

04 - 0663

Affirmative Action Plan

2004 – 2006

**MINNESOTA DEPARTMENT
OF HUMAN RIGHTS**

July 30, 2004

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To request another format, please call 651.296.9044 (voice) or 651.296.1283 (TTY).



Department of Human Rights 2004 - 2006 Affirmative Action Plan

TABLE OF CONTENTS

Transmittal Sheet	<i>submitted electronically and attached</i>	
Statement of Commitment		2
Responsibilities for Affirmative Action		3
Methods for Communicating the Department of Human Rights Affirmative Action Plan		7
Policy Prohibiting Harassment		8
Internal Discrimination/Harassment Complaint Procedure		9
Goals and Timetables		12
Programs and Program Objectives		14
Pre-Employment Review Process		17
Methods of Auditing, Evaluation, and Reporting Program Success		19
Weather Emergency Notification and Building Evacuation		20
Reasonable Accommodation		21
Recruitment Program	<i>submitted electronically and attached</i>	24
Retention Plan		25
Relevant Agency Policies and Procedures	<i>attached</i>	
Copies of Forms submitted electronically	<i>attached</i>	

Statement of Commitment

As Commissioner of the Minnesota Department of Human Rights, I support the State of Minnesota's Equal Employment Opportunity Policies and Statewide Affirmative Action efforts to provide equal opportunity in employment to current and prospective employees without regard to race, religion, creed, color, age, national origin, sex, sexual orientation, marital status, disability, status with regard to public assistance, membership or activity in a local human rights commission. To ensure a diverse workforce representative of all protected groups, the Department will ensure that positions are accessible to all qualified persons and will make every effort to affirmatively recruit, hire, retain and support qualified protected group members.

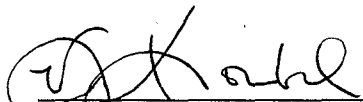
Managers and supervisors are the individuals who can ultimately make the most impact on this program, and they are accountable for ensuring that Affirmative Action Programs are implemented. Each manager and supervisor shall have (has) a statement in his/her position description describing their affirmative action responsibilities and will be trained on the content of the plan by September 1, 2004

I have appointed Vanessa Bailey as the department's Affirmative Action Officer and ADA Coordinator. She is responsible for updating and maintaining the department's Affirmative Action Plan; for monitoring all equal employment opportunity activities within the department; and for reporting the effectiveness of the Affirmative Action program as is required by state law.

Any department employee who is found to have violated the department's equal employment opportunity policies and procedures as stated in this Affirmative Action plan will be subject to discipline.

Any department employee or applicant for employment who believes that he/she has been discriminated against may contact Vanessa Bailey. Her telephone number is 651.296.9044; TTY 651.296.1283. She may also be contacted by mail at the department's mailing address. Discrimination complaints may also be filed with the Equal Employment Opportunity Commission.

I am committed to the implementation of the agency's affirmative action plan, and I encourage employees of the Department to be involved in carrying out this policy and welcome comments and suggestions on improving our agency's policies and services to our customers.



Velma Korb, Commissioner
Department of Human Rights

7-29-04

Date

Responsibilities for Affirmative Action

Commissioner

1. Responsibilities

The Commissioner is responsible for the establishment of affirmative action programs, including goals and time-tables and compliance with all federal and state laws and regulations relating to discrimination.

2. Duties

The duties of the Commissioner shall include, but not be limited to, the following:

- a. to designate an Affirmative Action Officer (AAO) and include accountability for affirmative action in his/her position description.
- b. to take action, if needed, on complaints of discrimination.
- c. to issue a statement affirming the department's commitment to affirmative action/equal employment opportunity and to ensure that such a statement is disseminated to all employees.
- d. to make such decisions and changes in policies, procedures or physical accommodations as may be needed to implement effective affirmative action in the department.
- e. to actively promote equal opportunity employment.
- f. to report annually to the Governor and the Legislature through the Commissioner of Employee Relations the department's progress in affirmative action.
- g. to notify all contractors and sub-contractors with the department of their affirmative action responsibilities.

3. Accountability

- a. The Commissioner is accountable directly to the Governor for affirmative action matters.
- b. The Commissioner is accountable for adhering to the affirmative action rules, regulations, and policies enforced by the Commissioner of Employee Relations or his/her designee.

Responsibilities for Affirmative Action (continued)

Affirmative Action Officer

1. Responsibilities

The Affirmative Action Officer (AAO) is responsible for the development, implementation and monitoring of the departmental affirmative action program.

2. Duties

The duties of the AAO shall include, but not be limited to, the following:

- a. to coordinate and monitor the day-to-day affirmative action activities.
- b. to investigate complaints of discrimination and submit findings to the Commissioner.
- c. to fulfill all affirmative action reporting requirements.
- d. to disseminate the Affirmative Action policy.
- e. to hold exit interviews with all employees to determine reasons for turnover.
- f. to act as the liaison between the department and the Department of Employee Relations (DOER), Office of Diversity and Equal Opportunity (ODEO).
- g. to determine the need for affirmative action training within the department and to initiate the development of such training programs with the assistance of the Training and Development Coordinator, ODEO, Human Resource Development Services divisions at DOER and outside resources as necessary.
- h. to review and recommend changes in policies, procedures, programs and physical accommodations to facilitate affirmative action.
- i. to support and participate in the recruitment of protected class persons for employment, promotion and training opportunities.
- j. to notify the Commissioner of all formal written complaints when received.

Responsibilities for Affirmative Action (continued)

3. Accountability

The AAO is accountable directly to the Commissioner.

Supervisors

1. Responsibilities

Supervisors are responsible for the implementation of affirmative action in their organizational unit and for equal treatment of all employees and applicants for employment.

- a. to assist the AAO in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- b. to communicate the department's affirmative action policy to assigned staff.
- c. to include responsibility statements for affirmative action/equal employment opportunity in their position descriptions.
- d. to carry out their supervisory responsibilities in accordance with affirmative action/equal employment policies embodied in this plan.
- e. to maintain a "single standard" principle within the work force so that employees are evaluated, recognized, developed and rewarded on a fair and equitable basis.
- f. to provide a positive environment in the work place.
- g. to refer complaints or complaints involving another supervisor to the respective division head.

