water any System Supervisor	C	2			2	2									
TOTAL:			5		32	27	3		2		7	7			

Department: MUNICIPAL**Date: JAN 01, 2020**

JOB TITLES	EEO CAT.	TOTAL EMI.	TOTAL MIN.	TOTAL DIS.	TOTAL MALE	WHITE MALE	BLACK MALE	HISPANIC MALE	ASIAN/PI MALE	AMER. IND MALE	TOTAL FEMALE	WHITE FEMALE	BLACK FEMALE	HISPANIC FEMALE	ASIAN /PI FEMALE	AIMER. IND FEMALE
Animal Control Officer Poundkeeper	D	2	2		1	1					1	1				
Animal Control Officer Supervisor	D	1			1	1										
Firefighter	D	54	7		50	46	2	1	1		4	4				
Police Officer	D	29	18		25	25	0	2	0	0	2	2				
Probationary Police Officer	D	7			7	7										
TOTAL:		93	27		84	80	2	3	1	0	7	7				

Department: MUNICIPAL

Date: JAN 01, 2020

JOB TITLES	EEO CAT.	TOTAL Emp.	TOTAL MIN.	TOTAL DLS.	TOTAL MALE	WHITE MALE	BLACK MALE	HISPANIC MALE	ASIAN/PI MALE	AM Eit. ME MALE	TOTAL FEMALE	White FEMALE	BLACK FEMALE	HISPANIC FEMALE	ASIAN /in FEMALE	AMER. IND Female
Assistant Poundkeeper	E	1									0	0				
Canvassing Administrator	E	1									1	1				
Comm Dev Block Grant Coord	E	1			1	1										
Legal Secretary I	E	1									1	1				
Library Aide	E	1			1	1										
Library Aide	E	6									6	6				
Literacy Coordinator	E	1									1	1				
Recreation Center Coordinator	E	0									0	0				
Title Researcher	E	1									1	1				
Youth Services Assistant	E	1									1	1				
TOTAL:		14			2	2					11	11				

Department: MUNICIPAL

Date: JAN 01, 2020

JOB TITLES	EEO CAT.	TOTAL EMP.	TOTAL MIN.	TOTAL DM	TOTAL MALE	WHITE MALE	BLACK MALE	HISPANIC MALE	ASIAN/PI MALE	AMER. IND MALE	TOTAL FEMALE	WHITE FEMALE	SLACK FEMALE	HISPANIC FEMALE	ASIAN /PI FEMALE	AMER. IND FEMALE
Account Clerk II	F	1	1								1		1			
Account Maintenance Clerk	F	2									2	2				
Accounts Payable Clerk	F	1									1	1				
Administrative Assistant	F	1									1		1			
Billing and Customer Service	F	1									1	1				
Circulation Coordinator	F	1									1	1				
Clerk Typist	F	0									0	0				
Clerk Typist (POLICE)	F	5									5	5				
Clerk Typist CDA	F	1									1	1				
Clerk Typist II	F	5			0	0					5	5				
Confidential Secretary	F	1									1	1				
Constituent Aff Coord/Exec Sec.	F	1									1	1				
Fire Prevention & Training Sec.	F	1									1	1				
Purchasing Clerk	F	0									0			0		
Senior Accounts Maintenance Clerk	F	1									1	1				
Technical Services Assistant	F	1									1	1				
Water Utilities Office Manager	F	1									1	1				
TOTAL:		22	1		2	2					20	19	1			

Department: MUNICIPAL

Date: JAN 01, 2020

JOB TITLES	EEC CAT.	TOTAL Emp.	TOTAL MIN.	TOTAL MS.	TOTAL MALE	WHITE MALE	BLACK MALE	HISPANIC MALE	ASIAN/R1 MALE	AMER. IND MALE	TOTAL FEMALE	WHITE FEMALE	BLACK FEMALE	HISPANIC FEMALE	ASIAN /PI FEMALE	AMER. INS FEMALE
Auto Equipment Operator I	G	9	0		9	8	1									
Auto Equipment Operator II	6	6	2		6	4	2									
Auto Equipment Operator 1	G	3			3	3										
Auto Mechanic 1	G	6	1		6	6										
Electrical Inspector	6	1			1	1										
Landscape Const. Specialist	6	1			1	1										
Lead Worker	G	10	1		10	9	1									
STAT Equipment Operator II	G	1			1	1										
Utility Equipment Operator	G	3			3	3										
Water Utility Mechanic	G	4			4	4										
Welder Fabricator	6	1			1	1										
TOTAL:		43	4		43	49	4				0	0				

