

State of Minnesota

Department of Public Safety

Affirmative Action Plan

2006-2008

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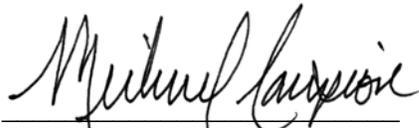
## STATEMENT OF COMMITMENT

As Commissioner of the Minnesota Department of Public Safety, I support the State's commitment to a diverse workforce that provides the best services to the citizens of Minnesota. I support the State's equal employment opportunity policies and affirmative action efforts. I personally and officially encourage all employees to appreciate and respect the differences of our colleagues and the customers we serve.

It is the policy of this state and of this agency to provide an employment environment that is free of any form of discrimination or harassment on the basis of race, creed, color, age, disability, religion, sexual orientation, national origin, status related to public assistance, activity on local human rights commissions, marital status or political affiliation. All employees are responsible and accountable for their own actions and expected to adhere to Department policy. Managers and supervisors are held accountable to ensure that affirmative action programs are implemented including efforts to affirmatively retain and promote protected group employees. In addition, all new employees are trained in respectful communication in the workplace and preventing discrimination and harassment.

The Director of Internal Affairs and Affirmative Action, Cassandra O'Hern, reports directly to me. She serves as the Affirmative Action Officer and the ADA Coordinator. She is responsible for maintaining and updating the Department's Affirmative Action Plan, implementing and monitoring the Department's affirmative action efforts, reporting on the effectiveness of these efforts, investigating complaints that allege conduct in violation of the Department's discrimination and harassment policies, supporting recruitment efforts and providing training on respectful communication, cultural awareness and preventing discrimination and harassment in the workplace.

I am committed to the implementation of the Department's 2006-2008 Affirmative Action Plan. Our goal is to have a qualified workforce that is representative of the communities we serve. I encourage all Department of Public Safety employees to actively partner with me to achieve this goal.



Michael Campion, Commissioner  
Department of Public Safety

July 26, 2006  
Date

# AFFIRMATIVE ACTION RESPONSIBILITIES

## COMMISSIONER

### Responsibilities:

- A. To designate the Department Director of Internal Affairs and Affirmative Action who serves as the Department's Affirmative Action Officer and the ADA Coordinator.
- B. To approve and sign the Department's Affirmative Action Plan and all other policies relating to Affirmative Action, discrimination and harassment.
- C. To require the inclusion of affirmative action objectives in the performance evaluations of each Assistant Commissioner, division director and staff office director.
- D. To take action, if needed, on complaints of discrimination.
- E. To ensure final determinations on employee complaints of discrimination.

### Accountability:

The Commissioner shall be accountable directly to the Governor and indirectly to the Commissioner of the Department of Employee Relations.

## DIRECTOR OF INTERNAL AFFAIRS AND AFFIRMATIVE ACTION

### Responsibilities:

- A. To develop, implement and monitor the Department's affirmative action programs.
- B. To serve as the Department's ADA Coordinator.
- C. To review and recommend changes in policies, procedures and programs to ensure affirmative action is enforced throughout the Department and compliant with state and federal laws.
- D. To work closely with the Department's recruiters to ensure protected group persons are sought for any openings within the Department, especially in the areas where disparities exist.
- E. To work with units to establish written goals, objectives and strategies for affirmative action in each unit.
- F. To investigate and mediate formal and informal complaints alleging conduct in violation of the Department's discrimination and harassment policies.
- G. To conduct and facilitate affirmative action training seminars, orientation programs and other agency programs and seminars.
- H. To submit affirmative action reports, as required, and coordinate communication involving affirmative action and equal opportunity.

- I. To identify and eliminate barriers to equal employment opportunities within the Department.
- J. To monitor and enforce the Department's Pre-Hire Review policy with respect to all appointments before hiring decisions are authorized.
- K. To serve as a liaison between the Department and the Department of Employee Relations.

Accountability:

The Director of Internal Affairs and Affirmative Action is directly accountable to the Commissioner.

## HUMAN RESOURCES DIRECTOR

Responsibilities:

- A. To review classifications, qualification requirements and procedures in order to eliminate selection factors having no significant relationships to job performance.
- B. To maintain records that will enable the analysis of all portions of the selection process.
- C. To oversee all openings in each division and section and publicize both competitive and promotional examinations throughout the Department.

Accountability:

The Human Resources Director is directly accountable to the Commissioner.

## MANAGERS & SUPERVISORS

Responsibilities:

- A. To communicate the policy and spirit of the Affirmative Action Plan to employees under their supervision. The Director of Internal Affairs and Affirmative Action will be available to assist them, if necessary.
- B. To select candidates for new positions or promotional opportunities on the basis of training, experience, the Department's affirmative action goals and in accordance with the Department's Pre-Hire Review policy.
- C. To submit to the Director of Internal Affairs and Affirmative Action, written documentation of the reason(s) for non-selection of a protected group candidate for a position where a disparity exists.
- D. To comply with the Department's complaint resolution procedure, as outlined in this Plan.

Accountability:

Managers and supervisors are evaluated on their performance with respect to the results of their implementation and enforcement of affirmative action in their respective divisions. Supervisors are accountable to their manager. Managers are accountable directly or indirectly to an Assistant or Deputy Commissioner.

EMPLOYEES IN THE DEPARTMENT

Responsibilities:

- A. To conduct themselves with dignity and respect to others.
- B. To create and maintain a work environment free from discrimination and harassment.
- C. To not engage in nor tolerate abuse or violence in the work place and to create and maintain a work environment free from fear and violence. Those employees who engage in such conduct will be subject to disciplinary action, up to and including termination of employment.

Accountability:

All employees of the Department will be evaluated on their performance with respect to the results of their adherence to and application of the relevant aspects of the Department's Affirmative Action Plan. Any employee who engages in illegal discrimination or harassment in the workplace will be subject to disciplinary action, up to and including termination of employment. Employees are accountable directly to their supervisor.

## DISSEMINATION

### Internal Dissemination:

The Director of Internal Affairs/Affirmative Action will distribute the Affirmative Action Plan to the Human Resources Office and the Division Directors with directions detailing their responsibility to support and implement the plan. Each Division Director is responsible to ensure that employees know where they can view the Plan or obtain a copy of it.

The Affirmative Action Plan will be made available on the Department's intranet for access by employees.

The Commissioner's Statement of Commitment will be sent to all employees via e-mail, with directions for supervisors to make the information available to staff without e-mail access. The e-mail will also notify employees of the completion of the 2006-2008 Affirmative Action Plan along with directions as to where to view the Plan and how to obtain a copy of it.

A copy of the Affirmative Action Plan will be available in the Human Resources Office.

Any employee seeking a copy of the Plan may contact the Director of Internal Affairs/Affirmative Action for a paper copy or will be referred to the Plan's electronic locations.

### External Dissemination:

The Department of Public Safety has the statement "an equal opportunity employer" on agency letterhead and other outgoing correspondence.

The Affirmative Action Plan will be made available on the Department's internet website accessible to the public.

## COMPLAINT PROCEDURE

The Department of Public Safety has established the following illegal discrimination and sexual harassment procedure to be used by all employees, applicants and customers. It is the policy of the Department that all employees work in an environment free from illegal discrimination and sexual harassment. All Department employees are covered under this policy. All employees are expected to conduct themselves with dignity and respect for others. Employees are responsible for creating and maintaining an environment free from illegal discrimination/sexual harassment. The Department does not tolerate sexual harassment or other illegal discrimination among its employees and will take appropriate corrective action against employees who violate this policy. The Department does not tolerate any reprisal. Any such retaliatory action may result in discipline, up to and including termination of employment.

The Director of Internal Affairs/Affirmative Action is responsible for determining whether a complaint is properly a discrimination complaint or a complaint alleging general harassment or another form of employee misconduct. After the IA/AA Director makes such a determination, the Director assigns an investigator to conduct an investigation into the complaint. Claims of general harassment or other forms of serious employee misconduct are also investigated by an investigator selected by the Director. The investigator is assigned no later than one week upon receipt of a complaint. Complaints may be initiated verbally, in writing or by e-mail. There is also a citizen complaint form accessible on the DPS internet website.

Every effort will be made to complete the investigation within 60 days. The investigator assigned to the matter will inform the complainant when the investigation cannot be completed within the 60 day time period with an estimated date of completion. Investigations shall be completed thoroughly and will not be compromised to meet a time deadline. The complainant will be informed when the investigation is complete by the Director. Requests for information compiled throughout the investigation are treated in accordance with the Minnesota Government Data Practices Act. Within 10 working days of receiving notice of completion of the investigation, the complaining employee may appeal to the Commissioner of Public Safety. The Director of Internal Affairs/Affirmative Action shall notify the Commissioner of Employee Relations within 30 days of final determination of a complaint of illegal discrimination or harassment. Racial profiling complaints made against licensed peace officers are provided annually to the Minnesota Peace Officer Standards and Training Board pursuant to Minn. Stat. § 626.8457 subd. 3.

The following specific relevant policies are attached:  
DPS Administrative Policy No. 1502-Illegal Discrimination, Sexual Harassment;  
DPS Administrative Policy No. 1501-General Harassment; and  
DPS Administrative Policy No. 1002-Investigation and Resolution of Employee Misconduct.

<b>MINNESOTA DEPARTMENT OF PUBLIC SAFETY</b>	<b>ADMINISTRATIVE POLICY</b> NO. 1502 SUBJECT Illegal Discrimination, Sexual Harassment
<b>DIVISION/STAFF OFFICE RESPONSIBLE</b> Commissioner's Office	[Signed] <b>APPROVED BY COMMISSIONER</b>
<b>DATE POLICY ESTABLISHED/REVISED</b> 11/21/1994; 04/01/2005	<b>INTENDED AUDIENCE:</b> All employees

**PURPOSE**

The purpose of this policy is to ensure that all complaints of discrimination and sexual harassment will be promptly, thoroughly, and respectfully handled and investigated. This policy also applies to the handling of complaints against Department of Public Safety employees alleged to have discriminated against or sexually harassed a member of the public.

**POLICY**

Illegal discrimination, including sexual harassment, is prohibited by state and federal law.

It is the policy of the Minnesota Department of Public Safety that all its employees be able to work in an environment free from illegal discrimination and sexual harassment. All department employees are covered under this policy.

All employees are expected to conduct themselves with dignity and respect for others. Employees are responsible for creating and maintaining an environment free from illegal discrimination/sexual harassment.

The Department will not tolerate sexual harassment or other illegal discrimination among its employees and will take appropriate corrective action against employees who violate this policy.

Employees who engage in sexual harassment or illegal discrimination in the work place can expect disciplinary action. All disciplinary actions will be considered on an individual basis. Appropriate corrective action, up to and including termination of employment, will be taken.

The Department will not tolerate any reprisal. Such retaliatory action may result in discipline, up to and including termination of employment.

**DEFINITIONS**

For the purpose of this administrative policy, the following terms defined have the meanings given them.

**Sexual Harassment.** The Minnesota Department of Human Rights defines sexual harassment as:

"Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment, public accommodations or public services, education, training, or housing;

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, public accommodations or public services, education, or housing; or
3. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, training, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, training, or housing environment; and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action. (Minnesota Statutes, Section 363.01, subdivision 41)

**Employee.** All Department of Public Safety employees including full-time, part-time, temporary, seasonal, volunteer or emergency worker.

**Discrimination.** Discrimination includes adverse treatment based upon an individual's race, color, creed, religion, national origin, sex, sexual orientation, marital status, public assistance status, age, disability, or membership or activity in a local commission.

**Marital Status.** "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.

**Reprisal.** Reprisal includes, but is not limited to, any form of intimidation, retaliation, or harassment directed toward a complaining party.

### **RESPONSIBILITIES**

Department administrators, managers, supervisors, and the director of diversity are responsible for implementing and enforcing this policy and for enforcing all discrimination and sexual harassment articles in collective bargaining agreements.

Every employee is responsible for personal conduct in a manner consistent with the spirit and intent of this policy.

Any claims of sexual harassment or illegal discrimination or violations of this policy will be investigated by investigator(s) selected by the director of diversity. During the investigation an attempt will be made to maintain confidentiality as much as is practical, on a need-to-know basis. The director of diversity is responsible for monitoring the progress of the investigation.

### **PROCEDURES**

The following internal complaint procedure is intended to help the Department and its employees resolve concerns or complaints of sexual harassment and other types of illegal discrimination:

1. Employees who believe they have been sexually harassed or otherwise illegally discriminated against in the work place, or who have witnessed such behavior among other employees, are encouraged to file a complaint as quickly as possible so that these matters can be resolved promptly.

If managers or supervisors learn through an exit interview or other means that an employee has left department employment because of alleged sexual harassment or

illegal discrimination, the division or office director will conduct an inquiry. A copy of this inquiry and any determination made will be forwarded to the director of diversity.

2. Employees are encouraged to file their concerns and complaints in writing on a department *Sexual Harassment/Discrimination Complaint Form (Attachment A)*. However, oral complaints will be accepted and processed. Complaints may be filed with the employee's supervisor, the director of diversity, or anyone in a supervisory or management position in the Department of Public Safety.
3. The person who receives the concern or complaint will immediately notify the director of diversity.
4. A copy of the complaint will be routed to the commissioner.
5. The director of diversity will direct and review the investigation.
6. The director of diversity will report the results of the investigation to the complaining employee, the alleged offending person, and the commissioner.
7. Any corrective action decision or recommendation will be made by the division or office director in consultation with those who conduct the investigation, the human resources director, and the affirmative action/internal affairs director.
8. The human resources director shall notify the commissioner of the division director's recommendation for disciplinary action, if any action is required.
9. The director of affirmative action/internal affairs will follow-up with all complaints, following completion of case, to assess the current situation and encourage timely reporting of any further complaints.

