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URI Subcommittee on LGBTIQQ
Of the URI Equity Council
FINDINGS AND RECOMMENDATIONS
April 11, 2011

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Equality of Benefits - LGBTIQQ

Findings and Recommendations

GOAL I:

Realize equity in the benefits and policies related to the URI LGBTIQQ community members

- **Contractual Language**

Findings

1. Language varies widely across union contracts regarding the benefits accorded to LGBTIQQ employees, their domestic partners and children of domestic partners in comparison to language addressing those afforded to spouses and children of spouses.
2. Administration of benefits by HR is somewhat equitable but the communication that benefits may be available to LGBTIQQ staff is not consistent across various vectors for getting the word out.

Recommendations

- A. Letter to President Dooley recommending language changes to unions' contracts to ensure equality of benefits to all URI staff.

Specific areas of language change include:

- i. Non-discrimination clause to include impermissible basis of discrimination (sexual identity, sexual orientation, gender identity and expression, and HIV status)
- ii. Sick, Family and Bereavement leave – definition of “immediate family” to include domestic partners, their children and family (e.g. partner’s parents, grandparents, etc.) Family leave – parental leave, immediate family care or serious illness.
- iii. Health insurance – domestic partners and their dependent children eligible equally to spouses and children of spouses
- iv. Tuition waiver – to include domestic partners and their dependent children
- v. Post retirement health insurance

In addition – recommend that policy changes regarding benefits are adopted by the University in three areas:

- i. Parental leave: change from maternal and paternal leave to leave for parental reasons (birth, adoption) and provide for equal access to benefits across unions, including paid leave
- ii. Post retirement health benefits: include domestic partners on parity with spouses

- iii. Taxation of health benefits for domestic partners: University to remunerate employees who opt for health benefits for their domestic partners and/or their children, thus achieving relative economic parity with non-taxation of spouses
- B. Communicate widely the benefits that are available to LGBTIQQ staff and their domestic partners
- Specifically:
- i. During benefits sign up
 - ii. During new employee orientation
 - iii. Establish sessions for existing employees
 - iv. Link on multiple websites to a comprehensive list of benefits available to LGBTIQQ employees: HR; GLBT Center; Associate Vice President for community, equity and diversity; Union web sites (E.G., ACT/NEA: AAUP, etc),

Education & Awareness - LGBTIQQ

Findings and Recommendations

GOAL II:

Significantly expand the awareness and sensitivity of the University community so that it reflects a LGBTIQQ-friendly community that celebrates and embraces diversity and equity.

- **Welcome Project**

Findings

1. Currently, Welcome Project Stickers can be obtained by: attending a Welcome Wednesday or any other Welcome Project event at the GLBT Center; or by arranging a discussion with a Welcome Project or GLBT Center Representative. The sticker is an active symbol of support for the LGBTIQQ community, people, families and friends and by posting this sticker publicly demonstrates one's dedication to the Welcome Project and the LGBTIQQ community.

Recommendations

- A. Establish a formalized process for URI faculty and staff to receive a Welcome Project Sticker to ensure that those who receive the sticker are well equipped to assist students. The University of Denver's educational modules can serve as a guide to create sticker trainings taking into consideration URI's culture and needs.

Findings

2. There is much enthusiasm and dedication to increase LGBTIQQ programming, education and awareness on campus.

Recommendations

- A. Plans should be developed for more extensive programming and any potential existing funding sources should be tapped as well as grants and other potential funding sources (proposals for funding to divisional heads, grants, and explore possible funding source areas, including URI Foundation, Alumni Relations, Businesses, and Grants).
- B. Create a process for faculty, staff, and students to request funding to attend conferences.

- C. Ensure that the professional staff at GLBT Center is sufficient to ensure continuing programmatic success.