2. Accountability

Supervisors are accountable directly to the Deputy Commissioner.

Responsibilities for Affirmative Action (continued)

Managers, Directors, and Deputy Commissioner

1. Responsibilities

Managers are responsible for the implementation of affirmative action in their division and for equal treatment of all employees.

- a. to assist in the identification of problem areas and eliminating barriers which inhibit equal employment opportunity.
- b. to communicate equal employment policy and affirmative action program to all employees assigned to their division.
- c. to assist the AAO in conducting periodic audits of training programs, hiring, and promotion patterns to remove impediments to the attainment of goals and objectives.
- d. to hold regular discussions with supervisors and employees to ascertain that the department's EEO policies are being followed.
- e. to inform and evaluate supervisors on the basis of their equal employment opportunity efforts and results in addition to other criteria.

2. Accountability

Managers are accountable directly to the Commissioner.

Methods for Communicating the Department of Human Rights Affirmative Action Plan

The Department of Human Rights Affirmative Action Officer (AAO) 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.

Methods for Communicating the Affirmative Action Plan Internally

1. The AAO will distribute, to all supervisory staff, a copy of the full AA plan and a cover letter detailing their responsibility to read, understand, support and implement the plan.
2. The Human Resources Office will post the following documents on the department bulletin board in the employee breakroom:
 - a. the Department of Human Rights Affirmative Action Plan
 - b. the Minnesota Equal Opportunity policy, and
 - c. the name and phone number of the agency's Affirmative Action Officer.
3. Additional copies of the AA plan will be available to employees upon request from the Human Resources Office.

Methods of Communicating the Affirmative Action Plan Externally

1. The Department of Human Rights will include the statement, "an equal opportunity employer," on agency letterheads and other outgoing correspondence.
2. A notice of the department's Statement of Commitment to Minnesota's Equal Employment Opportunity Policies and Statewide and agency Affirmative Action efforts will be posted in the main lobby, providing an opportunity for everyone doing business directly with the Department of Human Rights to be made aware of this commitment.
3. The department's Internet Home Page will include the statement, "an equal opportunity employer."

Policy Prohibiting Harassment/Discrimination

Definition

Harassment is any behavior, which is not welcome, which is personally offensive, which therefore, may adversely affect morale and interfere with the employee's ability to perform his/her job responsibilities.

According to the EEOC: "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 conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

It is the policy of the department to prohibit verbal and physical harassment of its employees based on race, religion, creed, color, age, national origin, sex, sexual orientation, marital status, disability status, status with regard to public assistance, or membership or activity in a local commission. Any employee subjected to harassment on any of these bases should file a written complaint with his or her supervisor, the department's AAO, or the Deputy Commissioner.

The department has posted this policy and will provide it to each employee upon hiring. In addition, the AAO will present the policy in orientation to all new employees. The following complaint procedure is part of the agency's policies and procedures manual.

Internal Harassment/Discrimination Complaint Procedure

The Department of Human Rights has established the following discrimination complaint procedure to be used by all employees and applicants. 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 for information and for access to data and records for the purpose of enabling the Affirmative Action Officer to carry out responsibilities under this complaint procedure.

Who May File

Any employee of, or applicant to, the Department of Human Rights who believes that s/he has been discriminated against because 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 Department of Human Rights' nondiscrimination policy within the agency. Employees and applicants 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.

Internal Harassment/Discrimination Complaint Procedure (continued)

Filing Procedures

1. The employee or applicant completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer. 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 will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer 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 shall also discuss other options for resolution, such as mediation.
 - A. If it is determined that the complaint **is not** related to discrimination but rather to general personnel concerns, the Affirmative Action Officer will inform the complainant, in writing, within ten (10) working days.
 - B. If the complaint **is** related to discrimination, the Affirmative Action Officer 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 shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer shall notify the complainant(s) and respondent(s) that s/he has completed the investigation. The Affirmative Action Officer 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.

Internal Harassment/Discrimination Complaint Procedure (continued)

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. Disposition 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 and 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 shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed. At the end of three (3) years, all information related to the complaint will be destroyed.

Goals and Timetables

The utilization analyses for the Department of Human Rights were based on Statewide EEO Job Group Availability Percentages from the most recent Census data. These analyses show that the agency is not underutilized for women, minorities, or people with disabilities in any of the Job Groups in which we currently have employees (Officials & Administrators, Professionals, Office/Clerical, and Technicians). As a result, there is no need to establish affirmative action goals or related timelines. What follows is a summary of the overall analysis and some general comments on continuing to staff the agency affirmatively.

Job Group	Total Employees in Job Group	Women					
		Utilization		Availability		Number Under-utilized	Annual % Goal
		Number	%	%	Number		
Officials and Administrators	4	3	75	37.8	2	0	N/A
Professionals	32	18	56.25	53.8	17	0	N/A
Office/Clerical	9	9	100	67.7	6	0	N/A
Technicians	1	1	100	63.1	1	0	N/A
Totals	46	31			26	0	

Job Group	Total Employees in Job Group	Minorities					
		Utilization		Availability		Number Under-utilized	Annual % Goal
		Number	%	%	Number		
Officials and Administrators	4	3	75	5.1	0	0	N/A
Professionals	32	9*	28.13	8.0	3	0	N/A
Office/Clerical	9	3	33.33	8.2	1	0	N/A
Technicians	1	0	0.0	6.8	0	0	N/A
			0.0		0	0	FALSE
Totals	46	15			4	0	

*One employee in Professional category is coded as (6) non-applicable. This individual has not been included in the utilization calculations.