Employees are encouraged to use this procedure, but may also pursue information and/or remedies through the Equal Opportunities Division of the Department of Employee Relations, the Equal Employment Opportunity Commission, the Minnesota Department of Human Rights, or the courts. Employees are advised to check with these agencies to determine the existence of time limitations for the filing of complaints. Intentional use of this policy or complaint procedure for reasons of personal malice or abuse toward another employee is prohibited.

#### **APPEAL**

Within 10 working days of receiving the results of the investigation, the complaining employee may appeal the results of the investigation in writing to the commissioner. The commissioner and the department director of affirmative action/internal affairs will review the results of the investigation.

The commissioner will notify the complaining employee and the alleged offending person of the final determination.

#### **TRAINING**

Sexual harassment/discrimination training will be provided to all new employees during the orientation process. Current employees will receive similar training at least once during their career with the Department of Public Safety. On an annual basis, division directors will receive refresher training on the sexual harassment/discrimination policy.

**MAINTENANCE OF RECORDS**

The department director of affirmative action/internal affairs will maintain records of all complaints, investigatory materials and other documents. Disciplinary decisions will include a review of any previous complaints. These records will be maintained according to the Minnesota Government Data Practices Act. Confidentiality cannot be guaranteed.

Disclosure of information on complaints will be limited to a "need to know" basis. Individual employees are responsible for maintaining confidentiality. Individuals violating confidentiality will receive appropriate discipline/corrective action.

**Sexual Harassment/Discrimination Complaint Form**

**Information on the complainant (person filing the complaint):**

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_  
Location: \_\_\_\_\_ Supervisor: \_\_\_\_\_  
(Division)  
Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

**Information on the primary respondent (person against whom you are filing the complaint):**

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_  
Department: \_\_\_\_\_ Supervisor: \_\_\_\_\_  
(Division)  
Work Address: \_\_\_\_\_ Work Phone: \_\_\_\_\_

**Names of any secondary respondents involved in this complaint:**

**I believe I was discriminated against because of (check all that apply):**

- Race  Sex  Color  Creed  Religion  Disability  Age  Marital Status
- National Origin  Sexual Orientation  Reliance on Public Assistance
- Political Affiliation  I believe that I have been sexually harassed

Date most recent act of discrimination/sexual harassment occurred:

If you filed this complaint with another organization, please provide the name of that organization:

**Describe how you have been sexually harassed or discriminated against. Please include names, dates, places and all other pertinent information. (Attach additional sheets if necessary):**

<b>MINNESOTA DEPARTMENT OF PUBLIC SAFETY</b>	<b>ADMINISTRATIVE POLICY</b>
	<b>NO.</b> 1501
	<b>SUBJECT</b> General Harassment
<b>DIVISION/STAFF OFFICE RESPONSIBLE</b> Commissioner's Office	[Signed] <b>APPROVED BY COMMISSIONER</b>
<b>DATE POLICY ESTABLISHED/REVISED</b> 02/01/1993; 02/11/2002; 04/01/2005	<b>INTENDED AUDIENCE:</b> All employees

**POLICY**

General harassment is prohibited by the Minnesota Department of Employee Relations Administrative Procedure 1.2 (Harassment Prohibited).

It is the policy of the Minnesota Department of Public Safety that all of its employees be able to work in an environment free from general harassment. All department employees and individuals who provide contract or volunteer services (also considered employees) are covered under this policy.

All employees are expected to conduct themselves with dignity and respect for others. Employees are responsible for creating and maintaining an environment free from harassment, which causes a hostile work environment.

The Department will not tolerate general harassment among its employees and will take appropriate corrective action against employees who violate this policy.

Employees who engage in general harassment in the work place can expect disciplinary action. All disciplinary actions will be considered on an individual basis. Appropriate corrective action, up to and including termination of employment, will be taken.

The Department will not allow any retaliation or intimidation directed toward a complaining party. Such retaliation or intimidation may result in disciplinary action, up to and including termination of employment.

**DEFINITION**

General harassment is defined to include, verbal, psychological, symbolic, social or physical methods of intimidation, ridicule, entrapment, degradation, coercion or harm, with the purpose or effect of:

- ◆ Interfering with or jeopardizing an individual's employment, training, or career opportunities, or
- ◆ Creating an intimidating, hostile or offensive employment environment among employees or among individuals who provide contract or volunteer services.

This does not include negative effects an employee may experience as a result of actions taken by a supervisor that are within the scope of the supervisor's responsibilities and would be considered reasonable and appropriate actions. Issues of this nature will be referred to the appropriate division.

## **RESPONSIBILITIES AND PROCEDURES**

Department administrators, managers, supervisors, affirmative action officers and human resources directors are responsible for implementing and enforcing this policy. Every employee is responsible for personal conduct consistent with the spirit and intent of this policy.

Any claims of general harassment or violations of this policy will be investigated by investigator(s) selected by the director of affirmative action/internal affairs. During the investigation an attempt will be made to maintain confidentiality as much as is practical, on a need-to-know basis. The director of affirmative action /internal affairs is responsible for monitoring the progress of the investigation.

## **PROCEDURES**

The following internal complaint procedure is intended to help the department and its employees resolve concerns or complaints of general harassment:

1. Employees who believe they have been subjected to general harassment in the work place or who have witnessed such behavior among other employees are encouraged to file a complaint as quickly as possible so that these matters can be resolved promptly. Employees should complete the DPS-1002-02 Formal Complaint of Alleged Employee Misconduct form and send it to the director of affirmative action/internal affairs.

If the Department learns through an exit interview or other means that an employee has left department employment because of general harassment, the division or office director will conduct an inquiry. A copy of this inquiry and any determination made will be forwarded to the department human resource director or the director of affirmative action/internal affairs.

2. Employees have the obligation of first trying to resolve their concerns or complaints by discussion with the responsible party, their supervisor, the division director, or the human resource director.
3. Employees who are not satisfied with the results of the process in Step 2 must file their concerns and complaints in writing, using the Formal Complaint of Alleged Employee Misconduct form.

Complaints may be filed with the employee's supervisor, the department human resource director, the director of affirmative action/internal affairs, or anyone in a supervisory or management position in the Department of Public Safety.

4. The person who receives the concern or complaint will immediately refer it to the director of affirmative action/internal affairs.

Affirmative action/internal affairs will determine if the complaint is discriminatory harassment covered under the Department of Public Safety Illegal Discrimination, Sexual Harassment Policy No. 1502 or general harassment covered under this policy.

If the complaint is general harassment, affirmative action/internal affairs will proceed with the investigation.

If the complaint is a discriminatory/sexual harassment complaint covered by the discriminatory harassment policy, the complaint will be processed pursuant to that policy.

5. The director of affirmative action/internal affairs will direct and review the investigation.
6. The director of affirmative action/internal affairs will report the results of the investigation to the complaining employee, the alleged offending person, the division director and the human resource director.
7. The division or office director, in consultation with those who conduct the investigation and the human resources director, should make any corrective action decision or recommendation. The severity of the corrective action should correlate to the severity of the conduct, with its purpose to prevent reoccurrence.

Employees are encouraged to use this procedure, but may also pursue remedies through the Equal Opportunities Division of the Department of Employee Relations, the Equal Employment Opportunity Commission, the Minnesota Department of Human Rights, or the courts. Intentional use of this policy or complaint procedure for reasons of personal malice or abuse toward another employee is prohibited.

#### **APPEAL**

Within 10 working days of receiving the results of the investigation, the complaining employee may appeal the results of the investigation in writing to the Commissioner. The Commissioner and the department human resource director will review the complaint.

The Commissioner will notify the complaining employee and the alleged offending person of the Commissioner's final determination.

#### **MAINTENANCE OF RECORDS**

The director of affirmative action/internal affairs will maintain records of all complaints, investigation materials and other documents. These records will be maintained according to the Minnesota Government Data Practices Act.

<b>MINNESOTA DEPARTMENT OF PUBLIC SAFETY</b>	<b>ADMINISTRATIVE POLICY</b>
	<b>NO.</b> 1002
	<b>SUBJECT</b> Investigation and Resolution of Employee Misconduct
<b>DIVISION/STAFF OFFICE RESPONSIBLE</b> Office of the Commissioner	[Signed] <b>APPROVED BY COMMISSIONER</b>
<b>DATE POLICY ESTABLISHED/REVISED</b> 12/30/1998;08/10/2004	<b>INTENDED AUDIENCE:</b> All employees

**PURPOSE**

The purpose of this policy is to establish a process whereby objectivity, fairness and justice are protected in the investigation and review of complaints about the Department or any of its members.

Citizens demand integrity from public institutions. The credibility of and public confidence in the Minnesota Department of Public Safety is critical to our mission. An open and credible process, of internal investigations, one that balances citizen complaints with the rights of employees in the hallmark of our commitment to continuing quality improvement in order to ensure the highest level of professional service within the Department of Public Safety.

This administrative policy does not supersede the rights of individuals. Investigations carried out under this policy shall be done in accordance with State statutes, collective bargaining agreements and other laws. Investigations into alleged misconduct of Licensed Peace Officers will be in accordance of Minnesota State Statute 626.89, the Peace Officers Discipline and Procedures Act.

**POLICY**

It is the policy of the Department of Public Safety that reports by members of the public or by DPS employees of alleged employee misconduct and all violations that may result in the loss of compensation by the member, shall be reported to be reviewed and thoroughly investigated, by or under the direction of, the Internal Affairs Division.

The public and members of the Department of Public Safety are encouraged to report acts of misconduct or malfeasance by department members. All department members shall be open to and receive complaints in a citizen friendly, non-intimidating environment and forward them if necessary to the Division of Internal Affairs. A relationship of trust and confidence between department and members of the communities they serve is essential.

The Department will make every effort to ensure that no adverse consequences occur to any person or witness as a result of having brought a complaint in good faith, or having provided information in any investigation. Any department employee who subjects a complaint or witness to recrimination or retaliation shall incur appropriate disciplinary action.

**FORMS**

DPS-1002-01	Complaint Intake Form
DPS-1002-02	Formal Complaint of Alleged Employee Misconduct

## **DEFINITIONS**

Action Commended	◆ The investigation disclosed the actions were within the department guidelines and procedures and were, in fact, commendable.
Case Manager	◆ Internal Affairs investigator assigned to monitor and to assist division supervisors in conducting an employee misconduct investigation
Commissioner	◆ The Commissioner of Public Safety
Complainant	◆ The person or employee who files a complaint with the department alleging misconduct by a member(s)
Discontinued	◆ The investigation was discontinued because a complainant fails to follow through with available information, or there is a lack of cooperation from the complainant or supporting persons which is essential to the investigation.
Discrimination	◆ Differing treatment in the delivery of services or in employment practices of an individual based on an individual's race, color, creed, religion, national origin, sex, age, veteran status, marital status, sexual orientation, disability, status with regard to public assistance, or membership or activity in a local commission.
Excessive Force	◆ Unnecessary force used against another person, that would not be considered reasonable prudent, or needed to control a situation or person.
Exonerated	◆ A preponderance of the evidence established that the alleged act or acts did not occur or ◆ The member(s) named in the complaint were not involved in the alleged misconduct; or ◆ The alleged act(s) which provide the basis for the complaint occurred, however, the investigation revealed that such act(s) were justified, lawful and proper.
Formal Process	◆ Citizen requests a formal investigation under the direction of IAD in order to resolve a complaint of member misconduct.
Harassment, General	◆ Verbal, psychological, symbolic, social or physical methods of intimidation, to include inappropriate comments or behaviors, continuous or excessive abusive or insulting language which is degrading. This includes unwelcome profanity and name calling. Conduct that contributes to ridicule, entrapment, degradation, coercion or harm, with the purpose or effect of interfering with or jeopardizing an individual's employment or career opportunities, or creating an intimidating hostile or offensive employment environment among members of the department.

Harassment, Sexual	<ul style="list-style-type: none"> <li>◆ Unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct or communication of a sexual nature when: submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or delivery of services; 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 delivery of service; or the effect of substantially interfering with an individual's employment or delivery of service.</li> </ul>
Infraction	<ul style="list-style-type: none"> <li>◆ An act, omission, or violation which is contradictory to the rules, procedures or policies of the Department of public Safety, any division thereof or state of Minnesota other than major violations.</li> </ul>
Informal Process	<ul style="list-style-type: none"> <li>◆ A process where a citizen complaint is resolved by direct contact by a department member and does not involve a signed citizen complaint.</li> </ul>
Improper Procedure	<ul style="list-style-type: none"> <li>◆ Any act, omission or violation of a policy or procedure of the Department of Public Safety or any division thereof.</li> </ul>
Inquiry	<ul style="list-style-type: none"> <li>◆ Any issue raised by any member of the public regarding an employee's job performance or questions involving the application of existing policies, procedures and work rules.</li> </ul>
Internal Affairs Division (IAD)	<ul style="list-style-type: none"> <li>◆ A specialized internal investigative unit, headed by a director, appointed by and reporting directly to the Commissioner. Referred to as IAD.</li> </ul>
Licensed Police Officer	<ul style="list-style-type: none"> <li>◆ Any employee of the department having powers of arrest pursuant to Minnesota Statute 626.84, subdivision 1, clause (c).</li> </ul>
Major Violations	<p>Any of the following alleged violations:</p> <ul style="list-style-type: none"> <li>◆ Any criminal offense other than petty misdemeanor traffic offenses.</li> <li>◆ The use of unnecessary or excessive force</li> <li>◆ Sexual Harassment</li> <li>◆ Abuse of authority</li> <li>◆ Conduct which violates a person's civil rights.</li> <li>◆ General Harassment</li> </ul>
Member	<ul style="list-style-type: none"> <li>◆ All department employee, whether full-time, part-time or temporary. This term includes interns, unpaid volunteers and employees of other government or private organization on loan to the department.</li> </ul>
Misconduct	<ul style="list-style-type: none"> <li>◆ An infraction or major violation committed by an employee which adversely reflects upon the department or the member's ability to perform his/her duties within the department.</li> </ul>
Not Sustained	<ul style="list-style-type: none"> <li>◆ The investigation did not disclose sufficient evidence to prove or disprove a report</li> </ul>
Other Misconduct	<ul style="list-style-type: none"> <li>◆ The investigation disclosed violations of other department or procedures not a part of the original complaint.</li> </ul>

Policies and Procedures	◆ The administrative acts that regulate employee conduct promulgated by either the Commissioner of Public Safety or division directors.
Poor Public Relations	◆ Conduct of a member, to a citizen that was indifferent, rude or hostile at a level likely to create a negative opinion towards the Department of Public Safety and its members.
Sustained	◆ A preponderance of the evidence obtained in the investigation established that the accused member's actions constituted misconduct.