Department: MUNICIPAL

Date: JAN 01, 2020

JOB TITLES	EEO CAT	TOTAL Emp,	TOTAL DAM	TOTAL DIE.	TOTAL MALE	WHITE MALE	BLACK MALE	HISPANIC MALE	ASIAN/PI MALE	AMER. IND MALE	TOTAL FEMALE	WHITE FEMALE	WW1(FEMALE	HISPANIC FEMALE	ASIAN IN FEMALE	AMER. IND FEMALE
Custodian	H	7	3		7	6	1									
Laborer	H	14	1		14	10	3	1								
Landscape Laborer	H	2			1	1					1	1				
Leadworker	H	10	2		10	9	1									
Tree Trimmer	H	1			1	1										
TOTAL:		34	6		33	27	3	1			1	1				
GRAND TOTAL		376	35		294	265	21	1	3	4	68	65	3	0	0	0

DETERMINING UNDERREPRESENTATION & GOAL SETTING

Department: MUNICIPALDate: 1/1/2020

<i>EEO Job Categories</i>	CURRENT WORKFORCE				UNDERREPRESENTATION		AAP HIRING GOALS		
	TOTAL EMPLOYEES	MINORITY	FEMALE	DISABLED	MINORITY	FEMALE	MINORITY	FEMALE	DISABLED
Officials/Mgrs. Administrators	20	2	6	N/A	8	4	5	4	N/A
Professionals	50	2	27	N/A	19	29	11	0	N/A
Faculty									N/A
Technicians	26	1	7	N/A	14	17	5	7	N/A
Protective Services	200	27	14	N/A	96	49	19	70	N/A
Para- Professionals	18	1	10	N/A	8	-6	4	Goals Met	N/A
Administrative Support	35	2	31	N/A	18	-14	7	Goals Met	N/A
Skilled Craft	28	2	1	N/A	15	16	15	12	N/A
Service Maintenance	46	8	1	N/A	23	14	4	20	N/A

VI. Internal Analysis of Problem Areas and Plan Administration

The City of East Providence is committed to the effective implementation of the Affirmative Action Plan. It recognizes, however, that it is the responsibility of the leadership, as well as each department manager and supervisor to commit to the Plan's success.

Therefore, the following actions shall be taken to foster commitment and ensure accountability to the Plan's goals:

Internal and External Dissemination of Plan and Policies

- Within thirty days of the Affirmative Action Plan issuance, a copy of the plan will be distributed to all department directors, managers, and supervisors, and the Mayor shall issue a memorandum to each stating the importance of their support and compliance with the plan's content.
- All new employees will be provided with a copy of the policies contained within the plan at their time of hire.
- A copy of the plan shall be made available to any employee or applicant upon request.
- The Affirmative Action Officer and the Personnel Director will collaborate to ensure that a copy of the plan is posted on the City's web page, and a written announcement is placed in the employee newsletter.
- Training programs for department heads, managers and supervisors will be conducted with a focus on explaining the intent of the plan, goals, timetables, and responsibilities necessary for implementation. The training programs will be developed with the assistance of the Affirmative Action Committee.
- Upon request Union Officials shall be provided a copy of the plan and non-discrimination clauses shall be included in all union agreements and contracts. Union contract provisions shall be reviewed to ensure they are non-discriminatory.
- All applicants will be invited to provide their race/ethnicity and gender, and identify themselves as an individual with a disability, as defined in Section 503 of the Rehabilitation Act of 1973, as amended, and/or as a protected veteran under the equal employment opportunity provisions of the Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, if they wish to benefit under this affirmative action program.
- Briefing sessions will be periodically held for managers and supervisors to review the applicable regulations and to discuss such affirmative action measures as training and reasonable accommodation.
- Copies of the plan will be made available to the public upon a formal request.
- Notification shall be made in writing to all recruitment sources, contractors, subcontractors and vendors of the existence of the Statement of Policy and Affirmative Action policy.
- All communication with the public in regard to recruitment, jobs, interviews, and employment shall state that the City of East Providence is an Equal Opportunity/Affirmative Action employer.
- The City of East Providence employment applications shall include a statement that the City of East Providence is an Equal Opportunity/Affirmative Action employer.

