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AFFIRMATIVE ACTION PLAN

Minnesota Department of Trade and Economic Development

500 Metro Square
121 – 7th Place East
St Paul, MN 55101-2145

2002 - 2004

DTED AFFIRMATIVE ACTION PLAN

Transmittal Form

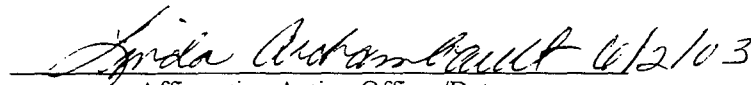
July, 2002

This review revealed underutilization of the following protected group(s) in the following goal unit(s)

Office---Minorities, Persons with Disabilities
Professional---Women, Persons with Disabilities
Supervisory---Minorities
Managers---Minorities, Persons with Disabilities

This plan will be posted at all DTED locations so that every employee is aware of the Department's commitments in equal opportunity.

This plan contains an internal procedure for processing complaints of alleged discrimination from employees and each employee is apprized of this procedure as well as the Department's hiring goals for the period of this plan.


Affirmative Action Officer/Date

This plan contains clear designations of those persons and groups responsible for implementing the Plan, as well as my personal statement of commitment to achieving the goals and timetables described herein.


DTED Commissioner/Date

This plan meets the rules governing affirmative action, MCAR Chapter 3905.0600, Statutory Authority 43A.04, and contains goals and timetables as well as methods to achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Office of Diversity and Equal Opportunity/Date

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1. STATEMENT OF POLICY AND COMMITMENT

As Commissioner of the Minnesota Department of Trade and Economic Development, I am firmly committed to a policy of both equal opportunity and affirmative action in employment. It is my responsibility to ensure that the Department of Trade and Economic Development (DTED) provide equal opportunity in employment to both current and prospective employees without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age. This policy will apply to all conditions of employment including, but not limited to: recruitment, selection, placement, advancement, transfer, demotion, layoff, recall, termination, disciplinary action, compensation, and employee development. DTED is committed to the state's efforts in Equal Opportunity and Affirmative Action.

Because protected group members have been denied equal opportunity in the past, I strongly support and will actively pursue a policy of affirmative action in employment for those goal units in DTED that indicate an underutilization of protected group members. Protected groups are defined in Minnesota Statutes, Chapter 43A, as women, minorities, and persons with disabilities. I endorse affirmative action as a viable and proper approach to ensuring that the workforce of DTED proportionately reflects the related labor force as whole and I further commit to affirmatively act to retain protected group members as employees of DTED.

Finally, because equal employment cannot exist in the presence of discrimination in any form, efforts will be made to provide a work environment free of discrimination and harassment of any kind. Accordingly, DTED fully supports the non-discrimination provisions of all state and federal laws, rules and regulations that form the legal framework for affirmative action and equal opportunity. In addition, DTED will not tolerate harassment in any form. Harassment is generally regarded to be any behavior or combination of behaviors by one or more employees toward another employee or group of employees which has the primary purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment. Sexual harassment has been specifically defined by the U.S. Equal Employment Opportunity Commission as "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such performance or creating an intimidating, hostile, or offensive working environment." (EEOC Guidelines on Discrimination Because of Sex, effective November 10, 1980).

As an employer, DTED is responsible for the actions of its employees and may be held liable for failure to investigate allegations of harassment or failure to take prompt remedial action against an employee who is found to have engaged in harassment of other employees. Consistent with this policy, therefore, no DTED employee will engage in any form of harassment of other employees. Any employee who, after investigation, is found to have engaged in any form of harassment of other employees will be subject to disciplinary action. Although DTED is responsible for maintaining a working environment free from discrimination and harassment, each and every employee plays a part by affirmatively raising the subject, expressing strong disapproval and adhering to the provisions of this policy and Affirmative Action Plan.

It is also the policy of the State of Minnesota and the Department of Trade and Economic Development that no individual applicant, employee, or client will be discriminated against due to Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS) or related conditions. These illnesses will be treated the same as any illness in the workplace.

The primary responsibility for implementation of this policy falls to each manager and supervisor. I have directed that each of these individuals' position descriptions lists affirmative action as an "A" priority and have informed them that their performance will be closely monitored with regard to this responsibility. I have designated Linda Archambault, Personnel Representative, as DTED's Affirmative Action Officer to ensure implementation of the Plan. DTED is committed to implement the state's plan for Equal Opportunity and Affirmative Action.

By 
Matt Kramer, Commissioner

Date June 2, 2003

2. SPECIFIC RESPONSIBILITIES

Commissioner

Responsibility: Ensure DTED's equal opportunity policy is enforced and that its Affirmative Action Plan is implemented

Duties:

- Designate Affirmative Action Officer
- Include accountability for administration of DTED's Affirmative Action Plan in goals and objectives
- Require managers and supervisors to include responsibility statements for affirmative action in their position descriptions, and evaluate accomplishments during annual performance reviews
- Act on complaints of discrimination, harassment, or retaliation
- Make decisions and changes in policies, procedures, or physical accommodations as may be needed to facilitate effective affirmative action
- Report, as required, to the Governor and the Legislature, through the Commissioner of Employee Relations, DTED's progress in affirmative action

Accountability: To the Governor

Affirmative Action Officer

Responsibility: Administer DTED's Affirmative Action Plan and to develop and revise the Plan as needed

Duties:

- Monitor compliance with the DTED Affirmative Action Plan
- Complete all affirmative action reports as required
- Ensure that DTED's equal employment opportunity policy and relevant portions of Affirmative Action Plan are disseminated to employees.
- Provide employees exit interviews at their request
- Act as primary liaison between the DTED and the Office of Diversity and Equal Opportunity of the Department of Employee Relations
- Participate in the recruitment of protected group members for employment, promotion and training opportunities
- Maintain contacts with protected group sources for recruitment purposes
- Identify, investigate, and mediate discrimination, harassment or retaliation complaints within DTED or refer to the appropriate party for investigation, recommend disciplinary action when appropriate
- Assist in affirmative action training programs designed to inform employees about affirmative action issues
- Provide guidance to managers and supervisors in exercising their affirmative action responsibilities
- Promote affirmative action in all matters and conditions affecting employees
- Keep abreast of developments and decisions in affirmative action and equal opportunity that affect DTED

- Coordinate activities and monitor administration of Title I (Employment) of the Americans with Disabilities Act (ADA) for DTED. Research, investigate and respond to complaints filed under any aspects of the ADA
- Coordinate activities for retention of protected group employees, including tracking and analyzing separation activities

Accountability: To the Commissioner for Plan implementation, complaint investigation and resolution and to the Office of Diversity and Equal Opportunity of the Department of Employee Relations

Managers and Supervisors

Responsibility: Ensure compliance with statewide and DTED affirmative action plans and programs, and ensure equitable treatment of all employees and applicants for employment

Duties:

- Assist the Affirmative Action Officer in identifying and resolving problems and in eliminating barriers which inhibit equal employment opportunities
- Hire and promote qualified protected group members in goal units where underutilization currently exists and hiring and promotional consideration for persons with disabilities
- Take steps necessary to prevent harassment or other discriminatory actions by affirmatively raising the subject, expressing strong disapproval, informing employees of their rights to raise the issues of harassment or discrimination, and make it known that disciplinary action will be taken against any employees who engage in any form of discrimination or harassment of other employees; or who retaliate against any other employee for filing a complaint, cooperating in an investigation or otherwise participating in any action under this Plan
- Notify DTED's Affirmative Action Officer immediately when they become aware of harassment, discrimination or retaliation complaints
- Fully investigate or cooperate in the investigation of complaints of harassment, discrimination or retaliation in conjunction with the Affirmative Action Officer
- Establish a process to personally notify employees with disabilities who have special needs when an emergency is declared
- Perform other duties that may be assigned in the DTED Affirmative Action Plan
- Provide input into planning and to participate in activities to encourage the retention of protected group members

Accountability: To their immediate supervisors, the Affirmative Action Officer, and the Commissioner

Employees

Responsibility: Actively support DTED's equal opportunity policy and comply with all provisions of this Plan