### **PROCEDURE**

Discipline is a function of supervision, and the responsibility for the investigation of inquires will normally rest within the established chain of supervision.

Complexities of the Department necessitate that a separate unit be charged with responsibilities of investigation and control of issues that rise to the level of misconduct as determined by the director of Internal Affairs, the Office of Equal Opportunity or the Human Resources Director. The principle investigative agent within the disciplinary system is the IAD which is supervised by a director who reports to the Commissioner.

Department personnel may be assigned as investigators on an ad hoc basis to IAD. Any citizen complaint, regardless of category, may be reported to any member of the Department. Complaints shall be accepted in writing, in person, by telephone, by email, by Fax, or may be anonymous. Anonymous complaints will be given due consideration based on the totality of facts and circumstances.

The Complaint Intake Form DPS form (DPS-1002-01) may be completed by any person. Members shall if requested, assist a citizen in obtaining the form and completing it. Complaints taken by members of the Department from citizens over the telephone shall be recorded on the Complaint Intake Form by the member taking the complaint.

The original of the Complaint Intake Form, where the citizen requests a formal resolution, shall be forwarded immediately upon completion to the IAD with copies to the Division immediate supervisor and the Division Director or designee. Where the citizen requests an informal resolution, the complain intake form will be promptly forwarded to the immediate supervisor with copies to the IAD and the division director or designee.

Where the Complaint is resolved by a supervisor by the informal process the name of the employee need not be reported to nor shall it be retained by the IAD. The IAD will retain records of the Complaint Intake Forms that were resolved by the informal process for statistical purposes only.

Where a formal investigative process is requested, Internal Affairs will be responsible for:

- ◆ Initiating the investigation.
- ◆ Completing a Complaint Intake Form (DPS-1002-01)
- ◆ Assign a case number to the complaint,
- ◆ Notify the employee's division director if necessary of the existence of an internal affairs investigation,
- ◆ Notify the complainant in writing that the complaint has been received.
- ◆ Request a formal written complaint from the citizen.

- ◆ Determine an investigative category for the complaint, i.e. improper conduct, poor public relations, improper procedure, excessive force, or Discrimination/Harassment,
- ◆ Determine who will conduct the investigation.
- ◆ Forward the necessary documents to the assigned investigator

All major violations will be investigated directly by the IAD. However, if in the opinion of the director, IAD personnel would lack the professional and or technical expertise to carry out an investigation, another DPS investigator would be assigned with IAD acting as the case manager.

All other cases will be reviewed by the IAD and when ever possible assigned to the employee's division director or supervisor for investigation.

The IAD director reserves the right to assign the investigation to an IAD investigator, or to other appropriate Department personnel.

The Commissioner may designate certain complaints to be investigated by a designated person or another state or local agency.

In all other cases, the Internal Affairs Division will assign a 'case manager' to the investigation. The case manager will be an investigator in the IAD. The case manager will monitor the investigation, ensure timeliness of completion, serve as a resource for the division investigator, and ensure that proper investigative procedures are followed.

Investigations into complaints of employee misconduct that are initiated by department supervisors that are likely to result in the loss of compensation to the employee, either through suspension or discharge shall be forwarded to the DPS Human Resources Director. These complaints would include on-going violations of policy or poor public relations where repeated attempts by division supervisors to coach and council the employee have failed. The supervisor initiating the complaint will submit a memo or facts, to the Director of Human Resources copying their immediate supervisor and the division director or their designee. The Human Resources Director will consult with the Director of Internal Affairs on the specifics of the complaint. The Directors of Human Resources and Internal Affairs will together determine who shall be assigned to conduct the investigation. The directors will then assign it for investigation. It shall be the policy to return supervisory initiated misconduct investigations to the section/division for investigation whenever possible. However, major violations of employee misconduct will be investigated by the IAD.

All members, including the accused member, shall cooperate with the investigation. Department members may be required to be interviewed, or to furnish written reports, or other documentation, in furtherance of the investigation. Failure to cooperate may be the basis for disciplinary action. The IAD, division directors and supervisors shall ensure that all rights afforded employees through collective bargaining agreements are met. Investigations into the conduct of licensed police officer shall be conducted in accordance with the Peace Officers Discipline and Procedures Act 626.89.

The following are investigative criteria and reporting requirements.

- ◆ Complainant identifying information
- ◆ Alleged violations
- ◆ Identity of employee's involved
- ◆ Witness list
- ◆ Background information detailing events prior to act(s).

- ◆ Transcribed copies of interviews
- ◆ Copies of written statements
- ◆ Investigative log
- ◆ Findings of fact
- ◆ Summary
- ◆ Recommendations: Discontinued, Action Commended, Exonerated, Not Sustained or Sustained.

Notification: IAD will ensure that the employee is notified of resolution of the investigation.

Before closing any file, a final review will be made by the director to establish that the investigations are factual, complete and that the conclusions are based on sound principles.

The director of the IAD is responsible for maintenance of the complaint investigation files that were initiated by a formal complaint as defined under Minnesota State Statute 626.89 subd.5. IAD will analyze investigative files and other data to determine trends in numbers and types of complaints, both from the individual, division and department viewpoints. The Department will disclose annual statistical summaries based on reports of IAD investigations.

All requests for reports regarding computer use for investigative purposes must be in the form of a written request to the Director of Internal Affairs specifying the alleged misuse of the system, the TCP/IP address and date and date/time frames of the requested report. Upon approval of the Director of Internal Affairs, the request will be sent to the division computer security officer/representative who will produce the reports and return them to the Director of Internal Affairs with a statement describing any technological limitations governing and the reported information. All information concerning the request and reports shall be treated as confidential.

### **CRIMINAL INVESTIGATIONS**

If criminal charges are made against a department member, IAD is responsible for the administrative investigation in most cases. Federal Court decisions to include *Garrity v New Jersey* 385 US.493 (1967) require that investigations into employee criminal conduct be kept entirely separate from the administrative investigation. The Director of IAD shall ensure that this requirement is met. In most instances this will be done by delaying the start of the administrative investigation until after the criminal investigation is completed and charges are filed or the prosecuting authority that has jurisdiction declines to prosecute.

The Commissioner will ensure that the criminal complaint has been referred to the appropriate jurisdiction. IAD will cooperate with the agency conducting the criminal investigation, and shall coordinate the administrative investigation so that evidence obtained in the criminal investigation is not compromised.

Upon completion of the investigation, IAD shall determine the disposition of the case under the authority of the Commissioner. The disposition shall be one of the following: exonerated, not sustained, sustained, other misconduct noted or action commended.

The commissioner may withhold issuing a disposition until any related criminal charges against the employee are resolved. The complainant shall be informed of this decision, unless such notification could jeopardize a criminal investigation or unjustly harm the reputation of the individual department member or the Department.

## **DISCIPLINARY DISPOSITIONS**

If the complaint is sustained, the Division Director shall take appropriate disciplinary action. Such action shall be based on the investigative report and the accused member's record of service, and shall be in conformance with any applicable state law, collective bargaining agreement, personnel rules or regulations relating to discipline of members.

The division director shall ensure that DPS Human Resources is consulted prior to the imposition of discipline which could result in the loss of compensation to the employee. The disciplinary action may include oral reprimand, written reprimand, and/or suspension, with or without pay, demotion or discharge. The Commissioner reserves the right to review any disciplinary decision of a division director to ensure that all discipline decisions are fair and consistent for all members, throughout all divisions of the Department.

- ◆ Either the complainant or the accused member may, within seven days after notification of the disposition, request the Commissioner, for good cause, to reopen the investigation. The disposition shall be final upon expiration of the seven day period if there is no request for consideration. If a request for reconsideration is made, the disposition shall become final upon a decision on such request or completion of any additional actions directed by the Commissioner.
- ◆ Notwithstanding the foregoing, the investigation may be reopened by the Commissioner at anytime if substantial new evidence is discovered which is relevant to the complaint.
- ◆ When a sustained disposition is final, the accused member may appeal the disposition according to the member's collective bargaining agreement or applicable state statutes.
- ◆ The Commissioner may suspend any member with pay at any time during the investigation of a complaint.
- ◆ This procedural directive shall not preclude other disciplinary procedures for misconduct not initiated by the formal complaint.

## **INTERVENTION**

Department employees shall not obstruct, interfere or in any way hinder an ongoing case being handled by the Internal Affairs Division or by any other agency appointed by the Commissioner of Public Safety.

Employees shall not undertake any investigation or other action not part of their regular duties without obtaining permission from their supervisor.

## **MAINTENANCE AND DISCLOSURE OF DATA**

Disclosure to the complainant, accused member, or other third party, of data collected, created, received or maintained in connection with this policy and procedure shall be governed by the Minnesota Government Data Practices Act, Minnesota State Statutes, Chapter 13 and all other applicable court rulings. All data collected, created, or received by the Department in connection with this policy and procedure shall be maintained at the IAD office in accordance with the department's retention schedule. Persons requesting to review files maintained by IAD will do so at the IAD office.

The placement of the disposition report or other data in any employee's personnel file shall be governed by Minnesota data practices laws, applicable state policy or collective bargaining agreements.

This policy supersedes any division policy in regards to employee misconduct/internal affairs investigations. This policy shall be referenced in all DPS division policies outlining or referring

to employee misconduct investigations. All divisions of Public Safety policies in regard to employee misconduct/Internal affairs investigations shall comply with this policy.

Department of Public Safety  
Complaint Intake Form

*Please print legibly*

**To be completed by person taking the complaint or complainant:**

Division \_\_\_\_\_ Date \_\_\_\_\_ Time: \_\_\_\_\_

Received via (circle one): Telephone      Fax      E-mail      U.S. Mail      In Person

Complaint received by: \_\_\_\_\_

Name of complainant: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone numbers: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

Name of employee involved \_\_\_\_\_  
(If no name is available, any other identifying information, i.e. description of employee, time of day)

Date and time of incident: \_\_\_\_\_

Location: \_\_\_\_\_

Any injuries resulting from this incident:      YES      NO

Was medical treatment administered      YES      NO

If so, where: \_\_\_\_\_

Briefly describe the incident:

Complainant requests (circle one) **INFORMAL PROCESS:** Supervisory contact to resolve the issue  
(DO NOT submit name – used for statistical use by IAD)

**FORMAL PROCESS:** Complainant will be provided with a formal complaint form from the Internal Affairs office.

**FORWARD ORIGINAL TO THE INTERNAL AFFAIRS DIVISION WITH A COPY TO THE DIVISION SUPERVISOR, DIVISION DIRECTOR, AND/OR DESIGNEE**

STATE OF MINNESOTA  
Department of Public Safety

FORMAL COMPLAINT OF ALLEGED EMPLOYEE MISCONDUCT

**Intentionally making a false accusation may result in criminal and/or civil charges.**

The information you provide may become part of an administrative investigation conducted at the direction of the Minnesota Department of Public Safety Internal Affairs Division and will be classified as either public, private or confidential data under Chapter 13 of the Minnesota Government Data Practices Act. The information you supply may also be used in a grievance hearing, arbitration or other appeal procedure and it may become necessary for you to testify at these hearings.

Name of complainant: \_\_\_\_\_ Date of birth: \_\_\_\_\_

Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone numbers: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell \_\_\_\_\_

Name of employee involved \_\_\_\_\_

(If no name is available, any other identifying information, i.e. state unit number, badge number, citation number, description of person, etc.)

