
State of Minnesota

Department of Public Safety

Affirmative Action Plan

2010 - 2012

Minnesota Department of Public Safety
444 Cedar Street
Saint Paul, Minnesota 55101

This document can be made available upon request in alternative formats such as large print, Braille, or on audiotape, by calling 651-201-7136.

Department of Public Safety
2010 - 2012 Affirmative Action Plan

Table of Contents

Statement of Commitment.....1
Affirmative Action Responsibilities.....2-4
Dissemination.....5
Complaint Procedure.....6
 Illegal Discrimination/Sexual Harassment Policy.....7-11
 General Harassment Policy.....12-14
 Investigation and Resolution of Employee Misconduct Policy.....15-22
 Acceptable Use of Department Computers, Electronic Equipment, Information Systems and Resources.....23-32
 Complaint Forms.....33-34
Utilization Analysis.....35-37
Goals and Timetables.....38-44
Program Objectives.....45-46
Methods of Auditing, Evaluating and Reporting Program Success.....47
 Pre-Hire Review Policy.....48-50
Weather Emergencies and Evacuations.....51
 DPS Town Square Facility Emergency Plan.....52-59
 DPS Town Square Building Evacuation Team.....60
 Town Square Floor Wardens.....61-62
 Instructions for Checkpoint Leaders: Fire Alarm.....63
 Mobility Impaired Emergency Exit Plan.....64-67
Reasonable Accommodation.....68

Reasonable Accommodation Policy.....	69-71
Recruitment Plan.....	72
Retention Plan.....	73-
75	
Exit Interview Policy.....	76-83

Statement of Commitment

The Department of Public Safety is committed to Minnesota's statewide affirmative action efforts and equal employment opportunity policies. I affirm my personal and official support of these policies which provide that:

- Discrimination against employees, applicants, or eligibles on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age will not be tolerated;
- The Department of Public Safety is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan;
- The Department of Public Safety will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce;
- The Department of Public Safety is committed to the retention all qualified, talented employees, including protected group employees.

Director of Internal Affairs/Affirmative Action Cassandra O'Hern will act as the Department of Public Safety's Affirmative Action Officer designee and ADA Coordinator designee. She is responsible for monitoring the day-to-day activities of the program.

Anyone interested in reviewing the Department of Public Safety's affirmative action plan or who has concerns about affirmative action or equal opportunity issues, may request a copy of the plan from Director Cassandra O'Hern, or obtain the plan directly from the Department of Public Safety's website.

It is the policy of the Department of Public Safety to provide an employment environment free of any form of discriminatory harassment as prohibited by federal, state, and local human rights laws. I strongly encourage suggestions as to how we may improve the Department of Public Safety. We strive to provide equal employment opportunities and the best possible service to the citizens of Minnesota.

7-16-2010

Date



Michael Campion, Commissioner
Department of Public Safety

Affirmative Action Responsibilities

Commissioner

Responsibilities

- A. To designate the Department's Director of Internal Affairs/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 and division 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 Minnesota Management and Budget.

Director of Internal Affairs/Affirmative Action

Responsibilities

- A. To develop, implement and monitor the Department's affirmative action programs.
- B. To serve as the Department's ADA Coordinator, and respond to reasonable accommodation requests.
- 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 policies against discrimination and harassment.
- 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 Minnesota Management and Budget.

Accountability

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

Human Resources Director

Responsibilities

- A. To oversee Human Resources practices to ensure employees and applicants are provided equal opportunity without regard to protected characteristics.
- B. To review classifications, qualification requirements and procedures in order to eliminate selection factors having no significant relationships to job performance.
- C. To maintain records that will enable the analysis of all portions of the selection process.
- D. To oversee all openings in each division and section and publicize both competitive and promotional examinations throughout the Department.
- E. To maintain retirement-eligible information and communicate it to division directors to ensure appropriate succession and workforce planning.
- F. To assist management and supervisors to determine appropriate action on sustained complaints of departmental policies including complaints of discrimination and harassment.

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/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/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 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. Copies in alternative formats will be made available upon request.

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 2010-2012 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. Copies in alternative formats will be made available upon request.

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 Director of Internal Affairs/Affirmative Action 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. The Director of Internal Affairs/Affirmative Action shall notify the Commissioner of Minnesota Management and Budget 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;

DPS Administrative Policy No. 1002-Investigation and Resolution of Employee Misconduct;
and

DPS Administrative Policy No. 5100 – Acceptable Use of Department Computers, Electronic Equipment, Information Systems and Resources

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

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

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

Infraction	◆ 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.
Informal Process	◆ A process where a citizen complaint is resolved by direct contact by a department member and does not involve a signed citizen complaint.
Improper Procedure	◆ Any act, omission or violation of a policy or procedure of the Department of Public Safety or any division thereof.
Inquiry	◆ 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.
Internal Affairs Division (IAD)	◆ A specialized internal investigative unit, headed by a director, appointed by and reporting directly to the Commissioner. Referred to as IAD.
Licensed Police Officer	◆ Any employee of the department having powers of arrest pursuant to Minnesota Statue 626.84, subdivision 1, clause (c).
Major Violations	Any of the following alleged violations: ◆ Any criminal offense other than petty misdemeanor traffic offenses. ◆ The use of unnecessary or excessive force ◆ Sexual Harassment ◆ Abuse of authority ◆ Conduct which violates a person's civil rights. ◆ General Harassment
Member	◆ 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.
Misconduct	◆ 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.
Not Sustained	◆ The investigation did not disclose sufficient evidence to prove or disprove a report
Other Misconduct	◆ The investigation disclosed violations of other department or procedures not a part of the original complaint.
Policies and Procedures	◆ The administrative acts that regulate employee conduct promulgated by either the Commissioner of Public Safety or division directors.

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|-----------------------|---|
| 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.

Policy:	Acceptable Use of Department Computers, Electronic Equipment, Information Systems and Resources
Number:	5100
Applicability:	Department-wide
Maintained by:	Office of Technology and Support Services
Originated:	7/15/99
Effective:	4/20/10

Definitions

Acceptable Use-

What an authorized user is permitted to do with department-owned computers and equipment, department-owned, operated, or managed information systems and resources

Computers, Equipment, Systems, and Resources-

Tools used at the Department of Public Safety such as workstations, PCs, laptops, office machines, mobile devices, PDA's, e-mail systems, intranet and Internet systems and access, Web-based business systems, data bases, and all other data, information or information systems

Authorized Users-

Department employees, contractors, vendors, consultants, interns, volunteers, and all other users who have been authorized by the department

IT Service Desk-

The department's Office of Technology and Support Services and the technical support units within the BCA and the State Patrol

Purpose

The purpose of this policy is to provide direction, guidance, and requirements for the use of department computers, electronic equipment, information systems and resources.

