
State of Minnesota

Department of Military Affairs

Affirmative Action Plan

2012 – 2014

MN Department of Military Affairs
Veterans Service Building
20 West 12th Street
St. Paul, MN 55155

This document can be made available upon request in alternative formats such as large print, Braille, or on audiotape by contacting (651-282-4080).

DEPARTMENT OF MILITARY AFFAIRS
2012 – 2014 Affirmative Action Plan

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I. EXECUTIVE SUMMARY

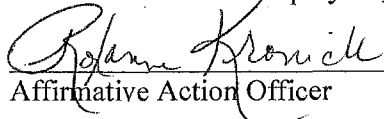
DEPARTMENT OF MILITARY AFFAIRS Affirmative Action Plan 2012-2014

Review revealed underutilization of the following protected group(s) in the following goal units:

GOAL UNITS	PROTECTED GROUPS		
	Women	Minorities Persons of Color	Persons With Disabilities
Officials/Administrators	X		
Professionals	X	X	X
Technicians	X	X	X
Protected Services: sworn			X
Protected Serv: non-sworn	X	X	
Paraprofessionals			
Office/Clerical		X	X
Skilled Craft	X	X	X
Service Maintenance	X	X	X

Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the agency. Our intention is that every employee is aware of the Department of Military Affairs's commitments to affirmative action and equal employment opportunity. The plan will also be posted on the agency's website and maintained in the Human Resources/Affirmative Action Office.

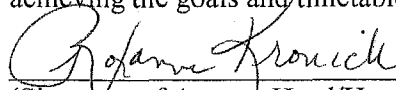
This affirmative action plan meets the applicable laws and rules governing affirmative action, and contains the goals and timetables as well as reasonable and sufficiently assertive methods for achieving them. This affirmative action plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been apprised of this procedure.


Affirmative Action Officer

651-282-4080
(phone number)

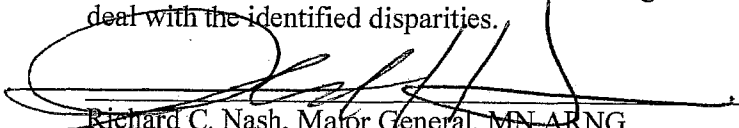
7-30-12
(date)

This affirmative action plan contains clear designations of those persons and groups responsible for implementing the attached affirmative action plan as well as my personal statement of commitment to achieving the goals and timetables described herein.


(Signature of Agency Head/Human Resources Director)

7-30-12
(date)

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 assertive to deal with the identified disparities.


Richard C. Nash, Major General, MN ARNG
The Adjutant General

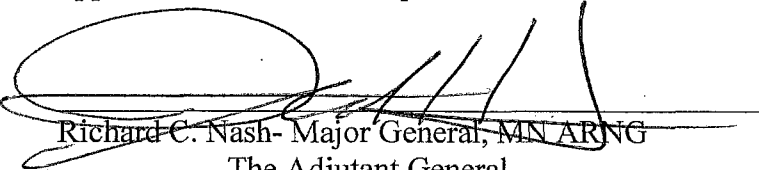
7-31-12
(date)

II. STATEMENT OF COMMITMENT

The Department of Military Affairs 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 applicants or employees 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.
- This agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan;
- This agency will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce;
- This agency is committed to the retention all qualified, talented employees, including protected group employees.

It is the agency's policy 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. We strive to provide equal employment opportunities and the best possible service to the citizens of Minnesota.


Richard C. Nash- Major General, MN ARNG
The Adjutant General

7-31-12
Date

III. PERSONS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN

1. ADJUTANT GENERAL

Responsibilities:

The Adjutant General is responsible for administration of the department's Affirmative Action Program and for ensuring that the department complies with all state and federal laws, rules and regulations regarding equal employment opportunity.

Duties:

1. Designate the department's Affirmative Action Officer.
2. Hold members of his staff responsible for the effectiveness of affirmative action activities within their respective jurisdiction, especially those charged with recruitment, interviewing, selection and retention responsibilities.
3. Insure that guidance is published that provides clear procedures for filing complaints of alleged discrimination.
4. Communicate to his staff, through written statements, his commitment to the state's affirmative action and equal employment opportunity policy. Communicate to the public that our agency is an Equal Opportunity Employer by a statement at the bottom of agency letterhead stationery for all correspondence and in all employment advertising.
5. Make decisions and changes in policy, procedures or physical accommodations as needed to facilitate effective affirmative action.
6. Provide a work environment free of verbal or physical harassment based upon race, creed, color, status with regard to public assistance, religion, national origin, sex, age, disability, marital status, sexual orientation or membership or activity in a local human rights commission.