Plan Administration and Implementation:

The Mayor shall review the progress toward achievement of specific affirmative action goals.

Department Heads shall take responsibility for the implementation of the plan within their respective departments and shall work collaboratively with the Personnel Director and Affirmative Action Officer in developing and implementing expanded recruitment strategies with a goal of attracting under-utilized protected classes for employment and promotional opportunities with the city.

The Affirmative Action Committee:

The Affirmative Action Committee, which is a citizen/employee advisory committee appointed by the City Council to oversee the City's affirmative action program shall:

- Provide technical assistance in affirmative action areas, including goal setting.
- Advise the Mayor and Affirmative Action Officer on affirmative action and equal opportunity.
- Advise the Affirmative Action Officer and the Personnel Director in the areas of recruitment, hiring, promoting and retaining.
- Assist in the revision of the Affirmative Action Plan.
- Monitor progress in attainment of goals.

Identification and Analysis of Problem Areas:

Employment and Selection Process –

The city will make every effort to ensure that all employment practices and decisions are made fairly and equitably. Such employment practices shall include, but not be limited to, employee recruitment, hiring, transfer, promotion, training, compensation, benefits, layoff, and termination.

Throughout the Municipal Department, minorities are underutilized in all job categories, except Skilled Craft. Women are not adequately represented in the Officials/ Managers/ Administrators, Professionals, Technicians, Protective Services, and Service Maintenance job categories. Within the City Administration, minorities are underutilized in all job categories and women are only underrepresented in the Service Maintenance job category. A job freeze, minimal turnover, and restrictions imposed by collective bargaining agreements are some of the primary reasons for the underutilization of minorities and women in the respective categories.

In an effort to improve the overall representation of minorities and women within job categories where they are not adequately represented, the affirmative action officer, in conjunction with the personnel director, shall oversee all employment practices to ensure they are conducted in accordance with the provisions of City Ordinance. This shall include:

- Reviewing and revising employment practices, personnel rules, policies and procedures, as needed, to ensure that they comply with federal and state laws, and that they are rendered fairly, appropriately, and without discrimination.
- Developing and implementing best practices for recruitment that broadens outreach and increases the likelihood of attracting a more diverse applicant pool of individuals who meet the minimum requirements for job openings, especially for those job classifications and categories where there exists an underutilization of women and minorities.
- This shall include, but not be limited to, direct contact with civic organizations specifically involved with equal opportunity in employment or minorities (*people of color*), women, persons of disabilities and veterans; the development of an expanded outreach list which identifies minority organizations, churches, businesses, branches of the military and leaders who will be notified of job openings to assist with disseminating information about such jobs to the underrepresented communities; advertising job announcements in minority publication and through other minority media outlets; expanding the application period to allow the necessary time to reach a broader applicant pool; review of existing recruitment practices to ensure there are no unnecessary barriers to recruiting a diverse applicant pool; and hosting community informational workshops geared toward educating the general public on various employment opportunities.
- Developing best practices for selection that ensures fair and equitable treatment of all individuals, and that seeks to identify and eliminate any potential bias that may exist throughout the decision making processes. This shall include a review of each component of the selection process by the Affirmative Action Officer, who will make recommendations to the Human Resources Director of specific actions that may result in greater diversity in the selection process. For example, understanding the importance of diverse perspectives, the Affirmative Action Officer be present or recommend that minorities be included on specific selection panels for positions where there exists an underrepresentation of minorities and woman in the workforce particularly in Public Safety.

Recruitment:

It is the City of East Providence's goal to have a diverse and qualified workforce. To achieve this goal, the City of East Providence will always seek the best, qualified candidates for openings, based on job required knowledge, skills abilities, job related education and/or training, relevant experience and who will contribute to the diversity goals of the City. The City of East Providence will undertake extraordinary efforts to recruit from protected classes who historically have been underrepresented and excluded from the workforce.

Applicant Flow:

Developing and implementing a process for collecting and analyzing employment data, including applicant demographic data for each position filled. The data from the analysis shall be used to identify areas of underutilization of women and minorities throughout the city's workforce and to determine whether the selection process adversely impacted women or minorities. The data shall also be used for the purpose of setting hiring goals for each job classification and category where underutilization exists.

