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STATE OF MINNESOTA
PUBLIC UTILITIES COMMISSION
AFFIRMATIVE ACTION PLAN
2004-2006

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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Chair
Commissioner
Commissioner
Commissioner
Commissioner

MINNESOTA PUBLIC UTILITIES COMMISSION 2004-2006 AFFIRMATIVE ACTION PLAN

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I. STATEMENT OF COMMITMENT

As Chair of the Minnesota Public Utilities Commission, I am firmly committed to a policy of both equal opportunity and affirmative action in employment. It is my responsibility to ensure that the Commission provides 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, assignments, advancement, transfer, demotion, layoff, recall, termination, disciplinary action, compensation, and employee development. I am committed to affirmatively retaining protected group employees.

I am committed to implementation of our agency's affirmative action plan and to the state's affirmative action efforts for the hiring and retention of protected class employees. We need affirmative action because contemporary experience shows that many discriminatory practices of the past continue to have an adverse effect on certain groups even when there is no conscious intent to discriminate. Affirmative Action does not mean hiring unqualified people; it does mean hiring qualified persons from protected groups.

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, the Commission fully supports the non-discrimination provisions of all state and federal laws, rules and regulations which form the legal framework for affirmative action and equal opportunity. In addition, the Commission will not tolerate harassment in any form.

It is also the policy of the State of Minnesota and this Commission that no individual applicant or employee will be discriminated against because he/she may have Acquired Immune Deficiency Syndrome (AIDS) or an AIDS-related condition (ARC). AIDS or ARC will be treated the same as any illness in the workplace.

I strongly encourage all employees to become acquainted with the Commission's policies regarding affirmative action and harassment in the workplace, as well as the Commission's Affirmative Action Plan. It is the responsibility of all of us, especially all managers and personnel with supervisory responsibilities, to promote and apply the principles of equal opportunity in our work and to cooperate fully with the Commission's plan of action. Affirmative Action is a positive effort to secure and retain the skills and resources not only of those who have been denied opportunity in the past, but of all present and potential employees.

I urge you to join me in a continuing effort to make our equal opportunity/affirmative action program a reality. Please direct any questions or suggestions you may have to me or the Commission's Affirmative Action Designees, Peter Brown, Mani Hue, Clark Kaml, and Kevin O'Grady.

By 
Leroy Koppendray, Chair
Minnesota Public Utilities Commission

Date:

10/7/04

II. COMMISSION POLICY STATEMENTS REGARDING EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION, AND HARASSMENT

A. EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICY

The Public Utilities Commission is committed to the equal employment opportunity policy of the State of Minnesota. This policy guarantees that all persons will have the opportunity to work and to advance on the basis of their own individual merit without regard to age, race, color, creed, religion, sexual orientation, disability, membership or activity in a local commission, sex, national origin, marital status, or status with regard to public assistance.

B. AFFIRMATIVE ACTION POLICY

Furthermore, the Commission is committed to the State's affirmative action program and our agency's affirmative action plan. Affirmative action is the concept of taking positive steps to improve the work opportunities of groups discriminated against in the past and who continue to suffer the effects of that discrimination. The State legislature has designated three protected groups. They are women, persons with disabilities, and minorities. The Commission will make every effort to hire qualified protected group members in all areas where they are under-represented. When protected group members are fairly represented and retained in our agency's work force, we will discontinue affirmative action policies and continue with equal opportunity.

The actions, policies, and procedures set out in this plan will help ensure that the agency's goals and policies will be effectively implemented.

C. POLICY PROHIBITING DISCRIMINATORY HARASSMENT

The Commission wants to create and maintain an environment where mutual respect and dignity of and by all employees is the expected form of behavior. The policy of the Commission is that harassment is unacceptable, prohibited in the workplace, and it will not be tolerated.

This policy does not apply to private behavior outside the workplace except where that behavior affects the workplace or the **workplace environment**.

Discriminatory Harassment is prohibited by the Minnesota Department of Employee Relations Administrative Procedure 1.2 (April 7, 1988). Some forms of harassment as outlined in this policy are also prohibited by federal and state law.

The Commission may take appropriate action, including a variety of forms of disciplinary action, against employees who violate this policy.

1. Sexual Harassment

Sexual harassment is a form of sex discrimination. With respect to sexual harassment, the prohibition against verbal and physical harassment includes behavior which creates a negative work environment. All employees have a right to a work place free of verbal and/or physical sexual harassment.

"Sexual harassment" includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or communication of a sexual nature by or between employees when:

- 1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;
- 2) Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or
- 3) That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile, or offensive employment environment.

Any employee subjected to such harassment has the right to file a discrimination complaint with the Affirmative Action Team, as outlined in the Section V of this plan. If the employee is a union member, the union will be notified of the complaint and any subsequent procedure will be open to the union's participation if requested by the employee.

This policy covers conduct or communications involving all employees as well as non-employees who may conduct official or non-official duties on the premises of the Commission. The policy also covers conduct or communications occurring between employees outside of the Commission's premises when such conduct or communication falls under either (1), (2) or (3) above.

This policy is not intended to limit or in any way interfere with an employee's constitutionally guaranteed free speech expression.

An individual who believes that he/she has been discriminated against has 365 days during which to file a complaint with the Minnesota Department of Human Rights and 300 days to file a complaint with the Equal Employment Opportunity Commission (EEOC).

2. Other Protected Class Harassment

It is the policy of the Public Utilities Commission to prohibit verbal and physical harassment of its employees based on race, color, creed, religion, sexual orientation, sex, national origin, marital status, status with regard to public assistance, or membership or activity in a local commission, age or disability.

Any employee subjected to such harassment has the right to file a discrimination complaint with the Affirmative Action Team, as outlined in Section V of this plan. If the employee is a union member, the union will be notified of the complaint and any subsequent procedure will be open to the union's participation if requested by the employee.

This policy covers conduct or communications involving all employees as well as non-employees who may conduct official or non-official duties on the premises of the Commission. The policy also covers conduct or communications occurring between employees outside of the Commission's premises when such conduct or communication falls under either (1), (2) or (3) above.

This policy is not intended to limit or in any way interfere with an employee's constitutionally guaranteed free speech expression.

An individual who believes that he/she has been discriminated against has one (1) year during which to file a complaint with the Minnesota Department of Human Rights.