Job Group	Total Employees in Job Group	Disabled					
		Utilization		Availability		Number Under-utilized	Annual % Goal
		Number	%	%	Number		
Officials and Administrators	4	1	25	11.31	0	0	N/A
Professionals	32	5	15.63	10.88	3	0	N/A
Office/Clerical	9	1	11.11	11.56	1	0	N/A
Technicians	1	0	0.0	11.52	0	0	N/A
			0.0		0	0	N/A
Totals	46	7			4	0	

Goals and Timetables (continued)

The AAO and the Commissioner review vacancies and anticipated turnover for the fiscal year. This information, combined with the information on existing disparities within units, is the basis for goals for the fiscal year.

Given the current projections and anticipated staffing, the department foresees hiring will be on a replacement only basis as business necessity and fiscal constraints permit.

The State of Minnesota and the Minnesota Department of Human Rights have a commitment to recruiting and hiring individuals with disabilities who can perform the essential functions of the job with or without reasonable accommodation.

Programs and Program Objectives

Program: Affirmative Action Education

Objective: Continue to provide education to department supervisors and managers about Affirmative Action and about responsibilities in implementing the Affirmative Action Plan.

Responsibility: Affirmative Action Officer and Human Resources Office.

Completion Date: Annually.

Action Steps:

1. Educate/refresh supervisors and managers about their role in implementing the Affirmative Action Plan, creating and maintaining a healthy and humane workplace and specific supervisory responsibilities that contribute to retention of protected group members.

Objective: The Affirmative Action Officer will keep herself informed, updated and aware of Affirmative Action and Equal Opportunity policies, news, training, and events.

Responsibility: Affirmative Action Officer

Completion date: Ongoing

Action Steps:

The Affirmative Action Officer is an active member of the Alliance for Cooperation & Collaboration in Employment & State Services (ACCESS), which is geared toward creating and maintaining a statewide diversity/affirmative action system to ensure that diversity, equal opportunity and affirmative action best practices are designed and implemented to achieve the goal of attracting, recruiting, hiring, developing and retaining a diverse workforce that is truly representative of Minnesota's diversity. As an active member of this group, the Affirmative Action Officer partners with other Affirmative Action Officers and Human Resource Directors on issues that affect diversity, affirmative action and equal opportunity.

Programs and Program Objectives (continued)

Objective: The Affirmative Action Officer will keep the staff informed, updated and aware of Affirmative Action and Equal Opportunity policies, news, training and events.

Responsibility: Affirmative Action Officer

Completion Date: Weekly/biweekly/monthly/quarterly

Action Steps:

1. Post Affirmative Action Plan on staff bulletin board and on the website.
2. Distribute weekly/biweekly/monthly/quarterly publications announcing training, conferences, events, etc.

Program: Affirmative Action Improvements

Objective: Pursue hiring a supported employment worker.

Responsibility: Affirmative Action Officer/Human Resources Manager

Completion Date: After current hiring freeze

Action Steps:

1. Contact Department of Employee Relations, State ADA/Disability Coordinator for more information about the Supported Employment Program.
2. After completion of a job analysis, identify possible job duties that could constitute a supported employment worker position.
3. Recruit for this position by building relationships with regional rehabilitation/vocational organizations and advertising in publications directed to people with disabilities.
4. Complete a request to employ form and submit to DOER.
5. Interview and hire a supported employment worker.

Programs and Program Objectives (continued)

OBJECTIVE: Individual Development Plan Worksheets are used to determine specific training and/or development opportunities to assist with retaining employees.

Responsibility: Affirmative Action Officer, Human Resources Manager/Training Coordinator, Managers and supervisors.

Completion Date: Annually

Action Steps:

1. Individual Development Plan Worksheets are completed at the time of employees' annual performance evaluations.
2. The Human Resources Manager/Training Coordinator reviews the Individual Development Plan Worksheets.
3. The Human Resources Manager/Training Coordinator consults with individual supervisors and employees to determine how to most effectively address their needs.

Pre-Employment Review Process

The Department of Human Rights will make a good-faith effort to reach the goals of the Affirmative Action Plan; the procedure laid out below will be followed when hiring.

Consultation with Managers

Managers will be kept advised of the goals and disparities for the various occupational categories under their supervision by the AAO.

Selection Process: Pre-employment Review

1. When a decision is made to fill a vacancy, the AAO/Human Resources Manager will be notified.
2. Once notified of the effort to fill a vacancy where a disparity exists, the AAO/Human Resources Manager will work closely with the hiring manager, monitoring and collecting data at each step of the hiring or promotional process.
3. The Human Resources Manager and the supervisor/manager will develop a position description and determine the necessary job-related criteria: knowledge, skills, and abilities.
4. The Human Resources Manager determines whether any bargaining unit employees are to bid on the position. If so, the job will be posted for the required length of time. If an employee bidding on the job is successful, the job will be filled in accordance with the union contract.
5. The Human Resources Manager ascertains whether a job announcement is necessary.
6. If a job announcement is necessary, management, with assistance from AAO/Human Resources Manager, will recruit affirmatively for the position. The Human Resources Manager will maintain complete documentation of the recruiting to monitor the Department's progress.
7. The AAO/Human Resources Manager will ascertain whether the applicant pool contains candidates who will help the agency reduce any disparity and will insure that the selection procedures used will not result in discrimination against protected groups.

Pre-Employment Review Process (continued)

8. The manager will devise a list of uniform job-related questions. The AAO/Human Resources Manager will make sure that they are uniform, appropriate and job-related. However, if the AAO/Human Resources Manager is a potential candidate for the vacancy, the Commissioner will review the questions.
9. The résumés of all candidates will be reviewed by the manager and compared to the qualifications stated in the job announcement. Those candidates who most closely match the qualifications stated in the job announcements will be selected as the pool of candidates to be interviewed.
10. Prior to offering a position to a candidate, the manager will discuss the anticipated selection the AAO to ascertain that the selection is consistent with the Department's Affirmative Action Plan goals. These two parties will discuss who will be and who will not be hired by considering candidates on the basis of their knowledge, skills and abilities.
11. If the AAO is dissatisfied with the manager's decision to reject a protected group member, the manager will explain in writing why the protected group person was not selected. The AAO and the Deputy Commissioner will review copies of the written rejection. No selection will be made until such written reasons have been reviewed if the AAO and the Deputy Commissioner believe that the reasons for rejection are insufficient, the selection will be referred to the Commissioner, whose decision is final.
12. The AAO/Human Resources Manager will keep documentation on the selection process for all appointments. Data on every appointment, where there is a disparity, will indicate how much opportunity the Department had to act affirmatively and what was actually done.
13. Protected group status is not identified as public data according to the Minnesota Government Data Practices Act. Therefore, information pertaining to the protected group status of applicants and employees will not be disclosed.

