

ANNUAL REPORT

2021 FISCAL YEAR

JULY 1, 2020 THROUGH JUNE 30, 2021



RHODE ISLAND COMMISSION FOR HUMAN RIGHTS

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PROVIDENCE, RI 02903-1918**

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“The practice or policy of discrimination against individuals ... is a matter of state concern. Such discrimination foments domestic strife and unrest, threatens the rights and privileges of the inhabitants of the state, and undermines the foundations of a free democratic state. The denial of equal employment opportunities because of such discrimination and the consequent failure to utilize the productive capacities of individuals to their fullest extent deprive large segments of the population of the state of earnings necessary to maintain decent standards of living, necessitates their resort to public relief, and intensifies group conflicts, thereby resulting in grave injury to the public safety, health, and welfare.

It is hereby declared to be the public policy of this state to foster the employment of all individuals in this state in accordance with their fullest capacities ... and to safeguard their right to obtain and hold employment without such discrimination.

The right of all individuals in this state to equal employment opportunities ... is hereby recognized as, and declared to be a civil right.”

– From R.I. Public Laws 1949, Ch. 2181, by which the Commission for Human Rights was created and empowered

COMMISSIONERS AND STAFF MEMBERS

COMMISSIONERS

Chairperson: John B. Susa, Ph.D.
Angelyne E. Cooper, Esq.
Cynthia M. Hiatt, Esq.
Rochelle Bates Lee
Marcus P. Mitchell
Tolulope Kevin Olasanoye, Esq.
Iraida Diaz Williams

STAFF

Executive Director: Michael D. Évora, Esq.

Staff Attorney: Kate C. Brody, Esq.

Staff Attorney: John C. Bogue, Jr., Esq.

HUD Project Director: Angie V. Lovegrove

EEOC Project Director: Marlene Colón Toribio

Sr. Compliance Officer: Tina M. Christy

Sr. Compliance Officer: Allison G. Coté

Sr. Compliance Officer: Jason Flanders

Sr. Compliance Officer: Carluis Mercedes

Investigator: Adriana Vargas

Investigator: Yvonne S. Yu

Chief Clerk: Betsy A. Ross

Administrative Aide: Zaida Rivera

Administrative Aide: Lynn Soccio

AGENCY OVERVIEW

The Rhode Island Commission for Human Rights (Commission) was created by the Rhode Island General Assembly in 1949 and is one of the oldest state anti-discrimination agencies in the country. In establishing the Commission, the General Assembly declared that "[t]he practice or policy of discrimination against individuals ... is a matter of state concern" and observed that "... discrimination foments domestic strife and unrest, threatens the rights and privileges of the inhabitants of the state, and undermines the foundations of a free democratic state". R.I.G.L. § 28-5-2. Through impartial investigation, formal and informal resolution efforts, predetermination conferences and administrative hearings, the Commission seeks to ensure due process for both complainants (charging parties) and respondents (those against whom charges are filed), to provide redress for victims of discrimination and to properly dismiss cases in those instances in which charges of discrimination lack evidentiary support.

The Commission enforces Rhode Island anti-discrimination laws in the areas of employment, housing, public accommodations, credit and delivery of services. The employment and public accommodations statutes prohibit discrimination based on race, color, sex, disability, ancestral origin, religion, sexual orientation, gender identity/expression and age. The housing statute, in addition to prohibiting discrimination on these bases, also prohibits discrimination based on marital status, familial status, status as a victim of domestic abuse, housing status, military status and association

with members of a protected class. The credit statute, in addition to prohibiting discrimination on the bases covered by the employment law, also prohibits discrimination based on marital status, familial status and military status. Discrimination in the delivery of services on the basis of disability is prohibited. All of the laws enforced by the Commission also prohibit retaliation against an individual for protected activity such as having opposed unlawful practices.

The Commission's major program activities include intake, investigation, conciliation, administrative hearings, enforcement, outreach and education.

The Commission was created and empowered by Title 28, Chapter 5 of the General Laws of Rhode Island (the Fair Employment Practices Act) and has statutory responsibility to enforce the following laws:

- **Fair Employment Practices Act**
(R.I.G.L. § 28-5-1, *et seq.*)
- **Fair Housing Practices Act**
(R.I.G.L. § 34-37-1, *et seq.*)
- **Hotels and Public Places Act**
(R.I.G.L. § 11-24-1, *et seq.*)
- **Prevention and Suppression of Contagious Diseases — HIV/AIDS Act**
(R.I.G.L. §§ 23-6.3-11 and 23-6.3-12)
- **Civil Rights of People with Disabilities Act**
(R.I.G.L. § 42-87-1, *et seq.*)
- **Equal Rights of Blind and Deaf Persons to Public Facilities Act**
(R.I.G.L. § 40-9.1-1, *et seq.*)

AGENCY OVERVIEW

The Commission is overseen by seven Commissioners who are appointed by the Governor with the advice and consent of the Senate. The Commissioners are not compensated for the services they render to the agency.

In addition to enforcing state laws, the Commission has contractual agreements with the **Equal Employment Opportunity Commission (EEOC)** and the **U.S. Department of Housing and Urban Development (HUD)** to assist in the enforcement of the following federal laws: **Title VII of the Civil Rights Act of 1964**; the **Age Discrimination in Employment Act of 1967**; the **Americans with Disabilities Act**; and **Title VIII of the Civil Rights Act of 1968**.

COMMISSION WORKFORCE PROFILE

	Number of Employees	Percent of Total
Total Staff	14	100%
Women	10	71.4%
Racial/Ethnic Minorities	8	57.1%

EQUAL OPPORTUNITY COMMITMENT

The Commission's commitment to equal opportunity remains constant. In addition to promoting its internal affirmative action plan, the Commission routinely engages in endeavors geared to enrich and diversify the Rhode Island community. Staff members are available to participate in seminars and conferences that address equal opportunity as it relates to the Commission's work.