Policy Statements

- Failure to comply with this policy will result in disciplinary action up to, and including termination
- This policy applies to use at all department facilities and at any remote location
- Computers and all department systems such as equipment, software, operating systems, storage media, network accounts for e-mail, Web services, and file transfers are the property of the department
- Access and use of electronic tools such as e-mail and the Internet is intended for business-related purposes; limited and reasonable personal use of these tools, is permitted
- Authorized users should not have an expectation of the privacy of any information stored on any equipment or device belonging to the department

- All data or information that is created, entered, stored, or processed on department systems or with department resources is the property of the department; viewing, distributing, or using department data or information for mere curiosity or any other non-business purpose is strictly prohibited
- The department may monitor the use of any system or resource without notification
- Examples listed in this policy are provided for purposes of illustration and do not comprise an exhaustive list
- Some provisions or requirements of this policy may be altered by the Commissioner of Public Safety, the Commissioner of Minnesota Management and Budget, or the Governor due to priority service needs during a business emergency
- Authorized users will seek clarification if there are questions about the terms of this policy
- Authorized users who have legitimate business needs to access and or store otherwise unacceptable data (e.g. sexual or violent images), must have prior written approval from the division director, with a copy maintained in the supervisor file
- Authorized users will comply with all provisions of this policy unless an official department policy exception has been granted

Responsibilities

ALL AUTHORIZED USERS MUST:

- Read, and agree to comply with this policy prior to using any state or department computer, electronic equipment, information system or resource
- Read, and agree to comply with this policy annually with the applicable division supervisor or manager
- Be responsible for seeking assistance about how this, or any other policy, applies to them or their job duties
- Adhere to the highest ethical standards when conducting state business and follow Minnesota §43A.38, *Code of Ethics for Employees in the Executive Branch* and Minnesota Chapter 13, *Minnesota Government Data Practices Act*
- Take reasonable security measures to protect department computers, equipment, systems, electronic information, and resources from theft and unauthorized activities including disclosure, modification, copying, deletion, misuse, and inappropriate use
- Not share passwords
- Secure computers, laptops, or other electronic or mobile devices by logging off or “locking” the device whenever it is left unattended
- Take reasonable security measures when electronically transmitting data classified as not public data, under the Minnesota Chapter 13, *Government Data Practices Act*
- Report any misuse or inappropriate use, or the improper or unsecured handling of information, immediately to their supervisor, manager, division director, or the Director of Human Resources
- Contact their appropriate IT Service Desk if they suspect that a system is malfunctioning, or that antivirus/anti-malware software is missing or not functioning properly

- Report any suspected loss or theft of any computer, equipment, system, or resource such as laptops, portable hard drives, USB flash drives, backup tapes, or authentication tokens immediately to the division director

ALL SUPERVISORS AND MANAGERS MUST:

- Understand this policy and respond to authorized users' questions about acceptable and unacceptable practices. This includes finding answers from agency resources for any questions that they themselves cannot answer
- Ensure the appropriate use of all computers, electronic equipment, information systems and resources through training, supervising, or coaching
- Report inappropriate use or actions immediately to the division director and take appropriate disciplinary action when necessary
- File appropriate DPS document for official department policy exceptions (form is located on the DPS intranet)
- File appropriate DPS document for the theft or loss of state assets (form is located on the DPS intranet)
- Maintain policy acknowledgement and compliance agreement documentation of authorized users at the time of hire and renew this documentation at least annually

IT SERVICE DESK AND USER SUPPORT PERSONNEL MUST:

- Report any suspicion of policy violation to their supervisor
- Not ask for or use an authorized user's password. In the rare emergency situation when this may be necessary, it must be documented and reported immediately to IT Service Desk supervisors
- Not access an authorized user's computer, electronic equipment, information system or resource without notifying the user, unless directed to do so by the Human Resources or Internal Affairs Director designee
- Ensure all department networks, systems and resources have current up-to-date antivirus/anti-malware software installed and operational
- IT Service Desk supervisors will follow through with all reports of suspected policy violations until the matter has been resolved appropriately or referred to other authority

ACCEPTABLE USE OF DEPARTMENT COMPUTERS, ELECTRONIC EQUIPMENT, INFORMATION SYSTEMS AND RESOURCES

1. LIMITED PERSONAL USE

Department computers, equipment, systems, and resources are intended for business purposes. Limited and reasonable personal use is permissible, but must withstand public scrutiny without causing embarrassment to the department or the State of Minnesota. If authorized users are unclear if their personal use of a department system or resource is appropriate, it is their responsibility to seek clarification prior to acting.

The personal use of department e-mail and Internet:

- Must not result in any additional costs such as loss of time or resources
- Must not interfere with productivity
- Must not interfere with any department or division business activity
- Must not cause the department or its information systems and resources unacceptable risk or liability
- Must not violate other provisions of this or any other department or state policy
- Must not use resources for activities related to an authorized user's non-department employment

2. SAFEGUARDING SECURITY CREDENTIALS

Authorized users are responsible for safeguarding their security credentials which include user ID's, log-ons and passwords. The proper use of security credentials is fundamental to the appropriate and secure access of all department networks, systems, tools, and resources.

- Authorized users will comply with all security credential requirements as required by department networks, systems and resources
- Authorized users will only use security credentials assigned to them as required by their job responsibilities
- All use of security credentials will be presumed to be only that of the assigned authorized user

3. ELECTRONIC COMMUNICATION

Electronic Communication Tools

Electronic communication tools include department e-mail, state-owned cell phones and other electronic personal digital devices or means of communication that assist in conducting state business. Good judgment must be exercised when any electronic communication tool is used and should withstand public scrutiny without embarrassment to the recipient, the department, or the State of Minnesota.

When using electronic communication tools to conduct state business, an authorized user will ensure that:

- Communication in both tone and content is appropriate and professional. The use of profanity, obscenities, or derogatory remarks is strictly prohibited; refer to the department's Office of Communication *Style Guide* for guidance in e-mail structure and etiquette (guide is located on the DPS intranet)
- Only the department's authorized e-mail system is used when conducting department business

- Only state-owned equipment is used to access department e-mail remotely with division director approval
- Receipt of offensive or inappropriate messages is reported to their supervisor
- Suspicious e-mail or attachments will be deleted unopened

Record Retention Schedules

Record retention schedules will remain the same regardless of the medium used to create or store the record. However, the department's read and unread e-mail messages older than 30 days in the *Inbox* and *Sent Items* folder are automatically deleted.

4. COMPUTERS AND EQUIPMENT

Department computers and removable storage are provided to all authorized users with the software, tools, and appropriate encryption methods needed to successfully perform their duties. If additional or optional equipment or software is required, the division director, manager, or supervisor will make such requests to the appropriate IT Service Desk to ensure appropriate licensing, maintenance, and support capabilities.

Department computers and all department networks and systems such as equipment, software, operating systems, storage media, network accounts for e-mail and Web browsing, and file transfers are the property of the department, provided for department purposes. All use will be for department purposes or otherwise meet the *Limited Personal Use* requirements from Section 1 of this policy.

- Only state-owned equipment authorized by the appropriate IT Service Desk, with current antivirus software installed and operational, is allowed to directly connect to a department network or system
- All computers (pc and laptop) must be connected to the department's network every 30 days in order for security and software updates to be performed; contact the appropriate IT Service Desk when this is not feasible
- With the permission of their division director and the use of approved state-owned equipment, authorized users may access department networks or systems remotely
- User-owned devices such as computers, PDA's, mp3 players, portable storage devices, or mobile phones will not be connected to department-owned computers, equipment, e-mail systems, networks, or resources
- Removing department computers, equipment, systems, or resources from the premises without the specific approval of a supervisor or division manager is prohibited
- The testing of information systems and resources for security vulnerabilities is prohibited without the express written consent from the department's Office of Technology and Support Services Chief Information Security Officer (CISO) or the technical support units within the BCA and the State Patrol
- All portable computer equipment and removable storage must be encrypted; contact the appropriate IT Service Desk for standards and assistance

- Only removable storage approved by the appropriate IT Service Desk which has been authorized in writing by the division director, may be used to conduct state business, such as portable hard drives, USB flash drives, Smart Phones, CD-R/RW, etc. ; a record of the approval shall be kept on file by the division
- Connection to, or use of, a non-department network to conduct the state's business is **only** allowed with a DPS issued computer using an approved remote access method such as Outlook Web access (OWA) or a virtual private network (VPN) solution provided by the department. All authorized users who will remotely access department resources through OWA, VPN or other approved method will have an approved *Remote Work Location Agreement* on file (agreement is located on the DPS intranet)

Use of Wireless Networks

Authorized users will not connect any state-owned wireless network device to the department's networks without the review and prior consent of the appropriate IT Service Desk.