Methods of Auditing, Evaluation, and Reporting Program Success

To ensure that progress in implementing the agency's affirmative action plan can be monitored and evaluated, the following methods will be used:

The following documentation will be maintained by the agency's Affirmative Action Officer and retained for at least five years. (All documentation will contain, at a minimum, information regarding an individual's job classification, race, sex, and disability.)

1. Copy of the affirmative action plan.
2. Copies of tracked résumés used to fill positions during the preceding twelve month period.
3. A record of all promotions, transfers, new hires, and terminations, along with a record of all temporary, seasonal, or provisional hires.
4. A record of any disciplinary actions taken.
5. A record of all discrimination complaints filed.

The Affirmative Action Officer will annually review and analyze the above documentation to determine compliance with affirmative action goals and prepare a summary of hiring practices and disciplinary action to be included in the agency's annual affirmative action report to the Department of Employee Relations.

The Affirmative Action Officer will report any internal complaints to the Commissioner of the Department of Employee Relations within 30 days of final determination.

Any layoff decisions will be reviewed by the Deputy Commissioner and the Human Resources Manager/Affirmative Action Officer prior to implementation to determine their effect on agency affirmative action goals and timetables.

Weather Notification and Building Evacuation Procedures

Building Evacuation

In the event of an emergency, the Department will provide for the safe exit of all individuals, both employees of the agency and those visiting the agency in accordance with the Emergency Procedures Manual for the Sibley Square at Mears Park Building (formally Army Corps of Engineers Centre) and the Emergency Action Plan in the Department's Administrative Policies and Procedures Manual, which is attached to this plan.

Weather Notification

The memorandum from the Commissioner of the Department of Employee Relations regarding Winter/Weather Emergencies is posted on the Department of Human Rights Bulletin Board. The Department's Administrative Policies and Procedures Manual, which is distributed to all employees, lists the procedure on weather emergencies.

In case of emergency, all employees who are deaf or hard of hearing will receive notification, if at work, by the supervisor or designated backup staff. If a weather emergency is called after work hours, employees who are deaf or hard of hearing can obtain official notification by watching weather broadcasts on KSTP, WCCO or KARE 11 Television. Broadcasts are closed captioned. In addition, if employees who are deaf or hard of hearing prefer, they may arrange for notification at home from their supervisor or designee. If an emergency, which affects the employee, is called, the supervisor or designee may use the Minnesota Relay Service (1-800-627-3529) to contact the employee using the TTY.

A copy of the relevant departmental policy is attached to this plan.

Reasonable Accommodation Policy

The Department of Human Rights is 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 policy of the Department of Human Rights 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, 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 promotional opportunities.

Definitions

1. **Disability.** For purposes of determining eligibility for a reasonable accommodation, 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.
1. **Reasonable accommodation.** An 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. This accommodation is reasonable if it is effective in eliminating the barrier and does not cause an undue hardship.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- To assure equal opportunity in the employment process;
 - To enable a qualified individual with a disability to perform the essential functions of a job; and
 - To enable an employee with a disability to enjoy equal benefits and privileges of employment.
3. **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.

Reasonable Accommodation Policy (continued)

Procedure for Requesting a Reasonable Accommodation - Current Employees

1. The Department of Human Rights will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their supervisor or the ADA Coordinator of the need for an accommodation.
3. The ADA Coordinator 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, locked files. No one will 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:
 - Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
 - Determine the precise job-related limitation
 - Identify the 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 the employer. While an individual's preference will be given consideration, the Department of Human Rights is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The ADA Coordinator will work with the employee and consult with the supervisor, and disability-related agencies, to obtain technical assistance, as needed.
6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time.
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 shall work together to determine whether reassignment may be an appropriate accommodation.

Reasonable Accommodation Policy (continued)

Procedure for Requesting a Reasonable Accommodation - Job Applicant

1. The job applicant shall inform the ADA Coordinator of the need for an accommodation. The ADA Coordinator will discuss the needed accommodation and possible alternatives with the applicant.
2. The ADA Coordinator will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

The Funding of Accommodations

Funding must be approved by the Department of Human Rights for accommodations that do not cause an undue hardship (M.S. 43A.191(c)).

In the event that there are two differently priced options, the individual requesting the accommodation will be given the opportunity to pay the difference between the two options if the department chooses to go with the less expensive of the two.

Procedure for Determining Undue Hardship

1. The employee will meet with the ADA Coordinator to discuss the requested accommodation.
2. The ADA Coordinator will review undue hardships by considering:
 - the nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
 - the impact of the accommodation on the nature or operation of the Department of Human Rights.

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.

Recruitment Plan

Recruitment Activities – 2002 – 2004

This information was submitted electronically. A copy of the electronic submission is attached.

General Comments on Recruitment

The Human Resources Manager is responsible for recruitment efforts, such as overseeing the recruitment of qualified candidates. In regard to recruitment of persons with disabilities, the agency is currently complying with the requirements of the Americans with Disabilities Act in our recruitment activities by making materials available in alternate formats and meeting in locations that are accessible.

Retention Plan

The Affirmative Action Officer, Vanessa Bailey, Human Resources Manager, is responsible for overseeing the retention activities for the Department of Human Rights.

The department is making every effort to retain protected group employees. The Affirmative Action Officer will continue to conduct exit interviews of all staff leaving the department. Information from the exit interviews, along with statistical data from SEMA4 regarding turnover and retention will be compiled, analyzed, and presented to management with the intent of retaining specific groups.

