

**STATE OF MINNESOTA**

**PUBLIC UTILITIES COMMISSION**

**AFFIRMATIVE ACTION PLAN**

**2010-2012**

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Ellen Anderson  
David C. Boyd  
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Betsy Wergin

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

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Affirmative Action Plan  
Transmittal Form  
Plan Years 2010-2012  
For  
Public Utilities Commission

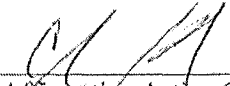
Summary of the Public Utilities Commission's goals for each category where there is an underutilization:

EEO JOB GROUP	PROTECTED GROUPS		
	WOMEN	MINORITIES	DISABLED
Officials/Administrators	0	1	1
Professionals	2	0	3
Office/Clerical	0	1	0

Once approved, information about how to obtain or view a copy of this plan will be sent to every employee so that every employee is aware of the Public Utilities Commission's commitments in affirmative action for the year. The plan will also be posted on the Public Utilities Commission's Intranet and Internet sites and hard copies are maintained in Human Resources and in the Affirmative Action's office.


This affirmative action plan meets the statutes and rules governing affirmative action, and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities. This affirmative action plan contains clear designations of those persons and groups responsible for implementing the attached affirmative action plan as well as the Commissioner's personal and official statement of commitment to achieving the goals and timetables described in the plan.

This affirmative action plan contains an internal procedure for processing complaints of alleged discrimination from employees and each employee has been apprised of this procedure as well as the Department's affirmative action goals for the year.

  
\_\_\_\_\_  
Affirmative Action Officer

12/30/11  
(date)

The Public Utilities Commission is committed to the implementation of this affirmative action plan and its specific goals, timetables and methods to address identified disparities. The Public Utilities Commission will continue to actively promote a program of affirmative action in areas where women, minorities and persons with disabilities are underrepresented in the workforce.

  
\_\_\_\_\_  
Commissioner

1/4/12  
(date)

# MINNESOTA PUBLIC UTILITIES COMMISSION 2010-2012 AFFIRMATIVE ACTION PLAN

## TABLE OF CONTENTS

### Transmittal Sheet

I.	STATEMENT OF COMMITMENT .....	1
II.	COMMISSION POLICY STATEMENTS REGARDING EQUAL EMPLOYMENT OPPORTUNITY, AFFIRMATIVE ACTION, AND HARASSMENT .....	2
A.	EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICY .....	2
B.	AFFIRMATIVE ACTION POLICY .....	2
C.	POLICY PROHIBITING DISCRIMINATORY HARASSMENT .....	2
1.	Sexual Harassment .....	3
2.	Other Protected Class Harassment .....	3
D.	Responsibilities .....	5
III.	COMPLAINT PROCEDURE: Procedure for Processing Complaints of Alleged Harassment and Discrimination .....	6
A.	Definition of a Complaint .....	6
B.	Coverage and Exclusions .....	6
C.	Complaint Procedure .....	7
D.	Appeal Procedure .....	9
E.	Disposition of Complaints: Time Limits .....	9
F.	Maintaining Records .....	9
G.	Additional Information .....	9
IV.	PERSONS RESPONSIBLE FOR DIRECTING AND IMPLEMENTING THE COMMISSION'S AFFIRMATIVE ACTION PLAN .....	10
A.	Commission Chair (Agency Head) .....	10
B.	Executive Secretary .....	10
C.	Supervisors .....	11
D.	Personnel Officer .....	11
E.	Affirmative Action Officer .....	12
V.	COMMUNICATION OF POLICY AND PLAN .....	13
A.	Internal Communications .....	13
B.	External Communications .....	13
VI.	GOALS AND TIMETABLES .....	13
VII.	PROGRAM OBJECTIVES .....	15

Goal 1 .....	15
Goal 2 .....	16
Goal 3 .....	17
Goal 4 .....	17
Goal 5 .....	18
Goal 6 .....	18
VIII. AUDITING, EVALUATING, AND REPORTING PROGRAM .....	19
Pre-Employment Review Process .....	19
Purpose .....	19
Action Steps 1- 6 .....	19
Action Steps 7 - 11 .....	20
Layoff Impact on Affirmative Action Goals .....	20
Recordkeeping and Evaluation .....	20
IX. REASONABLE ACCOMMODATION POLICY .....	21
A. Definitions .....	21
1. Person with a Disability .....	22
2. Reasonable Accommodation .....	22
B. Procedure - Existing Staff .....	22
C. Procedure - Job Applicants .....	24
D. Policy for Funding Accommodations .....	24
E. Harassment / Discrimination form .....	26
X. RECRUITMENT PLAN .....	28
XI. RETENTION PLAN .....	29