PROTECTED CATEGORIES UNDER STATE AND FEDERAL LAW

	EMPLOYMENT		HOUSING		PUBLIC ACCOMMODATIONS	CREDIT
	State	Federal	State	Federal	State	State
Race	✓	✓	✓	✓	✓	✓
Color	✓	✓	✓	✓	✓	✓
Religion	✓	✓	✓	✓	✓	✓
Ancestral Origin	✓	✓	✓	✓	✓	✓
Sex ^[1]	✓	✓	✓	✓	✓	✓
Disability ^[2]	✓	✓	✓	✓	✓	✓
Age ^[3]	✓	✓	✓		✓	✓
Sexual Orientation ^[4]	✓	✓	✓	✓	✓	✓
Gender Identity or Expression ^[5]	✓	✓	✓	✓	✓	✓
Familial Status			✓	✓		✓
Marital Status			✓	*		✓
Status as a Victim of Domestic Abuse			✓	*		
Housing Status ^[6]			✓			
Conviction Status ^[7] ("Ban the Box")	✓					
Military Status ^[8]			✓			✓
Retaliation	✓	✓	✓	✓	✓	✓

*** Federal law prohibits discrimination on this basis in certain instances.**

1 Includes sexual harassment and discrimination on the basis of pregnancy status.

2 Includes physical and mental disabilities.

3 Protects individuals 40+ years of age in Employment; protects individuals 18+ years of age in Housing, Public Accommodations and Credit.

4 Protects individuals who are heterosexual, homosexual or bisexual.

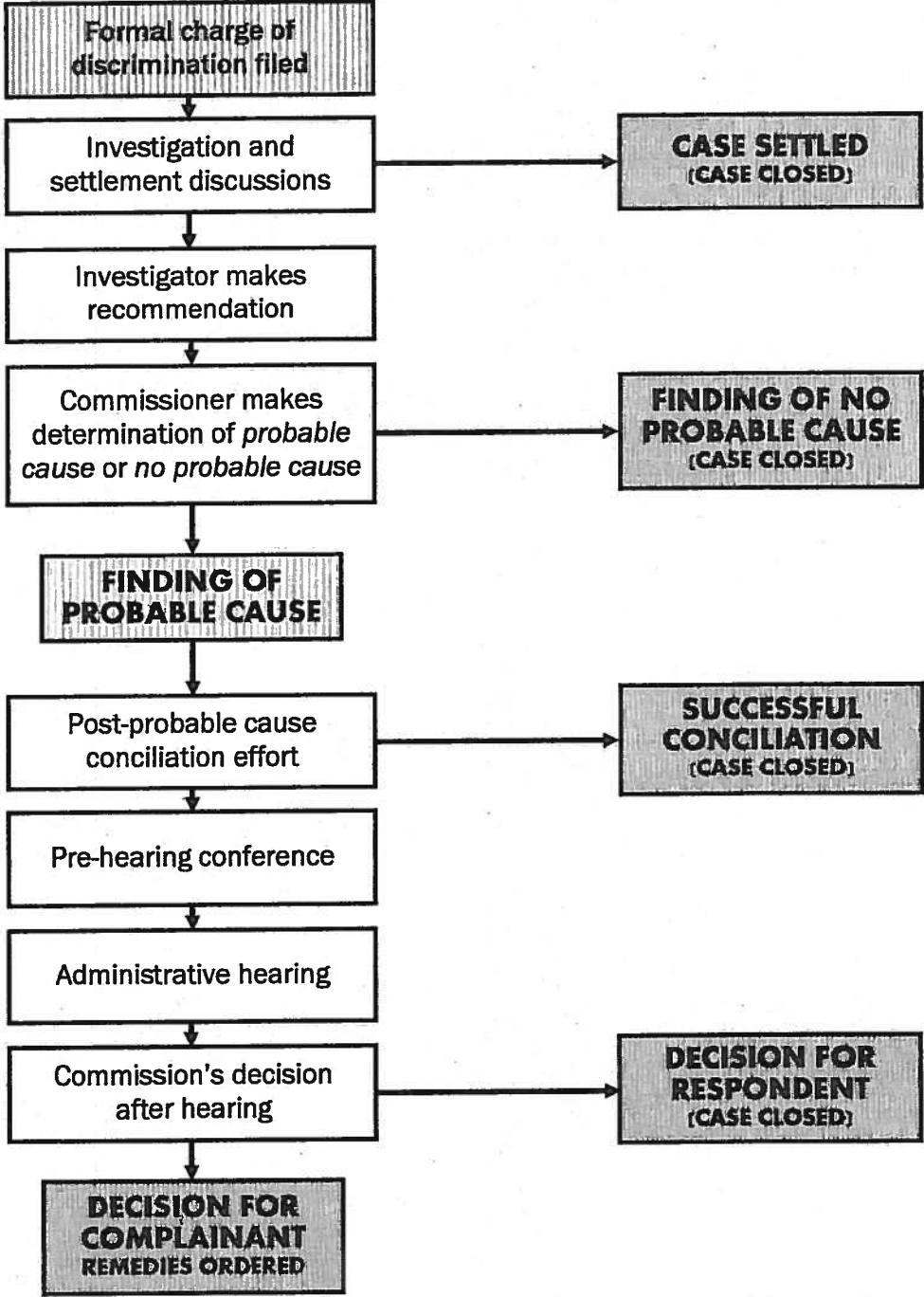
5 Includes an individual's actual or perceived gender, as well as an individual's gender identity, gender-related self-image, gender-related appearance, or gender-related expression, whether or not that gender identity, gender-related self-image, appearance or expression is different from that traditionally associated with that individual's sex at birth.

6 "Housing Status" means the status of having or not having a fixed or regular residence, including the status of living on the streets or in a homeless shelter or similar temporary residence.