Examples of prohibited behavior are as follows:

- **Harassment Related to Racial, Heritage and National Origin**
 - a) Any behavior previously listed in this policy that is applied to a person's race, color, heritage or national origin.
 - b) Telling jokes or making demeaning or derogatory remarks, or statements about another's race, national heritage or national origin.
 - c) Use of language implying inferiority of a race, national heritage or national origin.
 - d) Criticism of a person's civil or human rights activities.
- **Harassment Related to Disability**
 - a) Any behavior previously listed in this policy that is applied to one's disability.
 - b) Use of demeaning, derogatory names or remarks about one's disability.
 - c) Disability means any condition or characteristic that renders a person a disabled person. A disabled person is any person who (1) has a physical, sensory or mental impairment which materially limits one or more major life activities; (2) has a record of such an impairment; or-(3) is regarded as having such an impairment. Disability includes the status of a person with respect to Human Immunodeficiency Virus (HIV) or with respect to Acquired Immune Deficiency Syndrome (AIDS).
- **Harassment Related to Age**
 - a) Any behavior previously listed in this policy that is applied to one's age.
 - b) Use of demeaning, derogatory names or remarks about one's age.
- **Harassment Related to Religion**
 - a) Any behavior previously listed in this policy that is applied to one's religion.
 - b) Use of demeaning, derogatory names or remarks about one's religion.
- **Harassment Related to Marital Status**
 - a) Any behavior previously listed in this policy that is applied to one's marital status.
 - b) Use of demeaning, derogatory names or remarks about one's marital status.
- **Harassment Related to Status With Regard to Public Assistance**
 - a) Any behavior previously listed in this policy that is applied to one's status with regard to public assistance.
 - b) Use of demeaning, derogatory names or remarks about one's status with regard to public assistance.

- **Harassment Related to Membership or Activity in a Local Commission**

- a) Any behavior previously listed in this policy that is applied to one's membership or activity in a local commission whose purpose is to deal with discrimination on the basis of race, color, creed, religion, national origin, sex, sexual orientation, age, disability, marital status, status with regard to public assistance, or familial status.
- b) Use of demeaning, derogatory names or remarks about one's membership or activity in a local commission whose purpose is to deal with discrimination on the basis of race, color, creed, religion, national origin, sex, sexual orientation, age, disability, marital status, status with regard to public assistance, or familial status.

Retaliation, *including* inaccurate performance appraisal, denial of transfer, implied or overt actions or threats of actions against the employee who complains of or reports harassment or who cooperates with an investigation into alleged violations of the non-discrimination policy, will not be tolerated.

The Commission, or any employee of the Commission, may not intentionally engage in any reprisal against any person because that person opposed a practice forbidden by the Minnesota Human Rights Act or because that person has filed a charge, testified, assisted, or participated in any manner in an investigation, proceeding or hearing. A reprisal also includes, for example, but is not limited to, any form of intimidation, retaliation or harassment. A reprisal includes, for example, refusal to hire an individual; departing from any customary employment practice; transferring or assigning the individual to a lesser position in terms of wages, hours, job classification, job security or other employment status; or informing another employer that the individual has opposed a practice forbidden by the Minnesota Human Rights Act or has filed a charge, testified, assisted or participated in any manner in an investigation, proceeding or hearing.

D. Responsibilities

All Commission management and supervisors are responsible for implementing and enforcing this policy. This responsibility includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance with the framework of this policy. All employees must be informed that harassment, retaliation, and reprisals are unacceptable behavior that is not tolerated in the Commission. Each supervisor is ultimately responsible for educating their staff about the Commission's policy.

This policy covers all Commission employees at all worksites, as well as individuals who provide contract services or volunteer services for the Commission, or who are at times considered to be employees.

III. COMPLAINT PROCEDURE: Procedure for Processing Complaints of Alleged Harassment and Discrimination

This procedure is intended to assist the Commission and all employees in taking appropriate action in response to harassment and discrimination.

A. Definition of a Complaint

A complaint is a dispute or disagreement raised by an employee, eligible, or applicant against another departmental 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.

B. Coverage and Exclusions

1. This complaint procedure may be used by an employee, eligible, or applicant whose dispute or disagreement is based upon the belief that s/he has been
 - discriminated against in employment because of his/her 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 (see Equal Opportunity/Non-Discrimination Policy, page 2);
 - harassed by an employee because of the above factors (see Policy Prohibiting Protected Class Harassment, page 2-5);
 - subject to sexual harassment (see Policy Against Sexual Harassment, page 2);
 - harassed because of any other factor in violation of the Commission's General Harassment Policy, page 6; and
 - retaliated against by an employee of this Commission as the result of filing a complaint, cooperating in an investigation or otherwise participating in any action under this procedure.
2. This complaint procedure may not be used to raise objections 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 Commission's Affirmative Action Team.
3. This complaint procedure may not be used for disputes which 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.
4. This complaint procedure does not in any way limit an employee's or applicant'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.

C. Complaint Procedure

The Commission 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 Commission 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 Commission'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.
 - a. If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer designee will inform the Complainant, in writing, within ten (10) working days.

- b. If the complaint is related to discrimination, the Affirmative Action Officer designee will, within 10 working days, contact all parties named as respondent(s) and outline the basic facts of the complaint. The respondent(s) will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Officer designee shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer designee shall notify the complainant(s) and respondent(s) that s/he has completed the investigation. The Affirmative Action Officer designee shall then review the findings of the investigation.
 - a. If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
 - b. If insufficient evidence exists to support the complaint, a letter will be sent to the complainant(s) and the respondent(s) dismissing the complaint.
4. A written answer will be provided to the parties within sixty (60) days after the complaint(s) is filed. The complainant(s) will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.
5. Dispensation of the complaint will be filed with the Commissioner of the Department of Employee Relations within thirty (30) days of final determination.
6. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complainant(s) and respondent(s). After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.
7. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but is not limited to, the following types of data:
 - a. Interviews or written interrogatories with all parties involved in the complaint, e.g., complainant(s), respondent(s), and their respective witnesses; officials having pertinent records or files, etc.
 - b. All records pertaining to the case i.e., written, recorded, filmed, or in any other form.
8. The Affirmative Action Officer designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

NOTE: Certain procedural requirements exist in various bargaining unit agreements which apply to complaints of alleged harassment. For more specific information regarding these requirements, refer to the applicable agreement.