When using a wireless network with state-owned equipment, authorized users shall use a department VPN connection and ensure that the equipment has:

- Up-to-date antivirus/anti-malware and encryption software installed and operational. Authorized users are required to contact their IT Service Desk if they encounter equipment without this software or feel the software is not functioning properly
- A device firewall installed, configured, and operational

5. INTERNET USE

Internet access is provided to authorized users as a tool for the department's business purposes. All access will be for department purposes or otherwise meet the *Limited Personal Use* requirements from Section 1 of this policy.

Authorized users may be unintentionally exposed to pornographic or otherwise objectionable Web content when using the Internet. The authorized user is accountable for material viewed, downloaded, or received through the Internet. All use of the Internet is presumed to be intentional; any unintentional access must be reported to the user's supervisor or as otherwise defined in division procedures.

Authorized users should be aware that:

- The department may monitor the Internet use of all authorized users
- Some Web content may be filtered
- Many inappropriate Web sites are accessible even with Web content filtering. Authorized users cannot rely upon Web content filtering to prevent them from accessing inappropriate Web sites and Web content
- Authorized users will not take any action in an attempt to avoid Web content filtering

- Authorized users may request a variance in order to access Web sites or content necessary for business purposes which may be blocked by Web content filtering. Such requests must be approved by the authorized user's supervisor and submitted to the appropriate IT Service Desk

6. SOCIAL NETWORKING TECHNOLOGIES

Social networking technologies include current and emerging Web services such as Twitter, My Space, Facebook, and YouTube. The use of social networking technology in government serves three primary functions:

- To communicate and deliver messages directly to citizens
- To encourage citizen involvement, interaction, and feedback
- To complement other communication and information resources (broadcast faxes, Web site postings, e-mails etc.) as an additional communication tool for content delivery to media and constituencies

Department Use of Social Networking Technologies

Division directors have the discretion to allow authorized users access or use of social networking technologies and/or clients or other similar services, applications, or collaborative technologies provided that the limited use provisions from Section 1 of this policy are adhered to.

Division directors will identify the necessity and purpose of implementing social networking technologies to meet business needs within their division.

- Division directors will obtain approval from the Office of Communications before any social networking technology is established
- Division directors will authorize the appropriate authorized user to be responsible for posting and maintaining the content of the information that appears on a department social networking site
- Division directors will be held accountable for posted information that violates any state or agency policy
- The Office of Communications will provide assistance to the divisions to update content on social media sites
- The content of the social networking sites will be periodically reviewed by the Office of Communications for consistency, clarity, and appropriateness

Non-department, Personal Social Networking Accounts

The unauthorized creation or use of a personal social networking technology or account with a department tool, resource, or system is prohibited.

Authorized users who have non-department, personal social networking accounts or sites may not expressly or implicitly represent themselves as an employee or representative of the department and:

- Engage in any personal Internet posting that may harm or tarnish the image, reputation and/or goodwill of the department and/or any of its employees or customers
- Make any discriminatory, disparaging, defamatory, or harassing comments or conduct prohibited under department [policies #1501, *General Harassment*](#) and #1502, [Illegal Discrimination, Sexual Harassment](#) when blogging or on their personal Internet postings or any personal Web sites
- Speak or make representation on behalf of the department or that imply to be on behalf of the department

All authorized users who have non-department, personal social networking accounts or sites:

- Are prohibited from posting any department information considered not public or any other confidential material covered by department or state policy on their personal Internet postings or personal Web sites
- Will not use the department's logos, trademarks, and any other department intellectual property in connection with any personal Internet posting or personal Web site activity
- Will assume any and all risk associated with personal Internet posting

7. MISUSE OR INAPPROPRIATE USE OF COMPUTERS, EQUIPMENT, SYSTEMS, OR RESOURCES

All authorized users are required to seek clarification if there are questions about any of the terms of this policy. With prior written approval from the division director, an authorized user with a legitimate business need may be exempt from complying with an example listed below.

The following list of activities or actions are examples of misuse or inappropriate use:

- Failing to take reasonable security measures when electronically transmitting data classified as not public data under the Minnesota Government Data Practice Act
- Sharing security credentials or leaving them where they would be easily accessible by others
- Illegal activities which violate state or federal laws or regulations
- Gambling, wagering, and betting
- Promoting political positions, promoting religious activities, expressing political or religious views
- Fundraising for any purpose unless department or state-sanctioned
- Commercial activities or personal non-department business activities
- Changing or removing security or other controls from department systems or resources

- Accessing, downloading, or installing unauthorized software including games, crossword puzzles, freeware and executable files by any means including but not limited to the Internet or any other means (e.g. accessing an online game or a program that is run from an Internet site, such as TurboTax, or downloading an executable file which contains the setup files to install a program on your pc) or from a CD, DVD, or USB drive, floppy disk, Zip Drive, or any other media
- Unauthorized access of non public, not public, private, or confidential data
- Allowing unauthorized users access to department equipment or resources
- Uses that are in any way disruptive or harmful to the reputation or business of the department or State of Minnesota
- Receiving, viewing, storing, displaying, or transmitting sexual or violent images, messages, text, audio, cartoons, jokes, or anything that may be construed as harassment or disparagement of others based on their sex, age, race, national origin, sexual orientation religion, disability, marital status, or membership in any other protected class
- Visiting chat rooms or subscribing to newsgroups for any reason other than for an approved department purpose
- Participating in chain letters, letters or messages requesting money, donations, promising luck, compensation, or reward, or promising harm if the recipient fails to forward the message to others
- Accessing non-department approved e-mail accounts while at work
- Union campaigning, organizing, or solicitation
- Using screen savers other than those included with Windows. Personal photos may be used for screen savers and wallpaper if they are installed within the guidelines of the Microsoft program and are static in nature
- Installing, downloading, or listening to music and audio other than what is needed for business purposes
- Installing or downloading destructive software, or password-breaking programs and viruses
- Installing state-owned or state-licensed hardware or software on any device that is not a state asset

Other applicable policies, authority, or resources

- Minnesota Statute 43A.38 - Code of Ethics for Employees in the Executive Branch
- Minnesota Statute Chapter 13 - Minnesota Government Data Practices Act
- State of Minnesota 2006-04 - Enterprise Security Policy on Portable Computing Devices
- State of Minnesota - Appropriate Use of Electronic Communication and Technology policy
- DPS Policy 1501 - General Harassment
- DPS Policy 1502 - Illegal Discrimination
- DPS Policy 4063 - Employee Conduct
- DPS Policy 3541 - Property Management Reporting and Accountability

- DPS Policy 3545 - Telecommunication Device Purchase and Usage
- DPS Policy 4006 - Telework
- DPS Form 1000-01 - Policy Exception Request
- DPS Form 3541-01 - Admin Minnesota Stolen, Lost, Damaged or Recovered Property Report
- DPS Remote Work Location Agreement
- DPS Office of Communications Style Guide
- DPS Information Security Requirements, Standards and Best Practices

Date this policy was last revised:	
Approved for implementation and distribution:	Michael Campion 4/20/2010