Date and time of incident: \_\_\_\_\_

Location: \_\_\_\_\_

Any injuries resulting from this incident: YES NO

Was medical treatment administered YES NO

If so, where: \_\_\_\_\_

**DESCRIBE THE INCIDENT IN DETAIL ON THE REVERSE SIDE OF THIS FORM**

Return the completed form to:  
Minnesota Department of Public Safety  
Internal Affairs Division  
445 Minnesota Street, Suite #530  
St. Paul, Minnesota 55101-5530

List below the names and contact information of any possible witnesses:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**The above information is true and correct.**

\_\_\_\_\_  
Signature of complainant

\_\_\_\_\_  
Date

## UTILIZATION ANALYSIS

	<b>Protected Group – Disabled</b>					
<b>EEO Job Group</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
	Total Number in Group	Total Number of Disabled in Group	% of Disabled in the Group	Availability % (Census) MN Statewide	Availability Number	Number Underutilized
Officials and Administrators	35	3	8.6%	11.3%	4	1
Professionals	436	18	4.1%	10.9%	48	30
Technicians	178	9	5.1%	11.5%	20	11
Protective Services: Sworn	621	21	3.4%	11.6%	72	51
Protective Services: Non Sworn	182	21	11.5%	11.6%	21	0
Office/Clerical	503	34	6.8%	11.6%	58	24
Service Maintenance	18	1	5.6%	11.4%	2	1

	<b>Protected Group – Women</b>					
<b>EEO Job Group</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
	Total Number in Group	Total Number of Disabled in Group	% of Disabled in the Group	Availability % (Census) MN Statewide	Availability Number	Number Underutilized
Officials and Administrators	35	13	37.1%	37.8%	13	0
Professionals	436	193	44.3%	53.8%	235	42
Technicians	178	66	37.1%	63.1%	112	46
Protective Services: Sworn	621	58	9.3%	21.3%	132	74
Protective Services: Non Sworn	182	54	29.7%	64.4%	117	63
Office/Clerical	503	437	86.9%	67.7%	341	0
Service Maintenance	18	3	16.7%	43.6%	8	5

	<b>Protected Group – Minorities</b>					
<b>EEO Job Group</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>F</b>
	Total Number in Group	Total Number of Disabled in Group	% of Disabled in the Group	Availability % (Census) MN Statewide	Availability Number	Number Underutilized
Officials and Administrators	35	3	8.6%	5.1%	2	0
Professionals	436	39	8.9%	8.0%	35	0
Technicians	178	3	1.7%	6.8%	12	9
Protective Services: Sworn	621	21	3.4%	11.9%	74	53
Protective Services: Non Sworn	182	16	8.8%	6.3%	11	0
Office/Clerical	503	50	9.9%	8.2%	41	0
Service Maintenance	18	1	5.6%	14.3%	3	2

## GOALS AND TIMETABLES

EEO Job Group	Women			Minorities			People with a Disability		
	Number Underutilized	Goal	Timetable	Number Underutilized	Goal	Timetable	Number Underutilized	Goal	Timetable
Off/Admin	0	---	----	0	---	----	1	1	2006-2008
Professionals	42	5	2006-2008	0	---	----	30	1	2006-2008
Technicians	46	2	2006-2008	9	3	2006-2008	11	2	2006-2008
Protective Services: Sworn	74	5	2006-2008	53	4	2006-2008	51	0	2006-2008
Protective Services: Non-Sworn	63	4	2006-2008	0	---	----	0	---	----
Office/Clerical	0	---	----	0	---	----	24	3	2006-2008
Service Maintenance	5	2	2006-2008	2	2	2006-2008	1	1	2006-2008

According to the utilization analysis, our agency's workforce is underutilized in the Professionals job group by forty-two women. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Professionals group but we do not anticipate growth that would allow us to set a goal to include all forty-two women that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire five women in the Professionals job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Professionals	Women	42	5	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Technicians job group by forty-six women. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Technicians group but we do not anticipate growth that would allow us to set a goal to include all forty-six women that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire two women in the Technicians job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Technicians	Women	46	2	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Protective Services, Sworn job group by seventy-four women. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Protective Services, Sworn group but we do not anticipate growth that would allow us to set a goal to include all seventy-four women that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire five women in the Protective Services, Sworn job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this. DPS utilized the EEO Residence Data Results for Minnesota by State and Local Occupation Groups, "Protective Service Sworn" to establish the availability percentage of 21.3%. Using EEO Residence Data Results for Minnesota by Census Occupation Code, "Police Officers", the availability percentage falls significantly to 21.8%. This figure is more representative of the application pool.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Protective Services, Sworn	Women	74	5	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Protective Services, Non-Sworn job group by sixty-three women. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Protective Services, Non-Sworn group but we do not anticipate growth that would allow us to set a goal to include all sixty-three women that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire four women in the Protective Services, Non-Sworn job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Protective Services, Non-Sworn	Women	63	4	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Service Maintenance job group by five women. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Service Maintenance group but we do not anticipate growth that would allow us to set a goal to include all five women that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire two women in the Service Maintenance job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Service Maintenance	Women	5	2	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Technicians job group by nine minorities. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Technicians group but we do not anticipate growth that would allow us to set a goal to include all nine minorities that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire three minorities in the Technicians job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Technicians	Minorities	9	3	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Protective Services, Sworn job group by fifty-three minorities. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Protective Services, Sworn group but we do not anticipate growth that would allow us to set a goal to include all fifty-three minorities that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire four minorities in the Protective Services, Sworn job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this. DPS utilized the EEO Residence Data Results for Minnesota by State and Local Occupation Groups, "Protective Service Sworn" to establish the availability percentage of 11.9%. Using EEO Residence Data Results for Minnesota by Census Occupation Code, "Police Officers", the availability percentage falls significantly to 7.5%. This figure is more representative of the application pool.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Protective Services, Sworn	Minorities	53	4	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Service Maintenance job group by two minorities. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Service Maintenance group; as openings occur, we will make a good faith effort to recruit and hire two minorities in the Service Maintenance job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Service Maintenance	Minorities	2	2	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Officials and Administrators job group by one person with a disability. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Officials and Administrators group, as openings occur, we will make a good faith effort to recruit and hire one person with a disability Officials and Administrators job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Off/Adm	Persons with a Disability	1	1	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Professionals job group by thirty persons with a disability. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Professionals group but we do not anticipate growth that would allow us to set a goal to include all thirty persons with a disability that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire one person with a disability in the Professionals job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Professionals	Persons with a Disability	30	1	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Technicians job group by eleven persons with a disability. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Technicians job group but we do not anticipate growth that would allow us to set a goal to include all eleven persons with a disability that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire two people with a disability in the Technicians job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Technicians	Persons with a Disability	11	2	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Protective Services, Sworn job group by fifty-one persons with a disability. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Protective Services, Sworn group but we do not anticipate growth that would allow us to set a goal to include all fifty-one persons with a disability that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire people with a disability in the Protective Services, Sworn job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Protective Services, Sworn	Persons with a Disability	51		Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Office/Clerical job group by twenty-four persons with a disability. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Office/Clerical group but we do not anticipate growth that would allow us to set a goal to include all twenty-four persons with a disability that we are underutilized. As openings occur, we will make a good faith effort to recruit and hire three people with a disability in the Office/Clerical job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Office/Clerical	Persons with a Disability	24	3	Growth and Expansion	2004-2006	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Service Maintenance job group by one person with a disability. Based on our analysis of the conditions in the agency, we expect this job group to grow in the next two years. We will need additional employees in the Service Maintenance group and as openings occur, we will make a good faith effort to recruit and hire one person with a disability in the Service Maintenance job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this.

Job Group	Protected Group	Number		Agency Considerations	Timetable	Methods
		Underutilized	Goal			
Service Maintenance	Persons with a Disability	1	1	Growth and Expansion	2004-2006	See AAP, Recruitment Section

## PROGRAM OBJECTIVES

1. Continue to provide education to Department supervisors and managers about Affirmative Action and their responsibilities in implementing the Affirmative Action Plan.
2. Provide training to all new employees about respectful communication and each employee's responsibility to ensure a workplace free from discrimination, harassment, fear and violence.
3. Provide training to all employees about the complaint and investigation procedures.
4. Provide training to all employees in topics including respectful communication, cultural awareness, and effective communication strategies with limited-English speaking customers.
5. Continue the active participation of the Director of Internal Affairs/Affirmative Action as a member of the Alliance for Cooperation and Collaboration in Employment and State Services (ACCESS) a coalition of Affirmative Action Officers and Human Resource Directors throughout the State to share, discuss, establish and implement the best practices in diversity, equal opportunity and affirmative action efforts.
6. Require individual development plans for all employees as part of their annual performance evaluations. This plan is used to determine specific development and training opportunities to enhance the employee's development and skills to increase retention and promotional development.
7. Participation by the Minnesota Department of Public Safety in career fairs and conferences such as Minnesota Human Rights Day to demonstrate its commitment to diversity recruitment and hiring, recruit potential applicants and promote public safety education.
8. Support the Minnesota State Patrol's recruiters who focus on recruiting women and people of color to pursue careers in law enforcement and employment with the State Patrol. These efforts include visits to schools, colleges, community organizations, job fairs and military career fairs.
9. Partner with community organizations to demonstrate the State Patrol's commitment to diversity recruitment, to enhance community relationships and increase the number of qualified diverse applicants.

10. Evaluate the State Patrol's selection process to identify and reduce barriers for women and people of color.
11. Create and support pre-law enforcement opportunities (high school academy, student worker, community service worker, internships) to encourage students to pursue law enforcement careers and provide work opportunities to students interested in law enforcement.

## METHODS OF AUDITING, EVALUATING AND REPORTING PROGRAM SUCCESS

The Department of Public Safety is committed to maintaining a successful affirmative action program. To evaluate the program, the Director of Internal Affairs/Affirmative Action monitors all the Unlimited Classified hires and the Non-Competitive Qualifying hires in job groups where a disparity exists using the State of Minnesota Monitoring the Hiring Process form. The Director notifies the division directors about their hiring practices as it relates to protected group applicants. In the next year, this information will be compiled by division for each division director to use to evaluate their progress.

The Director of Internal Affairs/Affirmative Action reviews all hiring recommendations for vacancies filled from an eligible list containing interested protected group members. Hiring supervisors are informed that they are filling a vacancy in a position for which affirmative action goals have not been met. Hiring supervisors are notified that there are protected group members on the eligible list and that they must have approval from the IA/AA Director prior to making an offer of employment. If, after interviews, the supervisor recommends hiring a non-protected group applicant, the supervisor must provide a written justification for not selecting the protected group individual. The IA/AA Director reviews the rationale, the position description, the posted job qualifications, the protected group member's application, and any other relevant documentation to determine whether to approve the recommendation. The Director of Human Resources and the Director of Internal Affairs/Affirmative Action work together to ensure that no offer of employment is given without the necessary approval.

The following policy is attached:  
DPS Administrative Policy No. 4080-Pre-Hire Review.

The Director of Internal Affairs/Affirmative Action reviews the annual Separation Summary and reports to division directors the results of this report. This report is used to determine whether there is any disparity between protected group and non-protected group employees with respect to separation. This includes the effects of layoffs. Layoff decisions are based on budgetary or work reductions. The Human Resources Office records and reports all layoff separations. The impact of layoffs is determined by seniority as required under the applicable collective bargaining agreements.

Over the past few years, the Minnesota State Patrol has made significant progress towards increasing the diversity within the pool of applicants for new trooper positions. The State Patrol annually establishes direct minority recruitment strategies. The State Patrol keeps records of the protected group applicants and how they perform during the selection process. This information is analyzed to determine barriers that may exist in the selection and hiring process.

<b>MINNESOTA DEPARTMENT OF PUBLIC SAFETY</b>	<b>ADMINISTRATIVE POLICY</b> NO. 4080 SUBJECT Pre-Hire Review
<b>DIVISION/STAFF OFFICE RESPONSIBLE</b> Office of Personnel	[Signed] <b>APPROVED BY COMMISSIONER</b>
<b>DATE POLICY ESTABLISHED/REVISED</b> 02/01/1993	<b>INTENDED AUDIENCE:</b> All managers and supervisors, all HR

**INTRODUCTION**

The Minnesota Department of Public Safety is an equal opportunity employer. The department's affirmative action plan states that it is the department's policy to:

1. Provide equal opportunity to all persons without regard to race, creed, color, sex, religion, national origin, age, marital status, disability, reliance on public assistance, political affiliation, or sexual orientation, except where a bona fide occupational qualification exists.
2. Comply with the statewide affirmative action program. As stated in the State of Minnesota's Equal Employment Opportunity Policy:

"The State of Minnesota will implement and maintain a program of affirmative action to eliminate internal barriers to equal employment opportunity and to provide for the employment and advancement of qualified women, minorities, and persons with disabilities in accordance with occurrence in the work force."

State rules governing the statewide affirmative action program specify that a procedure must be developed in each agency which "requires pre-employment review of all hiring decisions for occupational categories with unmet affirmative action goals."

**POLICY**

When an established affirmative action goal for a specific occupational category is not being met and a vacancy occurs which is to be filled from an eligible list containing interested protected group members of disparate groups, the supervisor's hiring recommendation shall be reviewed by the appropriate division director and the affirmative action officer, if the supervisor wishes to hire an individual who is not a member of the protected class for which the disparity exists.

**PROCEDURES AND RESPONSIBILITIES**

When a vacancy occurs in a category which has unmet affirmative action goals, the following procedures shall apply:

- |                                  |                                                                                                                                                                                                                                                                                                         |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Office of Human<br>Resource (HR) | <ul style="list-style-type: none"> <li>◆ Notify the supervisor that affirmative action goals are not being met for one or more protected groups(s) and that member(s) of those group(s) are on the eligible list.</li> <li>◆ Advise the supervisor of the affirmative action responsibility.</li> </ul> |
|----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

- |                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Supervisor                    | <ul style="list-style-type: none"> <li>◆ If, after interviews are completed, the supervisor decides not to hire a protected group candidate, provide written rationale based on knowledge, skills and abilities outlined in the vacancy position description, for not selecting a protected group individual for which a disparity exists when one or more members of this group(s) is on the list and available.</li> <li>◆ Send this rationale and copies of the position description, the protected group members(s) application, the applications of the candidates being considered for hire, all interview materials and the eligibility list to the appropriate division director and affirmative action officer.</li> </ul> |
| Affirmative<br>Action Officer | <ul style="list-style-type: none"> <li>◆ Review the rationale submitted by the supervisor and make recommendations to the supervisor, division director, and HR, of approval/disapproval. May request more information prior to making a recommendation</li> <li>◆ Discuss the implications of bypassing candidates who fill the disparity.</li> <li>◆ Inform the Commissioner and the HR director of all missed opportunities.</li> </ul>                                                                                                                                                                                                                                                                                          |
| Division<br>Director          | <ul style="list-style-type: none"> <li>◆ Review all opinions received, determine what action to take, inform the personnel office and provide instructions on how to proceed.</li> <li>◆ Notify affirmative action officer of the final decision and the effective hiring date.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Commissioner                  | <ul style="list-style-type: none"> <li>◆ If division has over 25% missed opportunities, the final decision on each hire rests with the commissioner after consultation with the appropriate division director and the affirmative action officer.</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**EXCEPTIONS**

The following are exceptions to the above procedure:

- ◆ No members of the disparate group were certified.
- ◆ All disparate group member(s) failed to pass mandatory job requirements given prior approval by DOER.
- ◆ Appointment is made from layoff list as required by collective bargaining agreement.
- ◆ Certified members of disparate group responded that they were not interested in the job or failed to respond to letters about the position.
- ◆ Seniority article of contract applied. Incumbent appointed to position changed in allocation.
- ◆ Agency no longer has disparity.
- ◆ Appointed worker's compensation referral.
- ◆ Appointed employee who has received notice of layoff.