D. Appeal Procedure

1. If the disposition of the complaint by any responsible party, other than the Commission, is not satisfactory to the complainant, it may be appealed to the Commission Chair (or designee) in writing. This appeal must be filed by the employee within five (5) working days following notification of the disposition of the complaint.
2. The Commission (or its designee) shall review the appeal and discuss with the employee as needed. If the complaint is resolved, that resolution will be put in writing and signed by the Commission Chair or designee and the complainant, including the complainant's representative, if any. If no settlement is reached, the Commission or designee may request further investigation by the Affirmative Action Officer as the Commission deems appropriate and shall give a written decision to the employee within a reasonable period following the meeting. The decision by the Commission Chair (or designee) will be the Commission's final decision.

E. Disposition of Complaints: Time Limits

Time limits in the procedures specified above may be waived or modified upon mutual agreement of the parties involved. The final written disposition of a formal complaint shall be provided within sixty days of receipt of the complaint. The final disposition of a complaint, if based on protected group status, shall be filed with the Commissioner of Employee Relations within thirty (30) days of final determination.

F. Maintaining Records

The records of all reports or information provided will be maintained according to the Minnesota Government Data Practices Act. The reports and information provided will be disseminated only if and as permitted by the Minnesota Government Data Practices Act. Commission records of complaints or charges filed by or against an employee shall be filed separately from his/her personnel files unless the complaint or charge results in disciplinary action against an employee.

G. Additional Information

This policy and procedure does not affect or alter the rights of any employee to file a formal charge or complaint with the federal Equal Employment Opportunity Commission (EEOC), the Minnesota Department of Human Rights, or an appropriate court, subject to applicable and individual time requirements.

Questions regarding this policy should be directed to the Commission's Affirmative Action Officer, Peter Brown.

The Commission's policies on prohibited harassment are found on pages 2 to 6 of this Affirmative Action Plan. The Governor's Executive Order 91-4 which bars discrimination on the basis of sexual or affectional preference are found in the Appendix.

IV. PERSONS RESPONSIBLE FOR DIRECTING AND IMPLEMENTING THE COMMISSION'S AFFIRMATIVE ACTION PLAN

A. Commission Chair (Agency Head)

Responsibilities:

To oversee the implementation of the Commission's affirmative action program and policies to ensure they are carried out in compliance with state and federal laws and rules.

Duties:

1. To appoint the Commission's affirmative action designees (i.e. an Affirmative Action Team), in consultation with the Executive Secretary. [Minn. Stat. § 43A.191, subd. 1 (b).]
2. To prepare and implement the Commission's affirmative action plan consistent with Minn. Stat. § 43A.191 and rules issued under Minn. Stat. § 43A.04, subd. 3.
3. To issue a written statement affirming support of the State's equal opportunity policy and affirmative action program and ensure it is disseminated to all employees.
4. To handle appeals on complaints of discrimination and denial of reasonable accommodations in accordance with affirmative action plan procedures.

Accountability:

To the Governor, fellow Commissioners, and indirectly to the Commissioner of Employee Relations and the Director of the Office of Diversity and Equal Opportunity.

B. Executive Secretary

Responsibilities:

To implement the Commission's affirmative action program and policies in accordance with state and federal laws and rules.

Duties:

1. To insure that all Commission staff are informed of their responsibilities relating to affirmative action and are held accountable for the activities under their jurisdiction.
2. To act on complaints of discrimination and on requests for reasonable accommodations in accordance with affirmative action plan procedures.
3. To ensure that the Affirmative Action Designees/Team is provided with adequate resources, facilities, and time to perform affirmative action responsibilities.

4. To ensure that the pre-hire review process is followed when protected group members are under-represented.
5. To make such changes in policy or procedure that may be necessary to facilitate an effective affirmative action plan.

Accountability:

To the Chair and other Commissioners.

C. Supervisors

Responsibilities:

To implement affirmative action in their organizational unit and for equal treatment of all employees and applicants for employment.

Duties:

1. To inform the Affirmative Action Designees/Team of upcoming vacancies.
2. To assist the Affirmative Action Team in identifying and resolving problems and eliminating barriers which inhibit equal opportunity.
3. To participate in a pre-hiring review process of all staffing decisions in assigned unit when protected groups are under-represented.
4. To communicate the agency's affirmative action policy to assigned staff.
5. To respond to any complaints of alleged discrimination or requests for reasonable accommodation in accordance with affirmative action plan procedures.

Accountability:

To the Executive Secretary.

D. Personnel Officer

Responsibilities:

To help implement the Commission's affirmative action program and policies.

Duties:

1. To inform the Affirmative Action Team of upcoming vacancies.
2. To maintain files and records on interviews, hires, terminations, and other data needed to complete affirmative action reports and to monitor the agency's progress.

Accountability:

To the Executive Secretary.

E. Affirmative Action Officer

Responsibilities:

Acting in concert with an Affirmative Action Committee or Team, the Commission's Affirmative Action Officer will monitor, direct, and help implement the Commission's affirmative action programs and policies. The Commission's Affirmative Action Officer is Peter W. Brown, Attorney II, (651) 296-2357; FAX (651) 297-7073.

Duties:

1. To draft an affirmative action plan for approval by agency management and to complete required affirmative action reports.
2. To monitor the day to day activities of the affirmative action program and to keep agency management informed of any changes in statewide affirmative action requirements.
3. To participate in state/DOER or agency approved training or meetings designed to improve or facilitate the responsibilities assigned.
4. To investigate alleged discrimination complaints.
5. To participate in decisions involving reasonable accommodation for people with disabilities.
6. To participate in recruiting procedures and pre-hiring review of all hiring decisions when protected group members are under-represented.
7. To determine the need for affirmative action training and aid in implementing it.
8. To review policies, procedures, programs, and physical accommodations and to recommend changes, as needed.
9. To ensure that copies of the affirmative action plan are available to all staff members.
10. To act as liaison to the Equal Opportunity Division, the Governor's Affirmative Action Council and other state bodies charged with or connected to affirmative action activities.
11. To report administratively and on policy issues directly to the agency head (Commission Chair) pursuant to Minn. Stat. § 43A.191, subd. 1 (b).

Accountability:

To the Chair (agency head).

