

EXECUTIVE ORDER NO. 76

STATE OF MINNESOTA  
DEPARTMENT OF STATE  
FILED

Providing for the Establishment of an  
Affirmative Action Program in all  
State Agencies.

FEB 25 1974

*Arden J. Erdahl*  
Secretary of State

I, Wendell R. Anderson, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, hereby issue this Executive Order:

WHEREAS, the State of Minnesota is committed by the Human Rights Act and the Governor's Code of Fair Practices to actively promote equal opportunity employment throughout the State of Minnesota; and

WHEREAS, the State of Minnesota is committed by Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, to formulate an Affirmative Action Program to provide equal employment opportunity in all positions of government employment; and

WHEREAS, the State of Minnesota has a responsibility to insure the optimum use of the state's human resources and the career development of state employees,

NOW, THEREFORE, I order that each department and agency of state government shall establish and maintain an Affirmative Action program to insure equal employment opportunity for all its employees and for all applicants seeking employment within its jurisdiction. Equal opportunity under this order includes, but is not limited to, the following: hiring, recruitment, selection, benefits, promotion, transfer, layoff, return from layoff, compensation, equality of wages, and employee development programs, including apprenticeship and training programs.

1. An Equal Opportunity Executive Committee will be established immediately to oversee the development and to monitor the progress of Affirmative Action in Minnesota State Government. The Committee will also serve as the Board of Appeals for those departments and agencies found to be in Affirmative Action "noncompliance" by the State Director of Equal Opportunity. The Committee will be composed of the following individuals:

Commissioner of Administration, Chairperson  
Commissioner of Human Rights, Deputy Chairperson  
Commissioner of Personnel  
Executive Director, Higher Education Coordinating Commission  
Director, State Planning Agency  
Governor's Office Representative  
Three members appointed by the Governor from outside State Government

✓ 2. A State Director of Equal Opportunity, appointed by the Governor, shall have full authority for administration and implementation of the state's Affirmative Action Program. To fulfill this responsibility, the Director shall issue such regulations and policy procedures as are appropriate and in accordance with state and federal law. The state Director of Equal Opportunity will report to the Governor and to the Chairperson of the Equal Opportunity Executive Committee.

3. Each department of state government shall designate an executive staff member (e.g., Deputy Commissioner, Assistant Commissioner) as Equal Opportunity Officer in charge of Affirmative Action for that agency. In agencies with a full-time personnel and/or Affirmative Action Officer, one of these individuals shall serve as the Equal Opportunity Officer's assistant for purposes of Affirmative Action.

4. Each state agency shall, at the discretion of the State Director of Equal Opportunity, submit an Affirmative Action plan, complete with goals and timetables, plus quarterly and annual Affirmative Action status reports. The State Director, together with the Equal Opportunity Executive Committee, shall be responsible for insuring that each program complies with state and federal guidelines. In addition, agencies shall report annually to the State Director, within the first week in January, all efforts undertaken during the preceding year to implement this Executive Order and the Governor's Code of Fair Practices. The report shall cover relevant activities within the agency and with the public and other state agencies. The State Director of Equal Opportunity shall submit an annual public report to the Governor evaluating the state's effort to comply with federal and state equal opportunity requirements and shall recommend corrective action to overcome underutilization of minorities, women and other protected classes in state employment for the coming year.

5. This Order supercedes Executive Order No. 37, issued July 28, 1972, and implements the Governor's Code of Fair Practices, dated September 1, 1973, and the State of Minnesota Affirmative Action Policy, dated February 22, 1974. This Order shall be effective on the date of signature.

IN TESTIMONY WHEREOF, I hereunto set my hand on this 25<sup>th</sup> day of February, 1974.

Wendell R. Anderson  
WENDELL R. ANDERSON

Filed According to Law:

Arlen I. Erdahl

Arlen I. Erdahl  
Secretary of State