The only disparate group member(s) available for appointment is/are in same goal unit (bargaining unit within geographic area) as vacancy and appointment would not help meet affirmative action goals.

- ◆ Unable to make reasonable accommodation for applicant's disability.
- ◆ Grievance or arbitration settlement.
- ◆ Non-citizen without proper work authorization.

### **DATA PRACTICES**

Supervisors and managers are not to disclose information that the candidate selected is of a particular protected group status. The protected group status of an individual is identified as private data in accordance with the Minnesota Government Data Practices Act (Minn. Stat. 13.43, Subd. 2) which governs the collection and disclosure of all government data, including personnel data.

Documentation will be kept on the selection process for all appointments for at least two (2) years, in accordance with the Minnesota Government Data Practices Act (Mn. Stat. 13.43).

## WEATHER EMERGENCIES AND EVACUATIONS

The Minnesota Department of Public Safety has detailed weather emergency and evacuation plans and procedures in place to ensure the safety of employees in the event of such an emergency. The National Oceanic Atmospheric Administration Weather Radio Station is monitored on a daily basis by the Department's Safety Director, front desk staff and Town Square Security. Should severe weather watches or warnings be issued, the Department's front desk staff and Town Square Security notify designated staff in each division by e-mail and all staff by PA announcement.

The following policies and plans are attached:

DPS Administrative Policy No. 4005-Emergency Declarations

DPS Town Square Facility Emergency Plan

DPS Town Square Building Evacuation Radio Procedures

Mobility Impaired Emergency Exit Plan

DPS Town Square Location First Responder Team Operations Guidelines

**MINNESOTA DEPARTMENT OF**

**ADMINISTRATIVE POLICY**

**PUBLIC SAFETY**

**NO.** 4005  
**SUBJECT** Emergency Declarations

**DIVISION/STAFF OFFICE RESPONSIBLE**  
Human Resources

[Signed]  
**APPROVED BY COMMISSIONER**

**DATE POLICY ESTABLISHED/REVISED**  
07/23/2001; 06/01/2004

**INTENDED AUDIENCE:** All managers and supervisors

**POLICY**

The following emergency declaration plan has been developed pursuant to the Department of Employee Relations (DOER) Administrative Procedure 5.4. The plan outlines procedures to be followed in the Department of Public Safety in the event of a natural or man-made emergency, which would require closing facilities.

- Alertcast Message
  - ◆ Alertcast Message is an emergency notification system initiated by DOER . When there is a need for local office closures due to an emergency such as weather, DOER notifies designated contacts in every state agency, so that employees may be notified of department closures as soon as possible. Staff who are responsible for implementing the internal emergency notification procedure in their division/area of the state, must register for this system through the Public Safety Office of Human Resources (HR). Any changes of contact representative names or phone or fax numbers should be reported to HR immediately. The last section of this policy contains the instructions for receiving an Alertcast message.
  
- Notification
  - ◆ In the event of a situation that could result in an emergency the Commissioners of Public Safety and DOER will consult and/or review the situation to determine the extent of the emergency declaration and the action to be taken.
  - ◆ If there is a weather emergency, DOER will notify all agency commissioners and division directors, by voice mail or pager, of an Alertcast Message. Each division director will use a pre-established phone tree to contact all employees within their divisions, preferably before the start of the workday, of the times and locations of emergency declarations. Employees are encouraged to listen to television and radio stations ay WCCO, WCCO radio 830, or to call WCCO at 612-370-0681.
  - ◆ The designated contact on the division list is solely responsible for making the calls necessary to activate each division's phone tree. The contacts may also be required to make additional calls on the inter-divisional phone tree to alert other divisions of the emergency.
  
- Operationally Essential Staff
  - ◆ Employees assigned to "on call" status will remain on call during an emergency declaration and are subject to reporting for duty according to standard procedures.

- ◆ Areas which are exempt from emergency leave provisions and which must be continued in the event of an emergency declaration are:
  - a) Driver and Vehicle Services (DVS) public information center supervisors. Hours of service are 8:00 a.m. to 5:00 p.m., Monday through Friday, except holidays. DVS will determine on a case by case basis the number of supervisors who must report to work.
  - b) Capitol Security personnel except clerical support staff.
  - c) State Patrol uniformed personnel and radio dispatchers.
  - d) Bureau of Criminal Apprehension telecommunication section.
- ◆ Staff assigned to the above areas are not subject to the emergency leave provisions of the DOER Administrative Procedure 5.4. Employees in these sections will remain on duty when an emergency is declared and, if off duty, will report to work on their regularly scheduled shift or as called in by their supervisor. These employees are not eligible for emergency leave and those not reporting to work must use leave without pay or vacation.
- ◆ In case of an extreme emergency, a non-operationally essential employee may be asked to report to work. In such an event, no employee will be penalized for an inability to report.

Independent  
Closure  
Decisions

- ◆ DOER Administrative Procedure 5.4 provides that the department appointing authority may make a decision to close facilities without prior declaration by the Commissioner of DOER. This provision could be used when an emergency affects only one facility or there is not time to have a formal declaration issued. In this event, the appointing authority will notify the Commissioner of DOER, as soon as practicable, of the action taken and request a formal declaration. If the request is denied the pay provisions of Administrative Procedure 5.4 will not be allowed for any employee released from work.
- ◆ Public Safety employees do not have the authority to make a closure decision without notification to the division director. If the employee in charge of a facility determines that immediate closure is necessary, the employee shall contact the division director or designee before any action is taken. The division director shall contact the Commissioner's office for a decision.
- ◆ Back up for the Commissioners office will be provided by the HR office.

Time Off  
Provisions

- ◆ Time off and pay provisions for employees in the event of an emergency declaration are as stated in DOER's Administrative Procedure 5.4.
- ◆ Provisions for employees exempted from DOER's Administrative Procedure 5.4 are covered in the Operationally Essential Staff section of this policy.

## **RECEIVING AN ALERTCAST MESSAGE**

### **Voice Phone - Express Notification Option**

When an Alertcast phone call is answered, the service will deliver the following message: "There is an, Alertcast message for someone at this number." Here is what happens next:

- ◆ Alertcast immediately plays the emergency message exactly as recorded.
- ◆ No response is required.

### **Pager - Express Notification Option**

When an Alertcast message is sent, the pager will display an eighteen (18) digit number.

- ◆ The first ten (10) digits will be the phone number you will call to retrieve the Alertcast message. (651-955-5600)
- ◆ The next five (5) digits will be the event number (unique and assigned by, Alertcast for each emergency).
- ◆ The last three (3) digits will be 911, indicating you have received an Alertcast message.

### **How to Retrieve the Message**

- ◆ From any touch-tone phone:
  1. Call the Alertcast number: 651-855-5600 (the first ten (10) digits on your pager)
  2. Enter the five (5) digit event number followed by the pound (#) key (the next five (5) digits on your pager)
- ◆ The service will play the prerecorded emergency message. You will then be asked to respond in one of two ways, by pressing the appropriate number on the phone keypad:

I have heard and understood the message (press 3)

Repeat the message. (press 4)

The message from Alertcast will specifically detail the county (or counties) that are affected by the emergency, the reason for the emergency (i.e., weather), and the timeframe of the emergency.

# DPS TOWN SQUARE FACILITY EMERGENCY PLAN

## **Purpose:**

This Emergency Action Plan (EAP) is in place to ensure employee safety from fire and other emergencies. It provides a written document detailing the actions and procedures to be followed in case of an emergency.

At the time of an emergency, employees should know what type of evacuation is necessary and what their role is in carrying out the plan. In some cases where the emergency is very grave, total and immediate evacuation of all employees is necessary. In other emergencies, a partial evacuation of employees may be more appropriate. Employees must be sure that they know exactly what is expected of them in each type of emergency. This plan contains the essential information that employees will need to deal with any type of emergency effectively.

## **Fire**

If you discover smoke or fire:

- Clear the area of personnel and customers
- Secure the area (close doors)
- Pull nearest fire alarm and dial 9-911**
- Notify Town Square Security at 293-1676
- Evacuate the building
- Follow instructions from Floor Warden and Security
- Proceed to designated outdoor staging areas

Evacuation:

- Do not use elevators
- Exit the building using the nearest safe exit
- Move to designated staging area
- Report to your Floor Warden for a headcount

Employees with mobility problems will proceed to the glass elevator. Town Square Security, First Responders and the St. Paul Fire Department will meet mobility impaired employees at the glass elevator and assist them to the outside staging areas.

Floor Wardens, Security Officers and First Responders are the designated employees who will assist with employee and customer evacuation.

Incident Commander will be the Safety Officer, Facilities Manager or Town Square Security, in that order.

All employees will be trained annually on the fire evacuation plan by their Floor Wardens. Annual training will be provided to Floor Wardens, First Responders and the Security Officer by the Safety Department.

An annual fire drill will be held in the month of October in conjunction with Fire Prevention Week in the state of Minnesota.

The Department of Public Safety will seek advice on fire safety and our fire evacuation procedures from our State Fire Marshall Division and the St. Paul Fire Department. We will ask both the organizations to critique our annual fire drill and we will comply with any comments or suggestions offered to us and our employer.

Portable hand held radios have been purchased for Floor Wardens, First Responders and Town Square Security to coordinate the evacuation, the “all clear” and the return to the building.

See attached Map which delineates fire evacuation refuge zones.

No employee is permitted to re-enter the building until the “all clear” is given by the Incident Commander and Floor Wardens direct the employees back into the building.

Critical Facility Operations:                    The Safety Director, Facilities Staff and the front desk receptionist are authorized to remain in the facility if their operations are needed. No other employees are authorized to be in the building during a fire alarm activation.

Employee Head Count Procedures:

Employees designated as Floor Wardens will conduct a head count once the evacuation has been completed and employees are in their designated outdoor staging locations. There is at least one Floor Warden for each forty employees in the workplace to provide adequate guidance and instruction at the time of a fire emergency. The employees who serve as Floor Wardens are selected and trained in the complete workplace layout and the various escape routes from the workplace. All trained Floor Warden personnel are made aware of employees with disabilities who need assistance. A “Floor Buddy” will assist the mobility impaired employee with exiting the building. Floor Wardens are trained to avoid hazardous areas of the building. Prior to leaving, Floor Wardens check meeting rooms, storage rooms and other enclosed spaces in the workplace for employees who may be trapped or unable to evacuate the area. A copy of the Floor Wardens Roster is enclosed and updated annually.

First Responder Team members will be alerted by pager and activated during a fire alarm and or fire drill. The First Responder Team duties are to respond to the front desk and stand by for a medical emergency (an example would be smoke inhalation), assist mobility impaired employees at the glass elevator location, assist customers, visitors and students in the large training room and provide rescue duties in case of an emergency requiring rescue.

Facilities Management team members are responsible for setting up four external checkpoints outdoors on all four corners of the Town Square Building. Facilities staff will activate their portable radios and coordinate the evacuation of the building with Floor Wardens. Facilities

staff will receive updates from the Incident Commander regarding the situation. Facilities Management staff will receive and pass along the “all clear” message and assist in returning employees to the building. Facilities Management team members will be responsible for traffic as employees cross streets enroute to their designated staging areas. High Visibility Traffic Vests will be provided to Facilities members as a safety and identification measure while they are directing employees and/or traffic.

**Medical Emergency:**

**Notify First Responder Team at 282-6565 or 293-1676**

**Dial 9-911 for St. Paul Fire Department Paramedics**

Give building address and suite number, exact location, symptoms, etc.

Stay on the line if possible

Send someone to guide the emergency teams to your location

First Aid Only

For minor injury where first aid kit and first aid supplies are needed, call 282-6565 or 293-1676 and ask for the DPS First Responder Team.

The Department of Public Safety Town Square location maintains a 14 member volunteer emergency medical first responder team. Designated First Responders are able to provide medical assistance within their capabilities to employees requiring such services during an emergency or non emergency situation. The following individuals are designated First Responders:

Jason Amborn	Jon Swanson	Don Marose	Sandra Wintz
Pete Rowan	Sandy Jadwin	Monica Vogel	Luke Anderson
Dan Bernardy	Tamara Bohmert	Jon Sorlie	Annette Wuertz
Dan Munthe	Dana Garry	Nathan Lind	Jon Nisja
Jerod Anderson	Shannon Brewin	Bob Berg	Security Officers

First Responders will also assist during fire evacuation and severe weather emergencies.

**Severe Weather:**

The Safety Director, DPS Front Desk Staff and Town Square Security will monitor the NOAA Weather Radio and Scanner on a daily basis.

If a severe weather watch or warning or a tornado watch or warning is issued for Ramsey County, an alert tone will be received by the weather radios at Town Square.

DPS front desk staff and town square security will be responsible for notifying Floor Wardens by e-mail and by PA announcement. The Safety Director and First Responders will be paged by the front desk staff advising them of the situation.

A severe weather watch or tornado watch will not require a move to shelter.

A severe weather warning or tornado warning will require all employees to move to their designated shelter area away from windows. Floor Wardens will be responsible for moving employees, customers and visitors away from windows and into the designated shelter area in their area of control.

Vacate all areas near windows.

Close doors.

Wait for “all clear” from Security and Floor Wardens.

### **Terroristic Threats:**

#### **Take all threats seriously**

#### **For personal threats and bomb threats:**

Report them to your supervisor and Town Square Security at 293-1676. Notify DPS front desk and Facilities Team at 282-6565. Security will contact the St. Paul Police Department and begin their internal procedures to deal with the threat. Do not discuss the threat with anybody until you are debriefed by Security and/or the St. Paul Police Department. If the threat was received by phone, after hanging up, immediately dial \*57 to trace the origination point of the call.