The department will continue to create and maintain a respectful environment for all employees by offering annual training to all employees, and requiring training for new employees. Such training may include, but shall not be limited to, information on the following topics: Migrant Farm Community; Aged Community; Gay/Lesbian/Transsexual Community; Sexual Harassment; Somali Community; African-American Community; Individuals with Disabilities; Hate Crimes; Equal Employment Opportunity Commission (significant case law); Attorney General's Office (definition of disability and significant case law pertaining to Human Rights). Supervisors and managers are trained in the necessary skills, and are expected to know their roles and responsibilities to create and maintain a healthy and humane workplace that contributes to retention of protected group members.

Mentoring is provided for new staff. Assignments are made upon completion of the trainee period or within two weeks of hire, whichever is applicable.

Retention Program (continued)

Separation Analysis

Separation data on unlimited classified and unlimited unclassified positions, for the period of January 1, 2003, – June 30, 2004, has not yet been collected and analyzed.

Mobility and Career Advancement

Employees receive information regarding mobility and career advancement through the regular posting of vacancies, posting of training opportunities (state and non-state programs), the ability to access the state opportunities via the DOER website; and the posting of career opportunities with other governmental entities.

AFFIRMATIVE ACTION PLAN ATTACHMENTS

Copies of documents submitted electronically:

- Affirmative Action Plan Transmittal Form
- Recruitment Plan

Copies of agency's relevant policies and procedures:

- Emergency Action Plan
- Closing the Office in an Emergency

Affirmative Action Plan 2004-2006 Transmittal Form

Agency name

Human Rights

If your agency, board, school, etc. was not listed in the drop down menu, please enter it in this box:

Underutilization in Protected Groups

Instructions:

Using the drop down menu, indicate your agency's underutilization for each EEO category for each protected group.

If you have subdivided the EEO categories for your plan, for this chart indicate the **TOTAL** underutilization for each protected group in an EEO category.

Do **NOT** skip any questions. Indicate a zero if no underutilization for that protected group in an EEO category exists in your agency.

Officials and Managers

Indicate underutilization for women in the Officials and Managers EEO category:

0

Indicate underutilization for minorities in the Officials and Managers EEO category:

0

Indicate underutilization for people with a disability in the Officials and Managers EEO category:

0

Professionals

Indicate underutilization for women in the Professionals EEO category:

0

Indicate underutilization for minorities in the Professionals EEO category:

0

Indicate underutilization for people with a disability in the Professionals EEO category:

0

Technicians

Indicate underutilization for women in the Technicians EEO category:

0

Indicate underutilization for minorities in the Technicians EEO category:

0

Indicate underutilization for people with a disability in the Technicians EEO category:

0

Paraprofessionals

Indicate underutilization for women in the Paraprofessionals EEO category:

0

Indicate underutilization for minorities in the Paraprofessionals EEO category:

0

Indicate underutilization for people with a disability in the Paraprofessionals EEO category:

0

Protective Service(Sworn and Non-Sworn)

Indicate underutilization for women in the Protective Service EEO category:

0

Indicate underutilization for minorities in the Protective Service EEO category:

0

Indicate underutilization for people with a disability in the Protective Service EEO category:

0

Office/Clerical

Indicate underutilization for women in the Office/Clerical EEO category:

0

Indicate underutilization for minorities in the Office/Clerical EEO category:

0

Indicate underutilization for people with a disability in the Office/Clerical EEO category:

0

Service Maintenance

Indicate underutilization for women in the Service Maintenance EEO category:

0

Indicate underutilization for minorities in the Service Maintenance EEO category:

0

Indicate underutilization for people with a disability in the Service Maintenance EEO category:

0

Skilled Craft

Indicate underutilization for women in the Skilled Craft EEO category:

0

Indicate underutilization for minorities in the Skilled Craft EEO category:

0

Indicate underutilization for people with a disability in the Skilled Craft EEO category:

0

Agency Signatures

Name of the Affirmative Action Officer

Vanessa Bailey

Checking this signifies an electronic signature

Affirmative Action Officer's email address

Vanessa.Bailey@state.mn.us

Affirmative Action Officer's phone number

651-296-9044

Date(MM/DD/YY)

07/29/04

Name of Agency Head

Commissioner Velma Korbel

Checking this signifies an electronic signature

Agency Head email address

Velma.Korbel@state.mn.us

Agency Head phone number

651-296-9038

Date(MM/DD/YY)

07/29/04

Before pressing SUBMIT, please print a copy of the survey and your responses for your records. Thank you!

Submit Survey

Recruitment Plan

An active recruitment plan must be developed, implemented, revised and submitted to DOER/ODEO as part of the required Affirmative Action Plan as described in M.S. 43A.191, subdivision 3.

Information obtained in this section will be tabulated and shared with agencies once the affirmative action plans are reviewed and approved.

In order to obtain the most accurate data, do not skip any questions.

Agency name

Human Rights

If your agency, board, school, etc. was not listed in the drop down menu, please enter it in this box:

Recruitment Sources

Newspapers

Newspapers used for advertising and recruitment

- Did not use any newspapers

The following newspapers were used for advertising and recruitment during the previous year: (check ALL that were used)

- Albert Lea Tribune
- Alexandria Echo-Press
- Austin Daily Herald
- Bemidji Northern Herald
- Bemidji-The Pioneer
- Brainerd Dispatch
- Chronicle of Higher Education
- Duluth News Tribune
- Egan This Week
- Faribault Daily News
- Focus
- Focus Point
- Forest Lake Times
- Grand Rapids Herald Review
- Hibbing Daily Tribune
- Lillie Suburban
- Lowertown News
- Mankato Free Press

- Mankato Free Press
- Mesabi Daily News
- Morrison County Record
- Owatonna People's Press
- Pioneer Press - St. Paul
- Rochester Post
- South Washington county bulletin
- Star Tribune - Minneapolis
- St. Cloud Times
- Sun Current
- West Central Tribune
- Winona Daily News
- Woodbury Bulletin

If your agency used any additional newspapers for advertising and recruitment that are not listed above, please indicate here:

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Diversity focused newspapers used for advertising and recruitment

- Did not use any diversity focused newspapers

The following diversity focused newspapers were used for advertising and recruitment during the previous year: (check ALL that apply)

- Access Press
- Asian American Press
- Asian Pages
- Black Issues in Higher Education
- Hispanic Outlook
- Insight News
- La Prensa
- Lakota Journal
- LavoZ Latina
- Minnesota Women's Press
- Native American Press/Ojibwe News
- Spokesman
- The Circle

If your agency used any additional diversity focused newspapers for advertising and recruitment that are not listed above, please indicate here:

.....
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.....