## I. STATEMENT OF COMMITMENT


As Chair of the Minnesota Public Utilities Commission, I am firmly committed to a policy of both equal opportunity and affirmative action in employment. It is my responsibility to ensure that the Commission provides equal opportunity in employment to both current and prospective employees without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age. This policy will apply to all conditions of employment including, but not limited to: recruitment, selection, placement, assignments, advancement, transfer, demotion, layoff, recall, termination, disciplinary action, compensation, and employee development. I am committed to affirmatively retaining protected group employees.

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

Finally, because equal employment cannot exist in the presence of discrimination in any form, efforts will be made to provide a work environment free of discrimination and harassment of any kind. Accordingly, the Commission fully supports the non-discrimination provisions of all state and federal laws, rules and regulations which form the legal framework for affirmative action and equal opportunity. In addition, the Commission will not tolerate harassment in any form.

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

I urge you to join me in a continuing effort to make our equal opportunity/affirmative action program a reality. Please direct any questions or suggestions you may have to me or the Commission's Affirmative Action Designees, Marsha Battles-Jenks.

By   
Ellen Anderson, Chair  
Minnesota Public Utilities Commission

Date: 1/4/12

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

### **A. EQUAL EMPLOYMENT OPPORTUNITY/NON-DISCRIMINATION POLICY**

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

### **B. AFFIRMATIVE ACTION POLICY**

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

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

### **C. POLICY PROHIBITING DISCRIMINATORY HARASSMENT**

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

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

Discriminatory harassment is any behavior based on protected class status which is not welcome, which is personally offensive, which, therefore, may effect morale and interfere with the employee's ability to perform. For example, harassment based on national origin has been defined by the U.S. Equal Employment Opportunity Commission as "Ethnic slurs and other verbal or physical conduct relating to an individual's national origin."

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

## **1. Sexual Harassment**

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

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

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

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

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

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

## **2. Other Protected Class Harassment**

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

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

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

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

Examples of prohibited behavior are as follows:

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



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

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

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

#### **D. Responsibilities**

All Commission management and supervisors are responsible for implementing and enforcing this policy. This responsibility includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance with the framework of this policy. All employees must be informed that harassment, retaliation, and reprisals are unacceptable behavior that is not tolerated in the Commission. Each supervisor is ultimately responsible for educating their staff about the Commission's policy. This policy covers all Commission employees at all worksites, as well as individuals who provide contract services or volunteer services for the Commission, or who are at times considered to be employees.

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

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

#### **A. Definition of a Complaint**

A complaint is a dispute or disagreement raised by an employee, eligible, or applicant against another departmental employee with regard to a matter involving discretion in application of specific provisions of Personnel Law, Rules, Administrative Procedures or policies; or of collective bargaining agreements or plans; or with regard to any matter for which dispute resolution or redress is not otherwise available.

#### **B. Coverage and Exclusions**

1. This complaint procedure may be used by an employee, eligible, or applicant whose dispute or disagreement is based upon the belief that s/he has been discriminated against in employment because of his/her race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, or age (see Equal Opportunity/Non-Discrimination Policy, page 2);  
  
harassed by an employee because of the above factors (see Policy Prohibiting Protected Class Harassment, page 2-5);  
  
subject to sexual harassment (see Policy Against Sexual Harassment, page 3);  
  
harassed because of any other factor in violation of the Commission's General Harassment Policy; or  
  
retaliated against by an employee of this Commission as the result of filing a complaint, cooperating in an investigation or otherwise participating in any action under this procedure.
2. This complaint procedure may not be used to raise objections relating to the content or general administration of provisions of the Affirmative Action Plan. Such disputes, disagreements or questions should be brought to the attention of the Commission's Affirmative Action Team.
3. This complaint procedure may not be used for disputes which are covered exclusively by provisions of a collective bargaining agreement or the Managerial or Commissioner's Plans. Such disputes should be handled under the grievance or dispute resolution procedures contained in those collective bargaining agreements or plans.
4. This complaint procedure does not in any way limit an employee's or applicant's right to file a formal complaint with the Minnesota Department of Human Rights, the U.S. Equal Employment Opportunity Commission, or an appropriate court of law.