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

EEO Job Group	Protected Group – Disabled						H Previous Plan Year Number Underutilized	I Improved, Not Improved, Same	J Numerical Difference
	B Total Number in Group	C Total Number of Disabled in Group	D % of Disabled in the Group	E Availability % (Census) MN Statewide	F Availability Number	G Number Underutilized			
Officials and Administrators	45	3	6.7%	11.31%	5	2	1	Not Improved	1
Professionals	508	16	3.1%	10.88%	55	39	37	Not Improved	2
Technicians	182	8	4.4%	11.52%	21	13	14	Improved	-1
Protective Services: Sworn	629	15	2.4%	11.60%	73	58	50	Not Improved	8
Protective Services: Non Sworn	195	22	11.3%	11.60%	23	1	0	Not Improved	1
Office/Clerical	498	25	5.0%	11.56%	58	33	30	Not Improved	3
Service Maintenance	14	1	7.1%	11.37%	2	1	0	Not Improved	1

	Protected Group – Women								
EEO Job Group	B	C	D	E	F	G	H	I	J
	Total Number in Group	Total Number of Women in Group	% of Women in the Group	Availability % (Census) MN Statewide	Availability Number	Number Underutilized	Previous Plan Year Number Underutilized	Improved, Not Improved, Same	Numerical Difference
Officials and Administrators	45	16	35.6%	37.8%	17	1	0	Not Improved	1
Professionals	508	240	47.2%	53.8%	273	33	26	Not Improved	7
Technicians (Includes Para Professionals)	182	74	40.7%	63.1%	115	41	44	Improved	-3
Protective Services: Sworn	629	67	10.7%	21.3%	134	67	68	Improved	-1
Protective Services: Non Sworn	195	60	30.8%	64.4%	126	66	61	Not Improved	5
Office/Clerical	498	428	85.9%	67.7%	337	0	0	Same	0
Service Maintenance	14	1	7.1%	43.6%	6	5	6	Improved	1

	Protected Group – Minorities								
	B	C	D	E	F	G			
EEO Job Group	Total Number in Group	Total Number of Minorities in Group	% of Minorities in the Group	Availability % (Census) MN Statewide	Availability Number	Number Underutilized	Previous Plan Year Number Underutilized	Improved, Not Improved, Same	Numerical Difference
Officials and Administrators	45	0	0.0%	5.1%	2	2	2	Same	0
Professionals	508	46	9.1%	8.0%	41	0	0	Same	0
Technicians (Includes Para Professionals)	182	10	5.5%	6.8%	12	2	6	Improved	-4
Protective Services: Sworn	629	27	4.3%	11.9%	75	48	45	Not Improved	3
Protective Services: Non Sworn	195	22	11.3%	6.3%	12	0	0	Same	0
Office/Clerical	498	51	10.2%	8.2%	41	0	0	Same	0
Service Maintenance	14	1	7.1%	14.3%	2	1	1	Same	0

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	1	1	2010-2012	2	2	2010-2012	2	2	2010-2012
Professionals	33	3	2010-2012	0	---	---	39	2	2010-2012
Technicians (Includes Paraprofessionals)	41	2	2010-2012	2	2	2010-2012	13	2	2010-2012
Protective Services: Sworn	67	5	2010-2012	48	5	2010-2012	58	0	2010-2012
Protective Services: Non-Sworn	66	4	2010-2012	0	---	---	1	1	2010-2012
Office/Clerical	0	---	---	0	---	---	33	2	2010-2012
Service Maintenance	5	2	2010-2012	1	1	2010-2012	1	1	2010-2012

An analysis of the Department’s hiring indicates that a substantial number of positions are not filled internally. In addition, job groups are not broken down sufficiently to provide meaningful internal centralization information. Therefore, the utilization analysis gives no consideration of internal availability.

According to the utilization analysis, our agency’s workforce is underutilized in the Officials and Administrators job group by one woman. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Officials and Administrators job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire one woman in the 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Officials and Administrators	Women	1	1	Growth and Expansion, Governor’s Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency’s workforce is underutilized in the Professionals job group by thirty-three women. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Professionals job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire three 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Professionals	Women	33	3	Growth and Expansion, Governor’s Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency’s workforce is underutilized in the Technicians job group by forty-one women. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Technicians job group will be for replacement purposes only. 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 Underutilized	Goal	Agency Considerations	Timetable	Methods
Technicians	Women	41	2	Growth and Expansion, Governor’s Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency’s workforce is underutilized in the Protective Services, Sworn job group by sixty-seven women. Based on our

analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Protective Services, Sworn job group will be for replacement purposes only. 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Protective Services, Sworn	Women	67	5	Growth and Expansion, DPS Workforce Plan	2010-2012	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-six women. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Protective Services, Non-Sworn job group will be for replacement purposes only. 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Protective Services, Non-Sworn	Women	66	4	Growth and Expansion, Governor’s Hiring Restriction, DPS Workforce Plan	2010-2012	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 do not expect this job group to grow in the next two years. We anticipate hires in the Service Maintenance job group will be for replacement purposes only. 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Service Maintenance	Women	5	2	Growth and Expansion, Governor’s Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency’s workforce is underutilized in the Officials and Administrators job group by two minority individuals. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Officials and

Administrators job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire two minority individuals in the Officials and Administrator’s job group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Officials & Administrators	Minorities	2	2	Growth and Expansion, Governor’s Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency’s workforce is underutilized in the Technicians job group by two minority individuals. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Technicians job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire two minority individuals 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Technicians	Minorities	2	2	Growth and Expansion, Governor’s Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency’s workforce is underutilized in the Protective Services, Sworn job group by forty-eight minority individuals. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Protective Services, Sworn job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire five minority individuals 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 goal. 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 Underutilized	Goal	Agency Considerations	Timetable	Methods
Protective Services, Sworn	Minorities	48	5	Growth and Expansion, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency’s workforce is underutilized in the Service Maintenance job group by one minority individual. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Service Maintenance job group

will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire one minority individual 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Service Maintenance	Minorities	1	1	Growth and Expansion, Governor's Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Officials and Administrators job group by two individuals with a disability. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Officials and Administrators job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire two individuals 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Officials & Administrators	Persons with a Disability	2	2	Growth and Expansion, Governor's Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Professionals job group by thirty-nine individuals with a disability. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Professionals job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire two individuals 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Professionals	Persons with a Disability	39	2	Growth and Expansion, Governor's Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Technicians job group by thirteen individuals with a disability. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Technicians job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire two individuals 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Technicians	Persons with a Disability	13	2	Growth and Expansion, Governor's Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Protective Services, Sworn job group by fifty individuals with a disability. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Protective Services, Sworn job group will be for replacement purposes only. Given the job requirements of this job group, it is extremely difficult to recruit and hire individuals with a disability. As such, no goal has been established at this time. As openings occur, we will make a good faith effort to recruit and hire individuals 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.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Protective Services, Sworn	Persons with a Disability	58	0	Essential Functions of the Position, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Protective Services, Non-Sworn job group by one individual with a disability. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Protective Services, Non-Sworn job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire one individual with a disability in the Protective Services Non-Sworn group in the next two years. We will use the recruitment plan cited in our Affirmative Action Plan to accomplish this goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Protective Services, Non-Sworn	Persons with a Disability	1	1	Essential Functions of the Position, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Office/Clerical job group by thirty-three individuals with a disability. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Office/Clerical job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire two individuals 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Office/Clerical	Persons with a Disability	33	2	Growth and Expansion, Governor's Hiring Restriction, DPS Workforce Plan	2010-2012	See AAP, Recruitment Section

According to the utilization analysis, our agency's workforce is underutilized in the Service Maintenance job group by one individual with a disability. Based on our analysis of the conditions in the agency, we do not expect this job group to grow in the next two years. We anticipate hires in the Service Maintenance job group will be for replacement purposes only. As openings occur, we will make a good faith effort to recruit and hire one individual 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 goal.