Duties:

- Treat other employees, job applicants and members of the public in a nondiscriminatory manner
- Refrain from participating in any activity which could be construed as discrimination or harassment of any kind; or retaliatory acts against other employees for their participation in actions under this Plan
- Immediately inform other employees causing harassment that their behavior is objectionable and ask that it cease
- Notify their supervisor if they will have any special needs in the event of a weather emergency or an emergency evacuation
- Cooperate fully in any investigation of discrimination, harassment, or retaliation
- Keep records of instances of discrimination, harassment, or retaliation including dates, times, locations, and names of any witnesses

3. COMMUNICATIONS

INTERNAL

1. The Affirmative Action Plan will be posted in its entirety on the DTED Intranet.
2. All new employees are required to read the Statement of Policy and Commitment and Specific Responsibilities sections of the Affirmative Action Plan
3. The Affirmative Action Plan will also be posted in the following locations:
 - a. Employee break room on 5th floor, Metro Square Building
 - b. Minnesota Trade Office, 10th floor, World Trade Center
 - c. Minnesota Rural Partners Office
 - d. Each regional office and Travel Information Center
 - e. Explore Minnesota Store at Mall of America
 - f. Office of Tourism, 1st floor, Metro Square Building
4. Specific provisions of the Plan will be reviewed as needed with managers and supervisors
5. Periodic changes in the Plan will be posted in each location indicated above; major changes will be announced to all staff
6. Managers and supervisors may be informed of affirmative action issues, problems, concerns, and decisions considered by the statewide affirmative action committee and/or the Department of Employee Relations

EXTERNAL

1. Where appropriate, vacant positions will be advertised in protected group publications
2. The Human Resources Office will maintain a copy of DOER's resource list of protected group organizations and individuals
3. The phrase, "Equal Opportunity Employer" will be included in all advertisements for vacant positions and on department letterhead
4. Support and assistance will be solicited from the appropriate advocate groups representing protected groups experiencing underutilization with DTED
5. Contractors doing business with DTED will be notified of our equal opportunity and affirmative action policy and plan

4. GOALS AND TIMETABLES

Goals and timetables are established as an integral part of affirmative action programs. Goals and timetables may eventually eliminate underutilization of protected group members in an employer's workforce. To understand goals and timetables in the State's use of them, it is important to first understand the terms.

Ideal Goals These were set for each "protected group" (defined below) by DTED, working with the Office of Diversity and Equal Opportunity of the Minnesota Department of Employee Relations (in September 1991), based on census information and workforce availability statistics. The goal for women in the office/clerical unit is based on information provided to DTED from DOER in 2000. The goals are expressed as a percentage of the total number of employees in a "goal unit" (defined below) for each department.

Bi-annual Goals These are set for each protected group on a bi-annual basis by each department. They are expressed as the number of protected group employees the department hopes to hire in each goal unit for which there is an "underutilization" (defined below). Bi-annual goals are usually selected on the basis of the department's anticipated vacancies in each goal unit and on the likelihood of the department's ability to recruit qualified protected group members to compete for those vacancies. DTED's bi-annual goals are based on review and recommendation of the Affirmative Action Officer, with the Commissioner having final approval.

Goals Units These are categories of employment in an organization for which protected group participation will be measured and for which goals will be set if an underutilization exists. The State defines its goals units in Minnesota Rules 3900.0400, subd. 21. In simple terms, they are currently identical to bargaining units, e.g., clerical, technical, professional, etc. In DTED, the following goal units currently exist: Office Clerical, Professional, Supervisors, and Managers. The technical unit is generally too small for goal setting.

Protected Groups These are defined in Minnesota Statutes 43A.02, subd. 33 as women, persons with disabilities, and minorities (Black, Hispanic, American Indian or Alaskan native, and Asian or Pacific Islander).

Underutilization This is the employment of fewer qualified protected group members than would reasonably be expected from their labor force participation in the labor market area. This is also sometimes referred to as a "disparity."

Timetable This is the target date set for reaching identified goals in any goal unit for which there is an underutilization.

GOAL SETTING

The following table indicates the availability, utilization and underutilization in DTED. Even when the utilization meets or exceeds the availability it remains a violation of law to discriminate against candidates because of their race, color, creed, national origin, sex, age, marital status, disability, religion, membership or activity in a local commission, reliance on public assistance, or sexual orientation. The hiring goals apply to the duration of this Plan.

Goal percentages will be reviewed during the tenure of this plan in order to use more recent data (both in the population and the breakdown of jobs in DTED). Should changes in these goals be appropriate, that information will be provided to DOER and revised within this Plan.

Current Percentages and Hiring Goals (data as of 12/31/02; goals are projected through 2004):

Goal Unit	Goal %	FTE Goal	Actual FTE	% of Goal	FTE Hiring Goal
WOMEN					
Professional	50.70	54.00	50.50	93.52	3.5
Supervisory	44.50	4.45	8.00	179.78	
Managerial	39.60	9.90	11.00	111.11	
MINORITIES					
Office	6.70	3.41	3.00	87.98	1
Professional	6.40	6.82	13.00	190.62	
Supervisory	7.00	0.70	0.00		1
Managerial	7.30	1.83	0.00		2
PERSONS WITH DISABILITIES					
Office	8.66	4.41	4.00	90.70	1
Professional	8.61	9.17	7.00	76.34	2
Supervisory	8.61	0.86	1.00	116.28	
Managerial	13.74	3.44	2.00	58.14	2

The numbers above will change depending upon the total number of employees in each goal unit and workforce participation.

When the actual FTE in any goal unit is less than the FTE goal, the goal has not been met. In these cases, supervisors must follow the Pre-Employment Review procedures specified in this Plan. Conversely, when the actual FTE in any goal unit is greater than the FTE goal, the goal has been met. Even when this is the case, it remains a violation of law to discriminate against candidates because of their race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation or age.

5. PROGRAM REVIEW AND EVALUATION

Pre-Employment Review

Access to positions in the workforce is the initial and most important step in the process of eliminating underutilization of protected group members. A pre-employment review as outlined below will occur before an employment offer is made in a goal unit where underutilization currently exists.

1. Affirmative Action Officer (AAO) determines if underutilization exists in the goal unit of the vacancies. AAO notified manager/supervisor if such underutilization exists.
2. Qualifications of all candidates will be compared, based on available evidence and the requirements of the job. The affirmative action goals and current disparities will be reviewed by the AAO during the selection process.
3. If a manager/supervisor requests to make an offer to a candidate who is not a protected group member, and there are protected group members eligible and certified for a position, the manager/supervisor will prepare a written justification providing a detailed explanation for their decision. The written justification will include information on why a particular candidate was selected and/or why the other candidates were not selected. The justification must be approved by the Division head and submitted to the AAO for recommendation to the Commissioner.
4. The DTED Commissioner must approve all missed opportunities prior to an offer of employment being made. The AAO informs the manager/supervisor of the Commissioner's decision.
5. Nothing in the above process will be considered an obstruction to hiring decisions based on the priority in appointment clauses (e.g., seniority, recall from layoff, etc.) of collective bargaining agreements and plans or the internal transfer or promotion of DTED employees.
6. A manager/supervisor's failure to follow this procedure prior to making a job offer may be reported in writing to his/her immediate supervisor and to the Commissioner. Such failures are considered during the annual performance review process.
7. Documentation of the selection process (including interview questions, notes and comments, letters of notification to non-selected candidates) is maintained there for at least 18 months after an appointment is made.

Pre-Layoff Review

Proposed layoff decisions will be reviewed by the Affirmative Action Officer to evaluate their effect on the agency affirmative action goals and timetables. A summary of this review will be provided to the Commissioner or the Commissioner's designee. (Reference MN Rule 3905.0400).

Program Auditing, Evaluating and Accomplishment Reporting

Maintain data to support and provide data for routine reporting: for example, protected group status of current employees (Monitoring the Hiring Process Forms and quarterly reporting), verification of annual hiring information and bi-annual Affirmative Action Plan (July 21 of even-numbered years).