### **C. Complaint Procedure**

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

#### **Responsibility of Employees**

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

#### **Who May File**

Any employee, applicant, or eligible of the Commission who believes that s/he has been discriminated against by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation, however, complaints will be taken for a reasonable period of time subsequent to the actual separation date.

#### **The Complaint Procedure**

The internal complaint procedure provides a method for resolving complaints involving violations of the Commission's nondiscrimination policy within the agency. Employees, applicants, and eligibles are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited.

#### **Filing Procedures**

1. The employee, applicant, or eligible completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve discriminatory harassment. The Affirmative Action Officer designee will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer designee shall also discuss other options for resolution, such as the Workplace Mediation Pilot Project.
  - a. If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer designee will inform the Complainant, in writing, within ten (10) working days.

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

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

#### **D. Appeal Procedure**

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

#### **E. Disposition of Complaints: Time Limits**

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

#### **F. Maintaining Records**

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

#### **G. Additional Information**

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

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

The Commission's policies on prohibited harassment are found on pages 2 to 6 of this Affirmative Action Plan.

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

##### **A. Commission Chair (Agency Head)**

###### Responsibilities:

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

###### Duties:

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

###### Accountability:

To the Governor, fellow Commissioners, and indirectly to the Commissioner of Minnesota Management & Budget.

##### **B. Executive Secretary**

###### Responsibilities:

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

###### Duties:

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

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

Accountability:

To the Chair and other Commissioners.

**C. Supervisors**

Responsibilities:

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

Duties:

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

Accountability:

To the Executive Secretary.

**D. Personnel Officer**

Responsibilities:

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

Duties:

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

Accountability:

To the Executive Secretary.

**E. Affirmative Action Officer**

Responsibilities:

Acting in concert with an Affirmative Action Committee or Team, the Commission's Affirmative Action Officer will monitor, direct, and help implement the Commission's affirmative action programs and policies. The Commission's Affirmative Action Officer is Clark Kaml, [clark.kaml@state.mn.us](mailto:clark.kaml@state.mn.us) PUC Rates Analyst 4, (651) 201-2246; FAX (651) 297-7073.

Duties:

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

Accountability:

To the Chair.



## **V. COMMUNICATION OF POLICY AND PLAN**

The Commission's Affirmative Action Team will ensure that all employees are advised of the policy of non-discrimination, the provision of reasonable accommodation, and the procedure for filing a complaint.

### **A. Internal Communications**

1. The Affirmative Action Team will distribute to all supervisory staff, a copy of the full Affirmative Action Plan and a cover letter detailing their responsibility to read, understand, support and implement the plan.
2. The Affirmative Action Team will post the following documents on the bulletin board in the employee break-room:
  - a. The Commission's Affirmative Action Plan; and
  - b. The name and phone number of the contact person(s) for the Commission's Affirmative Action Team.
3. TCommission's Affirmative Action Plan will be posted electronically at <http://www.puc.state.mn.us/PUC/index.html> under Site Map, and available in the Commission's Personnel Office.
4. All new employees will receive a copy of the plan from the Affirmative Action Team within two weeks of their employment.

### **B. External Communications**

1. The commitment of the Public Utilities Commission to affirmative action will be extended to all recruitment efforts. All correspondence related to recruitment will include reference to the Commission's commitment as an Affirmative Action Employer.
2. A notice of the Commission's Equal Opportunity policy will be posted electronically at <http://www.puc.state.mn.us/PUC/index.html> under Site Map, and in the Commission's main lobby.
3. All written external communications on job opportunities will include the statement that the Commission is "An Equal Opportunity Employer" and that it "Complies with the ADA". The Commission's letterhead will also include such a statement.

## **VI. GOALS AND TIMETABLES: 2010-2012**

The Commission anticipates little hiring, over the period of this plan. The Commission's timetable for any additional hiring will be as the agency budget allows.