Job Group	Protected Group	Number Underutilized	Goal	Agency Considerations	Timetable	Methods
Service Maintenance	Persons with a Disability	1	1	Growth and Expansion, Governor's Hiring Restriction, DPS Workforce Plan	2010-2012	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 recruitment efforts which 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 Department's selection processes to identify and reduce barriers for women, minorities and people with disabilities.

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.
12. Support and evaluate the State Patrol's efforts to increase diversity in its applicant pool by using the Law Enforcement Training Opportunity (L.E.T.O.) process to provide educational training sufficient to meet Peace Officers' Standards and Training ("P.O.S.T") licensing requirements.
13. Where a disparity exists, review the selection process and approve the hiring decision, before an offer is made. Ensure appropriate justifications for all non-affirmative hires.

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 quarterly. This information is compiled by division for each division director to use to evaluate their hiring.

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 Internal Affairs/Affirmative Action 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 Internal Affairs/Affirmative Action 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.

MINNESOTA DEPARTMENT OF PUBLIC SAFETY	ADMINISTRATIVE POLICY NO. 4080 SUBJECT Pre-Hire Review
DIVISION/STAFF OFFICE RESPONSIBLE Office of Personnel	[Signed] APPROVED BY COMMISSIONER
DATE POLICY ESTABLISHED/REVISED 02/01/1993	INTENDED AUDIENCE: 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
Resource (HR) | <ul style="list-style-type: none"> ◆ 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. ◆ Advise the supervisor of the affirmative action responsibility. |
|----------------------------------|---|

- Supervisor
- ◆ 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.
 - ◆ 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.
- Affirmative Action Officer
- ◆ 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
 - ◆ Discuss the implications of bypassing candidates who fill the disparity.
 - ◆ Inform the Commissioner and the HR director of all missed opportunities.
- Division Director
- ◆ Review all opinions received, determine what action to take, inform the personnel office and provide instructions on how to proceed.
 - ◆ Notify affirmative action officer of the final decision and the effective hiring date.
- Commissioner
- ◆ 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.

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 all staff by PA announcement.

The following plans and procedures are attached:

DPS Town Square Facility Emergency Plan

DPS Town Square Building Evacuation Team

Town Square Floor Wardens

Instructions for Checkpoint Leaders: Fire Alarm

Mobility Impaired Emergency Exit Plan

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	Dave Drucker	Dan Bernardy
Kristi Rollwagen	Jon Eibner	Kevin Kelly
Pat Sheehan	Bob Dahm	Julie Broos
Matt Olsen	Rich Pehrsen	Pete Rowan
Brian Halverson	Jon Barghini	

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: The DPS Communications Director will serve as DPS PIO for any Town Square fire/building evacuation incident.

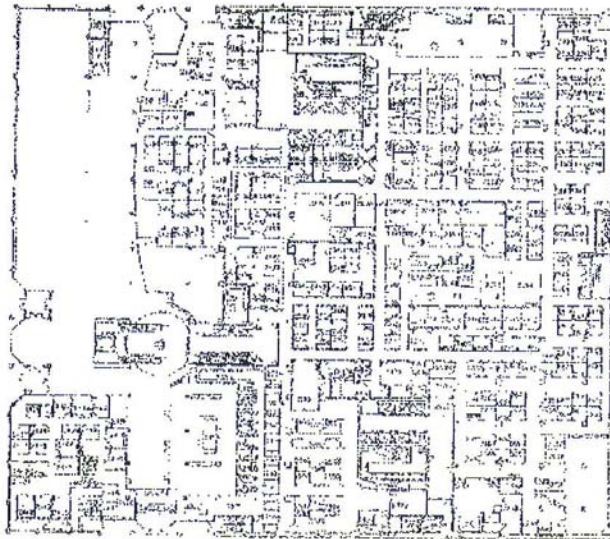
DPS Fire Drill Staging Areas

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 Building Evacuation Team, 6/14/2010

(FW) denotes also a Floor Warden

Incident Commander: Peter Acosta – TSQ Security Mgr

DPS Building Evacuation Leader: Jason Amborn

Backup DPS Bldg Evac Leader: Checkpoint #3

-

Checkpoint 1: Nancy Bennett

Backups: Annette Wuertz
Brad Peters
Rayah Barton (FW)

Checkpoint 2: Keith Rauen

Backups: Kristen Ware
Lindsey Funkhauser (FW)
Cynthia Palmer-Rangitsh (FW)

Checkpoint 3: Pete Rowan

Backups: Jon Nisja
Samantha Thomas (FW)
Becki White
Jerry Rosendahl

Checkpoint 4: Kay Hamann

Backups: Front Desk Staff:
Mary Erickson, Jenny Bakalich,
Vernitta Hambrick,
Connie Mattson, Div backup

Mobility Impaired Group Leaders: Skyway – TSQ Security
Street – Sandra Wintz
Nathan Lind
Concourse – Jon Sorlie
Nathan Lind

**** Note: All radios should be set to Channel 1 ****

Town Square Floor Wardens 6/14/2010

® Denotes radio holder

Alcohol & Gambling (#3) – Al Erickson ®, Tracy Krempel

Communications (#22) – Desiree Quinn, Kristine Chapman

DVS

Admin / Records (#11) – Tom Nash, Sharyl Miller

Cashiers (#16) – Lindsay Funkhauser ®, Chris Henke

Data Imaging (#10) – Jeanne Malack, Karen Regan, Jim Miller

Dealers / Prorate (#6) – Lisa Kelley, Tim Thompson, Jay Vang

Driver Compliance (#4) – Debra Mazurkiewicz, Lynnmarie Zehoski,
Lori Gunderson

Fines / Investigation (#5) – Jeff Fuller, Pat Donnell

Front Counter (#7) – Mark Larson ®, Mindy Croft ®, Phil Luna

Mail Room (#17) – Kathy Haapala, Nancy Hood, Jill Blaisdell

Public Info Center (#14) - Dan Stluka, Tami Stockero, Marie Hanna

Title & Reg (#12) – Rayah Barton ®, Tom Schouweiler

Emergency Communications Network (#18) – Carol Schmidt, Mary Kay Frisch

Fire Marshal/Pipeline (#20, 21) - Dave Stegura, Sean Mangan

Fiscal & Admin Services (#19) – Rita Wurm ®, Gaylene Langer, Rita Strafelda

Homeland Security (Skyway #1) – Kammy Huneke, Kathy Gaida

Homeland Security (Street #2) – Noah Kafumbe, Theresa Prouty, Barb Fonkert
SEOC – Karise Goelz, Mark Kam