Training Programs:

The Affirmative Action Officer, in fulfillment of affirmative action objectives will ensure that all protected group members who are already employed in the City are aware of opportunities and programs for training and career development. The City's Personnel Department will make all departments aware of training opportunities that will benefit employees. Department Heads will notify staff of opportunities for training and career development. In support of Affirmative Action objectives, special effort will be made to encourage protected group members to apply for trainings.

Workforce Attitude:

Every effort shall be made to maintain a workplace environment that encourages respectful and professional relations between employees and their interactions with customers, clients, contractors, consultants and others while conducting the City's business and/or engaged in City sponsored events and activities. Training shall be afforded to current and future employees on such topics as the prevention of harassment, discrimination, and retaliation, as well as the fostering of respect and quality customer service in the workplace. Where necessary, training will be specifically developed to address other employment related topics that promote positive workforce attitudes and interactions.

An environment where all employees feel included and valued results in a stronger and motivated workforce. Without a doubt of diversity of the City of East Providence is a key attraction to candidates for employment. A commitment to recruiting, hiring, developing and promoting a diverse workforce that mirrors the people who live and do business in the City of East Providence is extremely vital to our success.

Exit Interviews:

At the time of termination, each employee shall be provided a *Confidential Exit Survey Inquiry* form, and afforded an opportunity to complete the form. Individuals shall also be afforded an opportunity to meet with the Affirmative Action Officer, if he/she wish to do so.

VII. APPENDIX

OFFICE OF AFFIRMATIVE ACTION & EQUAL EMPLOYMENT OPPORTUNITY COMPLAINT FORM

EMPLOYEE SELF –IDENTIFICATION OF DISABILITY & REQUEST FOR REASONABLE ACCOMMODATIONS

CONFIDENTIAL EXIT-INTERVIEW FORM

DESCRIPTION OF JOB CATEGORIES

LIST OF ENFORCEMENT AGENCIES

RACE/ETHNIC IDENTIFICATION

PRIVATE EMPLOYMENT/ STATE & LOCAL GOVERNMENT, EDUCATIONAL INSTITUTES,
RACE, COLOR, RELIGION, SEX, NATURAL ORIGIN, GENDER IDENTITY OR EXPRESSION, AGE, DISABILITY.



CITY OF EAST PROVIDENCE

Office of Affirmative Action & Equal Employment Opportunity

Complaint Forms

EEO Complaint # _____ (For Office use only)

Today's Date: ___/___/___

1. COMPLAINANT INFORMATION

Name:

Preferred Mailing Address:

Telephone Numbers: Work:

Home:

Mobile:

Preferred Email Address:

2. Name of Department:

What is your title / position?

Old position:

New position:

Number of years employed with the City?

3. Name of immediate Supervisor:

4. Respondent information:

Name and title of person (s) you're complaining about:

5. Date(s) of Alleged Violation(s):
6. Place of Alleged Violation(s):
7. Basis of Complaint (Check all that apply)

Answer this portion **ONLY** if you believe you're being or you've been discriminated against on the basis of your:

Race: _____ (If checked, please specify) _____

Color: _____ (If checked, please specify) _____

Sex / Gender: _____

Marital Status: _____

Age: _____ (If checked, indicate date of birth) _____

National Origin: _____ (If checked, please specify) _____

Disability: _____ (If checked, please specify) _____

Religion: _____ (If checked, please specify) _____

Sexual Harassment: _____

Sexual Orientation: _____

Gender Identity: _____

Genetic Information: _____

1. Basis of Complaint (Check all that apply)

Answer this portion **ONLY** if you believe you're being or you've been discriminated against on the basis of your:

Race: _____ (If checked, please specify) _____

Color: _____ (If checked, please specify) _____

Sex / Gender: _____

Marital Status: _____

Age: _____ (If checked, indicate date of birth) _____

National Origin: _____ (If checked, please specify) _____

Disability: _____ (If checked, please specify) _____

Religion: _____ (If checked, please specify) _____

Sexual Harassment: _____

Sexual Orientation: _____

Gender Identity: _____

Genetic Information: _____

SELF-IDENTIFICATION OF DISABILITY & REQUEST FOR REASONABLE ACCOMMODATIONS

EMPLOYEE SELF -IDENTIFICATION OF DISABILITY & REQUEST FOR REASONABLE ACCOMMODATIONS

CONFIDENTIAL

In accordance with the Americans with Disabilities Act of 1990, the City of East Providence invites a qualified individual with a disability to self-identify in order to be provided reasonable accommodations if necessary to perform the essential function for the relevant position.

