

Minutes



Executive Committee

Wednesday February 22, 2006 4 PM to 5:30 PM

Governor's Commission on Disabilities

John O. Pastore Center (Formerly the Howard Center)

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Secretary:

Bob Cooper

Attendees:

Paul Choquette (Chair); John MacDonald (Vice Chair); Regina Connor; Judi Drew; Binyamin Efreom; Vicki Ferrara; Scott Greco; Ronald McMinn; & Bill Nieranowski

Excused:

Rosemary Carmody; Timothy Flynn; & Paul Grenon

Minutes

4:00 PM

Call to Order

John MacDonald, Vice Chair

Discussion: Call to order at 4:10PM.

MOTION: To accept the minutes of the previous meeting, as mailed PC/SG passed unanimously

MOTION: To move "Selection of Fellowship" to next on the agenda SG/PC passed abstained BE, RMcM, recused

4:50 PM

Selection of Fellowship

John MacDonald

Chair and Vice Chair briefed the Committee on their interview of Courtney Burns and recommended her appointment as the G. Frank Hanaway Fellow for the Spring Semester.

Courtney Burns

February 1, 2006

Frank Hanaway (Architectural Accessibility) Fellowship

I am applying for the Frank Hanaway (Architectural Accessibility) Fellowship. After looking over my options on what Fellowship I wanted to apply for, I made my decision because I have the most interest in the Frank Hanaway Fellowship. Being able to go on site and observe places that have been complained about would be fun and interesting to look at. I have gone to places where they have not been handicapped accessible and wondered what I could do with that. If I receive this opportunity, I will be able to help make the decision on how to make those types of places better.

In previous jobs, I have been a secretary and have answered phones, assisted with mailing information, and putting together packets. I have learned to use different types of programs on the computer to make up letters, spreadsheets, and posters. I also know about and understand what the confidentiality and privacy act is all about.

I expect to be able to make a difference in the way that the handicapped and disabled are viewed. Some places that do not have handicapped accessibility are usually not aware of how hard it is for some people to get in and out of buildings. With being able to go to these places and explain what is wrong. I

feel that it will make a difference in the lives of not only the disabled but the lives of others around them. Say if a person that usually has no problems going in and out of places suddenly fell and broke their leg and is now in a wheelchair or on crutches. Being alone, they would not be able to get in the building if it is not accessible. They will then know how it feels. I hope that I will gain the skills and knowledge to be able to help the community around me. That is why I am going into the field of special education.

Being a special education major, I already have the knowledge of how things need to be around me. I believe that I will be able to perform all of the duties that are brought upon me. I have already worked to the best of my ability and I will keep on doing so.

Courtney Burns

Objective: To receive a grant so that I can further my education as a Special Education Teacher

Education: Community College of Rhode Island, Warwick 2004 – Present

- In a degree program to receive my special education teacher’s assistant degree.
- Characteristics & Needs of Special Population, Learning Disabilities, Orientation to Human Services, Introduction to Education, Child Growth and Development, Field on experience

Work experience: Aid, Aaron Pereira, Fairhaven, MA 01-01-2005 – Present

Am an aid to my autistic cousin on the weekends

- Made dinner and fed it to him
- Gave him a shower and got him dressed and ready for bed
- Gave him his medicine and put him to bed

Experience: Student Intern, Meeting Street, East Providence, RI 01-18-2___ - Present

- Help children read books
- Assist children at lunchtime
- Assist children getting on and off the bus

Student Intern, Bright Futures, East Providence, RI 09-19-2005 – 01-11-2006

- Assisted special needs children with art projects
- Assisted special needs children signing in
- Assisted with snack and lunch

Assistant, Scott Lovenbury, Warwick, RI

I live and help out with my uncle who has Cerebral Palsy

- Assisted feeding him dinner
- Assist with giving him a bath and getting him dressed
- Assist with getting on and off the van for school
- Assist with taking care of him

Reference Letter from Paula Cray, Early Childhood Educator, Bright Futures Early Learning Center, Meeting Street.

Letter from Community College of RI – Department of Human Services, indicating Courtney Burns could count the fellowship as part of her field internship for college credit.

