

03 - 0392

MINNESOTA STATE ARTS BOARD

AFFIRMATIVE ACTION PLAN

Revised: August 2003

MINNESOTA STATE ARTS BOARD

STATEMENT OF COMMITMENT

The Minnesota State Arts Board is committed to the state of Minnesota's Equal Employment Opportunity Policies and Statewide Affirmative Action for its employees and the public it serves. I affirm my personal and official support of these policies, which provide:

- That all employees and potential employees are to be treated equally and that all personnel actions are to be carried out without regard of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, membership or activity in a local commission, sexual orientation, or age.
- That the Board will further strive to ensure equal access and opportunity in the services it provides to the public.
- That the Board will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce.

Managers and supervisors will be held accountable for ensuring that Affirmative Action programs are implemented since these are the individuals who can ultimately make the most impact on this program. Each manager and supervisor shall have a statement in his/her position description on his or her affirmative action responsibilities.

In order to administer the plan most effectively, I have delegated this responsibility to the Affirmative Action Designee, Gail Burke, who will act as the agency's Affirmative Action Officer and is responsible for monitoring the day-to-day activities of the program. She also serves as the agency ADA Coordinator.

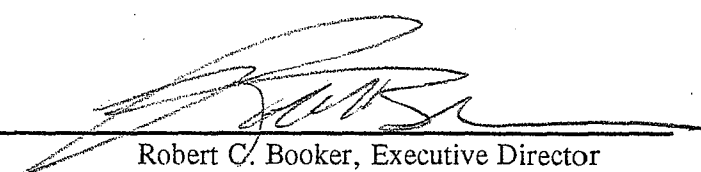
The State of Minnesota is committed to hiring individuals with disabilities who can perform the essential job functions with or without reasonable accommodation.

The Minnesota State Arts Board is aware of the new goals for hiring people with disabilities and they will be reflected in our hiring process.

Anyone interested in reviewing the agency's Affirmative Action Plan or who has concerns about affirmative action or equal opportunity issues may contact our Affirmative Action Officer.

Date

Aug 20 - 2003


Robert C. Booker, Executive Director

Internal Harassment/Discrimination Complaint Procedure

The Minnesota State Arts Board has established the following discrimination complaint procedure to be used by all employees, applicants, or eligibles. Coercion, reprisal, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

Responsibility of Employees

All employees shall respond promptly to any and all requests by the Affirmative Action Officer designee for information and for access to data and records for the purpose of enabling the Affirmative Action Officer designee to carry out responsibilities under this complaint procedure.

Who May File

Any employee, applicant, or eligible of the Minnesota State Arts Board who believes that s/he has been discriminated against by reason of 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 may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation, however, complaints will be taken for a reasonable period of time subsequent to the actual separation date.

The Complaint Procedure

The internal complaint procedure provides a method for resolving complaints involving violations of the Minnesota State Arts Board's nondiscrimination policy within the agency. Employees, applicants, and eligibles are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited. The Affirmative Action Officer designee may contact the Office of Diversity and Equal Opportunity if s/he wants information about filing a complaint.

Filing Procedures

1. The employee, applicant, or eligible completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation(s) may involve discriminatory harassment. The Affirmative Action Officer designee will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of 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; or if the complaint is of a general personnel concern. The Affirmative Action Officer designee shall also discuss other options for resolution, such as the Workplace Mediation Pilot Project.

Minnesota State Arts Board
 Park Square Court
 400 Sibley Street, Suite 200
 Saint Paul, MN 55101
 (651) 215-1610

COMPLAINT OF DISCRIMINATION/HARASSMENT

Please Read Before Completion of Form

Any complaint of discrimination/harassment is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. This information is being collected for the purpose of determining whether harassment/ discrimination has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Affirmative Action Officer designee, the complainant, and respondent and _____.

Complainant (You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone ()
Agency	Division	Manager
Respondent (Person Who Discriminated Against You/Harassed You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone ()
Agency	Division	Manager

The Complaint Discrimination/Harassment	
Basis of Complaint ("X" all that apply):	
<input type="checkbox"/> Race	<input type="checkbox"/> Color
<input type="checkbox"/> Sex	<input type="checkbox"/> Creed
<input type="checkbox"/> Religion	<input type="checkbox"/> National Origin
<input type="checkbox"/> Disability	<input type="checkbox"/> Marital Status
<input type="checkbox"/> Status with Regard to Public Assistance	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Age	<input type="checkbox"/> Membership or Activity in a Local Commission
Date most recent act of discrimination/harassment took place:	If you filed this complaint with another agency, give the name of that agency:
Describe how you believe that you have been discriminated against/harassed (names, dates, places, etc.).	