In DTED, the AAO is part of DTED's Human Resources staff. In this capacity, the DTED Human Resources staff will gather and maintain applicable affirmative action records reflecting selection and hiring processes, turnover/retention and complaints connected to these internal processes. A summary report of this information will be provided to DTED management annually.

On a quarterly basis, the AAO will evaluate the Affirmative Action Plan by reviewing current staffing based on protected status and availability, review of disciplinary and other personnel actions with regard to protected group status, review recruitment sources and strategies used and the results of those efforts to fill vacancies where there is under representation, review discrimination complaints filed during that quarter; review training provided to employees to analyze for impact on individual development.

The following information will be maintained: underutilization data, availability data, recruitment documentation, affirmative action/discrimination complaints, reasonable accommodation requests/accommodations, ADA complaints, missed opportunity documentation, separation and layoff patterns and statistics.

Accomplishment will be reported to DTED management annually.

6. PROHIBITION OF DISCRIMINATION OR HARASSMENT POLICY

Statement of Policy

It is the policy of DTED to prohibit harassment of its employees based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation or age. This prohibition with respect to harassment includes both overt acts of harassment and those acts that create an intimidating, offensive or hostile work environment. Any employee who thinks they have been subjected to such harassment should file a complaint internally with DTED's Affirmative Action Officer under this policy and procedure. If the employee chooses, he/she may file a complaint externally with the Minnesota Department of Human Rights, the Equal Opportunity Commission, or through other legal channels. These agencies have time limits for filing complaints, so individuals should contact the agencies for more information. In extenuating circumstances the employee should contact the Office of Diversity and Equal Opportunity at the Minnesota Department of Employee Relations for information regarding the filing of a complaint. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

The primary responsibility for implementation of this policy falls to each manager and supervisor. DTED's Affirmative Action Officer will be expected to keep DTED and its employees apprised of changes in the law or its interpretation regarding this form of discrimination. The Affirmative Action Officer is also responsible for notifying and informing all new and current employees of this policy, informing new and current employees of the complaint procedure, and ensuring that complaints will be handled promptly and carefully.

Each employee is responsible for the application of this policy. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance within the framework of this policy. All employees are informed that harassment is unacceptable behavior.

As an employer, DTED is responsible for the actions of its employees and may be held liable for failure to investigate allegations of harassment or failure to take prompt remedial action against an employee who is found to have engaged in harassment of other employee(s). Consistent with this policy, therefore, no DTED employee will engage in any form of harassment of other employees. Any employee who, after investigation, is found to have engaged in any form of harassment of other employees will be subject to disciplinary action. Although DTED is responsible for maintaining a working environment free from discrimination or harassment, each and every employee plays a part by affirmatively raising the subject, expressing strong disapproval and adhering to the provisions of this policy.

The Statement of Policy and Commitment at the beginning of the Plan provides further information.

7. COMPLAINT PROCEDURE

A **complaint** is a dispute or disagreement raised by an employee, an applicant, or a person eligible for consideration for employment against a DTED employee with regard to a matter involving discretion in application of specific provisions of Personnel Law, Rules, Administrative Procedures, or policies; or of collective bargaining agreements or plans; or with regard to any matter for which dispute resolution or redress is not otherwise available.

Coverage and Exclusions

1. The complaint procedure may be used by an employee, an applicant or a person eligible for consideration for employment whose dispute or disagreement is based upon the belief they have been discriminated against in employment because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age; or they have been harassed by an employee because of the above factors or any other factor.
2. The complaint procedure may also be used by any employee or applicant who believes they are the victim of retaliatory action by an employee of DTED as the result of filing a complaint, cooperating in an investigation or otherwise participating in any action under the complaint procedure.
3. The complaint procedure may not be used for matters relating to the content or general administration of provisions of the Affirmative Action Plan. Such disputes, disagreements or questions should be brought to the attention of the Affirmative Action Officer.
4. The complaint procedure may not be used for disputes that are covered exclusively by provisions of a collective bargaining agreement or the Managerial or Commissioner's Plans. Such disputes should be handled under the grievance or dispute resolution procedures contained in those collective bargaining agreements or plans.
5. The complaint procedure does not in any way limit an employee's, applicant's or eligible person's right to file a formal complaint with the Minnesota Department of Human Rights, the U.S. Equal Employment Opportunity Commission, or an appropriate court of law.

STEP 1: The employee, applicant or eligible candidate completes the "Complaint of Discrimination or Harassment" form (Appendix A). This form is available on the DTED Intranet or from the Affirmative Action Officer.

STEP 2: The Affirmative Action Officer determines if the complaint of harassment or discrimination falls under the purview of Equal Employment Opportunity law (i.e., the complainant is alleging discrimination or harassment based on race, color, creed, religion, national origin, gender, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation or age) or if the complaint is of a more general concern. The Affirmative Action Officer will also discuss other options for resolution.

1. If the Affirmative Action Officer determines that the complaint is not related to Equal Employment Opportunity law, the Affirmative Action Officer will notify the complainant of that decision, in writing, within 15 working days and refer the complaint to the complainant's supervisor, Human Resources or the proper administrative agency for investigation.
2. If the Affirmative Action Officer determines that the complaint does fall under this procedure, the Affirmative Action Officer will proceed to Step 3.

STEP 3: The Affirmative Action Officer will investigate the complaint. This may include interview with, or statements from, all parties involved, including the complainant, respondent, complainant's supervisor(s), witnesses, and co-workers; and a review of all pertinent records or documents relating to the complaint.

NOTE: If the complainant is suffering irreparable harm in the absence of immediate action, the Affirmative Action Officer, or the commissioner may take whatever action is deemed appropriate to remedy the situation while the complaint is being investigated.

STEP 4: Upon completion of the investigation, the Affirmative Action Officer will prepare a written report determining if the complaint was sustained. The complaint may conclude with both parties reaching an agreement on their own. The claim may also be dismissed as unsubstantiated due to lack of evidence to conclude that discrimination has occurred.

NOTE: Certain procedural requirements exist in various bargaining unit agreements that apply to complaints of alleged harassment. For more specific information regarding these requirements, refer to the applicable agreement or inquire with the Affirmative Action Officer.

STEP 5: The appropriate management staff will review the investigation report and, if deemed necessary, take proper corrective action up to and including discharge when the investigative findings give merit to the complaint allegations.

A written explanation of the investigative findings will be provided to the complainant and respondent within 60 days after filing the complaint. Management is responsible for corrective and disciplinary action, follow-up inquiries, and any training that may be necessary.

Department files of complaints or charges filed by or against an employee will be filed separately from personnel files unless the complaint or charge results in disciplinary action against the employee. The investigative file is confidential and can only be accessed as permitted by the Minnesota Data Practices Act. Disposition of complaints must be filed with the Commissioner of the Department of Employee Relations within 30 days of final determination.

Appeal Procedure

1. If the disposition of the complaint by any responsible party, other than the Commissioner, is not satisfactory to the complainant, it may be appealed to the Commissioner in writing within 5 working days following notification of the disposition of the complaint.
2. The Commissioner will review the appeal and discuss with the complainant as needed. If the complaint is resolved, that resolution will be put in writing and signed by the Commissioner and the complainant, including the complainant's representative, if any. If no settlement is reached, the Commissioner will give a written decision to the complainant within a reasonable period following the meeting. The Commissioner's decision is final.

8. PROGRAM OBJECTIVES

Goal 1: To ensure that all managers and supervisors have responsibility and accountability for equal employment opportunity and affirmative action built into their position descriptions.

Objective: All position descriptions of managers and supervisors are to include responsibility and accountability for equal employment opportunity and affirmative action so that managers know what they must do and when.

Action Steps:

1. Distribute sample Affirmative Action Responsibility statement to supervisors/managers with instructions to include it in their position descriptions when position descriptions are created or updated.
2. If new language is required (e.g., relevant stature change), a sample statement will be given to all supervisors/managers in a timely manner.

Evaluation: Monitor position descriptions submitted to ensure that they include a responsibility statement for EEO/AA. Evaluation is done on a continual basis whenever position descriptions are created or updated.