Websites

Websites used for advertising and recruitment

Did not use any Websites

The following Websites were used for advertising and recruitment during the previous year: (check ALL that apply)

- State of Minnesota Employment Website
- Monster.com
- Careerbuilder.com
- Minnesotajobs.com
- Minnesota Job Bank-mnworks.org
- Did not use any Websites

If your agency used any additional Websites for advertising and recruitment that are not listed above, please indicate here:

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.....

Job Fairs

Job fairs attended during the previous year

Did not attend any job fairs

List the job fairs your agency attended during the previous year:

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.....

Job fairs anticipated in the next year

- Do not anticipate attending any job fairs in the next year

List the job fairs your agency anticipates attending in the next year:

.....
.....
.....
.....

Colleges and Universities

College and university recruitment events

- Did not participate in any college and university recruitment events

List the college and university recruitment events your agency participated in during the previous year.

.....
.....
.....
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.....

Additional recruiting methods

Additional recruiting methods used

Did not use any additional recruiting methods

The following additional recruiting methods were used for advertising and recruitment during the previous year: (check all that apply)

- College and university postings
- Community organizations
- Trade journals
- Professional organizations
- Direct mail
- Referrals from agency employees

If your agency used any additional recruiting methods that are not listed above, please indicate here:

State Services for the Blind

What recruitment sources and strategies did you find most successful during the previous year? Please share any new and innovative strategies used.

Targeted recruiting for Reader position - State Services for the Blind (SSB). | |

What recruitment sources and strategies used during the previous year did you find to be least productive or cost effective?

N/A | |

List up to 5 job classifications your agency most frequently recruited for in the previous year. For example: RN, Corrections Officer, Office and Administrative Specialist.

Office Specialist (Reader)

.....

What do you expect your agency's greatest recruiting needs to be for the upcoming year?

Human Rights Enforcement Officers I (HREOIs) ||
||

Indicate the total expenses incurred for all recruitment sources during the previous year

Total expenses \$0

Projected Hiring Opportunities
 (Administrative Procedure 9A)

During the upcoming year, what hiring opportunities does your agency project: (check ALL that apply)

- Expect agency to be downsizing
- Expect no hiring opportunities
- Anticipate that hiring will be limited to refilling critical positions vacated through turnover
- Anticipate that expansion of existing programs and/or new initiative will increase hiring

Additional comments regarding upcoming hiring opportunities:

.....

When hiring opportunities occur in the upcoming year, which of the following recruitment strategies will your agency use: (check ALL that apply)

- Advertise in newspapers
- Advertise on Internet
- Advertise with community organizations
- Develop and utilize recruitment sources which will reach protected group applicants.
- Consult with the State AA/ADA coordinator
- Consult with the DOER recruiter
- College and university postings
- Community organizations
- Trade journals
- Professional organizations

- Direct mail
 Referrals from agency employees

If your agency anticipates using any additional recruitment strategies that are not listed, please list them here:

.....

Internships

(Administrative Procedure 9A; Administrative Procedure 21E)

In the event that your agency has the opportunity to develop internship positions:

- Check here if you agree to recruit and select interns following the procedures set forth in the State's Internship Administrative Procedures

Would your agency like to have information or need help developing internship opportunities?

- Yes
 No

Disability Recruitment Strategies

(Administrative Procedure 19.1A)

To improve the recruitment of persons with disabilities, our agency will use the following resources: (check ALL that apply)

- Professional Organizations
 Non-Profit Organizations
 Publications
 Websites
 Minnesota WorkForce Centers
 ADA Minnesota
 State Services for the Blind
 Vocational Rehabilitation
 Deaf and Hard of Hearing Services
 Minnesota State Council on Disability

If your agency anticipates using any additional disability resources that are not listed above, please list them here:

.....
.....
.....
.....

Supported Employment

(M.S. §43A.191, Subd. 2 (d); Administrative Procedure 19.1A)

We support the employment of individuals with disabilities and will review vacant positions to determine if job tasks might be performed by a supported employment worker.

We will work with the State ADA Coordinator to recruit and hire individuals for supported employment positions.

Check here if you agree with and will follow the guidelines in the above statement.

Would your agency like to have additional information or need help developing supported employment positions?

Yes

No

Before pressing SUBMIT, please print a copy of the survey and your responses for your records. Thank you!

Submit Survey

*A tornado warning is an alert by the National Weather Service confirming a tornado sighting and location. The Weather Service will announce the approximate time of detection and direction of movement. Wind will be 75 mph or greater. Public warning will come over the radio, television or by a 5-minute steady blast of sirens over the Ramsey County Civil Defense Warning System. Individuals who are deaf or hard of hearing will receive notification from their supervisor or designated person, who will be identified at the time of hire.

Elevator

1. Open the telephone panel located in the elevator and follow the instructions posted for your assistance.

Give the following information:

- Your elevator number (located in the phone panel)
- Floor you are on or nearest to (if known)

DO NOT FORCE OPEN THE ELEVATOR DOOR

Be assured that help is on the way and remain calm.

Fire

1. **If you suspect a fire or smell smoke call 911 (9-911)**

Give the following information:

- 1) Sibley Square at Mears Park - 190 Fifth Street East
- 2) 7th Floor, Suite 700
- 3) Details of the fire emergency

2. **Call Building Management 221-0999**

Provide them with the same information as above.

If emergency occurs after regular business hours, **page building security personnel at 538-4488**. Enter your telephone number (i.e. 296.5674) and hang up. Security will return your call immediately.