Human Resources (#8) – **Judy Novotny, Patricia Bennett**

Mobility Impaired (#27) – **Skyway – TSQ Security ®**

Street - Sandra Wintz ®, Nathan Lind ®

Concourse – Jon Sorlie ®, Nathan Lind ®

Buddies – assigned by Floor Wardens

OTSS/MNLARS (#13) – Michelle Lanigan, Marc Klein, Patty Hunter

State Patrol (#15) – Samantha Thomas ®, Pam Iseminger

Traffic Safety (#9) – Bob Hoemke, Donna Malon

5th Flr – IA / Training Room (#24) – Angela Geraghty ®, Cassandra O’Hern

10th Flr – Commissioner/Trng Rm (#25) – Nancy Reissner, Tamara Bohmert ®

23rd Flr – OJP (#26) – Rita Joyce, Danette Buskovich, Cathy O’Bryan ®

Instructions for Checkpoint Leaders: Fire Alarm

1. Fire Alarm Notification:
 - a. Full Building Evacuation: Checkpoint Leader will receive fire alarm from audible alarm siren and white strobe light activation in your area.
 - b. Partial Building Evacuation: Checkpoint Leader will receive fire alarm notification from Town Square Security Channel #1
2. Pick up your radio
3. Turn radio to Channel #1
4. Exit Building
5. Set up your checkpoint
6. Evacuation Leader or Security will call you on the radio to confirm that you have your checkpoint set up.
7. Receive evacuation status reports from Floor Wardens.
8. Once all Floor Wardens have reported in to you, advise the Evacuation Leader or Security of this.
9. Relay information from Evacuation Leader to your groups.
10. You will receive an “all clear” from the Evacuation Leader or Security over the radio. Once you receive the “all clear,” relay the information to your groups and return to the building.
11. Fire evacuation procedures will be terminated. Return to normal work status. Switch radio back to your assigned home channel.