**Bomb Threats** will require a brief search of your work area for unusual or unfamiliar packages. Do not touch, move or open suspicious items. Report any suspicious items to Town Square Security Officers at 293-1676. Evacuation may be ordered on a limited basis. Evacuation may be ordered by face-to-face contact with area supervisors and/or by e-mail. In most cases, the fire alarm system will not be used unless a large scale risk is determined to be present. Interior sheltering may be considered along with evacuation.

#### **Power Outage:**

Notify DPS front desk at 282-6565.

Notify Floor Wardens and First Responders. Floor Wardens and First Responders are provided with flashlights to assist with emergency lighting needs in the event of a power outage.

Town Square Facilities Maintenance staff will attend to the power outage problem.

## **Elevator Emergency:**

Notify DPS Front Desk at 282-6565.

DPS Front Desk will notify Security, Maintenance and First Responders if needed.

## **Building Evacuation Roles and Responsibilities:**

Security Manager: Serves as overall Incident Commander

Security Officers: Respond to emergency scene

Security Dispatcher: Relays information via Town Square Low Power Radio System and Security Radio System

DPS Safety Director: Serves as DPS Incident Commander and establishes joint Incident Command with Security IC.

DPS Checkpoint Leaders: There are four Checkpoint Leaders. During a Building Evacuation Incident, Checkpoint Leaders establish a Checkpoint Position outside of the Town Square Building. Checkpoint Leaders receive accountability information from Floor Wardens. Checkpoint Leaders are issued portable radios. Checkpoint Leaders relay information from Floor Wardens to the Incident Commander. Checkpoint Leaders make sure that all employees and customers stay outdoors and do not return to the building during a fire evacuation. Checkpoint Leaders relay information from the Incident Commander to the Floor Wardens outside of the building. Checkpoint Leaders are responsible for relocating employees if advised to relocate by the Incident Commander. The “all clear” will be relayed by the Incident Commander to the Checkpoint Leaders when it is safe to return to the building. Checkpoint Leaders are responsible for relaying the “all clear” to Floor Wardens. Checkpoint Leaders will relay any emergency information to the Incident Commander.

DPS First Responder Team Members: The DPS First Responder Team is the medical response team for the building. First Responder Team Members are assigned as Backup Checkpoint Leaders for building evacuation incidents. In the event that a Checkpoint Leader is absent, First Responder Team Members will automatically assume the Checkpoint Leader role and duties.

DPS Floor Wardens: Floor Wardens are responsible for evacuation of DPS employees and customers within their assigned areas of responsibility. Floor Wardens will ensure a safe and orderly evacuation. Floor Wardens will report to their assigned Checkpoint Leader once Floor Wardens and employees reach their assigned staging area outside of the building. Floor Wardens will advise Checkpoint Leader that their specific work group has exited the building. Floor Wardens will relay information from Checkpoint Leader to employees. Floor Wardens will receive the “all clear” from the Checkpoint Leader and relay the “all clear” to employees. Floor Wardens will assist employees with the safe return back into the building.

DPS Supervisors: Support and assist Floor Wardens in their duties. Initiate emergency operations shutdown and lockup procedures. Ensure the safe and orderly evacuation of DPS employees and DPS customers.

DPS Employees: Follow emergency building evacuation directions given by Floor Wardens and Supervisors.

St. Paul Fire Department: Fire suppression and rescue duties. Fire Chief or Fire Officer will respond to Security Desk and establish a command post at the Security Desk. The command post may need to be relocated as conditions warrant.

Town Square Facilities and Management Staff: HVAC Control. Other Facilities duties assigned by Incident Commander.

State Fire Marshall's Office: Support and consultation as needed. May respond to Command Post at Security Desk.

Public Information Officer: Kevin Smith, DPS Communications Director will serve as DPS PIO for any Town Square fire/building evacuation incident.

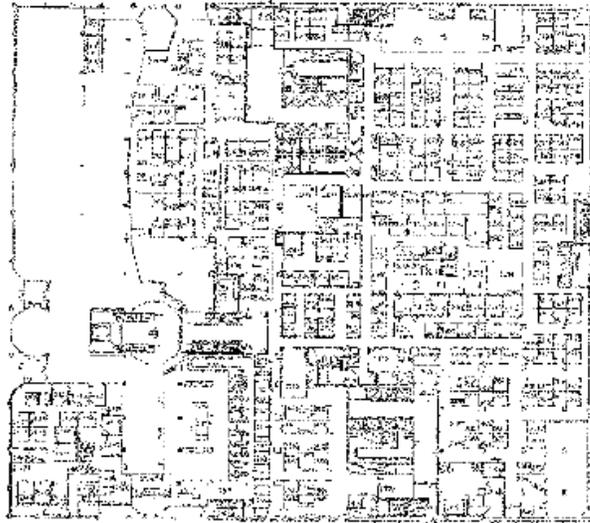
# DPS Fire Drill Staging Areas

Check Point #1

HSEM	Driver Compliance	Title and Registration/Dealers	Operations Support/Mailroom	Human Resources	Traffic Safety	State Patrol
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## Cedar Street

Drive Thru



7th Street

Exam/Issuing

OTSS/911

Check Point #2

Crash Rec

DVS Computer Programmers

DVS Administration Services

## Minnesota Street

Check Point #4

AGE
Justice Programs
5th, 10th and 23rd Floor

7th Place

Check Point #3

Public Info. Center  
Prorate

Public Counter/  
Plate Impound/  
Cashiers

Finance/  
SFM/ PS/  
Comm

Parking Lot

10/01/05

## AMERICAN SECURITY LLC

Date: September 21, 2004

To: Town Square Security  
Sentinel Property Management Corp.  
Department of Public Safety

From: Peter Acosta, Account Manager  
American Security LLC

RE: Suspicious mail procedures for Town Square/NCL Tower and Department of Public Safety

1. Security is notified of a suspicious piece of mail or suspicious package.
2. Security documents the name, phone and suite number of the person reporting the mail/package and the location of the mail/package.
3. Security should notify Sentinel Property Management Corp. of the situation.
4. Security dispatches on-site manager to the location of the mail/package to assess the threat level. If the on-site manager is not available, a patrol officer will be dispatched.
5. If the mail/package is in the Department of Public Safety Offices or mailroom, Pete Rowan should be notified.
6. Call 911 and have them pick up the letter/package.
7. The responding police officer will assess the letter/package and decide if further emergency response is needed (Bomb Squad, Haz Mat, etc.)
8. If a letter has been opened and it is found to contain powder or a foreign substance, the people in the immediate area of the letter/package should be kept quarantined in the area until authorities release them. Other individuals should not be allowed entrance into the exposed area and **911 should be called immediately.**
9. The responding police officer(s) and emergency response units will determine what action needs to take place. Assist them in any way you can.
10. Upon the completion of the incident, the responding security personnel should obtain the police case number and write a detailed report.
11. **If the responding security officer is ever unsure whether the letter/package is safe, they should not touch it and 911 should be called immediately.**

**DPS Town Square Fire Evacuation Checkpoint Leaders (2005)**

Fire Incident Commander:	Town Square Security Peter Acosta, Security Manager
DPS Fire Evacuation Leader:	Safety Director, Jason Amborn
Checkpoint Leader #1:	Joe Bowler
Backups:	Ray French Sandy Jadwin Bob Berg
Checkpoint Leader #2:	Eric Robinson
Backup:	Guy Ledman
Checkpoint Leader #3	Pete Rowan
Backups:	Dan Munthe Dan Bernardy Jon Nisja
Checkpoint Leader #4	Shannon Brewin
Backups:	Tamara Bohmert Al Erickson Front Desk Staff 23 <sup>rd</sup> Floor Staff
Mobility Impaired Group Leaders:	Sheila Tatone Sandra Wintz

**\*\*\*\*\*USE RADIO CHANNEL 1**

DPS TOWN SQUARE  
BUILDING EVACUATION RADIO PROCEDURES

Oct 2006

Building Evacuation Checkpoint Locations:

Evac Leader : TSQ Security Desk (starting point – could move as situation dictates)

Checkpoint # 1: Cedar Street

# 2: 7th Street

# 3: Minnesota Street

# 4: 7th Place

All radios will be set to Channel #1 (DPS emergency frequency)

1) Establish Evacuation Leader is on site

- DPS Safety Officer should immediately establish his radio presence - "This is Evac Leader to all checkpoints – I am set up and ready to confirm". If one minute passes without hearing from DPS Safety Officer, then checkpoint # 3 becomes Evac Leader

2) Building Evac. Leader confirms all 4 checkpoints are covered

- "Evac Leader to checkpoint 1 confirm" .. "Checkpoint 1 to Evac Leader – all set" .. Evac Leader to checkpoint 2 confirm" .. etc.

- Radio contact is confirmed by the designated person or the backup.

- When determined that a checkpoint is not covered Evac Leader will attempt to contact the nearest designated Backup / First Responder or a volunteer with the extra radio at checkpoint # 4 may be asked as a final option.

3) Checkpoint Reporting:

- Once Evac Leader & all checkpoints are in place the Evac Leader will control all radio conversation\*.

- Evac Leader will say "Evac Leader to Checkpoint # 1 - report"

- Checkpoint # 1 will say "This is Checkpoint # 1 reporting", then he/she will say the #'s corresponding to floor wardens that have reported in. Example: "Sections 1, 4 and 6 are clear"

- Evac leader will respond "This is Evac Leader – copy"

- Evac Leader will continue report procedure with checkpoints 2, 3, 4

- Evac Leader should continue contacting checkpoints until all 28 section floor wardens have reported in.

- When all 28 floor wardens are reported clear or 5 minutes have passed, the Evac Leader should then report to TSQ Security the evacuation status of DPS. Example: "All of DPS is out of the building" OR "All DPS is out of the building except for sections....".

- TSQ Security will then report to the Fire Chief on the scene.

- The Evac Leader will keep monitoring checkpoints and keep TSQ Security updated on any changes to the reported exceptions

4) Evacuation Updates (once DPS is clear of Bldg.)

- The Evac Leader needs to provide Evac Updates to checkpoints as soon as possible.

## 5) Return to Building

- When TSQ Security gives the OK to return to the building, Evac Leader will contact all checkpoints at one time. Checkpoints will then pass the message "to return" onto the people assigned to their staging area.

### \* EMERGENCY NEEDS:

Checkpoints can interrupt Radio Procedures for Emergency Messages

Example: First Responder requests, Security violations, Fire Dept. activities, etc.

## **MOBILITY IMPAIRED EMERGENCY EXIT PLAN**

### **As of 10/6/2006**

#### **Plan A:**

Floor warden(s) check the assigned area and insure that Mobility Impaired Group is accounted for.

Mobility impaired individuals leave their work stations and wait for the group under the skylight.

Once all the mobility impaired members are accounted for, the group moves together to the glass elevator exit.

Group takes glass elevator to Street Level.

Group exits building via drive thru or cedar street doors. Floor Warden decides based on crowd and circumstances.

Floor warden leads group to assigned rally point on Cedar Street.

Floor warden should recruit add'l buddies at rally point if needed.

Floor warden reports exiting status to Check Point #1.

Check Point #1 reports floor warden's info to Fire Command.

Floor warden remains near the Check Point person for updates.

#### **Plan B: (if glass elevator is not an option)**

Floor warden determines who can and cannot take the escalator to Street Level.

Floor warden assigns a buddy(s) to the employee(s) who are unable to use escalator.

Floor warden sends non escalator employee(s) and buddy(s) to dock with instructions to remain there for pickup by Fire Dept.

Floor warden leads remaining group up escalator to Street Level.

Group exits building via drive thru or Cedar Street doors. Floor warden decides based on crowd and circumstances.

Floor warden leads group to assigned rally point on Cedar Street.

Floor warden should recruit add'l buddies at rally point if needed.

Floor warden reports exiting status to Check Point #1 including the names of the employees waiting on the dock.

Check Point #1 reports floor warden's info to Fire Command.

Fire Command reports to St Paul Fire Dept and assistance to the dock will be immediately dispatched.

Floor warden remains near the Check Point person for updates.

#### **Plan C: (If waiting on dock is not an option)**

Employees sent to dock area must head to one of two building freight elevators. The closest one is about 100 feet east of the dock. This elevator requires a DPS access card to operate.

The other one is about 600 feet from the dock in the south west corner of the Concourse.

Take one of these freight elevators to Street Level.

Go to nearest emergency exit on Street Level.

Report to the nearest Check Point.

Check Point reports info to Fire Command.

Fire Command reports to St Paul Fire Dept.

Check Point #1 should be monitoring all radio communication and reports new info to floor warden.

Employee(s) and buddy remain near check point for updates.

