

# STATE OF MINNESOTA

## Executive Department



## Governor Tim Walz

### Executive Order 19-15; Rescinding Executive Order 14-14

#### Providing for Increased State Employment of Individuals with Disabilities

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

Diversity, inclusion, and equity are essential core values and top priorities to achieve One Minnesota. Minnesota's executive branch agencies ("agencies") can serve as a model for the employment of individuals with disabilities through improved recruitment, hiring, and retention.

Individuals with disabilities are an underutilized source of talent necessary to meet workforce needs. The percentage of agency employees self-identified as having a disability was 4% in 2013 and increased to more than 7% in 2018 because of efforts implemented by agencies.

Agencies have the responsibility to ensure that their workforce reflects the diversity of the State's population and are able to meet projected workforce shortages through the recruitment, hiring, training, and retention of qualified individuals with disabilities.

Agencies must use the talents and important contributions of all workers, including individuals with disabilities. These efforts must enable Minnesotans with disabilities to have the opportunity, both now and in the future, to live close to their families and friends, to live more independently, to engage in productive employment, and to participate in community life.

For these reasons, I order that:

1. In accordance with Minnesota Statutes 2018, sections 43A.19 and 43A.191, all agencies must use their best efforts to comply with their affirmative action goals and eliminate areas of underutilization of people with disabilities. Minnesota Management and Budget ("MMB") Enterprise Human Capital is to work toward achieving a goal of 10% of employment of people with disabilities in the executive branch.
2. Within 180 days of this Executive Order, the Commissioner of MMB will create a plan to implement this Executive Order including a plan for accessible training programs for agency hiring managers and supervisors, human resources personnel, Affirmative Action Officers, and ADA Coordinators. The plan will also include a

system for reporting to the Governor on the progress of agencies in implementing their affirmative action plans.

3. Within 120 days, the Commissioner of MMB will implement a system for reporting quarterly to the Governor on the progress of hiring individuals with disabilities for the executive branch. MMB, to the extent permitted by law, will compile and post on its website enterprise-wide statistics on the hiring and turnover of individuals with disabilities.
4. Each agency develops an agency plan to implement this Executive Order for promoting employment opportunities for individuals with disabilities. The plans are to include specific recruitment and training programs for employment. Plans should be developed in consultation with MMB and align with MMB's plan to implement this Executive Order.
5. In implementing their plans, agencies, to the extent possible and permitted by law, are encouraged to use an on-the-job demonstration process pursuant to Minnesota Statutes 2018, section 43A.15, subdivision 14. Additionally, MMB will work with agencies to increase awareness of supported work, the on-the-job demonstration process, noncompetitive appointment of disabled veterans, internships and externships available to individuals with disabilities, and student worker opportunities for individuals with disabilities.
6. MMB will collaborate with Minnesota IT Services to provide advice and guidance for updating hiring tools to ensure accessibility and usability for all people with disabilities applying for state jobs. Agencies will use their best efforts to comply with accessibility standards developed by Minnesota IT Services under Minnesota Statutes 2018, section 16E.03, subdivision 9, and to provide information and communication technology content, tools, and resources that are accessible to and usable by employees with disabilities. Agencies will consult with the Chief Information Accessibility Officer (CIAO) or the CIAO's delegates prior to procuring new technology software or hardware.
7. Members of the State Disability Agency Forum and the Governor's Workforce Development Board are to serve as advisors to the Commissioner of MMB and make recommendations that help the agencies achieve their recruitment, retention, training, and hiring goals.
8. Agencies will conduct periodic self-evaluations of their compliance with this Executive Order.
9. MMB should develop a procedure for agencies to consult with MMB for final resolution prior to denying any applicant or employee reasonable accommodation due to lack of funding. MMB will work with agencies to improve the agencies' understanding of their responsibilities under the Minnesota Human Rights Act, Americans with Disabilities Act, and Minnesota Statutes 2018, section 43A.191, subdivision 2(b)(3), as well as their awareness of the accommodation reimbursement

fund under Minnesota Statutes 2018, section 16B.4805. The cost of reasonable accommodations and accessibility should not be a deterrent to hiring qualified individuals with disabilities.

10. This order should be implemented consistent with Minnesota Statutes 2018, sections 43A.19 and 43A.191. It should not be construed to require any agency employee to disclose disability status involuntarily.
11. This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of Minnesota, its departments, agencies, or entities, its officers, employees, or agents, or any other person.
12. Executive Order 14-14 is rescinded.

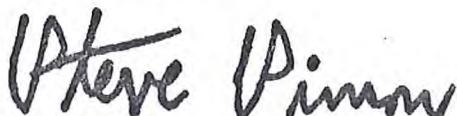
This Executive Order is effective fifteen days after publication in the State Register and filing with the Secretary of State. It will remain in effect until rescinded by proper authority or until it expires in accordance with Minnesota Statutes 2018, section 4.035, subdivision 3.

Signed on April 1, 2019.



Tim Walz  
Governor

Filed According to Law:



Steve Simon  
Secretary of State