- **Faculty and Staff Support**

Findings

3. Presently there are no organized events or groups for LGBTIQQ faculty or staff. Due to this lack of programming there are no structured opportunities for faculty and staff to network, provide support, and share resources. Faculty and staff have expressed interest in opportunities to meet LGBTIQQ faculty and staff in casual and fun environments.

Recommendations

- A. Organize events for LGBTIQQ faculty and staff to provide a venue to connect with colleagues across the University.
- B. Develop a network in which faculty and staff can obtain information about events as well as share information with each other.
- C. Develop and expand opportunities for faculty, staff, and alumni to become involved in LGBTIQQ programming, mentoring, and advocacy work.

- **Collaboration**

Findings

4. Currently there are limited opportunities for interaction and sharing between marginalized groups on campus. At present there are a handful of events including: I-Am-U- URI Retreat, November URI Community Diversity Project 2010, Diversity Awards Banquet, Diversity Week, Stop the Hate Vigil, and Pangaea Festival. These groups, programs, and events, allow the opportunity for people of all races, identities, nationalities, cultures, and creeds, to come together and begin to share a common vision of the world. These opportunities give individuals the chance to know that though there maybe differences amongst them there are also commonalities and interests that can bring them together.

Recommendations

- A. Create a more comprehensive Diversity Calendar with greater visibility. Utilize a system where multiple points of access can easily connect all the groups so that individuals can more readily learn about each other and their events. A system that can merge together flyers, newsletters, polls, etc., and have them available to view online or on a portable device such as a cell phone will allow individuals to take program information with them everywhere they are on campus and encourage them to get involved with what is going on.
- B. Develop more opportunities for groups to collaborate, support, and learn from each other (i.e. committees, retreats and trainings).

▪ **LGBTIQQ Symposium**

Findings

5. For 17 years the University has hosted an annual symposium on Gay Lesbian Bisexual Transgender Intersex Queer and Questioning Issues. This symposium covers an array of topics through panels, presentations and workshops. An opportunity exists to expand the Symposium's visibility and amplify its impact on the campus community or to consider how to strengthen the impact of the Symposium by reconfiguring it.

Recommendations

- A. Create a board of faculty, staff and students to work with the GLBT Center to develop the optimal and most influential series of programs, which may include the Symposium and other large and smaller scale events. Possible board members could include the Alumni-LGBTIQQ Group and LGBTIQQ Committee Members, collaboration with other student and faculty groups.
- B. Investigate and articulate plans for funding these events and an effective communication plan for all events to elicit the broadest degree of participation.
- C. Assess and evaluate the effectiveness of these programs to inform future programming.

▪ **Education**

Findings

6. It is unclear how present LGBTIQQ topics/concerns are in the URI curriculum and how prepared faculty are to incorporate LGBTIQ issues.

Recommendations

- A. Assess what LGBTIQQ topics are being discussed in the classroom and develop processes whereby curriculum can be reviewed for LGBTIQQ content
- B. Develop a curricular team to work on infusing LGBTIQQ topics where appropriate
- C. Develop professional development for faculty about LGBTIQQ issues

▪ **External Partnerships**

Findings

7. Currently in Rhode Island there are many groups that focus on LGBTIQQ topics.

Recommendations

- A. Develop new partnerships with LGBTIQQ groups in Rhode Island that will allow our students to be able to create broader networks.
- B. Expand alliances with other RI Institutions looking for opportunities for programming collaborations and group trainings

Safety & Health - LGBTIQQ

Findings and Recommendations

GOAL 3:

Ensure that the best possible mechanisms, protocols, and interventions are in place for the safety and health of LGBTIQQ community members

- **Campus climate relative to safety and health for LGBTIQQ members.**

Findings

1. We have not found any current (within the past 2 academic years) URI-conducted assessments of climate issues relative to the safety, health, and wellbeing of LGBTIQQ community members.

Recommendations

- A. Regular assessment of the university's campuses climate is an important and necessary process to understand the safety and wellbeing of the environment for the LGBTIQQ community.