By December 31 of each year, all current managerial/supervisory position descriptions will be reviewed and revisions made to ensure inclusion of this statement.

Responsibility: Supervisors, Managers and HR Staff

Goal 2: To increase awareness of sexual harassment issues for Department managers, supervisors and staff; recognize an individual's rights, prevention and obligations for reporting sexual harassment.

Objective: To ensure training for managers, supervisors and other DTED employees in the prevention of sexual harassment in the workplace and to ensure all department employees are informed of their rights and obligations.

Action Steps:

1. Provide new employees with information addressing what is and is not acceptable behavior and what is expected of each employee. This is done at hire/orientation for each new employee.
2. All new employees and managers receive training in preventing sexual harassment. The goal is that training will be taken within approximately 6 months of hire (some extensions for limited course availability may occur).
3. Each year, by February 28, review records of current employees and managers/supervisors for completion of course. Any employees or managers/supervisors who have not yet taken the course will be registered to do so as soon as possible.

Evaluation: Ongoing registration of employees and supervisors/managers, completion of training course by employees.

Responsibility: Managers/supervisors to see that employees are registered and complete training; managers/supervisors send documentation to HR Staff for inclusion in employee's file. Employees are responsible for completing the course. HR Staff are responsible for documenting course completion in file and reviewing records to ensure completion.

Goal 3: To increase awareness of equal employment opportunity for persons with disabilities and ensure that supervisors are aware of and able to implement requirements of Title I (Employment) of the Americans with Disabilities Act (ADA).

Objective: Inform employees of their rights under the ADA and ensure that training and/or information on Title I (Employment) of the ADA is made available to managers and supervisors of the department.

Action Steps: 1. Provide brochure information on Reasonable Accommodation to employees. Inform supervisors and managers of training on ADA Title I at DOER or other sources as appropriate (continually).

2. Provide access to training information regarding ADA and provide time and payment for such training as appropriate (continually).

Evaluation: Collect data from training participants on usefulness etc. of training and evaluate relevant comments and concerns.

Review ADA complaint or comment information.

Responsibility: Managers/supervisors and Affirmative Action Officer designee.

Goal 4: Evaluate efficacy and methods for surveying DTED employees to determine the make-up of the DTED workforce as it relates to disability status, conduct survey if appropriate.

Objective: To assist in meeting our potential affirmative action obligations and in providing reasonable accommodations.

Action Steps: 1. Evaluate the need and efficacy to survey or otherwise solicit self-identification by employees annually.

2. If determined to be appropriate, survey current employees bi-annually.

3. Survey new employees at time of hire.

Evaluation: Review returned surveys to evaluate clarity and efficiency of the survey and survey methods. Modify survey for future purposes as necessary.

Responsibility: Affirmative Action Officer

Goal 5: Participate in the Supported Work Program

Objective: Give people with severe physical, mental health and developmental disabilities employment opportunities within State Government.

- Action Steps:
1. Review current work structure/needs to determine if work is opportunity for supported work (has been completed for current structure/needs, will be assessed on a continual basis).
 2. Review vacant positions, prior to hiring, to determine if job tasks might be opportunity for supported employment work (when positions become vacant).
 3. If supported work opportunity is identified, consult ADA Coordinator in DOER's ODEO for assistance in recruiting and hiring for position (whenever opportunity is identified).

Evaluation: Perform overall review of supported work positions and/or possibilities for setting up work positions.

Responsibility: Hiring managers/supervisors, Affirmative Action Officer and HR Staff.

Goal 6: Review and evaluate staff diversity and employee retention records, take action if the situation indicates it may be needed.

Objective: Retain a qualified and diverse workforce.

- Action Steps:
1. Monitor complaints/comments received from employees or managers/supervisors on these topics (as such complaints/comments are received).
 2. Review prior fiscal year retention records, analyze and record analysis (annually).
 3. Maintain tracking of employee retention and turnover (as employees separate or are hired).
 4. Determine and take action if appropriate.

Responsibility: Affirmative Action Officer to review and analyze records, monitor complaints/comments and provide appropriate information to managers/supervisors. Managers/supervisors to work with DTED managerial or HR staff in identifying and/or addressing areas of concern. Employees to express comments/complaints and participate in appropriate actions to resolve.

9. REASONABLE ACCOMMODATIONS POLICY

The Department of Trade and Economic Development is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is a key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is DTED's policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, reasonable accommodations will be provided to individuals with disabilities when such accommodations are directly related to performing essential functions of a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants and employees. The Affirmative Action Officer(s) in the DTED HR Office are responsible for ADA coordination in employment.

DEFINITIONS

- **Disability**, with respect to an individual, means a physical or mental impairment that substantially or materially limits one or more life activities; a record of such an impairment; or being regarded as having such an impairment.
- **Reasonable accommodation** is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity. Reasonable accommodation applies to three aspects of employment: to ensure equal opportunity in the employment process; to enable a qualified individual with a disability to perform essential functions of a job; and to enable an employee with a disability to enjoy equal benefits and privileges of employment. Examples of possible reasonable accommodations might include acquiring or modifying equipment or devices, modifying training materials, making facilities readily accessible, job modifications/restructuring, modifying work schedules, reassignment to a vacant position, or providing qualified readers or interpreters.
- **Undue hardship** is an action this is unduly costly, extensive, substantial, or disruptive or fundamentally alters the nature or operation of DTED.

REQUESTS FOR REASONABLE ACCOMMODATIONS

Current Employees/Employees Seeking Promotions

1. DTED will notify employees that this accommodation policy can be made available in accessible formats.
2. The employee informs the manager/supervisor of the need for an accommodation.
3. The manager/supervisor submits the Request for Reasonable Accommodation form (Appendix B) to the ADA coordinator (Title I)/ Designee. They will discuss the employee's request and may request documentation of the employee's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate files. Managers/supervisors may be told about necessary restrictions on the work or duties of the employee and necessary accommodations. Managers/supervisors will not be told or have access to medical information unless the disability might require emergency treatment. The timelines noted below begin after the determination is made that an employee is a qualified person with a disability.

When a qualified individual with a disability has requested an accommodation, DTED will, in consultation with the employee

- discuss the purpose and essential functions of the specific job involved (completion of a step-by-step job analysis may be necessary)
 - determine the precise job-related limitation
 - identify potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job
 - select and implement the accommodation that is the most appropriate for both the individual and DTED. While the individual's preference will be given consideration, DTED is free to choose among effective accommodations and may choose the one that is less expensive or easier to provide.
4. The manager/supervisor consults with the Coordinator prior to responding to the employee with an answer. If the manager/supervisor and the Coordinator are unable to reach agreement, the Division Head and Coordinator will discuss the request.
 5. If agreement is not reached at this level, the request will be reviewed by the Commissioner's Office/Designee.
 6. The Commissioner/designee will provide a decision, in writing, to the ADA Coordinator (Title I)/Designee within 10 working days. This decision will be disseminated to the other involved parties.

7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator (Title I) will work together to determine whether reassignment may be an appropriate accommodation. The ADA Coordinator (Title I) will first look for equivalent vacant positions in the Department to the one presently held by the employee in terms of pay and other job status. If the employee is not qualified, with or without reasonable accommodation, for a vacant position (or a position the Department knows will become vacant within a reasonable period of time), the Department may reassign the employee as a reasonable accommodation to a lower graded vacant position for which the employee is qualified. If this occurs, the Department is not required to maintain the individual's salary at the previous level. DTED will look at transfer opportunities, mobility opportunities, and appointment opportunities, noncompetitive and competitive opportunities.

DTED is not required to create a new job or to bump another employee from a job in order to provide a reassignment as a reasonable accommodation.

Job Applicants

1. The job applicant informs the hiring manager/supervisor of the need for accommodation.
2. The manager/supervisor will discuss the needed accommodation and discuss possible alternatives with the applicant. Then, the manager/supervisor submits the Request for Reasonable Accommodation form (Appendix B) to the ADA Coordinator (Title I)/Designee. The Coordinator and manager/supervisor discuss the request.
3. The manager/supervisor and the Coordinator will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.
4. The manager/supervisor will contact the applicant with the decision.