NAME: _____ AGENCY: _____
 JOB TITLE: _____ DATE: _____

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

Disabling conditions include, but are limited to:

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

Yes, I request a Reasonable Accommodation Needs Assessment Review

Additional Comments:

No Reasonable Accommodation Needs Assessment Review

Signature: _____ Date: _____

CONFIDENTIAL EXIT-INTERVIEW FORM:

City of East Providence
Affirmative Action / Equal Employment Opportunity Office
CONFIDENTIAL EXIT SURVEY INQUIRY

All information obtained from this inquiry will be handled in a confidential manner and will not be divulged to supervisors, co-workers, or anyone inside or outside the agency. The information will be used as a tool for change and improvements and will not be made part of your personnel record and will not be used to respond to reference checks by future employers. We ask that you be as honest and fair as possible. Please complete and return to the East Providence Affirmative Action Office (Room 201), 145 Taunton Avenue, East Providence, RI 02914. Thank you.

Name: _____ Job Title: _____

Address: _____ Department: _____
_____ Division / Unit: _____

E-Mail: _____ Telephone: _____

Date Hired: _____ Date Departed: _____

(Please check for Equal Opportunity Purposes Only)

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

What is your main reason for leaving?

What did you like best about your job?

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

Do you feel career opportunities were adequately afforded to you?

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

Was your supervisor effective in handling problems or complaints?

Was the Leave of Absence Procedure clearly explained to you?

Did you receive fair treatment while employed?

Would you seek employment with the City of East Providence at a future date?

Do you feel you were discriminated against?

INTERVIEWING OFFICER

DATE

Comments/ Notes:

DESCRIPTION OF JOB CATEGORIES:

EEO-4 OCCUPATIONAL CATEGORY

A. 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.

B. 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, Airplane Pilots and Navigators, Surveyors & Mapping Scientists and kindred workers.

C. 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, and Physical Sciences), Police and Fire Sergeants, Inspectors (Production or Processing Inspectors, Testers, and Weighers) and kindred workers.

D. PROTECTIVE SERVICE WORKERS

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

E. PARAPROFESSIONALS

Occupations in which workers perform some of the duties of a professional or a 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, Homemaker Aides, Home Health Aides, Library Assistants and Clerks, Ambulance Drivers and Attendants and kindred workers.

F. 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.

G. SKILLED CRAFT WORKERS:

Occupation in which workers perform jobs which require special manual skill and a thorough and comprehensive knowledge of the process involve 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 Machine Occupations, carpenters, Compositors and Typesetters, Power Plant Operators, Water and Sewage Treatment Plant Operators and kindred workers.

H. 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, Groundskeepers, Refuse Collectors and Construction Laborers, Park Ranger Maintenance, Farm Workers (except Managers), Craft Apprentices/ Trainees/Helpers and kindred worker

RACE/ETHNIC DESIGNATIONS

MINORITY GROUP

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

BLACK/AFRICAN AMERICAN: *(not of Hispanic origin)*. All persons having origins in any of the Black racial groups of Africa.

HISPANIC/LATINO: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race. Only those persons of Central or South American Countries who are of Spanish origin, descent or culture should be included in this classification. Persons from Brazil, Guyana, Surinam or Trinidad, for example, would be classified according to their race and would not necessarily be included in the Hispanic classification. In addition, this classification does not include persons from Portugal who should be classified according to race.

ASIAN or PACIFIC ISLANDER: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent or the Pacific Islands. This area includes, for example, China, Japan, Korea the Philippine Islands and Samoa. The Indian subcontinent takes in the countries of India, Pakistan, Bangladesh, Sri Lanka, Nepal, Sikkim and Bhutan.

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

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

**PRIVATE EMPLOYMENT,
STATE AND LOCAL GOVERNMENTS
EDUCATIONAL INSTITUTIONS
RACE, COLOR, RELIGION, SEX, NATIONAL ORIGIN:**

Title VII of the Civil Rights Act of 1964, as amended, prohibits discrimination in hiring, promotion, discharge, pay, fringe benefits and other aspects of employment, on the basis of race, color, religion, sex or national origin.