Specifically:

- i. Electronic Snap Surveys or brief 10 question surveys (quizzes) to which the URI community may respond should be regularly utilized to determine comfort levels of diverse students on a range of issues.
 - ii. Periodic targeted focus groups should be conducted of different populations of LGBTIQQ (students, alumni, faculty, staff) to help assess the climate relative to their safety and wellness.
 - iii. Any relevant national survey data should be monitored, internally reported, and considered when attempting to understand the university climate for LGBTIQQ community members.
- **Unisex, neutral restrooms throughout the University.**

Findings

2. No comprehensive listing or database was available for these types of facilities.

The subcommittee developed a comprehensive resource guide (See Appendix D), which identifies the campus buildings on the campuses of Kingston and GSO where such facilities are located. The listing includes the building managers' names, telephone number and the number of restrooms with the specific locations (reference Appendix A). In all, on the Kingston campus, there are 37 buildings and 67 restrooms on the Kingston campus, which contain gender

neutral/unisex facilities. Included in this list is a building with a family restroom and a faculty-only restroom. There are no such facilities at CCE.

Recommendations

- A. Update and make widely available the resource listing of gender-neutral restrooms and facilities recently established by the subcommittee.

Specifically:

- i. This resource listing should be updated on an annual basis and made widely available. It should be posted on several websites (all diversity related websites, human resources, Affirmative Action, general facilities related websites, Student Affairs, and websites for new students among others).
 - ii. The resource guide should be integrated into any new student or orientation materials, perhaps in sections, which reference the value of and resources related to diversity and equity. All of these facilities should have appropriate and clear signage at the site of the facility.
 - iii. All new building construction and renovation projects where bathrooms are part of the project should include gender-neutral bathroom facilities.
 - iv. Locker room layouts (private showers, etc.) and gender neutral facilities in residence halls should be assessed, monitored, and improved upon.
- B. Consider changing over many of the male female restrooms that presently exist to general neutral by simply changing signage, in most cases.
- C. All new buildings should install gender-neutral restroom facilities.
- D. The Roger Williams Wellness Center facility is adding private showers and could be considered a model for inclusion.
- E. Make it a priority to install gender- neutral restrooms at CCE.
- F. The assignment of building managers may change. The AAEO is currently not notified of such changes and should be.

▪ Ensuring Safety

Findings

3. A recently implemented student Bias Response Team (BRT) has been implemented to effectively manage a reported issue; develop a plan for resolution; and implement the necessary pieces of an appropriate response to each incident. Once a report is submitted, it is automatically forwarded to key members of the University administration and community.

Recommendations

- A. Consider the value and feasibility of developing a BRT process for faculty and staff.
- B. Consider whether it is appropriate and effective to make the community more aware of the various incidents and responses when feasible, in order to expand sensitivity of all community

members, awareness about the level of incidents, and the university's work and follow up on these issues. This would need to be balanced with confidentiality and the integrity of the process for filing complaints.

APPENDIX A

2011 proposed changes to Union Contract Language to Ensure Equity of Benefits

Non-Discrimination Clause

The Board and the Union agree not to discriminate in any way against employees covered by this agreement on account of impermissible factors as defined below in accordance with applicable State or Federal laws; nor will there be discrimination with respect to hiring and retention or any condition of employment because of membership in or activities on behalf of the Union.

Impermissible Factors

“Impermissible factors” means an Employee’s race, creed, color, religion, national origin, ancestry, marital status, familial status, parental status or pregnancy status, sex, gender identity or expression, sexual orientation, age, height, weight, disability, citizenship status, veteran status, HIV antibody status, political belief, membership in any social or political organization, participation in a grievance or complaint whether formal or informal, or any other factor irrelevant to his or her employment status or function.

Sick, Family, and Bereavement Leave:

For the purposes of Sick, Family, and Bereavement leave, the definition of “Immediate Family” shall be consistently applied as defined in Appendix A.