PROCEDURE FOR DETERMINING UNDUE HARDSHIP

If a manager/supervisor anticipates that providing a requested accommodation **may** be an undue hardship, they will contact the ADA Coordinator (Title I)/Designee to discuss the requested accommodation.

The ADA Coordinator/Designee reviews the request and provides a decision to the manager/supervisor. The manager/supervisor contacts the employee or applicant with the determination. This process will be completed in a timely manner to allow for position filling and minimize work interruption.

FUNDING FOR REASONABLE ACCOMMODATION FOR EMPLOYEES/JOB APPLICANTS

Funding for reasonable accommodations for qualified individuals will be approved by DTED unless it would cause an undue hardship.

If the accommodation is anticipated to cost a significant amount (in excess of \$500.00), the manager/supervisor, after consultation with the Coordinator, will forward the request to the Division Head immediately. The Division Head will provide his/her decision to the manager/supervisor and Coordinator as soon as possible. Approval of the Division Head, at this point, indicates only that the dollar amount is approved, not that the requested accommodation will be approved. If the manager/supervisor intends to not fund the request, this must be discussed with the Coordinator prior to the release of this information to the applicant.

PURCHASE AND MAINTENANCE OF ACCOMMODATIONS FOR EMPLOYEES/JOB APPLICANTS

DTED is free to choose the specific accommodation provided to qualified individuals with disabilities. The person requesting reasonable accommodations will suggest appropriate accommodations. DTED may provide another accommodation, equal or superior in practicality, usefulness or cost effectiveness, instead of the proposed one.

All tangible accommodations purchased by DTED become State property and will be used only for job related functions. The maintenance of equipment will be the responsibility of DTED and projected maintenance costs will be a factor in the initial decision to provide accommodations.

If needed, the Division Head completes and submits appropriate documents for the purchase of equipment, furniture, or other assistive devices or services.

COMPLIANCE

Assistance with reasonable accommodation compliance, and requests for information or assistance in determining reasonable accommodations for qualified employees/job applicants with disabilities may be directed to the DTED ADA Coordinator/Designee, the Minnesota Council on Disability, or the state ADA Coordinator of the Minnesota Department of Employee Relations.

APPEALS/COMPLAINTS

If employees/applicants wish to appeal the decision, they should submit an appeal to the Coordinator within seven days. The appeal will be reviewed and a decision made in a timely manner, this decision will be communicated in writing to the employee/applicant.

If employees/applicants think that a decision is discriminatory, they may file complaints under the DTED Affirmative Action Plan Complaint Procedure, or with the Minnesota Department of Human Rights, the courts or other appropriate enforcement agencies.

10. RECRUITMENT PLAN

ADVERTISING SOURCES

During the past year (2002-2003), the following advertising sources were used: DOER website and newspaper classified employment advertising (including Saint Paul Pioneer Press, Minneapolis Star-Tribune, ACCESS, and the Mankato Free Press). The total amount spent on employment advertising was \$2843.00.

Specific tracking of responses was not done by ad. However, other than for clerical support positions, a reasonable number of applicants were received for each ad. Protected group data about respondents to ads is not specifically tracked.

It does appear that advertising in the newspapers and on the Internet does attract a good number of applicants. Also, these forms of advertising do appear to be attracting candidates from out-of-state.

OTHER RECRUITMENT SOURCES

DTED utilizes student workers, as Student Worker-Clericals, Student Worker Para Professionals, and Student Worker Para-Professionals Senior. Along with the internship Opportunities, these may frequently be an opportunity to enhance the diversity of the department. Such employees have included students at the high school, college and graduate school levels.

The Minnesota Office of Tourism, a division of DTED, also participates in job programs targeting older Minnesotans and with programs targeting high school age Minnesotans, Welfare to work program, and Asian Pacific program. These have proven to be programs that enhance the diversity of the department.

JOB FAIRS

DTED did not attend any job fairs in the previous year and may attend one or two in the course of this plan.

PROJECTED HIRING OPPORTUNITIES

The Department of Trade and Economic Development is a relatively small state agency and large additions of staff at any one time are unusual. Staff turnover is generally due to attrition through resignation and retirement. Therefore, it is difficult to project hiring opportunities. At the current time, DTED has the following vacancies: 1 managerial; and 1 professional level, and 1 intern, 1 Student Worker-Clerical.

RECRUITMENT OF PERSONS WITH DISABILITIES

Included in the Projected Plans below, are methods to improve the recruitment of persons with disabilities. These include: encouraging and facilitating the dissemination of employment opportunities to a broader audience, possibly utilizing on-line capacity to provide job information, keeping DOER/ODEO informed of recruitment needs and opportunities and ensuring that recruitment activities are in compliance with the Americans with Disabilities Act.

SUPPORTED WORKER PROGRAM

Since the Affirmative Action Officer is in the DTED HR Office, the Affirmative Action function is continually aware of the work opportunities in DTED. The staffing patterns and business needs of DTED have been reviewed in the context of possible supported worker opportunities. At this time, it has been determined that an opportunity for a supported work position does not exist. However, work opportunities do change and staffing patterns for the possibility of supported work positions will be reviewed on a continuing basis.

In the event an opportunity arises for a supported work position, the ADA Coordinator in DOER/ODEO will be contacted, to advise in effective methods of recruiting and hiring for the position.

INTERNSHIPS

DTED regularly establishes and utilizes internships. These have ranged from 1-month projects up to 12 months. Internships have been paid and unpaid and are generally determined and utilized as needed by the line programs. We have provided general information about internships to a number of colleges and universities. We continue to support the use of interns and work to better disseminate information about opportunities, including providing information to ODEO.

PROJECTED PLANS FOR RECRUITMENT

- Continue to advertise in newspapers. Particularly the Minneapolis Star-Tribune due to the broad readership and section size of their classified employment ads. This includes advertising for unlimited classified and unclassified positions, temporary unclassified positions and occasional temporary positions.
- Continue to develop and maintain relationships with DES Workforce Centers.
- Continue to announce positions, frequently including unclassified and temporary opportunities, on the DOER website.
- Encourage and facilitate the dissemination of employment opportunities to a broader audience. This may include target group newspapers, partnership and individual participation in job fairs.

- Continue to encourage use of DOER on-line facilities.
- Inform DOER/ODEO, when reasonable, of recruitment needs/opportunities for classified, unclassified, and internship and student worker positions.
- Inform the DOER Staffing Division of advertising activities.
- Ensure that recruitment activities are in compliance with the Americans with Disabilities Act (ADA).

11. RETENTION PLAN

COMMITMENT AND ACCOUNTABILITY

The Department of Trade and Economic Development is committed to diversity both in our own Workforce and in the clients whom we serve. We have established and are committed to Diversity and fair treatment of all our employees and clients and have committed to this in writing in the Affirmative Action Plan (retention commitment and accountability are specifically addressed earlier in this Plan, in the Commissioner's Statement of Policy and Commitment) and the Zero Tolerance/DTED Policy and Plan regarding violence in the workplace, as well as in day-to-day practices of hiring and management of our staff and services to clients. The Zero Tolerance/DTED Policy and Plan not only expresses zero-tolerance for violence and threats of violence, but the expectation of courtesy and respect between managers and staff, co-workers, and clients. This policy is required to be read in full by all current and new employees. For purposes of Administrative Procedure 19.3A, the designated person is Elaine Bliss, Acting Director of Administration, DTED Administration Division.

We are also committed to expanding the diversity of our clients. Among DTED's programs that serve this purpose are the:

- **Small Cities Development Program** to provide decent housing, a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income.
- **Minnesota Job Skills Partnership** which serves as a catalyst for cooperative training projects, with preference given to non-profit educational institutions serving economically disadvantaged or minority persons, or persons who are victims of economic dislocation or residing in rural areas.
- **Minnesota Pathways Program** which acts as a catalyst between business and education in developing jobs, training and career paths for individuals making the transition from public assistance to the workforce.
- **Urban Initiative Loan Program** assists minority owned and operation businesses creating jobs for low-income persons in a number of Twin City metro area cities and towns.