7 Prohibits employers from inquiring before a first interview, either via an employment application or otherwise, whether an applicant has been convicted of a crime. Certain exceptions apply.

8 "Military Status" means status as a service member in the Armed Forces, or status as a veteran with an honorable discharge or an honorable or general administrative discharge.

CHARGE PROCESS SUMMARY



NOTE: Rhode Island law expressly provides that, under certain circumstances, complainants and/or respondents may elect to terminate proceedings before the Commission and have the case heard in Superior Court.

FEDERAL AGREEMENTS

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

The Commission has been certified by the U.S. Equal Employment Opportunity Commission (EEOC) as a Fair Employment Practices Agency since 1968. As such, the Commission is authorized to process charges of employment discrimination which fall under federal as well as state jurisdiction (co-filed). Each year, the Commission enters into a work-sharing agreement with EEOC under which the Commission is expected to investigate a predetermined number of cases. EEOC reimburses the Commission at a fixed rate for each case closed in compliance with EEOC guidelines.

This year, the Commission exceeded its revised contractual obligation of 140 cases by closing 143 co-filed cases.

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

The Commission has been certified by the U.S. Department of Housing and Urban Development (HUD) as a "substantially equivalent" agency pursuant to the federal Fair Housing Act. The Commission enters into an annual contract with HUD for fixed-rate reimbursement for the processing of housing cases filed under both state and federal law.

This year, the Commission took in 53 charges of alleged housing discrimination, 51 of which were co-filed with HUD, and processed 52 charges, 49 of which were co-filed with HUD.

FEDERAL FUNDING FY 2021*

EEOC	Case Processing	\$112,000
	Training/Transportation	\$0
	FEPA Engagement Funds	\$1,000
	TOTAL:	\$113,000
HUD	Case Processing	\$126,400
	Administrative Costs	\$36,273
	Post-Cause Supplement	\$16,000
	Training/Transportation	\$17,600
	TOTAL:	\$196,273
TOTAL (ALL FEDERAL FUNDS):		\$309,273

* EEOC's contract year was October 1, 2020 to September 30, 2021. HUD's contract year was July 1, 2020 to June 30, 2021.

INTAKE

Inquiries are received and evaluated. If jurisdictional requirements are met, a formal charge of discrimination is filed and forwarded to the respondent.

The intake process usually begins with a telephone call or visit to the Commission, or to the agency website. Each year the agency receives thousands of inquiries from individuals requesting information or wanting to pursue a charge of discrimination. The majority of these inquiries do not come within the jurisdiction of the Commission and these are referred to other agencies or organizations. In those cases in which the inquiry presents a claim within the Commission's jurisdiction, an intake officer assists the individual in filing a formal charge of discrimination.

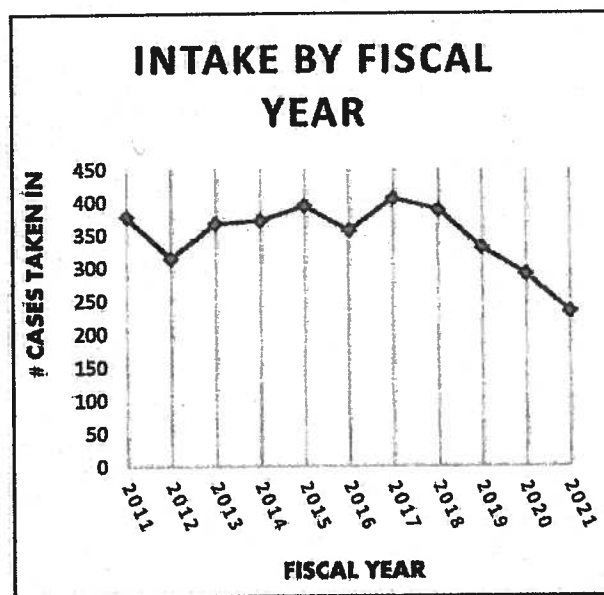
CASES TAKEN IN

The Commission took in a total of 233 cases in the fiscal year, representing a 24.5 percent decrease from FY 2020 (290).

- **Disability claims predominated**, with a total of 112 new cases (48% of total cases) containing an allegation of disability discrimination.
- **Retaliation-based claims** followed, with 78 cases (33.5% of total cases) containing an allegation of retaliation for having engaged in protected activity.
- **Sex-based claims** (including pregnancy and sexual harassment claims) were made in 61 cases (26.2% of total cases). Of these, an allegation of **sexual harassment** was made in 15 cases (6.4% of total cases).
- **Race-based claims** were raised in 56 cases (24% of total cases).
- **Age-based claims** were raised in 51 cases (21.9% of total cases).

FY 2021 INTAKE BY AREA		
	Number of Cases	Percent of Total
Employment	168	72.1%
Housing	53	22.7%
Public Accommodations	9	3.9%
Delivery of Services*	3	1.3%
Credit	0	0%
TOTALS:	233	100

* Figures reflect charges of disability discrimination in delivery of services (unrelated to employment, housing, public accommodations or credit).



INTAKE

FY 2021 INTAKE BY BASIS AND AREA^[1]

	Employ.	Housing	Public Accom.	Indiv. With Disability ^[2]	Credit	TOTALS:
Age	47	2	2	N/A	0	51
Ancestral Origin	18	1	1	N/A	0	20
Color	31	10	4	N/A	0	45
Disability	74	30	5	3	0	112
Familial Status	N/A	1	N/A	N/A	0	1
Gender Identity or Expression	0	0	0	N/A	0	0
Housing Status	N/A	0	N/A	N/A	N/A	0
Marital Status	N/A	1	N/A	N/A	0	1
Military Status	N/A	0	N/A	N/A	0	0
Race	39	13	4	N/A	0	56
Religion	3	1	1	N/A	0	5
Retaliation	65	9	2	2	0	78
Sex^[3]	53	8	0	N/A	0	61
Sexual Harassment	15	0	0	N/A	0	15
Sexual Orientation	9	0	0	N/A	0	9
Status as Victim of Domestic Abuse	N/A	0	N/A	N/A	N/A	0
Unlawful Questioning	0	N/A	N/A	N/A	N/A	0