# MINNESOTA DEPARTMENT OF PUBLIC SAFETY

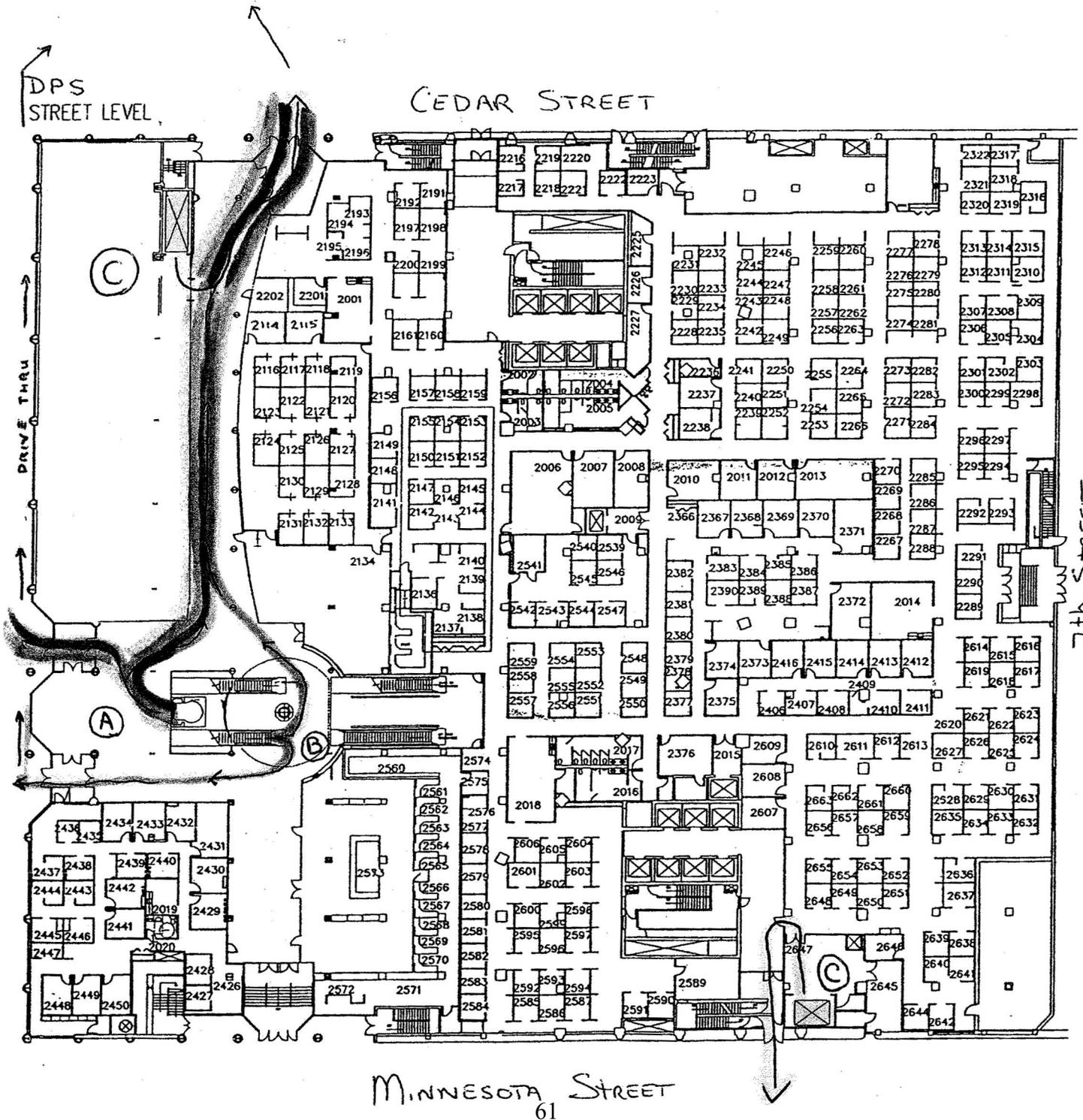
## MOBILITY IMPAIRED EMERGENCY EXIT PLAN

OCT  
2005



RALLY  
POINT

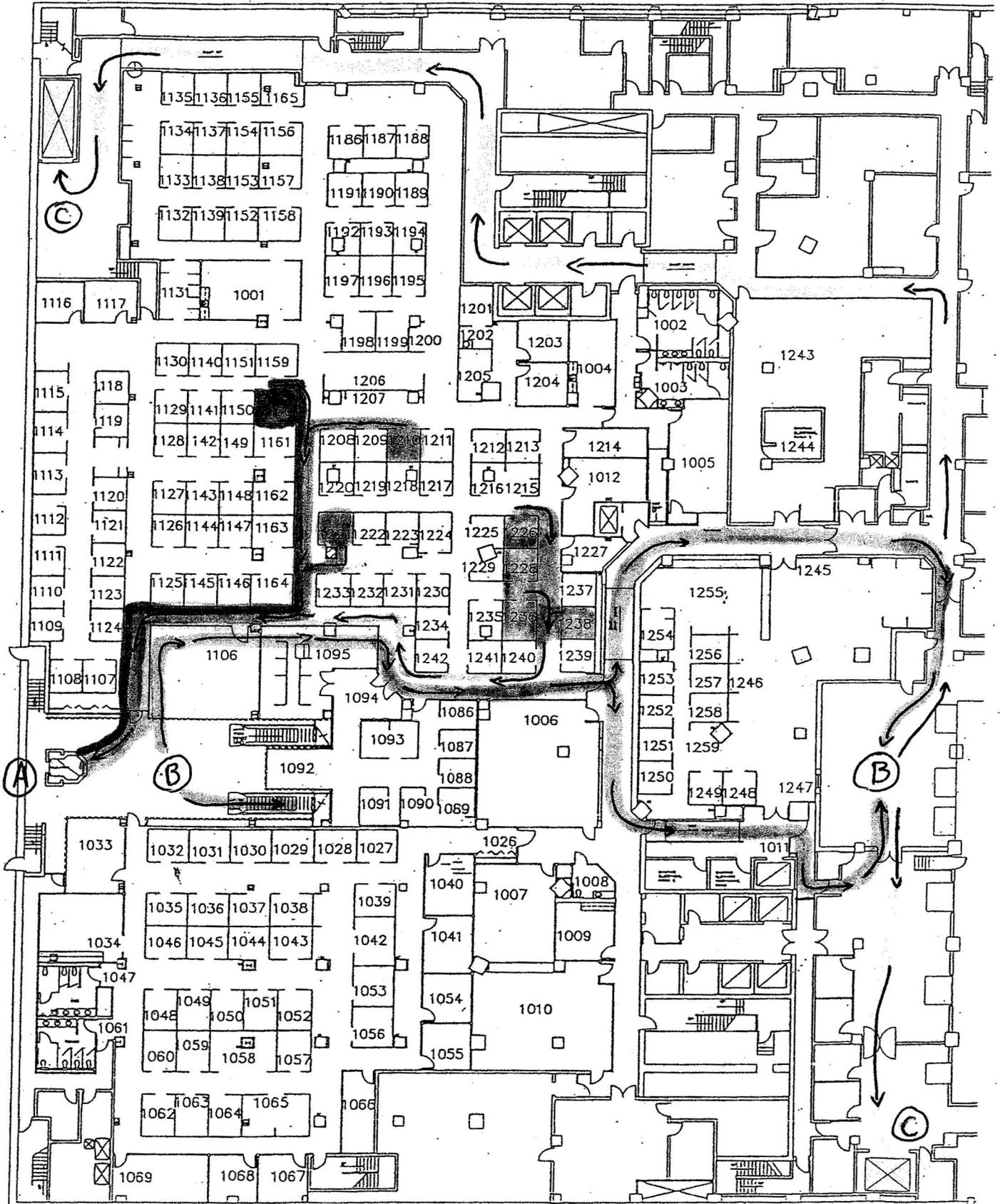
CHECK POINT  
#1



# EMERGENCY EXIT PLAN

CONCOURSE LEVEL

OCT 2005



## **Department of Public Safety First Responder Team Town Square Location Operations Guidelines Updated 3-16-2006**

**History: The Department of Public Safety First Responder Team at the Town Square location in Saint Paul, Minnesota was started in 1997.**

### **Purpose and Directives:**

1. Provide Basic First Aid Services to Department of Public Safety employees and customers at the DPS Town Square location.
2. Respond to Emergency Medical Incidents at the DPS Town Square location. “First Respond” for the Saint Paul Fire Department Paramedics and provide assistance prior to the arrival of the SPFD Paramedic Ambulance.
3. Operate the Automatic External Defibrillator (AED) and provide Cardio Pulmonary Resuscitation (CPR) when needed on Emergency Medical Incidents.
4. Assist the Saint Paul Fire Department Paramedic Ambulance with gaining access to DPS leased space during a Medical Emergency.
5. Assist with Fire Evacuation Duties and Severe Weather Sheltering Duties as directed by the DPS Safety Director.
6. Participate in periodic Health and Wellness promotion programs for Department of Public Safety employees at the Town Square location.

### **Oversight and Leadership:**

1. Team Oversight and Direction will be provided by the DPS Commissioner’s Office, the Minnesota Attorney General’s Office and the DPS Human Resources Director.
2. The DPS First Responder Team will operate under the Safety Department and will be Supervised by the DPS Safety Director.  
The DPS Safety Director will maintain current licensure as an Emergency Medical Technician and will provide operational direction, organization and training for the first responder team members.

### **Operational Area:**

1. The Department of Public Safety First Responder Team is authorized by the Commissioner’s Office of the Department of Public Safety to respond to calls in Department of Public Safety leased space areas at the Town Square location. The Department of Public Safety First Responder Team is not authorized to respond to calls outside of Department of Public Safety leased space.
2. The Department of Public Safety First Responder Team is not authorized to respond to calls outside of the Town Square building. The First Responder Team is considered an “onsite” indoor First Responder Team only for the

444 Cedar Street and 445 Minnesota Street work locations of the Department of Public Safety.

3. If Department of Public Safety's Front Desk Staff and or Department of Public Safety First Responders receive a request to respond outside of DPS leased space, the Front Desk Staff and or the First Responders must immediately request Security 651-293-1676 and the Saint Paul Fire Department Paramedics 9-911 to respond to the emergency in place of the DPS First Responder Team.

### **Types of Calls:**

1. First Aid Calls-The First Responder Team may be called out to provide basic first aid assistance and distribute basic first aid supplies. A First Aid Call is not serious in nature and an Ambulance is not needed. An example of a first aid call would be a minor finger laceration. Please refer to guidelines.
2. Emergency Medical Calls: The First Responder team will be called out to all Emergency Medical Calls that occur in DPS leased space. An emergency medical call is serious in nature and an Ambulance is required to respond to all Emergency Medical calls. Please refer to guidelines.
3. Special Assistance Calls: The First Responder Team may be called out to assist with Building/Fire Evacuation Duties and Severe Weather Sheltering Duties as directed by the Department of Public Safety's Safety Director.

### **Dispatching/Team Activation/Team Callout:**

1. The Department of Public Safety team can be dispatched and activated by the DPS Front Desk staff and by Town Square Security. The team can also be dispatched by the Safety Director.
2. Requests for a First Responder Team response may be received at the DPS Front Desk and or Town Square Security by the following methods: Telephone, Radio, E-mail, or Reverse 911 call from the Saint Paul Fire Department Dispatcher.
3. Upon receiving a request for a First Responder Team response, the DPS Front Desk and Town Square Security must immediately dispatch the First Responder Team.
4. In the event that the request for First Responder Team response is for an Emergency Medical Call, and if no First Responders are available, then the DPS Front Desk and Town Square Security must call 9-911 immediately.
5. Individual First Responder Team Members may initiate a First Responder Team callout by contacting the DPS Front Desk and Security by Radio and requesting the DPS Front Desk and Security to callout/dispatch the team.

### **Security:**

1. Town Square Security will be notified and will respond with the Department of Public Safety First Responder Team on all calls for assistance at the DPS

- Town Square location. This includes all First Aid Calls, all Emergency Medical Calls and all Special Assistance calls.
2. It is the intention of the DPS First Responder Team to partner with Town Square Security and work together with Security on all calls and incidents that occur in the Town Square work location.

**Saint Paul Fire Department:**

1. It is the intention of the DPS First Responder Team to partner with the Saint Paul Fire Department Paramedics and work together with SPFD on all calls and incidents that occur in the Town Square work location.
2. The Safety Director will be responsible for meeting with the Saint Paul Fire Department Paramedics and determining how DPS can best assist SPFD with their needs.
3. The Safety Director will forward any information or changes in procedure from SPFD to the DPS First Responder Team Membership.

**Team Membership:**

1. Membership on the Department of Public Safety's Town Square First Responder Team is open to any DPS employee who works at the DPS Town Square location. Employees interested in membership must complete an application. Approval to participate must also be obtained from the employee's supervisor and the DPS Safety Director. The DPS Safety Director has the final authority and membership approval, membership continuation and revocation of team membership.
2. Membership is 100% volunteer. Members do not receive any type of additional pay or benefits for serving on the DPS Town Square First Responder Team.
3. Team Membership duties are secondary to the DPS employee's regular job duties.
4. Team Members will be provided with training opportunities.
5. Team Members must complete the following training requirements annually:
  - a. Attend at least 4 Training Sessions
  - b. Maintain current CPR/AED Certification
  - c. Attend 1 annual Bloodborne Pathogens Training Session
6. Team Members will maintain one of the 3 levels of Certification and Training:
  - a. Emergency Medical Technician
  - b. First Responder
  - c. CPR/AED
7. The Department of Public Safety's Safety Director will serve as the Unit Chief and Supervisor of the First Responder Team. The Safety Director may also appoint one team member as the Assistant Unit Chief to assist him/her with duties as assigned.

8. All team members must follow directions issued by the Unit Chief and or the Unit Assistant Chief. In addition, all team members must follow directions issued to them by Saint Paul Fire Department Personnel.
9. The Department of Public Safety's First Responder Team will work with the Saint Paul Fire Department and the East Metro Medical Control. It is the intention of the First Responder Team to operate, respond and train within all guidelines set forth for First Responder Teams by the Saint Paul Fire Department and the East Metro Medical Control.
10. Incident Command- The Department of Public Safety's First Responder Team will use an Incident Command System. The team member with the highest level of Medical Training who is on scene will be the Incident Commander. All team members on scene must follow any and all directions given by the Incident Commander. The Incident Command Structure will be as follows:
  - a. Emergency Medical Technician
  - b. First Responder
  - c. CPR/AED Training Member

\*\*\*\*Note: Once Saint Paul Fire Department Paramedics arrive on scene. Incident Command will be transferred to the SPFD Captain. All FR Team Members will then follow any and all directions given by the SPFD Captain.