Family Leave

Family leave may be taken as parental leave, immediate family care needs, or other immediate family needs related to serious illness of Immediate Family. Also included in this definition shall be any minor children or incapacitated individuals for whom the employee has primary responsibility or legal guardianship or conservatorship.

“*Parental leave*” means leave by reason of the birth of a child of the employee or the employee’s spouse or domestic partner, or the placement of a child 16 years of age or less with the employee or the employee’s spouse or domestic partner. Employees must provide the University one month’s notice prior to the start of the leave, whenever possible.

An employee who has been 12 months in service shall be granted six (6) weeks of paid parental leave at the birth of a child or the placement of an adopted child under the age of sixteen (16) years when said birth or adoption pertains to the employee, the employee’s spouse or the employee’s domestic partner. Employees should provide at least one month’s notice prior to the start of the leave, whenever possible.

The employee on parental leave may discharge up to an additional seven weeks of leave to equal thirteen consecutive work weeks of family leave as indicated by RI GL 28-48-2. That additional leave may be elected either as unpaid leave or, if additional time is needed beyond the six weeks paid leave due to specific medical reasons or reasons related to the health of parent or child, then that time may be charged to sick leave, with proper medical documentation verifying the medical nature of the leave beyond six weeks.

“Family leave” beyond and excluding parental leave is granted due to need for care or serious illness of an immediate family member (where immediate family member applies to all as defined above). Need for care and serious illness are defined as disabling physical or mental illness, injury, impairment or condition that involves inpatient care in a hospital, nursing home, hospice or outpatient care requiring continuing treatment or supervision by a health care provider. The employee shall provide the University with written certification from a physician caring for the person who is the reason for the employee’s leave, and such certification shall state the probable duration of the employee’s requested leave.

Health Insurance

Domestic partners of employees shall be eligible for coverage under the Employer’s available health benefit plans as though they were married spouses. Dependents of such domestic partners shall be eligible for coverage under the health plans as if they were dependents of the employee. Requirements for domestic partner benefit eligibility shall be in accordance with Appendix B. Employees meeting such requirements shall then be authorized by the Employer to enroll their domestic partners and dependents.

(Note: this language has been adopted from the Collective Bargaining Agreement between the State Employees' Association of New Hampshire, SEIU, Local 1984 and the State of New Hampshire as quoted on www.prideatwork.org)

Tuition Waiver

The tuition fee remission applies to the employee, spouse or domestic partner, and legal dependents of the employee, spouse or domestic partner when pursuing courses for credit to the baccalaureate level. In the event of an employee's death, the tuition waiver benefit shall be provided for those spouses, domestic partners and legal dependents who have been accepted or are enrolled at the time of such death and who maintain continuous enrollment.

Retirement Health Benefits

For State of RI employees:

1) In the case of a 'qualifying event,' domestic partners of employees and their dependent children shall be eligible for COBRA continuation coverage.

2) Domestic partners of employees retiring after June 30, 2008 shall be eligible for the same Retiree medical coverage and rates as though they were married spouses.

For members of PSA, PTAA, Physicians, Maritime Prof. Assn., and non-Union Non-classified (optional) regarding the Board of Governors Medical Retirement Plan:

1) Domestic partners of all eligible employees retiring after June 30, 2008 shall be eligible for the same health coverage options offered in this plan.

For AAUP:

Recommend having 'eligible domestic partner' defined concretely in the contract consistent with the definition our group has already created

Immediate Family

The term "immediate family" as used in this Agreement shall refer to the employee's spouse or domestic partner, parent, grandparent, grandchild, son, son-in-law, daughter, daughter-in-law, brother, sister, uncle, aunt, stepchild or stepparent of the employee, spouse or domestic partner, and persons residing in the immediate household of the employee. Also included in this definition shall be any minor children or incapacitated individuals for whom the employee has primary responsibility or legal guardianship or conservator ship.