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

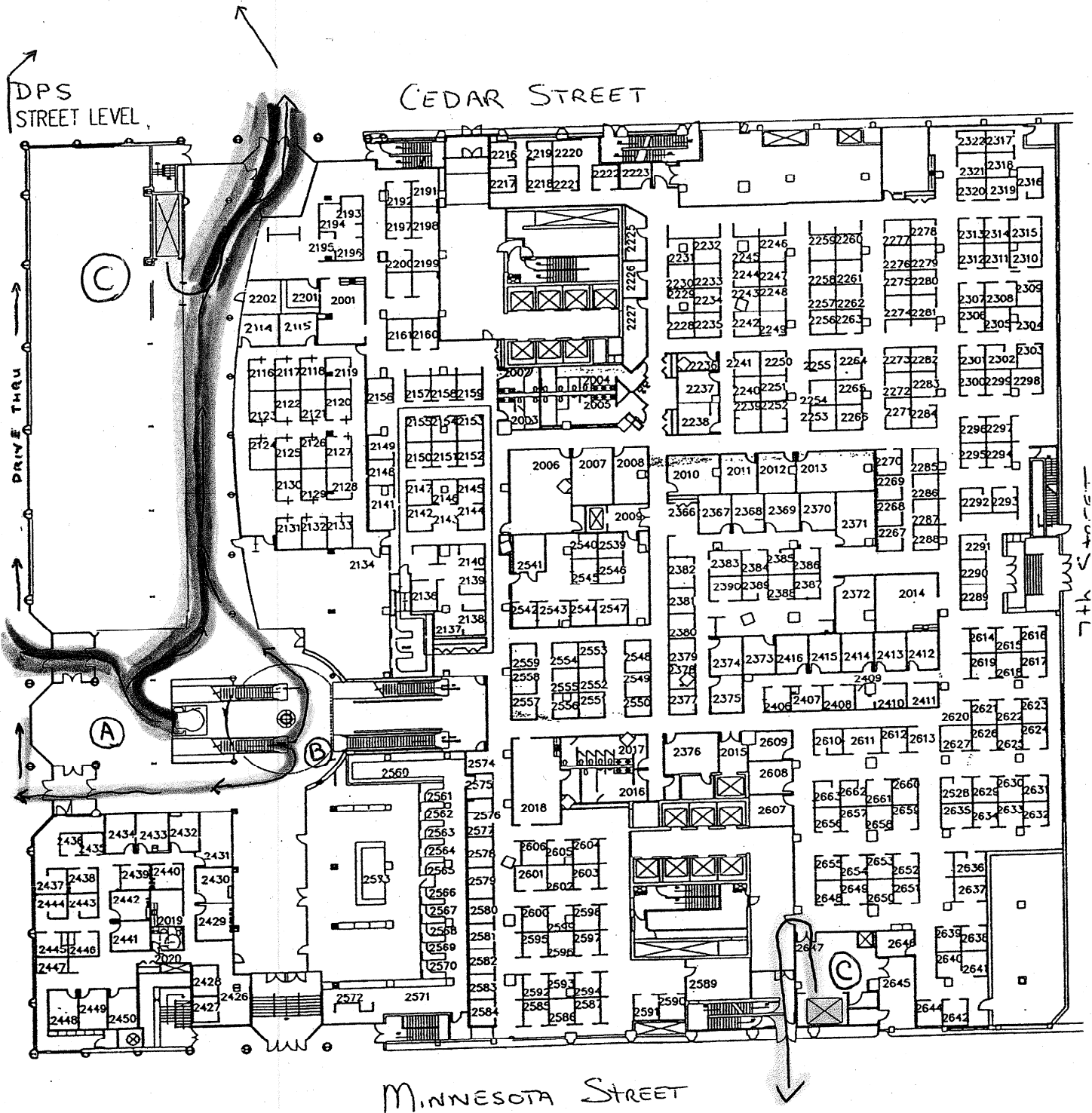
MOBILITY IMPAIRED EMERGENCY EXIT PLAN

OCT
2005



RALLY
POINT

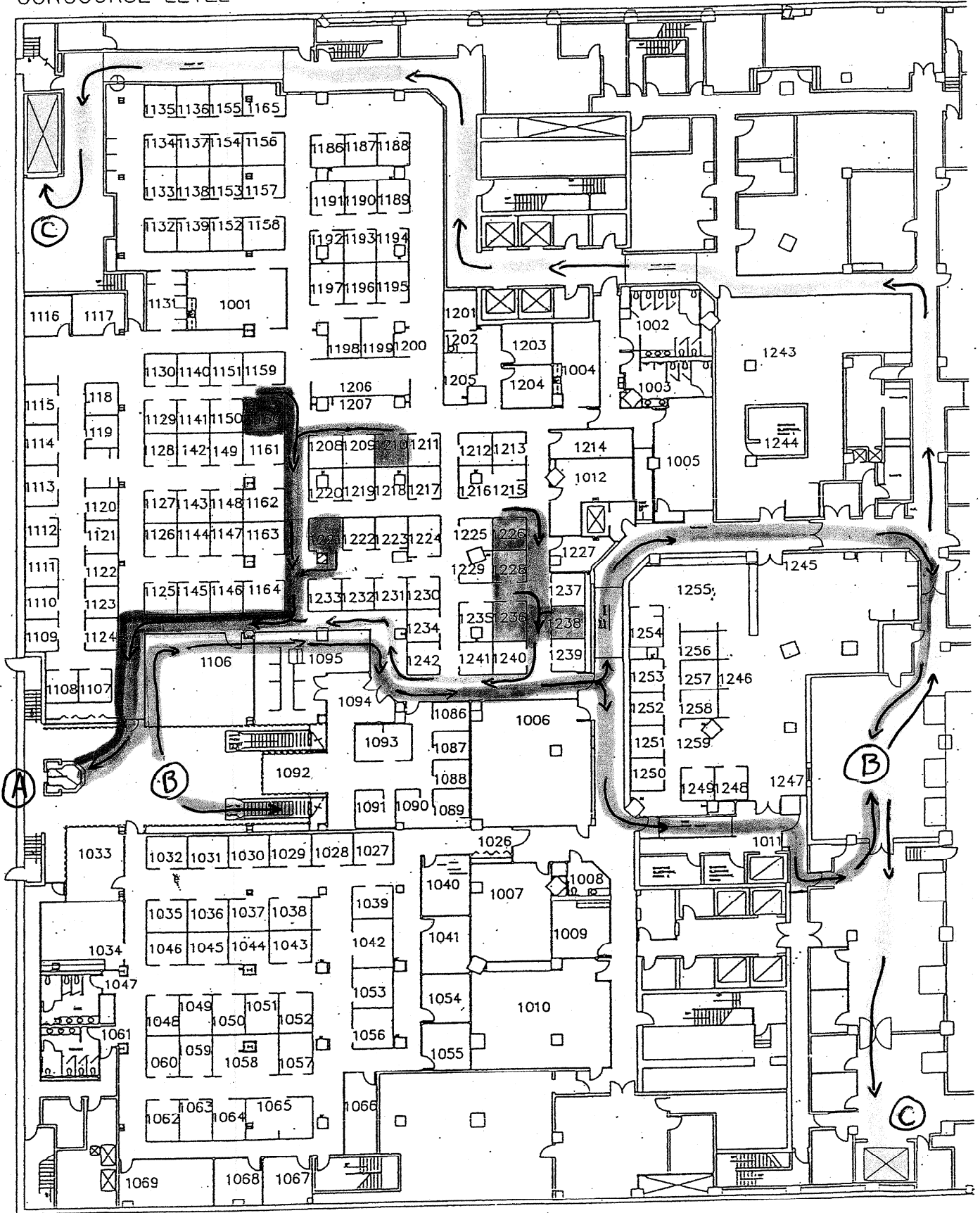
CHECK POINT
#1



EMERGENCY EXIT PLAN

OCT
2005

CONCOURSE LEVEL



Reasonable Accommodation

The Director of Internal Affairs/Affirmative Action, Cassandra O'Hern, is 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 diversity hiring. 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 Internal Affairs/Affirmative Action. 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 Minnesota Management and Budget. 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 following policy is attached:
DPS Administrative Policy No. 4091 – Exit Interview

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. This information is also analyzed for workforce planning purposes. 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 no layoffs in fiscal year 2009 and only 3 in 2010 and therefore, the bulk of the analysis concentrated on the other reasons for separation.

In addition to considering gender, ethnicity and disability status, the EEO work group was also considered to analyze the data. 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 2009, there were fewer resignations and retirements than there were in fiscal year 2007. In fiscal year 2007, 110 employees either resigned or retired; and generally the same number of employees resigned or retired when compared by gender, ethnicity and disability status. In fiscal year 2009, 93 employees resigned or retired. There was a significant difference based on gender. For example, 29 women either resigned or retired while 64 men resigned or retired. However, significantly more men retired as compared with women while slightly more women resigned as compared with men. 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. In fiscal year 2010, 93 employees resigned or retired. This is consistent with the previous year. There was no significant difference when compared by gender, ethnicity and disability status. For example, 40 women either resigned or retired while 53 men resigned or retired. As is consistent over the past years, more men retired than resigned while more women resigned than retired. This continues to be explained by the greater number of men in the Protective Services job group who retire at age 55. A greater number of women continue to work in job groups that do not have a mandatory retirement age.

In fiscal year 2009, there were 5 dismissals or non-certifications and 4 of these were women. The greater number of women can be explained because all of the dismissals or non-certifications occurred in the Office/Clerical EEO job group, a job group which is female dominated and where a large number of positions are entry-level and account for a significant number of non-certifications due to performance standards. In fiscal year 2010, there were 14 dismissals or non-certifications and 6 of these were women. A majority of the dismissals and non-certifications occurred in either the Protective Services or Office/Clerical job groups. There was not a significant number of ethnic minority or disabled employees who were dismissed or non-certified. All dismissals and non-certification decisions are approved by the Labor Relations Director. The Directors of Human Resources and Internal Affairs/Affirmative Action will continue to monitor the effect of dismissals and non-certifications on the number of women employees over the next two years.

There were no significant differences between resignations and retirements based on job group except in the case of the Protective Service job group and Professional job group. The Protected Service job group had a significantly greater number of men who retired. Again, this is likely

due to the early retirement opportunities and the greater number of men of retirement age in this job group. In fiscal year 2009, the number of men resigning or retiring from the Professional job group was significantly greater than the number of women resigning or retiring. However, in fiscal year 2010, the number of men resigning or retiring from the Professional job group was only slightly greater than the number of women.

Annual separation information will continue to be monitored into the next few years to determine whether any trends exist and whether recruitment and retention efforts have been successful.

DEPARTMENT OF PUBLIC SAFETY	ADMINISTRATIVE POLICY	NO. 4091
		SUBJECT Exit Interview
DIVISION/STAFF OFFICE RESPONSIBLE Office of Human Resources	[Signed]	APPROVED BY COMMISSIONER
DATE POLICY ESTABLISHED/REVISED 02/01/2000;03/10/08	INTENDED AUDIENCE: All managers and supervisors, expeditors	

PURPOSE

The purpose of this policy is to establish a process by which employees are afforded the opportunity to provide the Department with input relative to experiences, feelings and perceptions upon the employee’s departure from the Department.

POLICY

Exit interviews assist the Department in its efforts to identify areas of strengths and weaknesses that should be addressed and to continually improve the work environment.

It is the policy of the Department of Public Safety to encourage the participation in exit interviews of all employees who are separating from permanent and intermittent employment for the following reasons: voluntary separation, retirement (voluntary and mandatory), layoff, or out-of-department transfers. Although the procedure is voluntary, the Department encourages the exiting employee to complete the exit interview form and have a verbal interview with a department employee.

Persons exempt from the exit interview process are employees who are involuntarily separated or are transferring within the Department.

The exit interview process shall consist of the completion of an exit interview form, and/or an opportunity to have a verbal interview with a division employee or with a neutral Department employee.

DEFINITIONS

For purposes of this administrative policy, the following terms are defined as follows:

- Equal Opportunity (EO) Director ♦ The department’s full time employee(s) who shall have primary responsibility for developing and maintaining the department’s EO issues.
- Equal Opportunity Designee ♦ The department’s designated employees who represent each division on the department-wide EO committee
- Neutral Department Employee ♦ 1) Your Director or Supervisor; 2) the Human Resources Director; 3) the Equal Opportunity Director; 4) the Staffing Director; 5) the Labor Relations Director; 6) a Human Resources professional staff member; whomever the separating employee feels comfortable being interviewed by regarding the exiting employee’s responses on the exit interview.
- Non-Exempt Exiting Employee ♦ All employees who are separating from permanent and intermittent employment with the Department for the following reasons: voluntary separation, retirement

(voluntary and involuntarily), layoff or out-of-department transfers.

- HR Director ♦ The department's full time employee who shall have primary responsibility for maintaining and enforcing the department's human resources related matters.
- Personnel Expediter ♦ The department's designated employees who assist the various divisions with human resources related matters. These employees shall be so designated by the department's HR director.

RESPONSIBILITIES

Department administrators, supervisors, EO director, EO designees, HR director, Human Resources staff, and personnel expeditors are responsible for implementing and enforcing this policy. Every employee that is separating from permanent and intermittent employment with the Department is encouraged to complete the exit interview form and/or have a verbal interview with a division employee or with a neutral department employee that does not work in the same division as the exiting employee.