The law covers applicants to and employees of most private employers, state and local governments and public or private educational institutions. Employment agencies, labor unions, and apprenticeship programs are also covered.

AGE: The Age Discrimination in Employment Act of 1967, as amended, prohibits age discrimination and protects applicants and employees 40 years of age or older from discrimination on account of age in hiring, promotion, discharge, compensation, terms, conditions, or privileges of employment.

SEX (WAGES): In addition to sex discrimination prohibited by the Title VII of the Civil Rights Act, the Equal Pay Act of 1963, as amended, prohibits sex discrimination in payment of wages to women and men performing substantially equal work in the same establishment. The law covers applicants to an employees of most private employers, state and local environment and educational institutions. Many employers not covered by the Title VII, because of size, are covered by the Equal Pay Act.

DISABILITY: The Americans with Disabilities Act of 1990, as amended, prohibits discrimination on the basis of disability, and protects qualified applicants and employees with disabilities from discrimination in hiring, promotion, discharge, pay, job training, fringe benefits and other aspects of employment. The laws also requires that covered entities provide qualified applicants employees with disabilities with reasonable accommodations that do not impose undue hardship. The law covers applicants to and employees of most private employers, state and local governments, educational institutions, employment agencies and labor organizations.

Definition of Terms

Accessibility: Readily available to and usable by individuals with disabilities.

Affirmative Action: A Demonstrated commitment to the recognition, development and utilization of the Abilities of minorities, women, persons with disabilities and Vietnam-era veterans. It is a process to achieve the purpose of anti-discrimination laws.

Affirmative Action Plan (AAP): A written document outlining those steps to be taken to bring about affirmative action. The execution of the plan will assure measureable improvements in hiring, training and promotions for minorities, women, people with disabilities and Vietnam era veterans.

Alternative Program: Programs administered through the Department of Personnel Administration Certification which use the Civil Service selection procedures to reach targeted, protected classes.

Applicant Flow: The process of records of hiring, promotions, and other employment actions for the purpose of monitoring. Applicant flow analysis assures that the employer's employment practices and procedures are accomplished within the guidelines of the Affirmative Action Plan.

Artificial Barrier: A requirement placed on a job or on an individual's performance within the job which neither job-related nor consistent with merit principles.

Candidate for Employment: An individual who has applied for and has been interviewed for a City posted job opening.

Color: The hue or pigmentation of the human skin.

Complaint: A pleading by which a legal action is commenced under Federal or State courts of administrative agencies. The complainant applies to the courts of agencies for legal redress.

Disability: A physical or mental impairment which substantially limits one or more major life activities, a record such an impairment, or regarded as having such an impairment.

Equal Employment: An employer's posture that all personnel activities will be conducted in a manner to assure equal opportunity for all. Such activity based solely on individual merit.

Goals: A numerical objective fixed realistically, based on the number of vacancies expected and the number of qualified applicants available to the job market.

Grievance: As used in this Plan, the filing of allegations with the Office of Affirmative Action with the purpose of addressing a harassing or discriminatory situation in an expeditious manner.

Job related: Aspects of a job, which are essential to the performance of the specific task.

Institutional: And established principle, law, or usage.

Minority: A group comprising less than half of a population and differing from a larger, predominant group, as in race, religion, political affiliation.

Black: All persons having origins in any of the Black racial groups of Africa.

Hispanic: All persons of Puerto Rican, Dominican Cuban, Mexican, or Central or South America or other Spanish culture or origin, regardless of race.

Asian: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-Continent, or the Pacific Islands.

Native American: All persons having origins in any of the original peoples of North America excluding Mexico, and who maintain cultural identification through tribal affiliations or community recognition.

Eskimo & Aleutian: All persons having origins in any of the original people of Northern Canada, Greenland, Alaska or Eastern Siberia.

Cape Verdean: All persons having origin in any of the original peoples of Cape Verdean Island. Who are of Black Heritage.

Protected Groups: Legally identified groups that are specifically protected by the statute against employment discrimination.

Qualified Person with a disability: A person who satisfies the requisite skill, experience, education and other job related requirements of the employment position such individual holds or desires, and who, with or without, reasonable accommodation, can perform the essential functions of such position.