V. COMMUNICATION OF POLICY AND PLAN

The Commission's Affirmative Action Team will ensure that all employees are advised of the policy of non-discrimination, the provision of reasonable accommodation, and the procedure for filing a complaint. The material can be provided in alternative formats such as large print, Braille or on tape.

A. Internal Communications

1. The Affirmative Action Team will distribute to all supervisory staff, a copy of the full Affirmative Action Plan and a cover letter detailing their responsibility to read, understand, support and implement the plan.
2. The Affirmative Action Team will post the following documents on the bulletin board in the employee breakroom:
 - a. The Commission's Affirmative Action Plan; and
 - b. The name and phone number of the contact person(s) for the Commission's Affirmative Action Team.
3. Additional copies of the Commission's Affirmative Action Plan will be available to employees upon request from the Commission's Personnel (Human Resources) Office.
4. All new employees will receive a copy of the plan from the Affirmative Action Team within two weeks of their employment.

B. External Communications

1. The commitment of the Public Utilities Commission to affirmative action will be extended to all recruitment efforts. All correspondence related to recruitment will include reference to the Commission's commitment as an Affirmative Action Employer.
2. A notice of the Commission's Equal Opportunity policy will be posted in the main lobby, providing an opportunity for everyone doing business directly with the Commission to be made aware of the policy.
3. All written external communications on job opportunities will include the statement that the Commission is "An Equal Opportunity Employer" and that it "Complies with the ADA". The Commission's letterhead will also include such a statement.

VI. GOALS AND TIMETABLES: 2004-2006

The Commission anticipates very little hiring ,if any, over the period of this plan.

The Commission has disparities with respect to women and persons with disabilities in the professional unit. The Commission will continue to work with the Department of Commerce to coordinate the two agencies' recruitment efforts.

The Commission's timetable for any additional hiring will be as the agency budget allows.

MINNESOTA PUBLIC UTILITIES COMMISSION AFFIRMATIVE ACTION IDEAL AND ACHIEVED GOALS AS OF JUNE 30, 2004

Goal Unit	Positions	Current # Employees	Women			Minorities			Disabled		
			Actual Number	Actual Percent	Goal/ Under utilization	Actual Number	Actual Percent	Goal/ Under utilization	Actual Number	Actual Percent	Goal/ Under utilization
Professional	18	17	5	29%	2	3	18%	0	0	0%	2
Office/ Clerical	8	8	8	100.0%	0	2	25%	0	1	13%	0
Supervisors	5	5	4	80%	0	0	0.0%	0	0	0%	0
Attorneys	3	3	1	33%	0	0	0.0%	0	0	0%	0
Managers	2	2	1	50%	0	0	0.0%	0	0	0%	0
Engineer	1	1	0	0%	0	0	0.0%	0	0	0%	0
Total	37	36	19	53%		5	13%		1	2.7%	2

VII. 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: To adopt position descriptions of managers and supervisors that include responsibility and accountability for equal employment opportunity and affirmative action so that managers know what they must do and when.

<u>Action Steps:</u>	<u>Target Date for Completion</u>
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1. Distribute sample Affirmative Action Responsibility statement to supervisors/managers with instructions to include it in their position descriptions.	Ongoing
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<u>Evaluation Process</u>	<u>Date</u>
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Monitor position descriptions submitted to ensure that they include a responsibility statement for EEO/AA.	Ongoing
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Responsibility: Managers and HR Staff

Goal 2: To increase awareness of sexual harassment issues for agency 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 Commission employees in the prevention of sexual harassment in the workplace and to ensure all department employees are informed of their rights and obligations.

<u>Action Steps:</u>	<u>Target Date for Completion:</u>
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1. Provide new employees with a statement addressing what is and is not acceptable behavior and what is expected of each employee regarding prevention and reporting of sexual harassment.	Ongoing
2. Ensure new employees and managers receive training in preventing sexual harassment.	Include as part of new employee orientation.

Evaluation Process:

Date:

3. Collect data from training participants on usefulness (etc.) of training and evaluate relevant comments and concerns.

End of each training activity.

Responsibility: Managers and Human Resources Staff

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: To ensure that training on Title I (Employment) of the ADA is made available to managers and supervisors of the department.

Action Steps:

Target Date for Completion:

4. Inform supervisors and managers of training on Title 1 of the ADA available at DOER or other sources as appropriate.

Ongoing

Evaluation Process

Date:

Collect data from training participants on usefulness (etc.) of training and evaluate relevant comments and concerns.

End of each training activity.

Responsibility: Affirmative Action Team

Goal 4: Survey Commission employees to determine the make-up of the Commission workforce as it relates to disability status.

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

Action Steps:

Target Date for Completion:

1. Gather information, on a confidential and optional basis, from new employees at time of hire.
2. Re-survey all employees at regular intervals.

Ongoing

December 2005, **and every three years** thereafter.

Evaluation Process:

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

Date:

Ongoing

Responsibility: Affirmative Action Team

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:

Target Date for Completion:

- | | |
|--|--------------------------------------|
| 1. Review vacant positions, prior to hiring, to determine if job tasks might be performed by a supported employment worker(s). | Ongoing, as positions become vacant. |
| 2. If appropriate, request supported work candidates from DOER. | Ongoing, when appropriate. |
| 3. Review possibilities for setting up supported work positions. | Ongoing. |

Evaluation Process:

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

Date:

January 31, annually.

Responsibility: Hiring managers/supervisors and HR Staff.

Goal 6: Review and evaluate employee retention records.

Action Steps:

Target Date for Completion:

- | | |
|--|--|
| Review prior fiscal year retention records, analyze and prepare report of analysis | December 31, 2004
July 31 in successive years |
| Maintain tracking of employee retention, turnover, complaints | On-going |

Responsibility: Affirmative Action Team.

VIII. AUDITING, EVALUATING, AND REPORTING PROGRAM

The rules governing statewide affirmative action programs direct that methods of auditing, evaluating and reporting program success be established for all agencies. This includes a procedure that requires a pre-hiring review of all hiring decisions for goal units with unmet affirmative action goals.