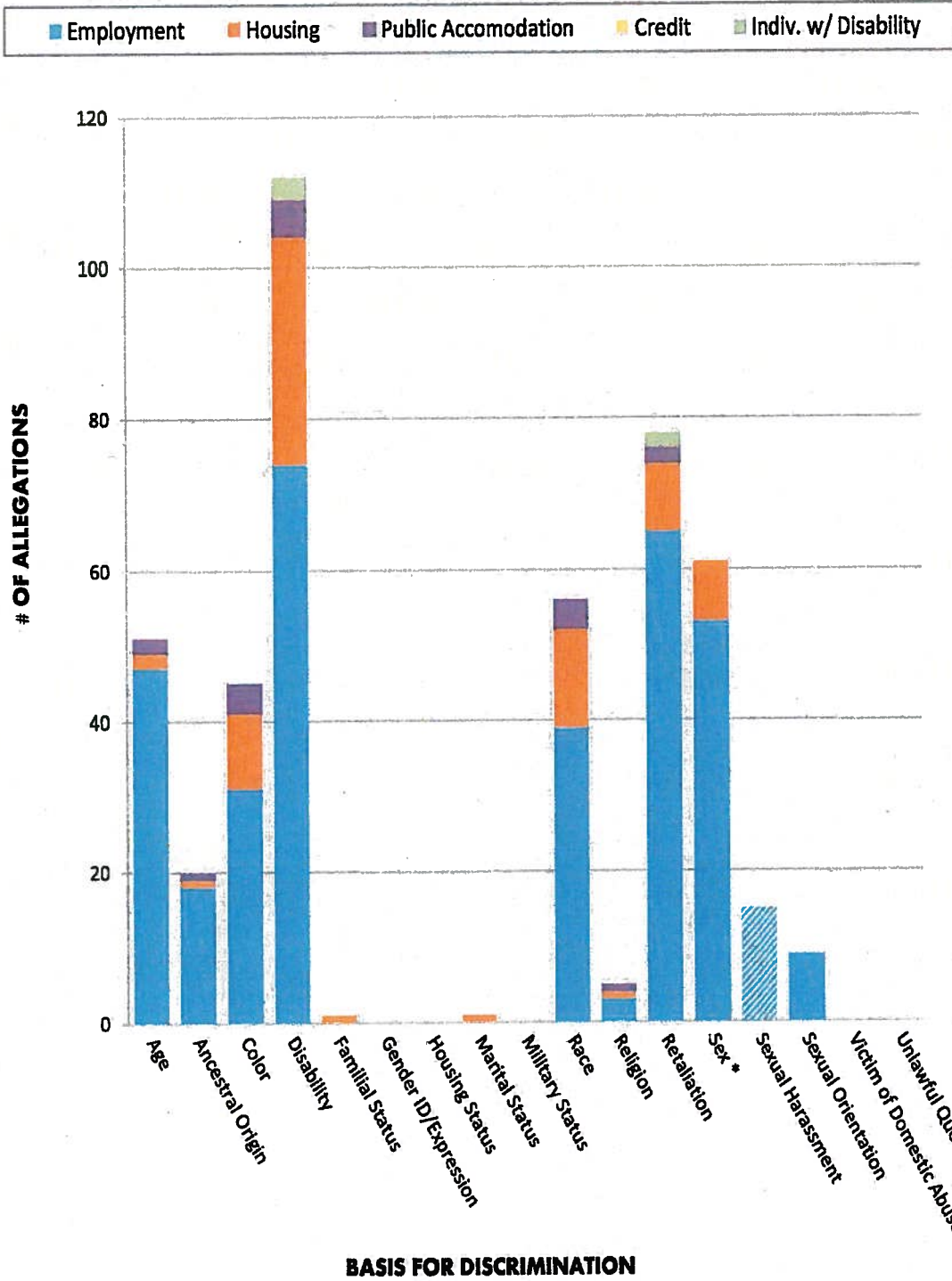
[1] Figures reflect the fact that most charges filed allege more than one basis of discrimination. Example: if a given charge alleged discrimination on the bases of age, race and color, it is reflected in the figures for all three categories.

[2] Figures reflect charges of disability discrimination in delivery of services (unrelated to employment, housing, public accommodations or credit).

[3] Includes allegations of pregnancy discrimination and sexual harassment.

INTAKE

FY 2021 INTAKE BY BASIS



* Includes allegations of pregnancy and sexual harassment.

INVESTIGATIONS/DISPOSITIONS

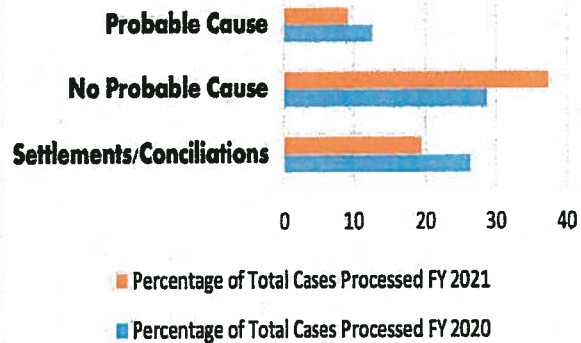
Upon assignment, an investigator conducts an impartial investigation of the allegations and, after analyzing all ele-

After the intake phase is completed and a formal charge of discrimination is filed, each case is assigned to an investigator. The average time from the filing of a charge to assignment to an investigator was six weeks or less. Most of the Commission's personnel resources are devoted to the investigation process. **Approximately 19.4% of case closures in FY 2021 resulted from settlements or conciliations**, representing a decrease from FY 2020 (26.4%).