The Affirmative Action goals in this plan have been developed using one factor (external) analysis. The external factor used in this analysis is the availability of the protected group members within the general population. Availability data is based on the 2000 census data for the

Minneapolis/St. Paul, Minnesota-Wisconsin metropolitan area, because this is the Commission's primary recruitment area. A comparison is made between the census availability data and the current number of protected group members in each job grouping at the Commission to determine underutilization and set goals.

The following three tables provide utilization analyses for protected group members within each job group. The Commission will make every effort to correct underutilization when hiring opportunities occur.

#### UTILIZATION ANALYSIS FOR FEMALES

	<b>Protected Group <u>FEMALES</u></b>							
EEO Job Group	Total Number in Group	Total Females in Group	% Females in Group	Availability %	Availability Number	Previous Plan Underutilized	Goal / Current Plan Underutilized	Improved, Not Improved, Same
Officials and Managers	13	6	46%	37.8	5	0	0	Same
Professionals	29	14	48%	53.8	16	4	2	Improved
Administrative Support	6	6	100%	67.7	4	0	0	Same

The utilization analysis shows the Commission is not underutilized for women in the in the Officials and Managers and Administrative Support Job Groups. The Commission, although it has improved, is underutilized for women in the Professionals Job Group. The Commission will continue to seek affirmative hires in this group and has set a goal of hiring two women in this group during the plan years 2010 – 2012. The Commission expects hiring to occur in this Job Group during the plan years.

#### UTILIZATION ANALYSIS FOR MINORITIES

	<b>Protected Group <u>MINORITIES</u></b>							
EEO Job Group	Total Number in Group	Total Minority in Group	% Minority in Group	Availability %	Availability Number	Previous Plan Underutilized	Goal / Current Plan Underutilized	Improved, Not Improved, Same
Officials and Managers	13	0	0%	5.1	1	0	1	Not Improved
Professionals	29	2	1%	8.0	2	0	0	Same
Administrative Support	6	0	0%	8.2	1	0	1	Not Improved

The utilization analysis shows the Commission is not underutilized for minorities in the Professionals Job Group. The Commission is underutilized for minorities in the Officials and Managers and Administrative Support Job Groups. The Commission will continue to seek affirmative hires in these groups and has set a goal of hiring one minority in each underutilized group however the Commission does not foresee hires, at this time, in these groups during the plan years 2010 – 2012.

## UTILIZATION ANALYSIS FOR DISABLED

	<b>Protected Group      <u>DISABLED</u></b>							
EEO Job Group	Total Number in Group	Total Disabled in Group	% Disabled in Group	Availability %	Availability Number	Previous Plan Underutilized	Goal / Current Plan Underutilized	Improved, Not Improved, Same
Officials and Managers	13	0	0%	11.31	1	0	1	Not Improved
Professionals	29	0	0%	10.88	3	2	3	Not Improved
Administrative Support	6	1	1%	11.56	1	0	0	Same

The utilization analysis shows the Commission is not underutilized for disabled employees in the Administrative Support Job Group. The Commission is underutilized for disabled employees in the Officials and Managers and Professionals Job Groups. The Commission will continue to seek affirmative hires in these groups and has set a goal of hiring one disabled employee in each underutilized group however the Commission does not foresee hires, at this time, in the Officials and Managers Job Group during the plan years 2010 – 2012. The Commission realizes that the Professionals Job Group is underutilized by three disabled employees, and is expected to hire during the plan years, however, it feels a more realistic goal for the plan years is one disabled employee.

## GOALS AND TIMETABLES

	<b>Women</b>			<b>Minorities</b>			<b>Persons with Disabilities</b>		
<b>EEO Job Group</b>	Number Under-utilized	Goal	Time Table	Number Under-utilized	Goal	Time Table	Number Under-utilized	Goal	Time Table
Officials and Managers	0	NA	FY10-FY12	1	1	FY10-FY12	1	1	FY10-FY12
Professionals	2	2	FY10-FY12	0	NA	FY10-FY12	3	1	FY10-FY12
Administrative Support	0	NA	FY10-FY12	1	1	FY10-FY12	0	NA	FY10-FY12

## VII. PROGRAM OBJECTIVES

**Goal 1:** To ensure that all managers and supervisors have responsibility and accountability for equal employment opportunity and affirmative action built into their position descriptions.