SEPARATION ANALYSIS

Separation data, for the period 7/01/2000 through 7/01/2002, was collected and analyzed. Data includes unlimited classified positions. Due to the small numbers of employees involved and considerations for compliance with the Minnesota Government Data Practices Act, it is not possible to list specific numbers of employees in some categories; however, specific information was utilized in the AAO designee's analysis.

During this period, sixty-six employees left the agency of their own volition, through layoff, resignation, or discharge. Of this group, nineteen were men and forty-seven were women (however, thirty-three women were in administrative support positions wherein women are not

an under represented group). Seven males were not tracked to determine disability or minority status, nine were white, one was disabled, and three were minorities.

Among the women who were separated, nine were not tracked to determine disability or minority status, thirty-six were white, two were minorities. Twenty-one of the forty-seven were separated involuntarily (includes layoff, discharge or non-certification (returned to former agency). Three retired and thirteen separated voluntarily for unknown reasons. This left ten who went to other jobs (public, private or non-profit sectors).

Among the men, approximately eight of the nineteen were separated involuntarily, one retired, four left to take other jobs, and six separated voluntarily for unknown reasons. Three of the persons who separated were members of minority groups or persons with disabilities.

Analysis of the data appears to show that among females of non-and protected group employees the primary reason for separation is employees separating involuntarily. Although approximately thirteen women left for unknown reasons, there were no complaints or comments related to protected group status surrounding their separations. Analysis of the data for males of non-and protected group employees appears to show the primary reason for separation is involuntary (including layoff, discharge, or non-certifications). Again, although six males left for unknown reasons, there were no complaints or comments related to protected group status surrounding their separations.

MOBILITY AND CAREER ADVANCEMENT

DTED provides its employees with significant access to information regarding mobility and career advancement through the regular posting of vacancies, posting of training opportunities (state and non-state programs), posting on the DTED Intranet of job opportunity announcements sent to the department and links to DOER and DES job and training info on the Internet. In addition, employees have access to the Internet, and may use that to pursue job opportunities and career information in compliance with department policy and state statute.

DIVERSITY ACTIVITIES

Diversity activities have primarily been limited to posting of events, recognition and information concerning diversity. More activities will be implemented in this area. Pursuing partnerships with other state agencies located in our building will particularly be pursued.

LAYOFF ASSISTANCE

All employees facing layoff are given individual attention to assist them in securing work. The DTED Human Resources Office has and will continue to aggressively pursue job opportunities, particularly within state government, for employees facing potential layoff.

12. WEATHER EMERGENCIES

The Commissioner of the Department of Employee Relations (DOER) has the authority to declare a weather emergency situation, close the department, and authorize payment to employees who do not report to work or are sent home from work after an emergency has been declared. If the department closes a facility and an emergency is not declared by the Commissioner of DOER, the employees will be required to use annual leave, an adjusted work schedule, compensatory time, or leave without pay to cover the absence from work.

Should a weather emergency occur outside DTED business hours (8 a.m.-5p.m., Monday-Friday) or in a location with no supervisor/manager present, staff may decide to close the facility and leave the premises. Weather emergencies are declared when a number of conditions exist. The factors that are considered are: road maintenance (are state highways open and snowplows operating?); transit operations (local transit systems running?); additional weather conditions (is wind, cold or ice a factor?); and, other considerations (are power or heating systems affected?).

When the weather appears to be getting severe, the Commissioner keeps in close touch with The Emergency Management Services Division of the Department of Public Safety. On the basis of their information and in consultation with the Commissioner of Public Safety, the Commissioner of DOER makes the determination of whether or not conditions are so hazardous that a weather emergency should be declared and state offices should be closed.

After a determination is made that offices should close the following is done:

- Media is notified: radio stations WCCO 830, WMNN 1330; KSTP; and KARE TV stations; and the AP wire services for radio stations outside the Twin Cities metro area.
- The Governor's Office is called.
- DOER notifies the DTED Commissioner's Office or Designee.
- Commissioner's designee(s) notify DTED management team and staff. All necessary modes of communication are used, including telephone/TTY, electronic means, etc. or personal contact. Management team members have primary responsibility for ensuring persons with disabilities and/or special needs are notified and assisted as needed.

If severe weather develops during the night, the Commissioner of DOER will make a determination prior to 8:00 a.m. Employees should listen to the above noted media for the Commissioner of DOER's determination. DTED employees can call the Department at 651-297-1291 for a recording of emergency status information.

Employees with hearing impairments, if at work, will receive notification by their manager/supervisor or designated back-up staff. If it occurs outside work hours, employees can receive notification from WCCO or KARE TV stations (close-captioned). If employees prefer, they may arrange for notification at home from their manager/supervisor or designee. This may be done either through the Minnesota Relay Service (1-800-627-3529) or by TTY. Employees with disabilities, impairments or symptoms must notify their manager/supervisor if they need notification other than the state's standard notification system.

13. EVACUATION PLAN

The Department of Trade and Economic Development is currently housed in the following locations:

- Metro Square Building (St. Paul)
- World Trade Center Building (St. Paul)
- Regional Marketing and Business Development Offices (Bemidji, Mankato, Duluth)
- Minnesota Rural Partners Office
- Explore MN Store at Mall of America
- Tourism Regional Offices (Brainerd, Mankato, Duluth, Thief River Falls)
- Tourism Travel Information Centers (Albert Lea, Beaver Creek, Dresbach, Moorhead, St. Croix, Thompson Hill)

The safety and well being of our staff is DTED's primary concern. Therefore, employees with disabilities, impairments or symptoms that may affect their participation in an evacuation procedure should notify their manager/supervisor of this immediately. Generally it is not necessary to specify the disability, impairment or symptom, but how your ability to participate in an evacuation is affected.

Frequently, such impairments may be unknown to managers/supervisors or any other DTED staff (e.g., claustrophobia, acrophobia, some heart conditions, vertigo) and/or would be inappropriate for managers/supervisors to initiate discussion. Do not wait until an evacuation to make this notification. Effective methods of evacuation will be discussed and decided upon.

The need for assistive devices for the evacuation of DTED employees and guests of the Department will be determined as necessary.

Evacuation and emergency response procedures have been developed and disseminated to employees in the Metro Square and World Trade Center buildings (Appendices C. and D.) through various modes of communication. Evacuation drills are done to test effectiveness of plans. Status of evacuation plans for other locations is being reviewed and will be forwarded to the Commissioner of Employee Relations upon completion.

14. APPENDICES

- a. Complaint of Discrimination or Harassment Form
- b. Request for Reasonable Accommodation Form
- c. Reasonable Accommodation Agreement
- d. Metro Square Building Emergency Procedure Manual
- e. Minnesota Trade Office Emergency Procedure Manual

COMPLAINT OF DISCRIMINATION OR HARASSMENT

PLEASE READ BEFORE COMPLETION OF FORM

Investigative data is considered confidential data under Minnesota Statutes 13.39, subds. 1 and 2. You are not legally required to provide this information but, without it, an investigation cannot be conducted. Discrimination complaints, investigation data and findings will be handled in accordance with the Minnesota Government Data Practices Act [M.S. 13.02, Subd. 3 (1982); M.S. 13.39 (1982); and M.S. 13.43 (1982) and as amended to date]

INFORMATION ON THE COMPLAINANT (YOU):

Name	Job Title
Work Address	City
Work Phone	
Department Division/Office Supervisor	

INFORMATION ON THE RESPONDENT (PERSON WHO YOU BELIEVE DISCRIMINATED AGAINST/HARASSED YOU):

Name	Job Title
Work Address	City
Work Phone	
Department Division/Office Supervisor	

INFORMATION ON THE COMPLAINT:

Basis of Complaint (Check all that apply):

- Race/Color
- Creed/Religion
- Sex
- Disability
- National Origin
- Age
- Sexual Orientation
- Discrimination
- Harassment
- Public Assistance
- Marital Status
- Membership or Activity in a Local Commission

Date most recent act of alleged discrimination/harassment took place: _____

If you have also filed this complaint with an agency other than DTED, give the name of that agency: _____

COMPLAINT OF DISCRIMINATION OR HARASSMENT (continued)

Describe why you believe you have been discriminated against/harassed giving names, dates, places, etc.