A. Pre-Employment Review Process

When management decides to fill a vacancy the following procedures shall be followed:

Preliminary Process

1. The Personnel Officer or the Supervisor will notify the Affirmative Action Officer when a vacancy exists.
2. If there is a disparity in the goal unit in which the vacancy exists, the Affirmative Action Officer will notify the hiring supervisor and the complete affirmative action hiring procedure will be followed.
3. If the unit in which the vacancy exists has fewer than five members so that no specific goals are set, the Affirmative Action Officer will still notify the hiring supervisor of any protected groups which are under-represented.

Affirmative Action Hiring Procedure

1. The Affirmative Action Officer will work closely with the hiring supervisor and the personnel officer to monitor and collect data.
2. If no pool of eligibles is maintained by the Department of Commerce from which a certification list for the vacancy can be composed, the agency will recruit affirmatively for the position. The hiring supervisor will work with the Affirmative Action Officer to establish an eligible certification.
3. Invitations to interview may be issued by telephone or letter. Adequate documentation must be kept for the file when a protected group member declines to interview for the vacancy, including the date of the contact, who made the contact, and, if available, why the person declined to interview. Inability to reach a protected group member by telephone is not an adequate reason for excluding the person from the selection process; a letter must be sent, allowing at least 7 calendar days for reply.
4. Prior to selection of a candidate, the hiring supervisor will discuss his or her anticipated selection with the Affirmative Action Officer to ascertain that the selection is not based on discriminatory reasons.

5. If the Affirmative Action Officer is dissatisfied with a decision to reject a protected group member, the hiring supervisor will explain in writing the reasons for his/her selection. Copies of the written rejection will be reviewed by the Affirmative Action Officer; no selection will be made until these written reasons have been reviewed and approved or if not approved by the Affirmative Action Officer, the matter has been otherwise resolved. Where the Affirmative Action Officer determines the reasons for the rejection are insufficient or that the pre-hiring review procedures outlined in this plan have not been followed, the Affirmative Action Officer shall make his findings after discussing the issues with the hiring manager. If the matter is not satisfactorily resolved prior to any offer being made, the findings of the Affirmative Action Officer, along with any supporting documents, shall be forwarded to the Executive Secretary or the Chair, for final resolution. The Executive Secretary or Chair may take appropriate action, including a recommendation that the preliminary rejection be reconsidered.

Documentation of the selection process (including candidate ratings by the interviewers where a disparity exists) will be kept by the Personnel Officer for all appointments, both list and non-list hires. Data on every appointment, where there is a disparity, will indicate how much opportunity the agency had to act affirmatively and what they actually did about it.

B. Layoff Impact on Affirmative Action Goals

Prior to any layoff decision, the Commission's Personnel Officer will report the impact of any such layoffs on the Commission's affirmative action goals to the Affirmative Action Officer, including whether the layoff would create or intensify a disparity for any protected class. Prior to any layoff decision that negatively impacts the Commission's affirmative action goals, the party making the layoff decision will discuss the proposed layoff(s) with the Affirmative Action Officer.

C. Recordkeeping and Evaluation

Data regarding hires is recorded on the Protected Group Report forms.

Evaluation documentation is maintained in the central files of the Office of Human Resources, and include:

- Affirmative Action Plan and any related written continents purchase orders for recruitment fees paid and notes on specific recruitment activities.
- Affirmative Action complaints.
- ADA complaints

OBJECTIVE: To ensure that hiring and retention procedures support the Commission's commitment to hire affirmatively in a work environment void of discrimination.

1. Record Keeping

The Affirmative Action Team shall maintain records reflecting hires, turnovers, and any complaints regarding such activity.

2. Evaluation

The Affirmative Action Team shall evaluate the Affirmative Action Plan by:

- A. Reviewing monthly statistics reflecting current complement based on protected classes.
- B. Reviewing disciplinary actions taken during the past quarter including review of job classification, bargaining unit, racial/ethnic group, sex, and disability status.
- C. Reviewing recruitment sources and strategies used, and the results used to help fill specific vacancies for which there was under-representation.
- D. Reviewing formal discrimination complaints filed in the past quarter.
- E. Reviewing training provided to employees to analyze for upward mobility impact including job assignment, job progression, promotion, and transfer by job classification, bargaining unit, racial/ethnic group, sex, and disability.

IX. WEATHER EMERGENCIES AND EVACUATION

A. How Weather Emergencies Are Declared and Communicated to Employees

A weather emergency is a weather condition that threatens lives and property in such an intense way that it takes precedence over all other assigned activities or requires suspension of all other duties. This may be due to a variety of weather or weather-related phenomena such as a tornado, severe thunderstorm, blizzard, ice storm, heat wave, firestorm, or flood.

The Minnesota Department of Employee Relations (DOER) declares weather emergencies when a number of conditions exist. The factors that are considered by DOER are:

- Road maintenance. Are state highways open and snowplows operating?
- Transit operations. Are local transit systems running?
- Additional weather conditions. Is wind, cold or ice a factor?
- Other considerations. Are power or heating systems affected?

DOER receives notification from the Duty Officer in the Emergency Management Division of Public Safety if a severe weather situation is occurring anywhere in the state. This office also provides DOER with road conditions, snowplowing information and transit operations obtained from local law enforcement. DOER considers all of the **information from these sources** and then decides if it is necessary to declare an emergency and close state offices.

The decision to declare an emergency can be statewide or **limited to a specific portion of the state**. Any decision to close state offices due to an emergency does not apply to employees who are required by their agency to work during a weather emergency.

The weather emergency is meant for those extreme cases when it would be unsafe for most employees to travel to or from home. We recognize that there may be unique individual situations due to the employee's location that make it impossible for that employee to get to work when an emergency has not been declared. In those circumstances, supervisors should consider allowing the employee to make up the lost time or use compensatory time or annual leave.

B. Plans for Evacuation and Safety

The Commission's plans for evacuation of the building in the event of severe weather emergency situations (as declared by DOER) are prepared by Building Management in consultation with the Commission's Safety Committee. Such plan shall provide for the evacuation, and safety of disabled persons. A copy of such plan is available to every employee on the Safety and Bulletin Board in the Staff Break Room. A copy of the Commission's entire Emergency Procedures Plan is attached, which includes Part II, the Employee Evacuation Plan (pages 5-6). People with Mobility and/or sensory impairments will be evacuated as provided in the Plan at page 6:

"Supervisors of persons with disabilities who will require assistance to evacuate will make

advance arrangements (specific procedures) with the employee, coordinate with building management, and arrange for the employee to team up with volunteers within the agency (co-workers identified in advance) to provide whatever emergency assistance may be required."