MOTION: To appoint Courtney Burns the G. Frank Hanaway Fellow for the Spring '06 Semester PC/SG passed, abstained VF, recused RMcM

4:05 PM Personnel

John MacDonald

MOTION: To close the meeting to the public pursuant to RIGL 42-46-5(a)(1) regarding the discussion of the job performance, character, or physical or mental health of a person or persons. SG/PC passed unanimously

MOTION: To end the closed session and open the meeting to the public. SG/RMcM

passed, Abstained -PC

MOTION: To table Mr. Albert Tardie's request for leave pending a disciplinary hearing by the Executive Committee, JD/RMcM passed, BE Nay

MOTION: To request an extension of administrative leave with pay until March 10, 2006. RMcM/SG passed, Nay BE.

Schedule the Disciplinary Hearing on either 27th or 1st.

MOTION: To defer to the full Commission, training and effectiveness, SG/RMcM passed, BN & BE abstain

Discussion: The Responsibilities of Executive Committee Members and Supervisors to report incidents

GUIDELINES ON SEXUAL HARASSMENT

The following guidelines of the Rhode Island Commission for Human Rights were adopted in accordance with the Administrative Procedures Act, Title 42, Chapter 35 of the General Laws of Rhode Island. They were originally filed on October 19, 1988. They were refiled in compliance with Section 42-35-4.1 of the General Laws of Rhode Island.

3000. SEX DISCRIMINATION

3001. Sexual Harassment

3001(A) Harassment on the basis of sex is a violation of the Fair Employment Practices Act. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when

(1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment,

(2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or

(3) 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.

3001(B) In determining whether alleged conduct constitutes sexual harassment, the Commission will look at the record as a whole and at the totality of the circumstances, such as the nature of the sexual advances and the context in which the alleged incidents occurred. The determination of the legality of a particular action will be made from the facts, on a case by case basis.

3001(C) Applying general Fair Employment Practices Act principles, an employer, employment agency, employee-referring source or labor organization (hereinafter collectively referred to as "employer") is responsible for its acts and those of its agents and supervisory employees with respect to sexual harassment regardless of whether the specific acts complained of were authorized or even forbidden by the employer and regardless of whether the employer knew of their occurrence. The Commission will examine the circumstances of the particular employment relationship and the job functions performed by the individual in determining whether an individual acts in either a supervisory or agency capacity.

3001(D) With respect to conduct between fellow employees, an employer is responsible for acts of sexual harassment in the workplace where the *employer (or its agents or supervisory employees) knows or should have known of the conduct*, unless it can show that it took immediate and appropriate corrective action.

3001(E) An employer may also be responsible for the acts of non-employees, with respect to sexual harassment of employees in the workplace, where the employer (or its agents or supervisory employees) knows or should have known of the conduct and fails to take immediate and appropriate corrective

action. In reviewing these cases the Commission will consider the extent of the employer's control and any other legal responsibility which the employer may have with respect to the conduct of such non-employees.

3001(F) Prevention is the best tool for the elimination of sexual harassment. An employer should take all steps necessary to prevent sexual harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, developing appropriate sanctions, informing employees of their right to raise and how to raise the issue of harassment under the Fair Employment Practices Act, and developing methods to sensitize all concerned.

3001(G) Other related practices: Where employment opportunities or benefits are granted because of an individual's submission to the employer's sexual advances or requests for sexual favors, the employer may be held liable for other unlawful sex discrimination against other persons who were qualified for but denied that employment opportunity or benefit.

Discussion: Harvey briefed the Committee on temporary shift of staff responsibilities to meet HAVA Grant requirements to inspect polling places.

Need to Schedule an Executive Cmte. meeting, the Agenda could include:

- Sexual Harassment Training/Members Responsibilities;
- Approving 2 HAVA Memorandums of Agreement;
- **Appointment of Liaisons to the**
 - Department of Human Services' Center for Adult Health Consumer Advisory Committee; and
 - Department of Elderly Affairs' Home & Community Care Advisory Committee
- Recommendations for reappointment or replacement of Commissioners whose terms expire May 1, 2006: Frederick Burke of Scituate; Paul Choquette of Warwick; Vicki E. Ferrara of North Kingstown; Scott A. Greco of Cranston; John J. MacDonald of Providence; Bill Nieranowski of Westerly; Lorna Ricci of Warwick; Rev. Gerard O. Sabourin of Providence; and Lou Salerno of West Warwick
- Begin evaluation of Commission's staffing needs in the next fiscal year

Resource Persons: Harvey Salvas

Adjournment at: 5:30 PM