Additional Information on Your Complaint/Desired Resolution

Information on Witnesses Who Can Support Your Allegation

	Name	Work Address	Work Telephone
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

This complaint is being filed based on my honest belief that the employer has discriminated against/harassed me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

Complainant's Signature Date

Verification of Receipt of Complaint:

Affirmative Action Officer's Signature Date

REASONABLE ACCOMMODATION AGREEMENT

This form is to be completed by the Affirmative Action Officer after the reasonable accommodation decision has been made. The signatures on the bottom of this form indicate an agreement between the employee and the Department to the specific accommodation

Please Print or Type Date of Agreement _____

Employee/Applicant Name _____

Classification _____ Division _____

The request for reasonable accommodation to the needs of the above named employee/applicant with a disability was:

____ ACCEPTED ____ DENIED

Justification for decision (indicate specific factors considered):

If reasonable accommodation was approved, was the employee's/applicant's suggestion accepted?

____ Yes ____ No ____ Partially

Reason:

Description of specific accommodations to be made:

Cost Estimate:

I have read the employee request for reasonable accommodation. I understand that all tangible accommodations purchased by the Department of Trade and Economic Development, will become the property of the State of Minnesota.

Signature of Employee/Applicant Date

Signature of Supervisor Date

Signature of ADA Coordinator Date

REQUEST FOR REASONABLE ACCOMMODATION

Information on this form shall be private with the exceptions according to the Rehabilitation Act of 1973, Section 504, Subd. 84.14. You are not legally required to provide this information, but without it we may not be able to make a reasonable accommodation determination. This information may only be released to the employee/job applicant requesting reasonable accommodation, the Americans with Disabilities Act (ADA) Coordinator, the Affirmative Action Officer, appropriate supervisory personnel, necessary medical personnel (if a medical statement is deemed advisable), a representative of the commissioner (if necessary based on the availability of funds), the statewide ADA Coordinator, and the Commissioner of Employee Relations.

Please Print or Type

Date of Request _____

Employee/Applicant Name _____

Classification _____ Division _____

Statement of Limitations* (Attach medical statement, if necessary/required)

**Attach additional sheets for questions below, if necessary*

1. Which essential function(s) of your job will the requested accommodation allow you to perform?
2. Why is the requested accommodation necessary to perform the essential job function(s)?
3. What is the requested accommodation?
4. How will the requested accommodation be effective in allowing performance of the essential job function(s)?
5. Have any non-essential job functions been eliminated? Please describe.
6. If the accommodation requested is short term due to a temporary disabling condition, for what period is the accommodation requested?

Signature of Employee/Applicant

Date

Signature of Supervisor

Date

Post-it Fax Note 7671

To: Linda Archana
 Co./Dept: DT ED
 Phone #: 282-5440
 Fax #: 282-5858

Date: 6/18/03
 From: [Signature]
 Co: [Signature]
 Phone #: [Signature]
 Fax #: [Signature]

Minnesota World Trade Center Building Emergency Manual



Emergency Phone Numbers

Police/Fire/Medical: 911
 Office of the Building: 651-229-2800
 After hours this number is forwarded to building security.

MWTC • 30 East 7th Street • St. Paul, MN 55101

Please keep this pamphlet at your desk at all times.

- INTRODUCTION
- MEDICAL EMERGENCIES
- POWER OUTAGE
- FLOODING AND WATER DAMAGE
- TORNADO/SEVERE WEATHER
- ELEVATOR EMERGENCY
- FIRE EMERGENCY
- BOMB THREAT
- TELEPHONE CHECKLIST
- EVACUATIONS
- FLOOR WARDEN RESPONSIBILITIES

Building Emergency Manual

This manual contains quick-reference emergency procedures including: What to do, who will assist you, and what help will come from the building personnel and professional emergency units.

Emergencies and disasters are unpredictable and strike without warning. Failure to make preparations in advance could result in injury or death, damage to property or equipment, and loss of productivity in your office.

- ★ Medical
- ★ Severe Weather
- ★ Elevator
- ★ Fire
- ★ Bomb Threat

Given the nature of emergencies, it is impossible to design procedures which will guarantee safety in all situations. By carefully reviewing this guide and keeping it accessible, emergencies can be handled with decisive action and results may be improved.

Zeller Realty Corporation has provided this manual as service to building tenants. Tenants are solely responsible for the safety of their employees, guests, and property during an emergency.

EMERGENCY PHONE NUMBER

Police/Fire/Medical: 911

Office of the Building: 651-229-2800

After hours this number is forwarded to building security.

INTRODUCTION

MEDICAL EMERGENCIES

POWER OUTAGE

FLOODING AND WATER DAMAGE

TORNADO/SEVERE WEATHER

ELEVATOR EMERGENCY

FIRE EMERGENCY

BOMB THREAT

TELEPHONE CHECKLIST

EVACUATIONS

FLOOR WARDEN RESPONSIBILITIES



What To Do In A Medical Emergency

1. **DO NOT** move the injured or ill person.
Keep them warm and comfortable.
2. Call 911 and give this information:
 - Address: 30 East 7th Street.
 - Floor number and suite number.
 - Type of injury, illness or symptoms.
 - Your name and telephone number.
3. Notify the Office of the Building at 651-229-2800.

What Will Happen Next

- Fire emergency units/paramedics are dispatched by 911.
- Building personnel prepare for arrival of emergency units and assist if needed.
- Fire emergency units/paramedics arrive to administer medical assistance.

EMERGENCY PHONE NUMBER

Police/Fire/Medical: 911

Office of the Building: 651-229-2800

After hours this number is forwarded to building security.

MEDICAL EMERGENCIES

POWER OUTAGE

FLOODING AND WATER DAMAGE

TORNADO/SEVERE WEATHER

ELEVATOR EMERGENCY

FIRE EMERGENCY

BOMB THREAT

TELEPHONE CHECKLIST

EVACUATIONS

FLOOR WARDEN RESPONSIBILITIES



What To Do If A Power Outage Occurs

- Remain calm.
- If possible, call the Office of the Building (651-229-2800) and advise them of your location and the nature of the problem.
- Assist others in your immediate area who may be unfamiliar with the building/workspace.
- Turn off equipment such as computers and monitors to avoid potential serious damage once the power is restored.
- If you are in a dark area, proceed cautiously to an area that has emergency lights.
- If you are on an elevator, stay calm. Push the button to alert the security desk.
- If instructed to evacuate, proceed cautiously as directed by building personnel (See Evacuation section of this pamphlet).
- Planning for such situations includes having a flashlight available.

What Will Happen Next

→ Wait for the "ALL CLEAR" signal before returning to your office.

EMERGENCY PHONE NUMBER
 Police/Fire/Medical: 911
 Office of the Building: 651-229-2800
 After hours this number is forwarded to building security.

POWER OUTAGE
FLOODING AND WATER DAMAGE
TORNADO/SEVERE WEATHER
ELEVATOR EMERGENCY
FIRE EMERGENCY
BOMB THREAT
TELEPHONE CHECKLIST
EVACUATIONS

If a Water Leak Occurs

Serious water damage can occur from a number of sources such as broken pipes, clogged drains, damaged skylights or windows, or construction related incidents.

- Remain Calm.
- Notify the Office of the Building (651-229-2800) and report the exact location and severity of the leak.
- If there are electrical appliances or outlets near the leak, use extreme caution. If there is any possible danger, evacuate the area immediately.
- Be prepared to assist as directed in protecting objects that are in jeopardy. Take only necessary steps to avoid or reduce immediate water damage such as covering objects with plastic sheeting, or moving small or light objects out of danger.

What Will Happen Next

→ Wait for the "ALL CLEAR" signal before returning to your office.

EMERGENCY PHONE NUMBER
Police/Fire/Medical: 911
Office of the Building: 651-229-2800
After hours this number is forwarded to building security.