11. The DPS Safety Director will be responsible to provide training for all First Responder Team members.
12. The DPS Safety Director may coordinate Training with the DPS First Responder Team at the BCA Building, 1430 Maryland Avenue East, Saint Paul and with Town Square Security, Capitol Security and the MN State Patrol.
13. Emergency Medical Equipment: The following Emergency Medical Equipment will be provided for First Responder Team Use.
  - a. Orange First Aid Bag
  - b. Red AED (Automatic External Defibrillator)
  - c. Green Oxygen and Airway Bag

\*\*\*All Members may use the Orange First Aid Bag and the Red AED (Automatic External Defibrillator)

\*\*\*\*\*Only Emergency Medical Technicians may use the Green Oxygen and Airway Bag.

14. Blood Pressure Checks – Blood Pressure checks may only be administered by Emergency Medical Technicians or First Responders (40 Hour licensure). CPR/AED trained members May not administer Blood Pressure checks.

15. HIIPA – All First Responder Team members must abide by HIIPA regulations. Privacy must be maintained regarding all medical calls and all patient information. First Responder Team members may only discuss patient information with other team members and the discussion must be for run review and training purposes only. First Responder Team members are strictly forbidden from discussing any patient information with other DPS employees, customers, or the general public.
16. Patient Care – All patients will be treated with respect, dignity and the highest levels of professionalism by First Responder Team Members
17. Refusal of Care by a Patient- If a patient refuses medical care, the DPS First Responder Team member must document the refusal of care on the DPS First Responder Team run sheet. Security must be present and witness and also document the refusal of care. The Saint Paul Fire Department Paramedics must be called on a refusal of care for a Medical Emergency. The patient refusing medical care must sign off with the Saint Paul Fire Department Paramedics Care Refusal documentation form. The Saint Paul Fire Department Paramedics will also consult with a physician at Regions Hospital/East Metro MRCC Medical Control regarding the refusal of care. The final authority on refusal of care is the physician at Regions Hospital/East Metro Medical Control.

Note-\*\*\*\*\*DPS First Responder Team members may not sign off on a Refusal of Care under any circumstances. Refusal of Care must be completed by SPFD and Regions MRCC.

18. First Aid Supplies will be provided for FR Team Members to use in the following locations:
  - a. DPS Front Desk on Skyway Level
    - Orange First Aid Bag
    - Red AED Unit
    - Green Oxygen/Airway Bag
  - b. HSEM
    - Orange First Aid Bag
    - Yellow AED Unit-(Wall Mounted in EOC)
    - Green Oxygen/Airway Bag
  - c. Workrooms
    - Wall Mounted Basic First Aid Kit
    - Wall Mounted CPR Barrier Masks
  - d. Individual First Responder Team Members
    - CPR Barrier Masks and Medical Gloves

## REASONABLE ACCOMMODATION

The Director of Internal Affairs/Affirmative Action, Cassandra O'Hern, is the designated to be responsible for ADA compliance. The Department of Public Safety is committed to the fair and equal employment of people with disabilities. 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 Public Safety to accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the agency. 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.

The procedure relevant to reasonable accommodations is provided in the following attached policy:

DPS Administrative Policy No. 1511-Reasonable Accommodation.

**MINNESOTA DEPARTMENT OF  
PUBLIC SAFETY**

**ADMINISTRATIVE POLICY**

**NO.** 1511

**SUBJECT** Reasonable Accommodation

**DIVISION/STAFF OFFICE RESPONSIBLE**  
Office of the Commissioner

[Signed]

**APPROVED BY COMMISSIONER**

**DATE POLICY ESTABLISHED/REVISED**  
08/14/1998; 06/02/2003

**INTENDED AUDIENCE:** All managers and supervisors, all HR employers and division personnel expeditors

**POLICY**

The Department of Public Safety is committed to the fair and equal employment of people with disabilities. 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 Public Safety to accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship on the agency. 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**

- ADA Coordinator      ♦ A representative from the DPS Office of Human Resources who has been given the responsibility to perform as such.
- 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 materially or substantially limits one or more major life activities.
- Major Life Activities   ♦ Seeing, hearing, speaking, walking, breathing, performing manual tasks, learning, caring for oneself, and working.
- Reasonable Accommodation   ♦ Any modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.

**PROCEDURES**

Reasonable accommodation applies to three aspects of employment:

- ♦ To ensure equal opportunity in the employment process.
- ♦ To enable a qualified individual with a disability to perform the essential functions of a job.

- ◆ To enable an employee with a disability to enjoy equal benefits and privileges of employment.

### **Request for Reasonable Accommodations for Job Applicants**

1. The job applicant shall inform the hiring manager/supervisor of the need for an accommodation. The hiring manager/supervisor will contact the ADA Coordinator and obtain the necessary forms and information for the job applicant to request a reasonable accommodation.
2. The DPS HR Office in cooperation with the Division Manager will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

### **Request Reasonable Accommodations for Employees**

1. The Department of Public Safety will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their manager/supervisor of their need for an accommodation and the manager/supervisor shall discuss alternatives with them.
3. The Manager/Supervisor **must** inform the ADA Coordinator of the request and with assistance from the Manager/Supervisor, if needed; the employee shall fill out and submit a Request for Accommodation form and an Authorization for Release of Medical Information form to the ADA Coordinator.
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.
  - 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 Department of Public Safety is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide or deny the request if it is deemed unreasonable.
5. The ADA Coordinator may request documentation from the employee's health care provider to support the request. A cover letter to their physician, an ADA Information from Physician form (with the essential functions of the position) and the Employee's Authorization for Release of Medical Information will be given to the employee to take to their physician. This information must be returned to the ADA Coordinator by the employee upon its completion. Any medical documentation will 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.
6. The DPS Human Resources Office will work with the employee and the manager/supervisor to obtain technical assistance, as needed.

7. The DPS Human Resources Office will provide a decision to the manager/supervisor and the employee within a reasonable amount of time upon receipt of the necessary information requested.

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.

#### **FUNDING OF REASONABLE ACCOMMODATIONS**

Funding must be approved by the Department of Public Safety for accommodations that do not cause an undue hardship (M.S. 43A.191(c)). 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 Department of Public Safety. The availability of funds varies with each agency. The expenditure of funds for the accommodations over the amount determined to be significant must be approved by the Agency Head. When determining whether or not to make the accommodation without imposing undue hardship on the agency, the following factors will be considered:

- the size of the agency's budget;
- the nature and cost of the accommodation;
- the ability to finance the accommodation in relationship to the site(s) where there may be a need; and
- documented good faith effort to explore a less restrictive or less expensive alternative.

#### **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 with the Diversity Office.

## RECRUITMENT PLAN

The Department of Public Safety is committed to hiring diversely. To do so, it must ensure that qualified protected group applicants are available for hire. In many job classifications, the Department does not have to actively recruit in order to have protected group applicants in the application pool. In those job classifications where recruitment is necessary, the Director of Internal Affairs/Affirmative Action works with the hiring supervisor to determine effective recruitment tools. Each division within the Department has identified a contact within the division to work with the Director of IA/AA. Most utilize word-of-mouth strategies to recruit.

The Department also utilizes informal recruitment opportunities such as community events to promote public awareness of various public safety issues and participation at conferences such as Minnesota Human Rights Day. Recruitment activities are shared responsibilities between the agencies and the Department of Employee Relations. Employment opportunities are provided via the Resumix database and the department's internet website.

The Department's Recruitment Plan is submitted electronically separately.

## RETENTION PLAN

The Minnesota Department of Public Safety recognizes that investment in human resources is the best way to ensure an efficient and talented workforce. Many of the positions in the department are skilled jobs that require high levels of experience and training. To retain our employees, the Department invests in individual employee development. Every employee has an individual development plan established as part of the employee's annual performance review. This plan identifies training and development opportunities for that individual.

As part of workforce planning efforts, division directors are provided with a list of employees eligible for retirement in the next few years. This early identification enables managers to ensure that existing employees develop the skills necessary to replace the retiring employees.

The Department offers the Department of Public Safety University degree program to provide and promote learning opportunities for all staff to ensure employees experience continuous personal and professional growth and actively participate in their own skill building and skills maintenance. This program is available to all employees. In addition, the Department offers various other training opportunities throughout the year for employees to develop new skills or maintain existing ones.

The Department recognizes that employees are the Department's number one asset and there must be a supportive environment of motivation. To accomplish this, the Department has an Employee Recognition Program to recognize employees' efforts to stimulate employees to take pride and satisfaction in their jobs and recognize each others accomplishments.

The Department strives to create and maintain a safe and respectful work environment. To ensure such an environment, all employees are held accountable for their own actions and expected to adhere to the Department's policies. All new employees are trained in respectful communication in the workplace and the prevention of discrimination and harassment. Managers and supervisors are held accountable to ensure that affirmative action programs are implemented including efforts to affirmatively retain and promote protected group employees.

The Department makes every effort to retain its protected group employees. All employees separating from DPS employment are requested to complete an exit interview to afford the employee the opportunity to provide the Department with input relative to experiences, feelings and perceptions upon the employee's departure from the Department. This assists the Department in its efforts to identify areas of strengths and weaknesses that should be addressed and to continually improve the work environment. The Director of Internal Affairs/Affirmative Action follows up with each former employee who indicates on the exit interview questionnaire or during an exit interview that the employee felt unfairly treated based on a protected group status.

The Director of Internal Affairs/Affirmative Action analyzes the annual separation data to determine whether gender, ethnicity or disability status appeared to play a role in the separation of employees. While statistics cannot determine the reasons for a particular action,

if the numbers reflect unexpected results, it is a starting point to gather more information regarding a particular set of separations. This analysis focuses on dismissal or non-certification, layoff, resignation and retirement as reasons for separation. There were few layoffs, dismissals or non-certifications in fiscal year 2005 and therefore, the bulk of the analysis concentrated on retirements and resignations.

In addition to considering gender, ethnicity and disability status, the EEO work group was also considered. This is an important consideration to determine whether a particular work group is prone to increased separation based on gender, ethnicity or disability status. In fiscal year 2005, generally the same number of employees resigned as retired when compared by gender, ethnicity and disability status. For example, approximately 26 men resigned and 23 men retired. This held true for each classification except for women, where significantly fewer women retired than resigned. This may be explained by the greater number of men in the Protective Services job group who retire at age 55. A greater number of women work in job groups that do not have a mandatory retirement age.

There were no significant differences between resignations and retirements based on job group except in the case of the Protective Service job group and disability. Almost half of the total number of disabled employees who separated from the Department were in the Protective Service job group. This is explained by the nature of the work and the disability retirement benefits afforded many in this job group.

## Recruitment Plan

An active recruitment plan must be developed, implemented, revised and submitted to DOER/ODEO as part of the required Affirmative Action Plan.

Please report information from the past calendar year. 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

Public Safety

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 apply)

- Albert Lea Tribune
- Alexandria Echo-Press
- Austin Daily Herald
- Bemidji Northern Herald
- Bemidji-The Pioneer
- Brainerd Dispatch
- Chronicle of Higher Education
- Duluth News Tribune
- Eagan 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

- 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:

For High level positions or positions th:

Grand Forks Herald, Employment New

Other local newspapers may be used f

## Diversity Newspapers

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
- Indian Country Today
- Insight News
- La Prensa
- Lakota Journal
- Lavoza Latina
- Minnesota Women's Press
- Native American Press/Ojibwe News
- Spokesman
- The Circle
- Women in Higher Education

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

Asian Pages Kita Association,

Hmong Times, Saludos

Latino Midwest News

### 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
- Chronicle of Higher Education
- Startribune.com
- MNSCU.edu
- Our agency Website

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

[Empty text box for additional websites]

### 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:

The State Patrol attended:

4/20/05 Hmong Art Festival in St. Paul.

11/1/05 Job Fair Army Career in MO, 1

1/16/06 Mpls. Diversity Job Fair

2/1/06 25th Annual Career Fair in Mar

2/24/06 MN State University Job Fair in

3/1/06 Spring Career Fair in ND

3/17-3/19/06 11th Hmong National Coi

3/23/06 Criminal Justice Career in St. C

4/8/06 Arlington Senior High School

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:

Same as previous 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, other than job fairs, that your agency participated in during the previous year. For example, classroom presentations, career panels, recruitment tables, etc.

MnSCU - Mankato - Pan African Stude

Fon du Lac College - presentation

MN School of Business - presentation

Inver Hills Communit College - present

MnSCU - Bemidji - presentation

### Additional Recruiting Information

#### 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 career center
- Community organizations
- Trade journals
- Professional organizations
- Direct mail
- Referrals from agency employees
- Email or Email listserves
- Radio
- High schools
- Workforce Centers

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

The Director of Internal Affairs/Affirmat  
 available to meet present and future hi  
 enforcement as a career. Members of  
 law enforcement as a career option. T  
 in the work of the Department. The Pa

### Building relationships for diversity

No step is too small in your efforts to build a diverse workforce! A state workforce rich in diversity benefits everyone and requires an effort from each of us.

Please indicate any school, community organization, or group you are working with to build an on-going relationship to promote the State of Minnesota as an employer.

YMCA, YWCA  
 Partnering with other local law enforce  
 Participation at Hmong Communit eve

### Innovative recruitment strategies

Please share any new and innovative recruitment strategies used.

The State Patrol has adopted the motto "Every trooper is a recruiter." Many troopers attend school and community events which werve as informal recruiting opportunities.



## Difficult to fill positions

List up to 3 job classifications your agency had the most difficulty hiring qualified candidates during the previous year.

State Patrol Trooper

BCA Special Agent

ITS 5

## Recruiting expenses

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

Total expenses \$20,000.00

### Select one

- Total expenses includes staff time  
 Total expenses does NOT include staff time

## Projected Hiring Opportunities

(Administrative Procedure 19.1A)

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 19.1A; 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

### 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.

How many supported employment workers has your agency hired in the previous year?

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