3. **Evacuate if you discover a fire or if fire alarm rings (emergency lights will also flash)**

- 1) Leave immediate fire area.
- 2) Close doors behind you.
- 3) Pull manual fire pull located near exit doors.
- 4) Call 911 (9-911) from a safe area.

DO NOT USE ELEVATORS
BE PREPARED TO MERGE WITH PEOPLE EVACUATING FROM OTHER FLOORS
WATCH FOR FIRE FIGHTERS COMING UP THE STAIRS

- 5) If heavy smoke is present, crawl to the exit.
- 6) Help those who may need assistance.
 - People with mobility impairments should go to the stairwell accompanied by their designated "buddies" to wait for assistance from the fire fighters.
- 7) All staff will gather at the northeast corner of 5th and Sibley Streets (near Mears Park). Supervisors will make sure their staff is accounted for.
- 8) Supervisors shall take an employee count and report any missing employees to the designated Emergency Leader.
- 9) Emergency Leader will relay information to Fire Fighters regarding people that may need rescue.

Evacuation

1. Form a line leading to the stairwell. The Safety Committee Members will be equipped with flashlights to assist with the safe evacuation of staff.
2. Proceed to the stairwell and proceed to exit the building.
3. "Buddies" will be assigned to each person with a disability or who uses a wheelchair (arrangements will be made in advance based on individual needs).
 - Assist person to safe area (the top of the stairwell).
 - Alert Fire Department personnel of situation and location.
4. Be prepared to merge with people evacuating from other floors.
5. Remain calm.

Power Failure

1. If there appears to be no emergency other than power failure, remain in your office and await instructions or information from building management.
2. Should another emergency be evident, follow the instructions in the emergency section for that situation.

ADMINISTRATION

EMERGENCY ACTION PLAN

3. If there is a power failure, the building has a battery-operated exit lighting system which will power emergency lights for the stairwells and exit corridors, enabling you to vacate the building.

Building Security

The Sibley Square at Mears Park Building is monitored by surveillance cameras 24 hours daily, additionally building security personnel are available during the following hours:

Monday - Friday	3:00 PM - 9:00 PM
Saturday	7:00 AM - 1:00 PM
Sunday	10:00 AM - 3:00 PM

If you should notice suspicious behavior by any unknown person(s) on 7th floor during these hours listed, page building security personnel at **538-4488**. Enter your telephone number (i.e. 296-5674) and hang up. Security will return your call immediately.

The **Downtown Police Foot Patrol Unit** has a Rapid Response to Downtown Problems Voice Pager System. The foot patrol hours are:

Monday - Friday	7:00 am - 10:00 PM
Saturday	10:00 am - 8:00 PM

This Rapid Response System is for nuisance activities in the Downtown Saint Paul area:

- Drunkenness
- Panhandling
- Disorderly conduct
- Suspicious activities

How to Use the Rapid Response System:

1. Dial **229-1997**
2. After the recorded message, give a clear description of the activity you are reporting: where, what, physical descriptions of people involved, etc.
3. Your message is broadcast immediately to all foot patrol officers via a one-way broadcast system

**For serious crimes or emergencies,
CALL 911 (9-911 using a state phone).**

Bomb Threat

1. Remain calm and get as much information as possible:

- Where is the bomb?
- What time will it go off?
- What does the bomb look like?
- What is the method of activation?
- What kind of package or box?
- What is the method of deactivation?
- Why did you set the bomb?
- What is your name, address, phone number?

BACKGROUND NOISES HEARD:	
<input type="checkbox"/> Music	<input type="checkbox"/> Children or babies
<input type="checkbox"/> People talking	<input type="checkbox"/> Machine noise
<input type="checkbox"/> Cars or trucks	<input type="checkbox"/> Typing
<input type="checkbox"/> Airplane	<input type="checkbox"/> Other _____
VOICE OF THE CALLER:	
<input type="checkbox"/> Man	Approximate Age _____
<input type="checkbox"/> Woman	
<input type="checkbox"/> Teenager	
<input type="checkbox"/> Child	Drinking <input type="checkbox"/> Yes <input type="checkbox"/> No

2. Call 911 (9-911)

Give them the information obtained from the threat call plus:

- Sibley Square at Mears Park Building, 7th Floor
- 190 East 5th St., Suite 700
- Department of Human Rights
- Your name

3. Call Building Management at 221-0999.

If emergency occurs after regular business hours, **page building security personnel at 538-4488**. Enter your telephone number (i.e. 296.5674) and hang up. Security will return your call immediately.

4. Look throughout the office for suspicious objects.

DO NOT TOUCH SUSPICIOUS OBJECTS

5. Evacuate the building, if necessary.

POLICIES

The health, safety, and well-being of department employees and members of the public are of primary concern to the management of the Department of Human Rights. Therefore, the commissioner (or designee) may authorize the evacuation or closing of the department office at such time as s/he, in his/her best judgment, believes an emergency exists which threatens or endangers department employees and/or the public.

However, only the commissioner of the Department of Employee Relations has the authority to authorize payment to employees who do not report to work or are sent home from work after an emergency has been declared (refer to Holidays/Leaves of Absence section for further information regarding the authorization and payment for time off in an emergency).

LOCAL EMERGENCY SITUATIONS

Some emergency situations affect only a specific location such as the department office, the Sibley Square at Mears Park Building, or the downtown St. Paul area. Such situations are likely to come to the immediate attention of department staff or building management. This section outlines the department procedures for dealing with such situations, which may or may not require an evacuation of the building or closing of the office.

Emergency Leader

In order to ensure accurate information on emergencies is obtained and transmitted promptly to staff in this building and to assure that inaccurate information that might cause a panic is not circulated, it is necessary to inform the highest-ranking manager or supervisor present. For the purposes of this policy, this person is designated as the "Emergency Leader." The Emergency Leader will be responsible for getting the information necessary to clarify the facts of the emergency and for making the decision as to whether to evacuate or close the office.

Normally, the Emergency Leader will be the commissioner. This, however, may not always be possible. The Emergency Leader is determined by which of the following individuals, in the order listed, is present in the office at the time of the emergency.