Race: A subdivision of mankind having relatively constant set of physical traits such as color of skin and eyes, stature, texture of hair. Any grouping of peoples according to geography, nation, etc.

Reasonable Accommodation: The changing of environment or schedules, or the requirement to adapt to the known physical or mental limitations of qualified disabled applicant or employee. The accommodation may include, but not be limited to, job restructuring, part time or modified work schedules, acquisition or modifications of equipment or devices, the provisions of readers or interpreters, or other similar actions.

Timetables: The time-frame (in years) set for attaining measurable goals in an affirmative action program.

Under Utilization: Having minorities, women people with disabilities, or Vietnam era veterans in a particular job classification less than would reasonably be expected by their availability in the workforce or recruitment area. Undue Hardship.

Utilization Analysis: The enumeration and examination of the presence of protected group members employed by the City.

Vietnam Era veteran: A person who has served on active duty for a period of more than 180 days, any part of which occurred between February 1, 1955 and August 4, 1964, and 90 days, and part of which occurred between August 5, 1964 and June 4, 1976 and was discharged or released with other than dishonorable discharge.

Workforce analysis: A detailed listing (by specified categories) of job classifications and levels by department or other organizational unit.

PRE-EMPLOYMENT QUESTIONS FACT SHEET

The Fair Employment Practices Law guarantees that no person shall be denied the right to work because of his or her race, color, religious creed, national origin, sex sexual orientation, age (40 years and over), criminal record, mental illness, or disability. In order to comply with this law, and employer should generally not ask on a job application or during an interview any question that:

- Identifies a person on a basis covered by the Fair Employment Practices law; or
- Results in the disproportionate screening out of members of covered group; or
- Is not a valid predictor or successful job performance.

The following table lists examples of questions that are and are not permitted to be asked on employment application forms or during employment interviews.

TOPIC	EMPLOYERS MAY ASK	EMPLOYERS MAY NOT ASK
Age	Are you a minor (under the age of 18)? May I have proof that you are 18 or over?*	When were you born? Are you over 40?
Criminal Record	Have you ever been convicted of a felony? Within the last 5 years have you been convicted of, or released from incarceration for a misdemeanor that was not a first offense for drunkenness, simple assault, speeding, a minor traffic violation, an affray, or disturbing the peace? If you have been convicted of any criminal offense within the last five years ago, convicted of any misdemeanor (not including a first conviction for first offense for drunkenness, simple assault, speeding, a minor traffic violation, an affray, or disturbing the peace).	Have you ever been arrested? Have you ever been convicted of a misdemeanor? Nor may an employer request a copy of your arrest or probation record. Cannot ask about any misdemeanor conviction more than five years ago, unless convicted of subsequent offense within the last five years.
Education/ Experience	What school, college, or vocational program did you attend? Graduate? What is your work experience?	Questions about dates of graduation/ work experience should not be used to determine applicant's age.

Handicap/ Disability	Are you able to perform the essential functions of the position with or without reasonable accommodation? Can you describe how you would perform the following job functions (list specific essential functions of the job)? Can you describe how you would perform the following job functions (list specific essential functions of the job)? No other questions** ***	Do you have any handicap/ disability? Do you have any medical problems? Do you have any job related handicaps or limitations that would prevent you from doing the job? Have you ever received Worker's Compensation? Have you ever been hospitalized? Are you currently taking medication?
Immigrant Status	Are you legally authorized to work in the U.S.? The federal immigration Reform and Control Act of 1986 (IRCA) requires employers to ask all employees hired after Nov. 6, 1986 to produce documentation proving that they are authorized to work in the U.S. This information may be requested only after an offer of employment has been made. Employers must be careful to accept all types of documentation permitted under IRCA.	Information obtained through compliance with IRCA may not be used to discriminate on the basis of national origin, nor may it be kept with the employee's personnel records. Documentation proving work authorization must be requested of all new employees, not just those who are "foreign- looking"
Military Experience	Are you a U.S. veteran? What is your U.S. military service history?	Are you receiving a service-connected Disability pension? What is your foreign military service history? What was the nature of your discharge?
National Origin or Ancestry	No questions**	What is your language ancestry, or national origin? Where were you born? Where are your parents or spouse from? What is the origin of your name? Are your parents or spouse citizens?

