

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

COMMISSION FOR HUMAN RIGHTS

Title of Rule: Procedure

Rule Identifier: 515-RICR-10-00-2

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 10/30/2018

End of Public Comment: 11/29/2018

Authority for this Rulemaking:

RIGL 28-5-13(4)

Summary of Rulemaking Action:

This Rule was updated to reflect expanded jurisdiction of the Commission with regard to the Ban the Bos legislation. All definitions previously in this Rule were removed for purposes of consolidation. The format of this Rule was updated to provide titles for every subpart to assist in review. Procedures dealing with Rights to Sue and the issuance of Complaints were simplified. Additional procedures on discovery were added to facilitate hearing preparation. Provisions concerning the Equal Access to Justice statute were added to clarify the rights of prevailing respondents in appropriate cases. A new provision concerning the right to petition for action on regulations and to petition for a Declaratory Order were added to clarify existing rights under state law.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until November 29, 2018 by contacting the appropriate party at the address listed below:

Francis A. Gaschen
Commission for Human Rights
180 Westminster Street
Providence, RI 02903-1918
francis.gaschen@richr.ri.gov

In accordance with R.I. Gen. Laws § 42-35-2.8, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

Regulatory Analysis Summary and Supporting Documentation:

The amendment of the attached Rule should not increase any costs to the public as the amendments are proposed to streamline and clarify procedures before the Commission. There are no filing fees or other costs associated with the amendments. By consolidating the definitions formerly in this Rule into another Rule, it will be easier for the public to navigate the Rules. There were no other reasonable alternatives to the proposed Rules as the Commission must comply with existing state law and this Rule clarifies existing procedures under those laws. Any confusing language was removed to simplify the terms of the Rule. The only overlap between this Rule and that of any other state agency deals with the joint jurisdiction over investigation of violations of Ban the Box legislation (shared with the Department of Labor and Training). The existing provision pertaining to the Equal Access to Justice Act has been modified to more closely track existing state law. New language has been inserted into the Rule to clarify rights, duties and responsibilities when petitioning for action on regulations or petitioning for a Declaratory Order

For full regulatory analysis or supporting documentation see agency contact person above.