1. commissioner
2. Any manager present (in the following order)
 - deputy commissioner
 - director of Policy & Legal Affairs
 - human resources director
3. Any supervisor present

ADMINISTRATION

CLOSING THE OFFICE IN AN EMERGENCY

Bomb Threats, Threatening Weather, Power Outages, and Other Emergencies

The department may find out about real or potential emergencies in a number of ways. These include, but are not limited to, the following:

1. The building management may phone the reception desk with the information or the receptionist may receive a call from some other source, including someone making a threat. The receptionist will relay that information and/or refer the call to one, and only one, person - the Emergency Leader. The receptionist will try to contact one of the above persons (in the order listed) until s/he reaches one to whom the information about the emergency can be conveyed.
2. Warning sirens may be sounded or information may be broadcast over emergency/weather radio or public radio or television. In these situations, an emergency leader should be designated and that person should initiate the appropriate action.
3. Some situations, such as power outages, are immediately apparent without some notice being received. Again, an emergency leader should be designated and that person should initiate the appropriate action.

The Emergency Leader must make an immediate assessment as to how imminent and how real the potential emergency is. If s/he judges sufficient lead-time exists, s/he should attempt to obtain the best information possible before initiating a course of action. Otherwise, the Emergency Leader should authorize an immediate evacuation and obtain further information following the evacuation.

Time permitting, the Emergency Leader should coordinate actions with those of the Sibley Square at Mears Park building management, the police, or the fire department to assure that accurate information is received, shared, and acted upon quickly.

The Emergency Leader is also responsible for notifying the Commissioner of Employee Relations of the situation and the action to be taken, or already taken, in response at the earliest practical opportunity.

In the event that the emergency leader believes that no evacuation is necessary, he or she will call a meeting of all staff in the conference room and will discuss the facts known about the emergency situation. If anyone wants to leave the building even though the Emergency Leader has decided that evacuation is not necessary, he or she may do so but the lost time will be deducted from the employee's annual leave.

Fire Alarms (See 'Emergency Action Plan' section for additional information)

In the event of a fire alarm, all staff are to evacuate the office immediately. After the evacuation, staff should congregate at the corner of 5th and Sibley Streets (near Mears Park) beyond the threat of any present danger. Only then is the Emergency Leader determined. The Emergency Leader will take charge and determine the appropriate course of action.

Closing the Office

ADMINISTRATION

CLOSING THE OFFICE IN AN EMERGENCY

As a general rule, staff is not authorized to leave work for the day unless they are specifically instructed to do so by the Commissioner or Emergency Leader. Many emergencies that may require an evacuation of the office are temporary and may not require closing the office and the sending of staff home. Unless staff are authorized to leave work, they must return to work at the office once the emergency situation has been resolved and it is appropriate to do so.

WEATHER EMERGENCIES

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. Are local transit systems running?
- Additional weather conditions. Is wind, cold or ice a factor?
- Other considerations. Are power or heating systems affected?

The commissioner of the Department of Employee Relations 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 road conditions, snowplowing information and transit operations obtained from local law enforcement. The commissioner of Employee Relations 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.

PROCEDURE

Closing of State Offices Before the Start of the Work Day

The commissioner of Employee Relations will give the following announcement to WCCO 830 and WMNN 1330, KSTP, WCCO and KARE TV for broadcast. The announcement will also be forwarded to the Associated Press (AP) to be put on the news wire for radio stations in greater Minnesota.

“A weather emergency has been declared by the commissioner of the Department of Employee Relations. As of (time and date), all Minnesota state offices will be closed in the following area(s): (geographic location(s)). This does not apply to employees who are required by their agency to work during a weather emergency.”

This statement will be provided to the media prior to the start of the normal workday (8:00 a.m.). The Department of Employee Relations will continue to monitor weather conditions through the Emergency Management Division, and if changes in the emergency designation are warranted, they will be made as the day progresses.

Closing of State Offices After the Start of the Work Day

ADMINISTRATION

CLOSING THE OFFICE IN AN EMERGENCY

If an emergency is declared during the business day, the commissioner or deputy commissioner will be notified by telephone and fax prior to the declaration. The commissioner of Employee Relations will also notify the media of the declaration. Once notification is received, the commissioner or deputy commissioner will relay the information to staff and allow them to leave immediately. If offices are closed during the workday, the remainder of the day, up to the end of the employee's normally scheduled workday is considered weather emergency leave.

Employees will not receive pay for weather emergency leave unless the commissioner of Employee Relations declares a weather emergency and authorizes payment. An employee who chooses not to report to work or who leaves early because of inclement weather, absent such a declaration, will be charged annual leave or leave without pay as appropriate.

TIME OFF IN EMERGENCIES

POLICY

Only the commissioner of Employee Relations has authority to approve payment to employees for time off work during natural or man-made emergencies. The commissioner or deputy commissioner may close the office in response to a local emergency situation but the department cannot assure the affected employees that they will not be charged leave time for the time off work.

If the commissioner of Employee Relations declares a weather emergency closing for all or part of the State, the human resources director will inform the staff and will send a memo detailing how to treat the emergency period on the Bi-weekly Time Report.

PROCEDURE

- a. Employees who report to work and are then sent home shall not be paid for more than their regularly scheduled hours. Employees shall not be enriched through additional compensation, including compensatory time, or increased benefits as a result of an emergency situation.
- b. Employees who are required by the commissioner or deputy commissioner to remain at work shall not be paid for more than their regularly scheduled hours or the actual number of hours worked.
- c. Employees on approved sick or prearranged vacation leave shall not have such leave time restored to their balances.
- d. Employees on any approved leave without pay shall not be paid for any emergency leave time.
- e. Employees who call in on the day of an emergency for vacation time, compensatory time, or leave without pay will be credited with emergency leave from the point of the declaration of the emergency to the end of the scheduled shift, if the department ceases operations during the regular shift.

- f. An employee's absence with pay for emergency situations shall not exceed 16 hours during that emergency unless the commissioner of the Department of Employee Relations authorizes a longer time period.