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

Action Steps:

Target Date for Completion

1. Distribute sample Affirmative Action Responsibility statement to supervisors/managers with instructions to include it in their position descriptions.

Ongoing

Evaluation Process

Date

Monitor position descriptions submitted to ensure that they include a responsibility statement for EEO/AA.

Ongoing

Responsibility: Managers and HR Staff

**Goal 2:** To increase awareness of sexual harassment issues for agency managers, supervisors and staff; recognize an individual's rights prevention and obligations for reporting sexual harassment.

Objective: To ensure training for managers, supervisors and other Commission employees in the prevention of sexual harassment in the workplace and to ensure all department employees are informed of their rights and obligations.

Action Steps:

Target Date for Completion:

1. Provide new employees with a statement addressing what is and is not acceptable behavior and what is expected of each employee regarding prevention and reporting of sexual harassment.

Ongoing

2. Ensure new employees and managers receive training in preventing sexual harassment.

Include as part of new employee orientation.

Evaluation Process:

Date:

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

End of each training activity.

comments and concerns.

Responsibility: Managers and Human Resources Staff

**Goal 3:** To increase awareness of equal employment opportunity for persons with disabilities and ensure that supervisors are aware of and able to implement requirements of Title I (Employment) of the Americans with Disabilities Act (ADA).

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

Action Steps:

Target Date for Completion:

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

Ongoing

Evaluation Process

Date:

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

End of each training activity.

Responsibility: Affirmative Action Team

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

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

Action Steps:

Target Date for Completion:

1. Gather information, on a confidential and optional basis, from new employees at time of hire.

Ongoing

2. Re-survey all employees at regular intervals.

Every three years

Evaluation Process:

Date:

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

Ongoing

Responsibility: Affirmative Action Team

**Goal 5:** Participate in the Supported Work Program.

Objective: Give people with severe physical, mental health and developmental disabilities employment opportunities within State Government.

Action Steps:

Target Date for Completion:

1. Review vacant positions, prior to hiring, to determine if job tasks might be performed by a supported employment worker(s).

Ongoing, as positions become vacant.

2. If appropriate, request supported work candidates from DOER.

Ongoing, when appropriate.

3. Review possibilities for setting up supported work positions.

Ongoing.

Evaluation Process:

Date:

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

January 31, annually.

Responsibility: Hiring managers/supervisors and HR Staff.

**Goal 6:** Review and evaluate employee retention records.

Objective: To ensure proper record keeping procedures to provide accurate retention

Action Steps:

Target Date for Completion:

1. Review prior fiscal year retention records, June 30, Annually analyze and prepare report of analysis

2. Maintain tracking of employee retention, turnover, complaints

On-going

Evaluation Process:

Perform overall review of retention report

Responsibility: Affirmative Action Team.

## VIII. AUDITING, EVALUATING, AND REPORTING PROGRAM

### Purpose

All state agencies are required to establish methods of auditing, evaluating and reporting affirmative action program success. They must include a procedure for the pre-employment review of all hiring decisions for goal units with unmet affirmative action goals. The purpose of this section is to provide managers and supervisors with information about the pre-employment review process.

### Procedure

When a vacancy occurs in a goal unit which has unmet affirmative action goals, the following procedures shall be followed:

<u>Action Steps</u>	<u>Person Responsible</u>
1. Obtain eligible candidates for the position and refer candidates to supervisor, based on established minimum and preferred qualifications.	HR Representative
2. Inform supervisor of any relevant affirmative action or contractual issues.	HR Representative
3. Determine most qualified candidates to be interviewed, based on established minimum and preferred qualifications, as well as job history.	Hiring Supervisor
4. Conduct objective, structured interviews of all candidates who possess the desired qualifications, and rate applicants, using an objective system.	Hiring Supervisor
5. Conduct reference checks.	Hiring Supervisor
6. Decide on a qualified person after considering interview results, reference information, contractual, and affirmative action obligations.	Hiring Supervisor