For those cases which do not settle, investigators use a variety of techniques to investigate the case. Often the investigators hold Predetermination Conferences where both complainants and respondents can present evidence to support or refute the allegations. The conferences are held before a Preliminary Investigating Commissioner. A case may involve the collection and analysis of comparative, statistical and/or direct evidence. Investigators may need to travel on-site to collect information and testimony pertinent to the charge. Not all investigations are alike. The individual characteristics of each case will influence an investigator's approach. In furtherance of the investigative process, the Commission issued multiple subpoenas in the fiscal year to compel the production of documents and witness testimony.

In FY 2021, a determination of Probable Cause was rendered in **approximately 9.3% of total processed cases**, reflecting a decrease from FY 2020 (12.6%). While the percentage of Probable Cause cases may seem low, it should be noted that many potential Probable Cause cases settle prior to a formal determina-

CASE DISPOSITIONS FY 2021 vs. FY 2020



tion as to Cause and some cases in which the complainant requests a right to sue may be Probable Cause cases. **During the fiscal year, the Commission settled 51 cases (18.3% of total cases processed) prior to a determination as to whether Probable Cause existed.**

A No Probable Cause determination was rendered in **approximately 37.3% of total processed cases**, reflecting an increase from FY 2020 (28.7%). A significant number of these No Cause findings resulted from a complainant's failure to pursue their charge by failing to respond to requests for information.

For the twenty-third consecutive year, the Commission processed more cases than it took in (279 vs. 233), resulting in a continued decrease in the number of cases carried forward to the next fiscal year. "Processed" cases include cases in which a determination of Probable Cause is rendered. Although such cases are not yet closed, they are included in the list of case dispositions to provide an accurate view of the Commission's work.

INVESTIGATIONS/ DISPOSITIONS

TERMS AND DEFINITIONS

Administrative Closures	Includes cases closed for failure to locate a complainant, complainant's failure to cooperate, no jurisdiction, charges withdrawn without benefits, receiverships, and bankruptcies.
Conciliation	Case settled after a finding of probable cause.
Decision and Order	Commission makes a finding after a hearing before the agency. If the decision is for the complainant, remedies are ordered. If it is for the respondent, the case is dismissed.
Negotiated Settlement	Case formally settled prior to a finding of Probable Cause or No Probable Cause.
No Probable Cause	Insufficient evidence exists to support the probability that the complainant was a victim of discrimination.
Probable Cause	Sufficient evidence exists to support the probability that the complainant was a victim of discrimination.
Right to Sue	Complainant is issued a Notice enabling her/him to take the case to court, and the Commission closes the case internally.
Withdrawal with Settlement	Complainant withdraws the case upon receiving a settlement from the respondent.

CASE DISPOSITIONS FY 2021

TYPE OF DISPOSITION	# OF CASES
Probable Cause	26
No Probable Cause	104
Conciliation*	3
Negotiated Settlement	7
Withdrawal with Settlement	44
Right to Sue	85
Decision and Order	1
Administrative Closure	9
TOTAL:	279

* Includes conciliation of cases in which probable cause was found in a prior fiscal year.

STATUS OF FY 2021 PROBABLE CAUSE CASES

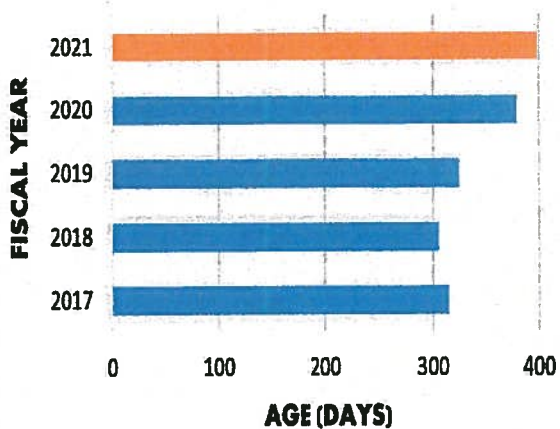
Probable Cause Rulings (includes mixed rulings)	26
Respondent's Election to Superior Court for Trial	15
Complainant's Election	3
Joint Election	3
Conciliation	0
Open as of 6/30/21 [pending right to sue, administrative hearing, conciliation or other action]	5

CASELOAD STATISTICS

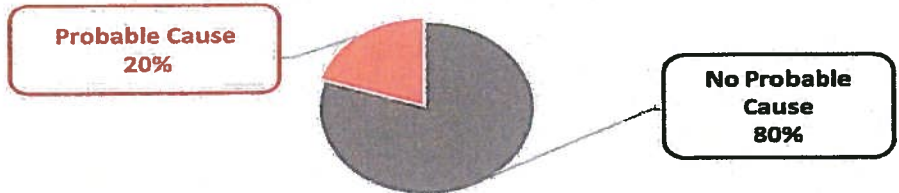
CASE PROCESSING TIME

In recent years, the Commission has labored to ensure more expeditious processing of cases. The “hands on” approach in caseload management taken by Director Évora, concerted staff efforts and the use of the Commission’s subpoena power to expedite stalled investigations are among the tools used to achieve success in this area. The average age of cases closed in FY 2003 exceeded three years. By FY 2006, that time had been decreased to 423 days. For FY 2021, the average age of a case at closure was 398 days.