OBJECTIVE TO HIRE PROTECTED GROUP MEMBERS

When the Minnesota State Arts Board has a vacancy and is under-represented for females, minorities, or persons with disabilities, the Arts Board will make an effort to recruit protected group members.

The Minnesota State Arts Board may request the Department of Employee Relations to approve the expansion of the eligible list to include protected group members so that the Board may have an opportunity to act affirmatively.

Procedure for Determining Undue Hardship

1. The employee will meet with the ADA Coordinator designee to discuss the requested accommodation.
2. The ADA Coordinator designee will review undue hardships by considering:
 - a. The nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
 - b. The impact of the accommodation on the nature or operation of the Minnesota State Arts Board.
3. The ADA Coordinator designee will provide a decision to the employee.

Appeals

Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the agency head, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the agency's complaint procedure as outlined in this plan.

Supported Work

The Minnesota State Arts Board will review vacant positions and assess the current workload and needs of the office, to determine if job tasks might be performed by a supported employment worker(s). If appropriate, a list of supported worker candidates will be requested from DOER. The Minnesota State Arts Board will work with the State ADA/Disability Coordinator to recruit and hire individuals for supported employment if such a position is created.

shrdoc\admin\general\aaplan.doc

REASONABLE ACCOMMODATION AGREEMENT

- This form is to be completed by the Department's 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.

Name of Employee

Name of Division Manager

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

ACCEPTED DENIED

If the request was denied, explain the justification for the decision (indicate specific factors considered).

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

Yes No Partially

REASON (If "no" or "partially" was checked):

DESCRIBE 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 will become the property of the State of Minnesota.

Signature of Employee

Date

Signature of Executive Director

Date

Signature of Affirmative Action Officer

Date

PE-00092-01 (4/83)

decision affecting that individual's employment; or (3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

It is possible for discriminatory harassment, including sexual harassment, to occur: 1) among peers or co-workers, 2) between managers and subordinates, or 3) between employees and members of the public. Employees who experience discriminatory harassment should bring the matter to the attention of the Minnesota State Arts Board's Affirmative Action Officer designee, or Assistant Director. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer designee and all employees are expected to address or report any suspected harassment or retaliation.

Clearly, varying degrees of seriousness in discriminatory harassment violations can occur and require varying levels of progressive discipline. Individuals who instigate harassment are subject to serious disciplinary actions, up to and including suspension, demotion, transfer, or termination. Additionally, inappropriate behaviors which do not rise to the level of discriminatory harassment, but are nonetheless disruptive, should be corrected early and firmly in the interests of maintaining a barrier-free work place. Individuals who participate in inappropriate behaviors at work are also subject to disciplinary actions.

Procedure

Any employee, applicant, or eligible of the Minnesota State Arts Board who believes that s/he has experienced discrimination or harassment based on his/her 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 may file a complaint of discrimination.

Complaints of discrimination or harassment can be filed using the internal discrimination complaint procedure included in the Minnesota State Arts Board's Affirmative Action Plan.

2. If the snowstorm occurs during business hours the Executive Director (or in his absence the Assistant Director) will contact the Commissioner of Employee Relations for a decision about closing the office.

B. Electrical Storm

1. Staff should turn off all computers.
2. There are emergency lights located by the receptionist desk, the exit by the kitchen, and outside in the hall.

C. Tornado

1. When a warning siren sounds:

A. Proceed to the center of the suite, and then to the basement via the stairs. Go to the east side of the basement, away from the atrium. The HR person (or the program assistant) will bring the emergency kit which includes a flashlight, candles, and matches.

B. Any employee that has a hearing impairment will be told of the warning siren by the HR person or their supervisor.

Section Two - Equipment

Fire Extinguishers

Staff should know the location of all fire extinguishers. The Arts Board is equipped with two "multi-purpose" (ABC) extinguishers, which can be used for ordinary combustibles, flammable liquids, and electrical equipment. They are located in the file room (mounted on the wall) and in the kitchen behind the door.

These fire extinguishers are maintained and inspected by Nardini once a year.

The agency has a first-aid kit that is housed in the kitchen. It is equipped with all items required by the Minnesota Occupational Safety and Health Act (OSHA) under the Federal Regulations and the American National Standards Institute rules.

Section Three - Special Circumstances

Evacuation of Occupants with Disabilities

During ANY evacuation of the building, "assigned assistants" will assist employees and visitors with mobility impairments in relocating to the assigned safe area. "Assigned assistants" will assist employees and visitors who are deaf or hard of hearing to the assigned safe area.