PROCEDURES

The Department shall adhere to the following procedure whenever an employee is separating from permanent or intermittent employment with the Department (unless they are involuntarily separated or are transferring within the Department):

1. The exiting employee shall notify his/her immediate supervisor of his/her anticipated separation date.
2. The exiting employee's immediate supervisor shall notify the appropriate personnel expeditor of the separating employee's name, telephone number, anticipated separation date and whether the exiting employee is exempt from the exit interview process.
3. The personnel expeditor shall immediately notify the HR director of the name, telephone number and anticipated date of separation of the exiting employee.
4. The personnel expeditor shall immediately forward the exit interview form and the Commissioner's exit interview cover letter to the exiting employee. The aforementioned materials shall be forwarded to the exiting employee no later than five working days after the date the personnel expeditor received notification of the exiting employee's anticipated separation from the Department.
5. The appropriate division supervisor or manager shall immediately call the exiting employee to request, if they desire, a date and time to conduct a verbal interview with the exiting employee. It is strongly encouraged that the verbal interview occur before the exiting employee's date of separation.
6. The supervisor or manager calling the exiting employee to schedule the verbal interview shall again remind the exiting employee of the reason for and the importance of the exit interview process and, although optional, the Department encourages such participation.

7. The exiting employee, if he/she chooses to, will complete the Department's exit interview form and/or verbal interview with an employee from his/her division or with a neutral employee. An exiting employee may choose to complete only the exit interview form and not a verbal interview.
8. The interviewer shall take notes of and summarize comments made at or during the verbal exit interview.
9. Once the exit interview form has been completed and the interviewer has conducted the verbal interview, the completed original exit interview form and original notes shall be forwarded directly to the department's HR director. If there is an equal opportunity or diversity related concern, these materials shall also be forwarded to the EO director.
10. The department's HR director or EO director shall evaluate the completed original exit interview forms and notes and investigate when deemed necessary. The HR director and EO director shall compile statistical data, based on completed forms and notes taken during interviews, to identify patterns of separation and recommend action to the Commissioner when deemed necessary.
11. The department's HR director and EO director shall report to the Commissioner his/her analysis of the completed exit interview forms and the interviewer's summarized notes on June 30th of each year.

MAINTENANCE OF RECORDS

The department's HR director and EO director shall maintain records of all completed exit interview forms and summarized notes. These records shall be maintained according to the Minnesota Government Data Practices Act.

**MINNESOTA DEPARTMENT OF PUBLIC SAFETY
EXIT INTERVIEW QUESTIONNAIRE**

Thank you for completing this exit interview questionnaire. This information is valuable to the Department in its evaluation of selection and recruitment practices, orientation, supervisor-employee communications, salary and benefits, and managerial performance.

Employee Name (optional)
Job Title
Division
Supervisor
Termination Date

Check all that apply:

<input type="checkbox"/>	Male	<input type="checkbox"/>	Female
<input type="checkbox"/>	White	<input type="checkbox"/>	American Indian/Alaskan Native
<input type="checkbox"/>	Black	<input type="checkbox"/>	Hispanic
<input type="checkbox"/>	Disabled	<input type="checkbox"/>	Asian/Pacific Islander

CONFIDENTIALITY STATEMENT

Even though you are not required to supply the requested information, the information you provide may be released to the following persons, unless you designate otherwise:

- Persons authorized to have access to the information;
- Persons to whom you give written consent to have access to the information;
- All individuals in the Department of Public Safety who have a need and a right to know the information.

This information may be shared with (check all that applies):

<input type="checkbox"/>	No restrictions	
<input type="checkbox"/>	My supervisor	Name _____
<input type="checkbox"/>	My Division Director	Name _____
<input type="checkbox"/>	Department Administrators	
<input type="checkbox"/>	Others designated by employee	Name _____
		Name _____

Use only for statistical purposes

**MINNESOTA DEPARTMENT OF PUBLIC SAFETY
EXIT INTERVIEW**

Employee Name _____

Length of Service at Department of Public Safety

_____ Less than 6 mo. _____ 6-12 mo. _____ 1-5 yrs. _____ 6-15 yrs. _____ More than 15 yrs.

TYPE OF WORK AND CAREER OPPORTUNITIES

1. Were your skills and abilities utilized well on the job? _____

2. Were your work responsibilities different from what you thought they would be? _____
3. Were there any misunderstandings regarding your work responsibilities? _____

4. What aspects of your work responsibilities did you like best? _____

5. What aspects of your work responsibilities did you like least? _____

6. Did your job provide for career growth and job changes at DPS? _____

7. In the position you held, do you feel you were able to make a contribution to DPS? _____

8. What will your new job provide that your job with DPS could not? _____

SUPERVISION

1. Did you have a clear understanding of what your supervisor expected of you? _____

2. Was the appraisal system adequately explained to you? _____

3. Did you receive job performance reviews on time? _____
4. Did you receive both negative and positive feedback you're your supervisor in a timely manner? _____
5. In what format (e.g. oral, written, etc.) did you receive feedback from your supervisor?

-
-
6. Was your supervisor accessible to you? _____

 7. Did you raise questions or concerns with your supervisor? If so, were you comfortable doing so? _____

 8. What did you like most about your supervisor? _____

 9. What did you like least about your supervisor? _____

ADVANCEMENT

1. Were opportunities for advancement made available to you? If so, by whom? _____

2. How would you compare the opportunities for growth at DPS with your new agency or company?
_____ Greater _____ Similar _____ Less

TRAINING AND DEVELOPMENT

1. Did you receive adequate training for the duties you were expected to perform? _____

2. What additional training would have helped you in your position? _____

3. Was your supervisor supportive of your training/developmental needs? _____

COMPENSATION AND BENEFITS

1. How would you rate your salary at DPS compared to your new employer?
_____ Highly competitive _____ Competitive _____ Less Competitive
2. How would you rate your benefits provided by DPS compared to your new employer?
_____ Highly competitive _____ Competitive _____ Less Competitive

DIVERSITY/EEO/AFFIRMATIVE ACTION

1. Did you feel your division took diversity/equal opportunity seriously?

2. Did you know your Diversity/EO Director?

3. Did you feel your diversity/equal opportunity needs were met?

4. Did you fully understand how the Diversity/EO Director could be of assistance to you?

5. Did you ever feel that you received unfair treatment based on any of the following: (Check all that apply)
_____ Race ____ Sex ____ Age ____ Disability ____ Religion
_____ Color ____ National Origin ____ Sexual Orientation
6. If you checked any of the reasons for being treated unfairly, did you file a complaint with the Diversity/EO Director and were you satisfied with his/her actions?

GENERAL INFORMATION

1. What specific circumstances caused you to look for other employment? _____

2. What communication modes provided you with the most information about what was happening in the division and in the department? _____

3. Do you have specific suggestions regarding how communication in the division and/or the department could be improved? _____

4. Do you have personal comments concerning staff morale or treatment of employees? _____

5. Listed below are primary reasons for an employee to leave a position. Please check all that apply to you.

- | | |
|--|--|
| <input type="checkbox"/> Layoff | <input type="checkbox"/> Retirement |
| <input type="checkbox"/> End of unclassified appt. | <input type="checkbox"/> End of temp/emerg. appt. |
| <input type="checkbox"/> Poor working conditions | <input type="checkbox"/> Commuting distance |
| <input type="checkbox"/> Family circumstances | <input type="checkbox"/> Illness |
| <input type="checkbox"/> Conflict with supervisor | <input type="checkbox"/> Self employment |
| <input type="checkbox"/> Better job opportunity | <input type="checkbox"/> Career change |
| <input type="checkbox"/> Military service | <input type="checkbox"/> Returning to school/college |
| <input type="checkbox"/> More money | <input type="checkbox"/> Job burn out |
| <input type="checkbox"/> Discharge | <input type="checkbox"/> Other |

Please take extra space and make any additional comments about your job, your division and/or the Department of Public Safety.