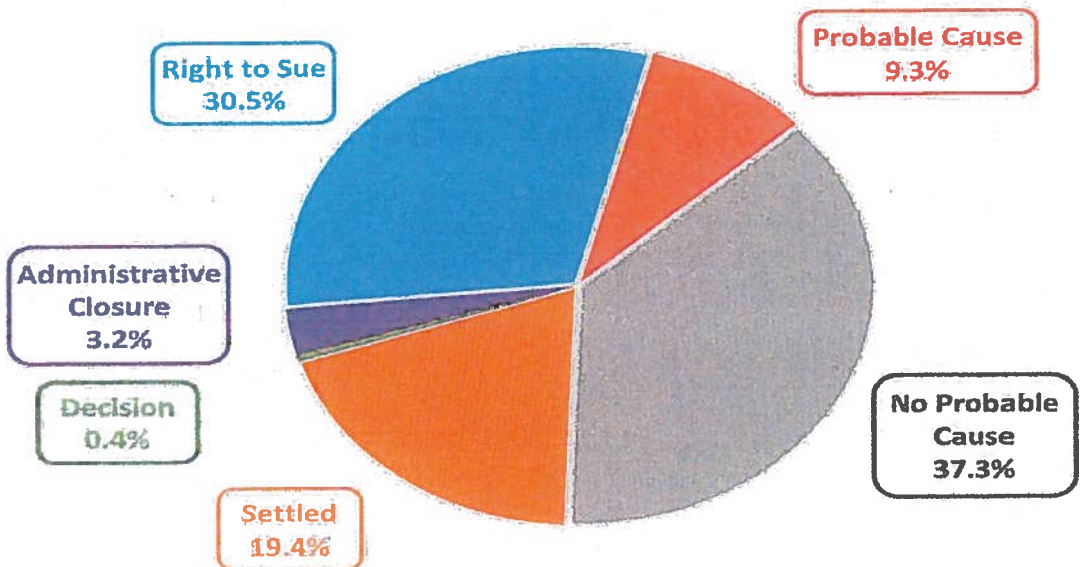
AVERAGE CASE AGE AT CLOSURE



INVESTIGATIVE RULINGS 2021



TOTAL DISPOSITIONS BY TYPE



FY 2023

Rhode Island Commission for Human Rights

Item 23 - 1: Commission FTE Increase

Initiative Type: Unconstrained – Expansion

Initiative Owner-Finance: Michael D. Evora

Initiative Owner-Program: Michael D. Evora

Initiative Priority Ranking: 1

Initiative Financing Details

Budget Impact Details—Change to Current Services Level of Financing

	Agency Request – Constrained	Agency Request – Unconstrained
General Revenue:		\$189,924
Federal Funds:		
All Funds:		\$189,924

Revenue Impact Details—Change to Revenue Estimate

	Agency Request - Constrained	Agency Request – Unconstrained
Revenues		

Bottom Line Impact

	Agency Request – Total
All Funds:	\$189,924

Proposal Background

Proposal Overview:

Please provide a 3-5 sentence “elevator pitch” about this initiative. Include the initiative name, the funding requested (by fund source), and the top three most important things to know about the initiative and the problem to which it is responsive. You can choose whether to format this as a list or a paragraph.

In FY 2023, the Rhode Island Commission for Human Rights (Commission) requests \$189,924 from general revenue to hire 2 additional FTEs. The Commission currently has 14 FTEs. There have been recent changes to the Fair Housing Practices Act that will most likely increase the

caseload of the investigators which could have an adverse impact on the public in terms of efficiently handling inquiries and cases. The hiring of additional FTEs would increase the Commission's capacity to handle the expected influx of cases in order to better serve, protect and promote the rights of Rhode Islanders against discrimination. The additional FTEs would also allow the Commission to dedicate a greater focus on education and outreach activities to inform Rhode Islanders of their rights and to address long-standing inequities.

The Commission requests a 2 FTE increase as follows:

1. 1.0 FTE - *Investigator – Human Rights* is an existing job classification in the unclassified service, paygrade 319;
2. 1.0 FTE of *Chief Compliance Officer – Human Rights*,¹ paygrade 325.

Opportunity Statement:

In this section, clearly explain the problem that exists today and the opportunity that your request aims to capitalize on. The best opportunity statements thoroughly explain, with as much detail as possible: (1) where we are today; (2) where we want to be in the future; and (3) why there is the gap between where we are and where we want to be. The best opportunity statements also quantify key variables wherever possible.

The Commission was created by the Rhode Island General Assembly in 1949 and is one of the oldest state antidiscrimination law enforcement agencies in the country. The General Assembly established the Commission with the understanding that “[t]he practice or policy of discrimination against individuals ... is a matter of state concern”, observing that “discrimination foments public strife and unrest, threatens the rights and privileges of the inhabitants of the state, and undermines the foundations of a free democratic state”. R.I.G.L. § 28-5-2. Through impartial investigation, formal and informal resolution efforts, predetermination conferences and administrative hearings, the Commission seeks to ensure due process for both complainants (charging parties) and respondents (those against whom charges are filed), to provide redress for victims of discrimination, and to properly dismiss cases against businesses and individual respondents in those instances in which charges of discrimination levied against them lack evidentiary support.

The Commission enforces Rhode Island antidiscrimination laws in the areas of **employment, housing, public accommodations, credit and delivery of services.**² The **employment and public accommodations** statutes prohibit discrimination based on *race, color, sex, disability, ancestral*

¹ Draft position description attached as Exhibit A.

² The Commission has been given statutory responsibility to enforce the following laws: R.I.G.L. § 28-5-1 et seq. (Fair Employment Practices Act); R.I.G.L. § 34-37-1 et seq. (Fair Housing Practices Act); R.I.G.L. 11-24-1 et seq. (Hotels and Public Places); R.I.G.L. §§ 23-6.3-11 and 23-6.3-12 (Prevention and Suppression of Contagious Diseases – HIV/AIDS); R.I.G.L. § 42-87-1 et seq. (Civil Rights of People with Disabilities); and R.I.G.L. § 40-9.1-1 et seq. (Equal Rights to Public Facilities).

origin, religion, sexual orientation, gender identity/expression and age. The credit statute, in addition to prohibiting discrimination on these bases, also prohibits discrimination based on *marital status, familial status, military status and association with members of a protected class.* The housing statute covers all of the previously mentioned areas in addition to *status as a victim of domestic abuse, housing status and lawful source of income*³. The Commission is overseen by seven (7) Commissioners who are appointed by the Governor, with the advice and consent of the Senate. R.I.G.L. § 28-5-8. The Commission's major program activities include outreach and education, intake, investigation, conciliation and administrative hearings.

