

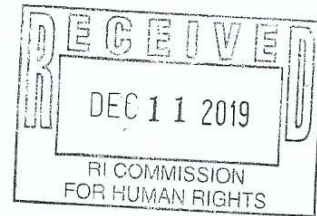
**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COMMISSION FOR HUMAN RIGHTS**

CHERYL ROBBIO

v.

RICHR No.:

THE STATE OF RHODE ISLAND,
GINA RAIMONDO, in her capacity as
Governor of the STATE OF RHODE ISLAND
THE STATE OF RHODE ISLAND
DEPARTMENT OF ADMINISTRATION,
MICHAEL DiBIASE in his capacity as the
Director of the STATE OF RHODE ISLAND
DEPARTMENT OF ADMINISTRATION,
THE STATE OF RHODE ISLAND
DEPARTMENT OF HUMAN SERVICES and
COURTNEY E. HAWKINS in her capacity as the
Director of the STATE OF RHODE ISLAND
DEPARTMENT OF HUMAN SERVICES



VERIFIED CHARGE OF DISCRIMINATION

1. This is a claim for equitable and declaratory relief and for damages for violation of the Rhode Island Fair Employment Practices Act, R.I.G.L. §28-5-1, et seq.

Parties

2. Cheryl Robbio is a resident of the State of Rhode Island.

3. The defendant the State of Rhode Island is a governmental entity existing within the geographic designation of the State of Rhode Island.

4. The defendant Gina Raimondo is named in her official capacity as the Governor of the State of Rhode Island.

5. The defendant the State of Rhode Island Department of Administration is a department within the state government for the State of Rhode Island and its principle location is within Providence County.

6. The defendant Michael DiBiase is named in his official capacity as the Director of the State of Rhode Island Department of Administration.

7. The defendant the State of Rhode Island Department of Human Services is a department within the state government for the State of Rhode Island and its principle location is within Providence County.

8. The defendant Courtney E. Hawkins is named in her official capacity as the Director of the State of Rhode Island Department of Human Services.

Statement of Facts

9. On or about January 10, 2017, Mrs. Robbio applied for and was offered a position as Eligibility Technician with the Rhode Island Department of Human Services.

10. Mrs. Robbio, due to her continued employment decided to not accept the January 10, 2017 offered position with the Rhode Island Department of Human Services.

11. Thereafter, Mrs. Robbio was contacted by representatives of the Rhode Island Department of Human Services who requested that she maintain her status for consideration of positions that became available.

12. Mrs. Robbio, based on the requests of the representatives of the Rhode Island Department of Human Services, maintained her application status for potential employment with the Rhode Island Department of Human Services.
13. Thereafter, representatives of the Rhode Island Department of Human Services contacted Mrs. Robbio regarding an opening for a position of Eligibility Technician I that was open and available.
14. Mrs. Robbio, per the request of the representatives of the Rhode Island Department of Human Services, submitted her application for the position of Eligibility Technician I.
15. The Rhode Island Department of Human Services, on or about January 22, 2019 extended an offer of hire to Mrs. Robbio for the position of Eligibility Technician I.
16. Mrs. Robbio accepted the offer of employment made by the Rhode Island Department of Human Services for the position of Eligibility Technician I and was to commence working on March 4, 2019.
17. As part of Mrs. Robbio's commencement of her position with the Rhode Island Department of Human Services, Mrs. Robbio was required to present herself for an intake process through the Rhode Island Department of Administration in conjunction with the Rhode Island Department of Human Services and as part thereof for presentation of Mrs. Robbio's BCI (Bureau of Criminal Identification) report.
18. At that time, Mrs. Robbio's BCI report contained notation of an arrest and disposition of the charge that rendered the charge not a conviction under Rhode Island Law.

19. The Rhode Island Department of Human Services and the Rhode Island Department of Administration, by requiring presentation of Mrs. Robbio's BCI, did inquire as to Mrs. Robbio's non-conviction criminal history.

20. Based upon Mrs. Robbio's required presentation of her BCI report and thereby an arrest without conviction, the Rhode Island Department of Human Services and the Rhode Island Department of Administration terminated Mrs. Robbio's employment.

21. In terminating Mrs. Robbio's employment, the Rhode Island Department of Human Services and the Rhode Island Department of Administration relied upon Mrs. Robbio's non-conviction criminal history.

22. Mrs. Robbio has at all times relating to this matter provided truthful and accurate information and has acted with all due care.

23. The termination of Mrs. Robbio's employment by the Rhode Island Department of Human Services and the Rhode Island Department of Administration was in violation of the State of Rhode Island's Personnel Rules, specifically Rule 6.05(b).

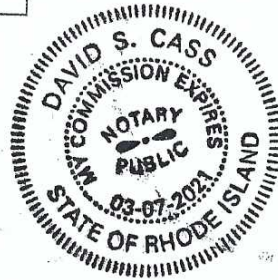
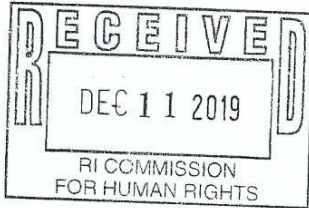
24. The actions of the Rhode Island Department of Human Services and the Rhode Island Department of Administration by and through their employees and agents have caused Mrs. Robbio lost wages, emotional distress and other damages.

25. The actions of the State of Rhode Island Department of Human Services and Department of Administration, by and through their employees and agents constitute a violation of the Rhode Island Fair Employment Practices Act, R.I.G.L. §28-5-1, et seq., and specifically §25-5-7(7).

The above factual allegations are true and accurate to the best of my knowledge and belief.

Cheryl Robbio
Cheryl Robbio

Subscribed and sworn to before me this 14th day of November 2019.



[Signature]
Notary Public
Printed Name: DAVID CASS
My Commission expires: 3/7/21

Respectfully submitted,
Cheryl Robbio
By and through her attorney,

[Signature]
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