C. Methods of Communication

Employees who are not persons with disabilities will be informed of impending emergencies/ need to evacuate as set forth in the Commission's attached Emergency Procedures Plan.

Supervisors of deaf and hard of hearing employees and other people with disabilities should have a procedure in place for these employees to learn about a weather emergency and evacuation plan. If the employee has a TTY machine (telecommunication device for the deaf), the supervisor may contact the employee through the Direct Connect Minnesota Relay Service (MRS) at 1-800-627-352. Here's how it works:

- The supervisor or other assigned co-worker calls the MRS number.
- The MRS operator dials the employee's number.
- When the parties are on the line, they can communicate directly with each other. The MRS communication assistant will type what's spoken to the deaf or hard of hearing person and speak what they type to the hearing person.

X. REASONABLE ACCOMMODATION POLICY

The State of Minnesota and the Minnesota Public Utilities Commission are committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the 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 the state's policy to reasonably accommodate qualified individuals with physical- or mental disabilities unless the accommodation would impose an undue hardship.

In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment.

This policy applies to all applicants, employees, and employees seeking promotion. Dawn Walker (297-4596) is responsible for ADA issues and compliance.

A. Definitions

1. Person With a Disability

For purposes of this policy a person with a disability is one who has a physical or mental impairment that substantially or materially limits one or more major life activities.

2. Reasonable Accommodation

A reasonable accommodation is any 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.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying examinations and training materials; making facilities readily accessible; job restructuring; modifying work schedules; providing qualified readers or interpreters; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- a. To assure equal opportunity in the employment process;
- b. To enable a qualified individual with a disability to perform the essential functions of a job; and
- c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

B. Procedure for Existing Staff: Employees and Employees Seeking Promotion

1. Each Agency will inform all employees of this accommodation policy in accessible formats.
2. The employee shall inform his/her manager or supervisor of the need for an accommodation.
3. The Agency may request documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate files. Supervisors and managers may be told about necessary restrictions on the work or duties of the employee and about necessary accommodations. Supervisors and managers will not be told or have access to medical information unless the disability might require emergency treatment.
4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
 - a. Discuss the purpose and essential functions of the particular job involved completion of a step-by-step job analysis may be necessary;
 - b. Determine the precise job-related limitation;

- c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job; and
 - d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Agency is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
- 5. The Agency's ADA Coordinator/Designee should work with the supervisor and employee to obtain technical assistance, as needed.
 - 6. If the supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the supervisor will forward a written request for accommodation along with his/her recommendation to the Manager/Supervisor within 5 working days following the employee's request
 - 7. If the Manager/Supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the Manager/Supervisor will forward a written request for accommodation, along with his/her recommendations, to the Agency ADA Coordinator within 5 working days following receipt of the employee's request.
 - 8. If the ADA Coordinator is unable to make a definitive decision about providing the accommodation, the ADA Coordinator will forward a written request, along with his/her recommendations to the agency head within 10 working days from the date the request was received from the Manager/Supervisor.
 - 9. The Agency head will provide a decision in writing to the ADA Coordinator/Designee and employee within 10 working days.
 - 10. 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/Designee shall work together to determine whether reassignment may be an appropriate accommodation.

The ADA Coordinator/Designee shall first look for an equivalent vacant position in the Agency equivalent to the one presently held by the employee in terms of pay and other job status. If the individual with the disability is not qualified, with or without reasonable accommodation, for a vacant position (or a position the Agency knows will become vacant within a reasonable period of time) the Agency may reassign the individual as a reasonable accommodation to a lower graded vacant position for which the

employee is qualified. If this occurs, the Agency is not required to maintain the individual's salary at the previous level. The Agency will look at transfer opportunities, mobility opportunities, appointment opportunities, noncompetitive and competitive opportunities. (Minn. Stat. § 43A). The Agency 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.

11. If a request for accommodation is not approved, the Agency head shall inform the employee of the reason(s) for nonapproval in writing, within 3 working days of the decision.

C. Procedure - Job Applicants

1. The Agency shall notify all applicants of this accommodation policy using accessible formats.
2. When a request for accommodation is received from an applicant, the supervisor/Human Resource Office will discuss the needed accommodation and discuss possible alternatives with the applicant.
3. The supervisor/Human Resource Office will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.
4. If the supervisor/Human Resource Office is unable to make a definitive decision for whatever reason, about providing the accommodation, the supervisor/Human Resource Officer will forward a written request for accommodation, along with his/her recommendations to the ADA Coordinator/Designee within 3 days following the applicant's request.
5. If approved, the ADA Coordinator/Designee shall take the necessary steps to see that the accommodation is provided. If the accommodation is not approved, the ADA Coordinator/Designee will inform the applicant the reason for nonapproval, in writing, within 3 working days of the decision.

D. Policy for Funding Accommodations

Funding must be provided by the Agency for accommodations which do not cause an undue hardship (Minn. Stat § 43A.191(c)). Factors the agency considers in providing the accommodations are: job outputs, modifiability of those specific outputs consistent with agency mission, adaptability of current specific processes in achieving those outputs, cost of the accommodation in terms agency resources.

Definition:

1. Undue Hardship

An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the Agency.

Procedure for Determining Undue Hardship:

1. The supervisor/Human Resource Officer will meet with the ADA Coordinator/Designee to discuss the requested accommodation.
2. The ADA Coordinator/Designee will determine undue hardship by considering:
 - a. The nature and cost of the accommodation in relation to the size, the financial resources, the nature and structure of the Agency's operation; and
 - b. The impact of the accommodation on the nature or operation of the particular Agency.
3. If the ADA Coordinator/Designee considers the accommodation will impose an undue hardship, the ADA Coordinator/Designee will forward an undue hardship analysis and recommendation to the Agency head within 10 working days following the **employee request** or within 3 working days following applicant request.
4. The Agency head will provide a decision in writing to the ADA Coordinator/Designee, supervisor, and employee within 10 working days or applicant within 3 working days.

XI. RECRUITMENT PLAN

GOALS

To ensure that recruitment programs are publicly conducted to attract sufficient numbers of qualified applicants; to enhance the image and esteem of employment; and to and emphasize the recruitment of protected group members to assist the Commission in meeting affirmative action goals to achieve a balanced workforce.