In addition to enforcing state laws, the Commission has contractual agreements with the federal government (Equal Employment Opportunity Commission (EEOC) and U.S. Department of Housing and Urban Development (HUD)) to assist in the enforcement of the following federal laws: Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act, the Americans with Disabilities Act and Title VIII of the Federal Fair Housing Law, as amended.

In support of this request to add FTEs, the Commission offers:

- The Commission had a decrease in FTEs in the 1990s and has not had/requested an FTE increase in some 30 years.
- The vacant 0.5 Senior Compliance Officer FTE has resulted in turnover savings for the state for the last 12 years.
- On April 15, 2021, the state Fair Housing Practices Act, enforced by the Commission, was amended to add a prohibition against discrimination on the basis of *lawful source of income* (SOI). This change means that Section 8 voucher holders, and others with lawful sources of income as defined in the new law, are now entitled to the protection of the laws enforced by the Commission and can file charges alleging housing discrimination on the new basis. In just the few months since the law passed, the new SOI protected category has accounted for more than a quarter (28.5%) of housing cases filed. Based on this information, the Commission anticipates an appreciable increase in charge intake going forward.
- On August 21, 2021, the U.S. Supreme Court ruled to end the COVID-related eviction moratorium leaving countless Rhode Islanders who have been unable to keep up with rental payments for pandemic-related reasons susceptible to immediate eviction. The Commission expects to see a surge in housing discrimination cases related to evictions as a result.
- As evidence of the above-two assertions that the Commission will see an increase in charge intake, the Commission has seen a 27.3% increase in housing discrimination charge intake so far in FY22 as compared to this time in FY21.

- Investigative caseload caps were negotiated with the union (Local 2884 of Council 94) in 2007 and cannot be exceeded without risk of overburdening an already burdened investigative staff and resulting in grievances which the agency will need to expend resources to address.
- Adding an investigative FTE would better position the Commission to handle the expected – and unprecedented – increase in charge intake, while ensuring that existing investigative staff are not overburdened.
- Without the additional investigative FTE, the anticipated increase in charge intake would result in delays in assignment of cases for investigation (given the cap on investigative caseloads). The inability to promptly assign cases for investigation threatens the Commission's ability to meet two of the four goals of its Strategic Plan, namely, ensuring timely due process/disposition of cases and decreasing/avoiding backlog of cases through sufficient case processing. This would result in frustration of mission and (understandable) public dissatisfaction at a time when Rhode Islanders are more focused than ever on issues of social justice/discrimination and what is being done to effectively address these issues.
- The addition of the proposed Chief Compliance Officer – Human Rights position would enable the Commission to better ensure that the public is aware of its rights and responsibilities under the laws enforced by the Commission and would promote the faster disposition of cases through focused mediation efforts.
 - The mediation component of the position would help decrease the existing backlog of open cases carried forward into a new fiscal year, thereby fostering not only the two previously mentioned goals contained in the Commission's Strategic Plan, but also the third, namely, settlement of pre- and post-Cause cases to avoid unnecessary (and costly) investigative efforts and/or litigation.
 - The outreach component of the position would foster the fourth goal of the Commission's Strategic Plan, namely, ensuring an educated citizenry in respect to rights and responsibilities under state antidiscrimination laws. Unfortunately, discrimination is still an embedded part of our society. One sustainable solution to combat discrimination must be through educating people on the anti-discrimination laws in place and inform people of the resources in place to help. Currently, the agency's outreach endeavors are conducted primarily by investigative staff who must take time away from investigative duties to prepare for and conduct outreach sessions. The time spent away from investigative work results in a decrease in case production.

- Contracts with EEOC and HUD generate over 25% of the Commission's overall annual budget. Contractual payments are directly linked to case production; the agency is reimbursed on a per-case basis for charges processed in a given fiscal year. The modest increases sought by the Commission would result in increased case production (in the form of completed investigations, settlements, etc.) which, in turn, will generate increased federal reimbursements.
- The addition of these FTEs would signal to Rhode Islanders, at a time when trust in public institutions and their ability/desire to address social harms is waning, that state leadership is committed to devoting resources to eradicate discrimination and make whole those who have been victims of discriminatory acts within the state.

Proposal Details:

Provide a detailed description of the initiative you are proposing to respond to the above-described problem and capitalize on the above-described opportunity. Your narrative here should clearly describe how your intervention, if funded, could close the gap described above and achieve the desired future state. It should not restate your narrative in the "Proposal Overview" section; rather, it should expand upon that narrative with additional details, quantifying key variables wherever possible. For constrained proposals, your narrative should clearly explain why your agency has chosen to propose this cut over other potential reduction items and detail the expected impact of the reduction on agency mission, goals, and operations.

In order to address the above-described issues, the Commission proposes adding 2 additional FTEs in order to 1) increase staff capacity to ensure timely due process/disposition in respect to all charges filed with the agency; 2) increase staff capacity to decrease and avoid a backlog of cases; 3) increase staff capacity to settle pre- and post-cause cases to avoid unnecessary investigative efforts and/or litigation; and 4) increase staff capacity to ensure an educated citizenry in respect to rights and responsibilities under the state's anti-discrimination laws.

FTE Details & Requirements:

For initiatives proposing expansion or contraction of current programs, provide details here about how many FTEs currently work on the program and the total cost of salaries and benefits for those FTEs.

For all initiative types, if the proposal would require the elimination of existing FTE positions or the hiring of new FTEs, provide a detailed overview of how the initiative would impact FTE levels. Be sure to include the titles or anticipated titles and total salary and benefits costs for impacted staff or proposed new staff in your narrative here.