FLOODING AND WATER DAMAGE
TORNADO/SEVERE WEATHER
ELEVATOR EMERGENCY
FIRE EMERGENCY
BOMB THREAT
TELEPHONE CHECKLIST
EVACUATIONS



What To Do In A Weather Emergency

A Tornado warning is an alert by the National Weather Service confirming a tornado sighting and location. Public warnings will be given by 5-minute steady blasts of sirens over the Civil Defense Warning System.

If you hear a tornado warning, proceed as follows:

1. Move away from the perimeter of the building and exterior glass, closing doors behind you.
2. Go to interior public areas such as lobbies, corridors, restrooms and stairwells.
3. **DO NOT** attempt to evacuate unless instructed by authorities.

What Will Happen Next

→ Wait for the "ALL CLEAR" signal before returning to your office.

EMERGENCY PHONE NUMBER
Police/Fire/Medical: 911
Office of the Building: 651-229-2800
After hours this number is forwarded to building security.

TORNADO/SEVERE WEATHER
ELEVATOR EMERGENCY
FIRE EMERGENCY
BOMB THREAT
TELEPHONE CHECKLIST
EVACUATIONS



What To Do In An Elevator Emergency

1. Open the telephone panel.
2. Push the button and wait for the phone to auto-dial.
 - State that you are stuck in an elevator.
 - Give the elevator number which is noted on the door of the telephone panel.
 - Indicate the floor location, if you can determine it.
3. Remain calm and wait for help to arrive.
4. To prevent injury to yourself and others:

DO NOT try to pry open the doors. This could prolong the emergency by damaging the equipment.

DO NOT try to climb out or jump to the floors below if the elevator stops between floors with the doors open.

What Will Happen Next

→ Building personnel will be in communication with you by phone and from outside the elevator.

EMERGENCY PHONE NUMBER
Police/Fire/Medical: 911
Office of the Building: 651-229-2800
After hours this number is forwarded to building security.

**ELEVATOR EMERGENCY
FIRE EMERGENCY
BOMB THREAT
TELEPHONE CHECKLIST
EVACUATIONS**



What To Do In A Fire Emergency

1. If you discover a fire, call the emergency number 911 and the Office of the Building at 651-229-2800. Have the following information available:
 - Address: 30 East 7th Street.
 - Floor number and suite number.
 - Details of the fire emergency.
2. Notify your Floor Warden.
3. If evacuation is necessary, use stairwells.
(SEE EVACUATION PROCEDURE)
4. If fire alarm is sounding, follow the instructions of your Floor Warden.

DO

- Use stairwells to evacuate.
- If caught in heavy smoke, take short breaths through your nose, stay near the floor, and move to the exit by crawling.

DON'T

- DO NOT attempt to fight the fire.
- DO NOT use the elevators.

What Will Happen Next

- The Fire Department is dispatched by 911 Center.
- Building Personnel prepare for arrival of Fire Department.
- Firefighters arrive to handle emergency.

EMERGENCY PHONE NUMBER

Police/Fire/Medical: 911

Office of the Building: 651-229-2800

After hours this number is forwarded to building security.

**FIRE EMERGENCY
BOMB THREAT
TELEPHONE CHECKLIST
EVACUATIONS**



What To Do In A Bomb Threat Emergency

1. Remain calm. Use the attached Telephone Checklist to record information concerning the bomb threat. Have this list ready for the authorities.
2. Call 911 and Office of the Building at 651-229-2800. Give the following information to both:
 - State "I have received a bomb threat."
 - Address: 30 East 7th Street.
 - Your company name, floor and suite number.
 - Give the name and phone number of the person who received the call.
3. Notify your Floor Warden.
4. Floor Warden may conduct a search of the area.
5. **DO NOT** touch suspicious objects.
6. Search results are to be reported to officials on the scene or to the Office of the Building at 651-229-2800.

What Will Happen Next

- ➔ A search may be made by building personnel.
- ➔ If it is deemed necessary, building personnel may contact police bomb squad.
- ➔ An evacuation may take place.
- ➔ When authorized, the "ALL CLEAR" will be given by officials or building personnel.

EMERGENCY PHONE NUMBER
Police/Fire/Medical: 911
Office of the Building: 651-229-2800
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BOMB THREAT TELEPHONE CHECKLIST EVACUATIONS



Telephone Checklist For Bomb Threat

OBTAIN AS MUCH OF THE FOLLOWING INFORMATION AS POSSIBLE:

Caller's Exact Words _____

ASK THE CALLER:

1. When is the bomb going to explode? _____
2. Where is the bomb right now? _____
3. What does the bomb look like? _____
4. What kind of bomb is it? _____
5. What will cause it to explode? _____
6. Did you place the bomb? _____
7. Why? _____
8. What is your name? _____

JUDGE THE VOICE: Male Female Adult Youth
 Accent Familiar Calm Angry Excited Slow
 Rapid Soft Loud Laughter Crying Normal
 Distinct Slurred Nasal Stutter Lisp Raspy
 Deep Ragged Clearing Throat Cracking Voice

THREAT LANGUAGE: Well Spoken Educated Foul
 Incoherent Taped Message Read

LISTEN FOR ANY BACKGROUND NOISE:

- | | | |
|--|---------------------------------------|---|
| <input type="checkbox"/> Street Noises | <input type="checkbox"/> Airport | <input type="checkbox"/> P.A. System |
| <input type="checkbox"/> Music | <input type="checkbox"/> House Noises | <input type="checkbox"/> Motor |
| <input type="checkbox"/> Office | <input type="checkbox"/> Factory | <input type="checkbox"/> Animal Noises |
| <input type="checkbox"/> Clear | <input type="checkbox"/> Local | <input type="checkbox"/> Long Distance |
| <input type="checkbox"/> Booth | <input type="checkbox"/> Machinery | <input type="checkbox"/> Children or Babies |
| <input type="checkbox"/> Other _____ | | |

Person receiving call _____ Extension _____
 Date _____ Time _____ Duration _____

EMERGENCY PHONE NUMBER
 Police/Fire/Medical: 911
 Office of the Building: 651-229-2800
After hours this number is forwarded to building security.

TELEPHONE CHECKLIST EVACUATIONS

What To Do In An Evacuation

IN THE EVENT OF A CRISIS, IT IS IMPORTANT THAT EVERY EMPLOYEE IN YOUR COMPANY BE PREPARED FOR AN EMERGENCY EVACUATION.

DO

- Listen to your Floor Warden's instructions.
- Aid physically challenged employees.
- Form a line in the corridor leading to the stairwell.
- Proceed through exit.
- Remain on the right hand side of the stairwells and watch for firefighters coming up stairwells to handle the emergency.
- Meet outside to count all employees.

DON'T

- **DO NOT** run or create panic.
- **DO NOT** smoke.
- **DO NOT** congregate near building entrances. Move away from the building so emergency workers have a clear path.
- **DO NOT** return to your office until the "ALL CLEAR" is given.

What Will Happen Next

- ➔ Emergency personnel will assist with evacuation.
- ➔ You may be given further evacuation announcements.
- ➔ The "ALL CLEAR" will be given when it is safe to return to your office.

EMERGENCY PHONE NUMBER

Police/Fire/Medical: 911

Office of the Building: 651-229-2800

After hours this number is forwarded to building security.

EVACUATIONS

Floor Warden Responsibilities

Inspection

- Inspect assigned area to eliminate fire hazards.
- Keep aisles and exits cleared.

Information

- Familiarize employees with proper evacuation routes and procedures.
- Have a plan to evacuate physically challenged employees to the stairwell landings - designate two co-workers to assist.
- Maintain a current list of all employees including Floor Warden alternates and physically challenged employees (including breathing impaired). Send updates to the Office of the Building.

Evacuation

1. Notify occupants in assigned area to form a line in the corridor leading to a safe exit stairwell.
2. Direct an orderly evacuation by stairwell to designated areas.
3. Evacuate physically challenged employees to the stairwell landings.
4. Check restrooms, conference rooms and remote areas for employees who may not have heard evacuation announcements.
5. Wait for the "ALL CLEAR" to be announced.

EMERGENCY PHONE NUMBER

Police/Fire/Medical: 911

Office of the Building: 651-229-2800

After hours this number is forwarded to building security.