Race	No questions**	What is your race? Color? (Nor may an employer require that a photo accompany an application.)
Religion	No questions**	To what religious denomination, church or synagogue do you belong? What are your religious obligations? What religious holidays do you observe? Do you go to church regularly?
Sex	No questions**	What is your maiden name? (or any question that pertains to only one sex). Do you have any children? Do you intend to have children? What child care arrangement have you made? No questions may be asked of only one sex.
Sexual Orientation	No questions**	Are You gay/ lesbian / bisexual / heterosexual? Why aren't you married? Questions about relationships or living arrangements should not be used to determine sexual orientation.

Note:
Medical

examinations can only be administered after a conditional offer of employment.

Of course there are other questions not listed above that could be construed as attempting elicit information for the purpose of discriminating on the basis of a category covered under Rhode Island anti-discrimination laws. Consider and document only job- related factors.

If you require further information about the legality of pre-employment questions, contact the Personnel Department or Elmer Pina, AA/EEO Officer in the Affirmative Action Office.

*Certain questions pertaining to age or sex may be permissible if they relate to a **bona fide occupational qualification**, which is a criterion for employment that the Rhode Island Commission Against Discrimination has ruled is a legitimate requirement for a particular position (for example, the sex of an applicant for an acting job (a role in a play) may be a **bona fide** occupational qualification). Questions about age may also be allowed if necessary to satisfy provisions of a state or federal law (for example, certain public safety positions presently have age limits for hiring and retiring).

DEFINITIONS OF HARASSMENT FOR AFFIRMATIVE ACTION PURPOSES

Racial Harassment: Words, actions or other verbal, written or physical conduct which are offensive because of their connotation, prejudice, stereotyping or bigotry constitutes racial harassment when 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.

Definition of Harassment: Harassment includes but is not limited to, offensive verbal comments related to gender, gender identity and expressions, sexual orientation, disability, physical appearance, body size, race, national origin, religion, age, marital status, military status, or any other status protected by law; deliberate intimidation; stalking; following; harassing photography or recording; sustained disruption or talks or other events; and inappropriate physical contact. Examples of harassment include, but are not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; disparaging jokes; and the display or circulation of written or graphic material in hard copy or online that disparages or shows hostility towards an individual or group based on a protected characteristic.

Sexual Harassment: Sexual Harassment does not refer to occasional compliments or other generally acceptable social behavior. Sexual harassment refers to verbal, physical, and visual conduct of a sexual nature that is unwelcome and offensive to the recipient. By the way of example, sexual harassment may include such conduct as sexual flirtations, advances, or propositions; verbal comments or physical actions of a sexual nature; sexually degrading words used to describe an individual; an unwelcome display of sexually suggestive objects or pictures; sexually degrading words used to describe an individual; an unwelcome display of sexually suggestive objects or pictures; sexually explicit jokes; and offensive, unwanted physical contact such as patting, pinching, grabbing or groping, or constant brushing against another's one body. It may also include demanding sexual favors in return for employment conditions; e-mail, voice messages, conduct using social media or similar communications that are persistent and unwelcome and sexual in nature; and lewd suggestive comments regarding a staff member's, exhibitor's, speaker's attendee's, service provider's or other participants style of dress, appearance, body, or personal life.

Disability – Related Harassment: Words, actions or other verbal, written or physical conduct that ridicules, scorns, mocks, intimidates, threatens, or coerces any individual due to his/her disability will be considered disability harassment. Conduct which has the effect of unreasonably interfering with the work performance or creating an offensive environment will be considered disability-related harassment.

LIST OF ENFORCEMENT AGENCIES:**City of East Providence Affirmative Action / EEO Office**

East Providence City Hall
145 Taunton Avenue (3rd floor) Room 304A
East Providence, RI 02914
TEL: (401) 435 -7509
FAX: 401-435-1920

RI Commission for Human Rights

180 Westminster Street Suite 3
Providence, RI 02903-1918
TEL: (401) 222-2661/ Voice
TDD: (401) 222-2664
FAX: (401) 222-2616

U.S. Equal Employment Opportunity Commission

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
TEL: 1-800-699-4000
FAX: 617-565-3196

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
TDD: (202) 514-0381
FAX: (202) 307-1197

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