If this proposal would not impact agency FTE levels and/or does not involve an existing program, simply include the following narrative: This proposal would not have an impact on FTE levels.

The Commission requests a 2 FTE increase as follows:

- **Investigator – Human Rights** is an existing job classification in the unclassified service. Total salary and benefit cost: \$86,244. Paygrade 319.

- **Chief Compliance Officer – Human Rights**⁴ Total salary and benefits cost: \$103,680. Pay Grade 325.

Timeline for Implementation:

Describe how long the initiative will take to implement and by what date it will be fully implemented. If the initiative will not be shovel-ready on July 1, make sure you explain how you have adjusted the budget estimates to reflect the requisite ramp-up period for the initiative.

Positions will be posted on July 1st, 2022. The Commission anticipates that the hiring process will take approximately eight weeks, with new employees being onboarded on or around September 1st, 2022.

⁴Draft position description attached as Exhibit A.

Future Expected Costs:

In this section, provide a brief overview of how initiative costs are expected to increase or decrease in future years and fill out the below table detailing projected costs for the next five fiscal years. If costs are expected to change over time, be sure to explain why that is expected to occur. If the initiative is time-limited or has a defined sunset date, note that here and explain why.

	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
General Revenue:	\$189,924	\$189,924	\$189,924	\$189,924	\$189,924
Federal Funds:					
All Funds:	\$189,924	\$189,924	\$189,924	\$189,924	\$189,924

Estimates will grow with natural personnel step increases.

Evidence Base**Evidence Scale Ranking: 1 – Theory-based**

Please rank the proposed initiative’s current level of evidentiary support on a scale from 0-5, based on the RI Evidence Scale, with one being the least evidentiary support and five being the most evidentiary support.

You can use tools like the Pew Results First Clearinghouse and the Social Programs That Work database to determine whether the type of initiative that you are proposing has been rigorously evaluated in other jurisdictions. The Office of Management & Budget understands that the majority of agency requests will likely not be in the top evidence tiers at the point of submission, and you should certainly feel free to submit requests that are “theory-based” on the scale rather than “promising” or “proven effective.” Please note that “theory-based” submissions should include a robust and compelling measurement and evaluation plan in the Performance Measurement section.

Description of Evidence Base:

Describe the justification for your evidence scale ranking. What evidence exists that makes you think that the proposed initiative will work? Where is there uncertainty of effectiveness? It is helpful to include citations, links, or attachments of the evidence source(s) that you draw on in making this assessment.

Evaluation & Performance Measurement

Existing Performance Data:

For Unconstrained – Expansion, Constrained – Adjustment, and Constrained – Elimination

Initiatives: *Describe the data that currently exists for this initiative and your agency's approach to performance measurement and evaluation of the initiative. If you don't collect any performance data on this initiative, you should explain why data is not available. If you do collect performance data, your narrative should include details about the types of data collected and the sources of that data, note the specific metrics that are tracked for the initiative, and, wherever possible, report the metrics for the last three fiscal years. If you've used the data to make programmatic changes in the past, you should include details about that. Your narrative should make clear whether or not the available data indicates that this initiative has been successful in reaching its goals.*

For Unconstrained – New Initiatives: *Simply include the following narrative: This is a request for a new initiative about which the agency does not currently collect any data.*

Forward-Looking Evaluation Opportunities:

For Unconstrained – New, Unconstrained – Expansion, and Constrained – Adjustment Initiatives:

Describe your agency's plans to evaluate this initiative in the future if your request is approved. Your narrative should include the specific metrics that you plan to track, the methods you plan to use to evaluate the initiative, and the types of data that you will collect. You should explain why and how you've arrived at this evaluation plan. You should also quantify what success looks like for this initiative, based on the metrics that you plan to track. If this initiative is ranked as a 3 or lower on the Rhode Island Evidence Scale, your narrative here should explain how the data that you will collect will enable you to build the base of evidentiary support for this initiative.

For Constrained – Elimination Initiatives: *Simply include the following narrative: This is a constrained request for elimination of a program; future performance measurement and program evaluation will not be required.*

Timeline for Outcomes:

Describe when, following implementation, you expect to see meaningful change resulting from the initiative (example: completion of a proposed training initiative, return on capital investment, attainment of program targets, etc.)? If you expect long-term savings to result from this initiative, make a note of total savings that you expect on an annual basis and when you expect these to begin.

Additional Proposal Information

Statutory Implications:

Note whether this initiative will require a budget article in order to be implemented. If an article will be required, identify the impacted statute and include an attachment with proposed new statutory language to accompany this Decision Package form, and a Statutory Impact Summary Memo, which describes the technical changes to the law as well as the budget and policy implications of those changes. If an article will not be required, simply include the following narrative: This initiative will not require a budget article.

Interagency Impact:

If this initiative would impact another agency, name the affected agency(ies) and note how the proposal would impact them here. Note whether the other agency has been made aware of this proposal and whether the impact on the other agency will be included in their analysis. If the proposal is likely to have an impact on another agency but that impact is not quantifiable, you should also note that here. If this initiative will not have an interagency impact, simply include the following narrative: This initiative will not impact any other agencies.

Federal Funds Impact:

If this initiative will impact federal funds (example: reduce the amount of federal match an agency receives or require the agency to solicit new federal funding), note that here and describe the expected impact. Describe the source of federal funds (ARPA FRF, CAA, etc.) impacted by this initiative. If this initiative will not impact federal funds, simply include the following narrative: This initiative will not impact federal funds.

Information Technology Implications:

If the initiative is expected to impact information technology, include details here about the specific IT impact of the initiative, including if and how you expect it to impact the DoIT ISF. If this initiative will not impact information technology, simply include the following narrative: This initiative will not impact information technology.

Additional Details:

If you would like to include any other information about this proposal that does not fit into one of the above-detailed categories, please feel free to use this space to add that information to your submission.