(Note: This is an adaptation of 24.11 California Faculty Association and The California State University Union Contract)

Domestic Partner

The State of Rhode Island extends health benefits (medical, dental, and vision insurance) to same-sex and opposite-sex domestic partners of eligible employees. To qualify for coverage, employees must meet the requirements and provide the verification information listed on the Domestic Partner Affidavit. Both the Domestic Partner Affidavit and the Domestic Partner Dependent Declaration Form must be completed, signed, notarized, and returned to the Agency Personnel Office. Both forms can be found at <http://www.employeebenefits.ri.gov/DP%20and%20CL.php>

APPENDIX B – Benefits Matrix

See separate Excel Chart

APPENDIX C – Letter to President Dooley

TO: President David Dooley

FROM: Sub-Group to Ensure Equality of Benefits, LGBTIQQ Subcommittee of the URI Equity Council

SUBJECT: Proposed Contract Language for Benefit Equity

DATE: February 25 March 17, 2011

As members of the Sub-Group to Ensure Equality of Benefits (hereafter, Benefits Sub-Group), we are writing to propose equitable, consistent language concerning specific benefits accorded to URI Employees. We are grateful for your recent ethical stance against campus hate crimes and inspired to join you in making URI a leader amongst civil communities of inquiry. , Additionally it is our hope that the URI administration will adopt our committee’s proposed contract language in its ensuing negotiations with all campus unions. To do so would not only bring into parity existing inconsistencies in basic benefits across different unions, but represent a significant progressive act toward creating a community at URI built on an institutional commitment to equitable work conditions and benefits for all workers regardless of gender, sexual orientation, gender identification/expression, marital status, and/or social class.

Background

The Benefits Sub-Group is one of three working groups within the larger subcommittee on LGBTQQI issues for the URI Equity Council. Our charge was (1) to identify existing inequitable language related to employee benefits across eight different URI unions (see enclosed spreadsheet) and (2) to craft equitable language to replace it (see enclosed ”proposed changes”).

In the process of identifying and replacing inequitable language, our Sub-Group discovered in addition three seriously inequitable benefit provisions across unions: 1) those related to parental leave, 2) post-retirement health benefits, and 3) the taxation of health benefits for domestic partners. Thus, we submit for your consideration (enclosed) not only replacement language for all benefit categories as identified above but also replacement benefit provisions for the three areas of gross inequity existing amidst different employee classifications.

Such differences of classification can reflect wide variations of socio-economic class, and where they exist the impact of benefit inequities will be felt most acutely by those least able to bear disproportionate costs related to them. LGBTQQI individuals in particular can be victims of institutional discrimination when benefit inconsistencies are expressed through inconsistent policies related to gender, sexual orientation and gender identification/expression.

Recommendations

We recommend that the URI administration adopt the proposed language (attached) not merely as a means of rectifying omissions, inconsistencies and inequities in benefits language but also as an end, in itself, of insuring justice to all URI employees despite differences in employee classification. To that purpose we propose changes in benefit language as well as changes to benefit provisions for all URI employees in three specific areas. Such changes will eliminate serious instances of institutional discrimination that currently exist.

- (1) Paid parental leave for all employees and not just faculty members, as well as the removal of disparate gender-specific leave benefits (i.e. leave as defined currently for “maternal” and “paternal” employees)
- (2) Post-retirement health benefits extended consistently to domestic partners and not just spouses
- (3) Remuneration to URI employees who must pay income taxes on health benefits for their domestic partners. As you know, spouses are not taxed on health benefits.

Thank you for your consideration of these matters. We look forward to your response.

Sincerely,

Members of the Sub-Group to Ensure Equality of Benefits, LGBTQQI Subcommittee of the URI Equity Council

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cc: Kathryn Friedman, Associate Vice President, Diversity and Equity

APPENDIX D – Unisex Facilities Resource List – Kingston and GSO Campuses - See enclosed pdf.