

Equity Action

Grant Applicant Non-Discrimination Policy Requirement, FAQ

WHAT IS THE EQUITY ACTION POLICY REGARDING STAFF NON-DISCRIMINATION POLICIES OF APPLICANT ORGANIZATIONS?

All applicants must have a board-approved policy regarding staff employment (volunteer or paid) that mandates non-discrimination on the basis of race, religion, gender, sexual orientation, gender identity, age, disability, or national origin.

WHAT NEEDS TO BE INCLUDED IN THE STAFF NON-DISCRIMINATION POLICY?

Non-discrimination on the basis of race, religion, gender, sexual orientation, gender identity, age, disability, or national origin.

WHY IS THIS POLICY IN PLACE?

Equity Action has made a commitment to fund only those organizations that uphold Rhode Island's non-discrimination law. Since LGB communities and organizations, often marginalize transgender and gender variant individuals, sexuality, as well as gender identity, must explicitly be included to increase inclusion of the wide-ranging communities served by this fund.

WHAT IS RHODE ISLAND'S NON-DISCRIMINATION LAW ABOUT GENDER AND SEXUALITY?

Rhode Island law explicitly prohibits discrimination on the basis of gender identity or expression¹ and sexual orientation² in employment, housing, credit and public accommodations.

The law defines **gender identity or expression** as including a person's "actual or perceived gender, as well as a person's gender identity, gender-related self image, gender-related appearance, or gender-related expression, whether or not that gender identity is different from that traditionally associated with the person's sex at birth."³

The law defines **sexual orientation** as "having or *being perceived* as having an orientation for heterosexuality, bisexuality or homosexuality."⁴

Law review provided by GLAD; for more information see: www.glad.org

WHAT IF WE HAVE A CATCHALL PHRASE SUCH AS "AND ANY OTHER CHARACTERISTICS PROTECTED BY LAW"?

¹ R.I. Pub. L. 2001, ch. 340

² R.I. Pub. L. 1995, ch. 32.

³ R.I. Gen. Laws, §§ 28-5-6 (employment); 34-37-3 (housing); 11-24-2.1 (public accommodations)

⁴ R.I. Gen. Laws, §§ 28-5-6 (employment); 34-37-3 (housing); 11-24-2.1 (public accommodations)

Equity Action requires explicit inclusion of *gender identity or expression* and *sexual orientation* in applicant organizations employment non-discrimination policy to demonstrate that organizational leadership has discussed these particular protected qualities. This requirement does not ensure that organizations uphold this tenant with equal consideration, however, this encourages organizations to address this inclusion directly and provides the opportunity if they have not done so already.

WHAT IF WE DO NOT HAVE AN EMPLOYMENT POLICY?

Grant applicants are asked to review their own policy prior to submitting a grant application. Organizations that do not have an employment non-discrimination policy at the time of grant submission are asked to draft one and to resubmit their proposal following board approval and implementation.

For applicant organizations that do not have IRS 501 (c) status and will be working with a fiscal agent; the fiscal agent's nondiscrimination policy may be used in the event that the organization does not have one. In the event that the applicant organization has a non-discrimination policy that meets the requirements and the fiscal agent does not, the policy of the applicant organization will be considered.

WHAT IF OUR POLICY DOES NOT MEET THE REQUIREMENT?

The funding committee will not review proposals from organizations that are not in accordance with this requirement. Large grants may be re-submitted the following year, and small grants may be resubmitted on a rolling basis.

Members of Rhode Island foundation staff as well as members of the Equity Action committee are available to discuss this policy with you at greater length and to work with organizations that are interested in revising their existing policy.

Please contact Keith Tavares if you have further questions about the policy or if your organization would like assistance reviewing, or amending, your organization's policy.

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