1. Advertising Sources Used: Department of Commerce human resources program.
2. Other Methods Used: None.
3. Cost Incurred: FY 2003 / none
4. Results: Difficult to determine. Most resumes do not contain information specifying how the applicant heard of the position vacancy.
5. Job fairs attended/projected: DOER job fairs in 2005 and 2006
6. Hiring opportunities and recruitment:

The Commission does not anticipate further vacancies in any of the office, technical, managerial or Commissioner's Plan units in FY 2004. For any such vacancies, the Commission will recruit affirmatively, targeting populations underrepresented in our workforce as identified in Section 6. This affirmative recruitment will include attendance at job fairs and protected group-specific advertising (e.g. minority newspapers, women's press, Access Press.)

6. Internships and Supported Employment:

Internship opportunities are directly related to a specific academic program of the educational institution and to the ability of the Commission to accommodate the formal learning process. When possible, student interns will be provided an opportunity to earn academic credit and/or work experience while performing a valuable service to the department.

The supervisor seeking a student intern will establish the relationship with the educational institution and will work with the Human Resource Officer to formalize and implement the specific internship arrangement. In seeking student interns, the supervisor will bear in mind the Commission's affirmative action goals and commitments and include specific language in any contacts with schools affirmatively encouraging applications from members of the protected groups.

7. The Commission will explore use of the Supported Work Program.
8. Recruitment of persons with disabilities:

We are currently complying with the requirements of the Americans with Disabilities Act in our recruitment activities by making materials available in alternative formats (when requested) and meeting locations accessible. We will publicize openings in Access Press or contact Joanna Morken Hardy, the State ADA/Disability Coordinator for assistance or local rehabilitation/vocational organizations. Regarding supported employment, the agency does not currently have positions for supported employment but in the event that an opportunity presents itself, the agency will recruit and hire for the supported employment by contacting Martha Brechlin, State ADA/Disability Coordinator.

XII. RETENTION PLAN

GOAL

A coordinated retention plan under the direction of the Executive Secretary will exist to retain state employees, involving agency and DOER activities. Additionally, these initiatives will improve productivity, make the work culture more conducive to diverse employees, and guide new employees toward promotional opportunities. The Commission has a history of high retention of all its employees, including protected group individuals. If an individual leaves the Commission, it is usually due to a promotion within state service or retirement.

Objective: Better understand and document the reasons behind turnover among protected group members.

Action Step:

Develop an exit interview plan and procedures for offering an additional exit interview to all members of protected groups who are leaving the Commission.

Objective: Continue to create and maintain a worker-friendly environment for all employees.

Action Steps:

Encourage employees to participate in and celebrate those events which celebrate the rich diversity within the Commission.

Educate supervisors and managers about their role in creating and maintaining a healthy and humane workplace and specific supervisory responsibilities that contribute to retention of protected group members.

Objective: Develop a plan for maintaining records useful in analyzing separation patterns, indicating protected group status, reason for the separation, and percentage of overall separations of each protected group within the agency.

Action Steps:

Record-keeping of hires and turnovers is maintained on the Protected Group Report forms.

Evaluation is maintained in the Human Resource Office, and include:

Copies of the Affirmative Action Plan and any comments received in writing which pertain to the Plan.

- Recruitment documentation such as purchase orders for fees paid and notes on specific recruitment activities

- Affirmative Action complaints

- ADA complaints

- Missed opportunities

Objective: Develop specific methods to retain protected group employees in consultation with DOER's Coordinator of Retention Program.

Responsibility:

Affirmative Action Team (Peter W. Brown, Mani Hue, Clark Kaml, and Kevin O'Grady) and Human Resources Officer (Mary Jo Jasicki) and Executive Secretary Burl Haar.

MINNESOTA PUBLIC UTILITIES COMMISSION

EMERGENCY PROCEDURES PLAN

FOR

METRO SQUARE OFFICES

October 2004
~~November 1999~~
Revised ~~September 1995~~

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MINNESOTA PUBLIC UTILITIES COMMISSION

BOMB THREAT POLICY

DEALING WITH BOMB THREATS

If you receive a bomb threat, get as much information as possible and report it immediately to your supervisor who will report it immediately to the executive secretary and the commission chair.

WHAT HAPPENS WHEN A BOMB THREAT OCCURS

When the Commission or other agencies in the building receive a bomb threat, the building management and the police are immediately notified. The Public Utilities Commission (PUC) will attempt to notify employees.

The police will respond to the call and interview the person who received the threat. In most instances the police will not have sufficient officers available to conduct a search unless:

1. The content of the bomb threat or other information the police have gives them reason to believe the threat is not a hoax.
2. A suspicious package can be readily identified.

The police generally will not conduct a visual search because they are not familiar with the normal contents of a work area to be able to determine whether or not a package, briefcase, or other object was unusual or out of place.

Employees of the company managing the building are only familiar with common spaces such as halls, bathrooms and entrances. Their knowledge of individual work places is insufficient to determine if an object is unusual or out of place and potentially a bomb. In case of a bomb threat, the building management will search the common areas of the building.

The executive secretary will confer with the police and building management to determine if building evacuation is recommended. The executive secretary will discuss the situation with Department of Public Service management and with the Department of Employee Relations to determine whether an emergency will be declared.

WHAT DO I DO?

When you are informed of a bomb threat, the most helpful thing you can do is to look for and report to your supervisor any unusual or suspicious objects in your work area. If you see any unusual or suspicious objects, do not attempt to investigate, but report the location of the object to your supervisor so that the building management or police can investigate.

In the event of a bomb threat, the Commission, in conjunction with the Department of Employee Relations, may declare an emergency and recommend evacuation. If an emergency is not declared and evacuation is not being recommended, you may request to take vacation leave or leave without pay if you do not personally feel safe remaining at work.

You have no obligation as an employee to assist in the search. You may volunteer to help search if you wish.

PUC management will notify you if a decision is made to evacuate the building. If the commission orders an evacuation, it may be for a specific amount of time. You may then leave the building. After the evacuation period has elapsed, you should report to the first floor of the Metropolitan Bank Building as indicated in the Evacuation plan (p.6). At that time your supervisor will provide further instructions to either report back to work or extend the evacuation period. If the evacuation is for the remainder of the work day, you should report for work on your next scheduled work day unless you are notified differently. When you participate in an authorized building evacuation and report back to work immediately upon conclusion of the evacuation period, the time period consumed by the evacuation will be considered paid time.