- |     |   |   |
|-----|---|---|
| 7.  | Discuss candidate selection with Human Resources representative prior to making any job offer.  | Hiring Supervisor   |
| 8.  | If selection is not in accordance with the Affirmative Action Policy, prepare written rationale documenting the exceptional qualifications of the non-protected candidate and rationale for not selecting other candidates. | Hiring Supervisor   |
| 9.  | Consider documentation and recommend approval or disapproval.   | Affirmative Action Officer                                  |
| 10. | Approve candidate selection.  | Hiring Supervisor   |
| 11. | Adhere to the Minnesota Government Data Practices Act, Section 13.43: Protected group status and information regarding the pre-employment selection process is not disclosed.   | HR Representative<br>Hiring Supervisor<br>Division Director |

### **Pre-Review Procedure of Layoff Determinations**

1. The Public Utilities Commission will make lay-off determinations consistent with applicable bargaining unit contract/plan language.
2. The Human Resources staff and affirmative action officer will review layoff proposals prior to implementation to determine the effect on agency affirmative action goals and timetables and will consider alternative layoff options.
3. Nothing in this process shall be considered an obstruction to the layoff and recall language in applicable contract/plans negotiated between the State and employee unions/associations.

### **Recordkeeping and Evaluation**

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

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

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

OBJECTIVE: To ensure that hiring and retention procedures support the Commission's



commitment to hire affirmatively in a work environment void of discrimination.

1. Record Keeping

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

2. Evaluation

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

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

## **IX. REASONABLE ACCOMMODATION POLICY**

The State of Minnesota and the Minnesota Public Utilities Commission are committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation other qualified applicants and employees face barriers to employment without the accommodation process. It is the state's policy to reasonably accommodate qualified individuals with physical or mental disabilities unless the accommodation would impose an undue hardship.

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

This policy applies to all applicants, employees, and employees seeking promotion. Ms. Battles-Jenks (651-201-2219) is responsible for ADA issues and compliance.

## **A. Definitions**

### **1. Person with a Disability**

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

### **2. Reasonable Accommodation**

A reasonable accommodation is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

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

Reasonable accommodation applies to three aspects of employment:

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

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

1. The Commission will inform all employees of this accommodation policy in accessible formats.
2. The employee shall inform his/her manager / supervisor, or the ADA Coordinator / Designee of the need for an accommodation.
3. The ADA Coordinator / Designee may request documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.
4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:

- a. Discuss the purpose and essential functions of the particular job involved completion of a step-by-step job analysis may be necessary;
  - b. Determine the precise job-related limitation;
  - c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job; and
  - d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Agency is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The Agency's ADA Coordinator / Designee should work with the supervisor and employee to obtain technical assistance, as needed.
6. If the supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the supervisor will forward a written request for accommodation along with his/her recommendation to the Manager/Supervisor within 5 working days following the employees request
7. If the Manager/Supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the Manager/Supervisor will forward a written request for accommodation, along with his/her recommendations, to the Agency ADA Coordinator / Designee within 5 working days following receipt of the employee's request.
8. If the ADA Coordinator / Designee is unable to make a definitive decision about providing the accommodation, the ADA Coordinator / Designee will forward a written request, along with his/her recommendations to the agency head within 10 working days from the date the request was received from the Manager/Supervisor.
9. The Agency head will provide a decision in writing to the ADA Coordinator / Designee and employee within 10 working days.
10. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator / Designee shall work together to determine whether reassignment may be an appropriate accommodation.

The ADA Coordinator / Designee shall first look for an equivalent vacant position in the Agency equivalent to the one presently held by the employee in terms of pay and other job status. If the individual with the disability is not qualified, with or without reasonable accommodation, for a vacant position (or a position the Agency knows will become vacant within a reasonable period of time) the Agency may reassign the individual as a reasonable accommodation to a lower graded vacant position for which the employee is qualified. If this occurs, the Agency is not required to maintain the individual's salary at the previous level. The Agency will look at transfer opportunities, mobility opportunities, appointment opportunities, noncompetitive and competitive opportunities (Minn. Stat. § 43A). The Agency is not required to create a new job or to bump another employee from a job in order to provide a reassignment as a reasonable accommodation.

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

**C. Procedure - Job Applicants**

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

**D. Policy for Funding Accommodations**

Funding must be provided by the Agency for accommodations which do not cause an undue hardship (Minn. Stat § 43A.191(c)). Factors the agency considers in providing the

accommodations are: job outputs, modifiability of those specific outputs consistent with agency mission, adaptability of current specific processes in achieving those outputs, cost of the accommodation in terms agency resources.

