

# The Agency

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## Commission for Human Rights

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### Agency Operations

The Rhode Island Commission for Human Rights enforces Rhode Island anti-discrimination laws in the areas of employment, housing, public accommodations, credit, and delivery of services. The employment and public accommodation statutes prohibit discrimination based on race, color, sex, disability, ancestral origin, religion, age, sexual orientation and gender identity/expression. The housing and credit statutes also prohibit discrimination based on marital status, familial status and association with members of a protected class. The housing statute additionally prohibits discrimination on the basis of status as a victim of domestic abuse. The delivery of service statute prohibits discrimination on the basis of disability.

The commission's major program activities include outreach and education, intake, investigation, conciliation and administrative hearings. Staff members perform outreach and education activities voluntarily and frequently, after normal working hours. Intake involves the receipt and evaluation of inquiries. If the allegations present a *prima facie* case of discrimination, a formal charge of discrimination is prepared and forwarded to the respondent. Investigators conduct an impartial analysis of evidence obtained from both parties, compare all elements of the case and attempt to negotiate a resolution. Where resolution is not achieved, investigators make a recommendation on the merits of the charge to a Preliminary Investigating Commissioner ("PIC"). The PIC makes a formal ruling as to whether there is "Probable Cause" or "No Probable Cause" in respect to the allegations of the charge. Upon a "Probable Cause" ruling, the commission attempts to conciliate the matter. The parties have the opportunity to elect that the matter be heard in Superior Court. Where conciliation is unsuccessful, and the parties have elected to proceed at the commission, an administrative hearing is conducted. At the administrative hearing, evidence is admitted and sworn testimony is heard before a Commissioner; a court stenographer also is present. The commission renders a formal decision and order following an administrative hearing.

### Agency Objective

To enforce state and federal anti-discrimination laws.

### Statutory History

The commission was created and empowered in 1949 by Title 28, Chapter 5 of the General Laws of Rhode Island (the Fair Employment Practices Act). The commission has been given statutory responsibility to enforce the following laws: R.I.G.L. § 28-5-1 et seq.; 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. §§ 23-6-22 and 23-6-23 (Prevention and Suppression of Contagious Diseases); 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 of Blind and Deaf Persons to Public Facilities). In addition to state laws, the commission assists the federal government in enforcing 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.

# The Budget

## Commission for Human Rights

|   | FY 2007<br>Actual  | FY 2008<br>Actual  | FY 2009<br>Enacted | FY 2009<br>Revised | FY 2010<br>Recommended |
|---|--------------------|--------------------|--------------------|--------------------|------------------------|
| <b>Expenditures By Object</b>   |                    |                    |                    |                    |                        |
| Personnel   | 970,804            | 1,074,229          | 1,122,743          | 1,154,466          | 1,175,274              |
| Operating Supplies and Expenses   | 266,016            | 266,482            | 260,225            | 250,407            | 249,473                |
| Aid To Local Units Of Government  | -                  | -                  | -                  | -                  | -                      |
| Assistance, Grants and Benefits   | -                  | -                  | -                  | -                  | -                      |
| <b>Subtotal: Operating Expenditures</b>   | <b>\$1,236,820</b> | <b>\$1,340,711</b> | <b>\$1,382,968</b> | <b>\$1,404,873</b> | <b>\$1,424,747</b>     |
| Capital Purchases and Equipment   | 10,306             | -                  | -                  | -                  | -                      |
| Debt Service  | -                  | -                  | -                  | -                  | -                      |
| Operating Transfers   | -                  | -                  | -                  | -                  | -                      |
| <b>Total Expenditures</b>   | <b>\$1,247,126</b> | <b>\$1,340,711</b> | <b>\$1,382,968</b> | <b>\$1,404,873</b> | <b>\$1,424,747</b>     |
| <b>Expenditures By Funds</b>  |                    |                    |                    |                    |                        |
| General Revenue   | 987,833            | 951,872            | 991,659            | 932,418            | 1,016,242              |
| Federal Funds   | 259,293            | 388,839            | 391,309            | 472,455            | 408,505                |
| <b>Total Expenditures</b>   | <b>\$1,247,126</b> | <b>\$1,340,711</b> | <b>\$1,382,968</b> | <b>\$1,404,873</b> | <b>\$1,424,747</b>     |
| <b>FTE Authorization</b>  | <b>14.5</b>        | <b>14.5</b>        | <b>14.5</b>        | <b>14.5</b>        | <b>14.5</b>            |
| <b>Agency Measures</b>  |                    |                    |                    |                    |                        |
| Minorities as a Percentage of the Workforce   | 40.0%              | 40.0%              | 40.0%              | 40.0%              | 40.0%                  |
| Females as a Percentage of the Workforce  | 66.7%              | 66.7%              | 66.7%              | 66.7%              | 66.7%                  |
| Persons with Disabilities as a Percentage of the Workforce                              | 33.3%              | 33.3%              | 33.3%              | 33.3%              | 33.3%                  |
| <b>Program Measures</b>   |                    |                    |                    |                    |                        |
| Average Number of Business Days from Receipt of Intake Questionnaire to Official Charge | 48                 | 42                 | 40                 | 40                 | 40                     |