WHY NOT ALWAYS EVACUATE?

The following excerpt is taken from a pamphlet distributed by the St. Paul Police Department:

In those facilities not having a bomb threat plan, the most common practice is to evacuate the entire building upon first receipt of a bomb threat call. At first glance, this might appear to be the thing to do. After all, there is the possibility that an explosive or incendiary device might be in the building. However, consider the chances of personal injury that could result where a hasty

evacuation is attempted and there is panic. Some authorities feel that hasty evacuation can endanger more lives through panic than an explosive would.

In evacuating any building, you are routing personnel through the most public areas of the facility, i.e., the corridors, the stairwells, etc., and these are the places that are, in fact, most likely to contain an explosive device.

By evacuating immediately, you might be exposing personnel to greater danger than had they remained where they were, at least long enough to determine that the way is clear.

The movement of any large mass of people under emergency conditions is a hazardous undertaking unless absolute control is maintained.

Whenever possible, PUC management will seek advice from the police department and the building management before determining whether or not to evacuate the building. We will also work closely with the Department of Public Service and the Department of Employee Relations.

MINNESOTA PUBLIC UTILITIES COMMISSION

EMPLOYEE EVACUATION PLAN

When to Evacuate

The need to evacuate the building will be determined by the Executive Secretary, or in the absence of the Executive Secretary, the Commission chair, or their designated substitute. Each situation will be evaluated at the time of occurrence. Of course any time individuals sense their personal safety is directly threatened, they should take steps to protect themselves and leave the premises. A continuous sounding of the fire alarm system is always a need to evacuate the building.

Notification Procedure

Building management may announce a need to evacuate over the building paging system or by phone to agency representatives. The paging system is - Installed in public places in this building. The receptionist will advise the Executive Secretary of any emergency notices received.

Notice of a decision to require evacuation will be made to employees via the broadcast feature of the office phone system, or by direct contact from your supervisor. Deaf or hard of hearing employees will be notified of emergency situations by the employee's unit supervisor or (in the supervisor's absence, the supervisor's temporary replacement. As a backup, it will also be the responsibility of the Safety Committee chairperson (currently Al Bierbaum) to notify the employee of emergency situations.

In the event that a public meeting is occurring at the time an evacuation is announced, the staff person or Commissioner conducting the meeting shall indicate to the meeting members how to evacuate the building where to assemble.

How to Evacuate

You should leave the building by any of three stairways available near our office. These are: 1) the central escalator stairs, 2) the northwest exit to Robert Street (stairs located along the west wall of our office space between the large open area and the annex section) , and 3) the north exit to 7th Street (stair located at the north end of the corridor leading to the freight elevator). The fire door located in the main walkway at the south end of the annex section, may descend from the ceiling in case of fire, but this should not impede access to any of the stairs. Additional

stairs are available at the east end of the Metro building for your use if necessary. Please review the floor plan provided with this plan to locate exit stairways. Familiarize yourself with their location by physically locating and using them before an emergency arises.

Supervisors of persons with disabilities who will require assistance to evacuate will make advance arrangements (specific procedures) with the employee, coordinate with building management, and arrange for the employee to team up with volunteers within the agency (co-workers identified in advance) to provide whatever emergency evacuation assistance may be required.

A WORD OF CAUTION: The northwest exit (Robert Street) stairway doors lock behind you. The first floor outside exit door is the only sure way out of the stairway once inside. This stairway does allow you to exit to the lower level (basement) before six p.m. weekdays.

Where to Assemble Upon Evacuation

Report to the first floor (Atrium level) of the First Metropolitan Bank building (Also known as the Bremer Building) located on the southwest corner of the intersection of Robert and Seventh Place. Please do not go to this area via the skyway level. Locate your supervisor and wait for further instructions. Your supervisor will need to take a head count to ensure everyone has successfully evacuated.

Building management will set up a command center at the guard desk (if this location is not usable, then outside the door area on the south side of the building will be used for this function) where the executive secretary or his designee will receive further information.

MINNESOTA PUBLIC UTILITIES MISSION

TORNADO OR SEVERE WEATHER PROCEDURE

Notification Procedure

A Weather Radio will be stationed at the receptionist area to monitor any National Weather Service announcements. The receptionist will immediately notify the Executive Secretary and all employees of any National Weather Service watches or warnings. Watches for the Metro area shall be noticed via network broadcast message, and warnings for Ramsey County via the computer network system and the phone page system.

Deaf or hard of hearing employees will be notified of Weather Service watches or warnings by the employee's unit supervisor or (in the supervisor's absence) the supervisor's temporary replacement. As a backup, it will also be the responsibility of the Safety Committee chairperson (currently Al Bierbaum) to notify the employee of such watches or warnings.

Employee action plan

A National Weather Service warning of severe weather for Ramsey County shall be the trigger for employees to move to the center of the building and stay away from all windows or doors until the weather clears. Employees should assemble in the large hearing room until the all clear is given by the executive secretary.

In the event that space is limited because a meeting is occurring in the large hearing room at the time of the emergency, the small hearing room, conference room B, and the commons area near the escalator may be used. Any employee that would rather take shelter in the lower level should seek specific authorization from their supervisor.

The Executive Secretary shall designate a communications person to be stationed in the reception area, to monitor the weather radio broadcasts, telephones, and the building management for updated weather information.

MINNESOTA PUBLIC UTILITIES COMMISSION

EMERGENCY MEDICAL PROCEDURE

Basic Philosophy

The basic philosophy of the Commission regarding medical emergencies shall be to rely on the local 911 emergency response system as the primary responders.

Employee action plan

In the event of discovery of a medical emergency by an employee, the employee shall immediately dial 911 and give the system operator information about the nature of the emergency and the location within the Metro Square building complex (i.e. third floor Commission office large hearing room). After calling 911 the employee shall inform the receptionist, who will notify building management, and the executive secretary of the situation.

Response Team Guidance Procedure

Building management personnel, if available, shall guide the 911 team on the first floor level from the door to the elevators. Commission personnel will guide the team from the third floor elevator exit to the scene of the emergency. The receptionist shall organize this guidance procedure, to the extent necessary, with other employees unless relieved by management personnel.