*Definition:*

### **1. Undue Hardship**

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

#### *Procedure for Determining Undue Hardship:*

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

**Public Utilities Commission**  
**121 7<sup>th</sup> Place East, Suite 350**  
**St. Paul, MN 55101-2147**  
**651 296 7124**

## COMPLAINT OF HARASSMENT/DISCRIMINATION

### Please Read Before Completion of Form

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

### Complainant (You)

Name	Job Title	
Work Address	City, State, Zip Code	Telephone (    )
Agency	Division	Manager

### Respondent (Person Who Harassed/Discriminated Against You)

Name	Job Title	
Work Address	City, State, Zip Code	Telephone (    )
Agency	Division	Manager

### The Complaint

Basis of Complaint ("X" all that apply): <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"><input type="checkbox"/> Race</div> <div style="width: 50%;"><input type="checkbox"/> Color</div> <div style="width: 50%;"><input type="checkbox"/> Disability</div> <div style="width: 50%;"><input type="checkbox"/> Sexual Orientation</div> <div style="width: 50%;"><input type="checkbox"/> Sex</div> <div style="width: 50%;"><input type="checkbox"/> Creed</div> <div style="width: 50%;"><input type="checkbox"/> Marital Status</div> <div style="width: 50%;"><input type="checkbox"/> Status with Regard to Public Assistance</div> <div style="width: 50%;"><input type="checkbox"/> Age</div> <div style="width: 50%;"><input type="checkbox"/> Religion</div> <div style="width: 50%;"><input type="checkbox"/> National Origin</div> <div style="width: 50%;"><input type="checkbox"/> Membership or Activity in a Local Human Rights Commission</div> </div>	
Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, give the name of that agency:

Describe how you believe that you have been harassed/discriminated against (names, dates, places, etc.). Use a separate sheet of paper if needed and attach to this form.

Information on Witnesses Who Can Support Your Case		
Name	Work Address	Work Telephone
1.		( )
2.		( )
3.		( )

Additional witnesses may be listed in "Additional Information" or on a separate sheet attached to this form.

This complaint is being filed on my honest belief that the State of Minnesota has harassed/discriminated against me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.	
Complainant Signature	Date

Affirmative Action Officer Signature	Date
--------------------------------------	------

## **X. RECRUITMENT PLAN**

### **GOALS**

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

1. Advertising Sources Used: Minneapolis Star Tribune; St. Paul Pioneer Press; consortium of minority press; MMB website; National Association of Regulatory Utility Commissioners (NARUC) Bulletin; Minnesota State Bar Association, where applicable.

2. Other Methods Used: None.

3. Cost Incurred: FY 2011 / **\$2,588**

4. Results: Identified sources of applicants were the MMB Website, the NARUC website, and the MSBA website.

5. Job fairs attended/projected: None

6. Hiring opportunities and recruitment:

The Commission does anticipate further vacancies in professional job group in FY 2012. For any such vacancies, the Commission will recruit affirmatively, targeting populations under-represented in our workforce as identified in Section 6.

7. Internships and Supported Employment:

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

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

8. The Commission will explore use of the Supported Work Program.

9. Recruitment of persons with disabilities:



We are currently complying with the requirements of the Americans with Disabilities Act in our recruitment activities by making materials available in alternative formats and meeting locations accessible. Regarding supported employment, the agency does not currently have positions for supported employment but in the event that an opportunity presents itself, the agency will recruit and hire for the supported employment program by contacting HR or Kazoua Kong-Thao, State ADA/Coordinator.

## **XII. RETENTION PLAN**

### **GOAL**

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

### **Total Separations in the Agency for FY2010: 5\***

<b>Protected Group</b>	<b>Number of Separations*</b>	<b>Percentage Separating</b>
<b>Females</b>	3	60%
<b>Minorities</b>	0	0%
<b>Persons with Disabilities</b>	0	0%

\*Does not include non-certification or dismissals of employees, death of employees, layoffs or laid-off employees whose layoff rights expired, limited positions or transfers of employees to another state agency.

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

### **Action Step:**

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

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

**Action Steps:**

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

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

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

**Action Steps:**

Record-keeping of hires and turnovers is maintained on the Monitoring the Hiring Process forms.

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

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

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

Affirmative Action complaints

ADA complaints

Missed opportunities