Accountability:

The Adjutant General is directly accountable to the Governor and the Legislature.

2. AFFIRMATIVE ACTION OFFICER/DESIGNEE(S)

The Affirmative Action Officer (AAO), who is also responsible for agency recruitment, retention and approval of recommendations for hire for the department is:

Roxanne Kronick, Human Resources Manager
Veterans Service Building
20 West 12th Street
St. Paul, MN 55155
(651) 282-4080

Responsibilities:

To implement, direct and monitor the department's Affirmative Action Program and all related activities as directed by the Adjutant General.

Duties:

1. Work closely with Division Managers and supervisors, to ensure recruiting efforts have been extensive to reach protected group members the application process.
2. Be directly involved in handling complaints of alleged discrimination including all forms of harassment as outlined elsewhere in this plan.
3. Complete all affirmative action reports as required.
4. Ensure that the Adjutant General's statement of commitment and copies of the department's Affirmative Action Plan are distributed to all division managers and supervisors and posted on the department's intranet site.
5. Act as liaison between our agency and the Minnesota Department of MN Management and Budget, State Affirmative Action Officer.
6. Determine the need for affirmative action training and develop appropriate training programs.
7. Continually review policies, procedures, programs, and physical accommodations and recommend, to the Adjutant General, changes to enhance the department's affirmative action program.
8. Conduct pre-hiring reviews of selection recommendations for all vacancies.

Accountability:

The AAO reports to the Executive Director and is directly accountable to the Adjutant General for Affirmative Action reporting.

3. AMERICANS WITH DISABILITIES ACT (ADA) COORDINATOR

Roxanne Kronick, Human Resources Manager
Veterans Service Building
20 West 12th Street
St. Paul, MN 55155
(651) 282-4080

Responsibilities:

To work in partnership with managers and supervisors to assist them in fulfilling their responsibilities regarding ADA.

Duties:

1. Review policies, procedures programs relating to the ADA and recommend changes where appropriate.
2. To review reasonable accommodations for people with disabilities and to oversee the administration of the ADA within the department.
3. To work collaboratively with the Affirmative Action Officer and Management to identify and eliminate barriers to the success of this plan.

Accountability:

The ADA Coordinator reports to the Executive Director and is directly accountable to the Adjutant General for Affirmative Action reporting.

4. HUMAN RESOURCES DIRECTOR

Responsibilities:

To ensure compliance with the department's Affirmative Action Plan and to undertake any necessary action to make progress towards meeting the equal employment opportunity goals and objectives set forth in this plan.

Duties:

1. Ensure that supervisors are involved in recruiting efforts that will result in reaching the maximum number of protected group members possible for that vacancy.
2. Assist the department's AAO in identifying and resolving problems and eliminating barriers that inhibit reduction of disparities.
3. Ensure that all subordinates are familiar with and comply with all provisions of the department's Affirmative Action program. Ensure plan is posted in all employee work locations.
4. Ensure prompt responses to any complaints of alleged discrimination.
5. Hold subordinate supervisors responsible for the effectiveness of the affirmative action efforts within their areas of jurisdiction.
6. Provide informal training and counseling to supervisors and encourage subordinate supervisors to attend formal affirmative action training as may be offered.

Accountability:

Human Resources Director (Affirmative Action Officer) is directly responsible to the Executive Director and is directly accountable to the Adjutant General for Affirmative Action reporting.

5. MANAGERS AND SUPERVISORS

Responsibilities:

Ensure that equal opportunity for employment is accorded to all job applicants and that all employees within their jurisdiction are treated fairly.

Duties:

1. Whenever possible, interview, recommend for selection or promote qualified protected group members to a vacancy where a disparity exists.
2. Ensure that their immediate work area environment is free from any form of harassment or discrimination.
3. Respond promptly to all complaints of alleged discrimination.
4. Communicate the department's Affirmative Action policy to assigned staff. Post our Affirmative Action Plan, commitment and policy statements and discrimination complaint procedures on employee bulletin boards in all common work areas. Notify employees that a current Plan is posted and should be reviewed periodically.
5. Indicate to the public that Military Affairs is "An Equal Opportunity Employer" by including that phrase in all employment advertisements. All agency letterhead also provides this information.
6. Perform specific related duties as may be outlined elsewhere in this plan.

Accountability:

Division Managers are directly responsible to the Affirmative Action Officer. Supervisors are directly accountable to their Division Managers.

6. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

Internal Communication:

The Affirmative Action Plan is accessible to the Department of Military Affairs employees at <http://ngmns2010/SSTAFF/SFO/PUBPOL/default.aspx> under FIN Publications & Policies, DMA Policies. A paper copy will be posted at all locations and on the bulletin board outside the State Finance Section for employees to review. New employees will be notified where to find the plan on their first day of employment and will receive the policies on discrimination and harassment.

External Communication:

Methods for communicating the Affirmative Action Plan Externally

1. The Department of Military Affairs has included the statement “an equal opportunity employer” on agency letterhead and other outgoing correspondence.
2. All advertisements for vacancies will include the statement “Affirmative Action/ Equal Opportunity Employer.”

Anyone interested in reviewing the Department of Military Affairs Affirmative Action Plan or who has concerns about affirmative action or equal opportunity, may request a copy of the plan from Roxanne Kronick at 651/282-4080 or roxanne.r.kronick@us.army.mil.

A copy of the plan is also available for viewing on a bulletin board outside of the Human Resources Management area located in the Veterans Service Building, 20 W 12th St, 1st Floor, St. Paul, MN 55155.

7. PROHIBITION OF HARASSMENT/DISCRIMINATION POLICY

It is the policy of the Department of Military Affairs to prohibit harassment of its employees based on 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. This prohibition with respect to harassment includes both overt acts of harassment and those acts that create a negative work environment. Any employee subjected to such harassment should file a complaint internally with the agency's Affirmative Action Officer designee. If the employee chooses, s/he may file a complaint externally with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. These agencies have time limits for filing complaints, so individuals should contact the agencies for more information. In extenuating circumstances, the employee should contact the State Affirmative Action Program Coordinator at Minnesota Management & Budget for information regarding the filing of a complaint. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

Each employee is responsible for the application of this policy. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance within the framework of this policy. All employees must be informed that harassment is unacceptable behavior. The Affirmative Action Officer designee will be expected to keep the Department of Military Affairs and its employees apprised of any changes in the law or its interpretation regarding this form of discrimination. The Affirmative Action Officer designee is also responsible for:

1. Notifying all employees, and orienting each new employee who is hired, of this policy; and employees and applicants
2. Informing all employees of the complaint procedure and ensuring that all complaints will be investigated promptly and carefully.

Definitions

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."

Sexual harassment has also been specifically defined by the Minnesota Human Rights Act, which states in regard to employment, that:

"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; (2) submission to or rejection of that conduct or communication by an individual is used as a factor in decision affecting that

individual's employment; or (3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, 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.

It is possible for discriminatory harassment to occur: 1) among peers or coworkers, 2) between managers and subordinates, or 3) between employees and members of the public. Employees who experience discriminatory harassment should bring the matter to the attention of the Department of Military Affairs' Affirmative Action Officer designee. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer designee and all employees are expected to address or report any suspected harassment or retaliation.

Varying degrees of discriminatory harassment violations can occur and require varying levels of progressive discipline. Individuals who instigate harassment are subject to serious disciplinary actions up to and including suspension, demotion, transfer, or termination. Additionally, inappropriate behaviors that do not rise to the level of discriminatory harassment, but are none the less disruptive, should be corrected early and firmly in the interests of maintaining a barrier-free work place. Individuals who participate in inappropriate behaviors at work are also subject to disciplinary actions.

Any employee or applicant who believes that she/he has experienced discrimination or harassment based on his/her 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 of discrimination.

Complaints of discrimination or harassment can be filed using the internal discrimination complaint procedure included in this affirmative action plan.

8. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS OF ALLEGED HARASSMENT/DISCRIMINATION

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

Responsibility of Employees

All employees shall respond promptly to any and all requests by the Affirmative Action Officer 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 or applicant 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 this agency's nondiscrimination policy within the agency. Employees and applicants are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited. The Affirmative Action Officer designee may contact the Office of Diversity and Equal Opportunity if s/he wants information about filing a complaint.

Filing Procedures

1. The employee or applicant completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation(s) may involve discriminatory harassment. The Affirmative Action Officer designee will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer designee shall also discuss other options for resolution, such as the workplace mediation.
 - 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(s), in writing, within ten (10) working days.

- B. If the complaint is related to discrimination, the Affirmative Action Officer designee will, within ten (10) working days, contact all parties named as respondents and outline the basic facts of the complaint. The respondents 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 respondents 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 respondents dismissing the complaint.
- 4. A written answer will be provided to the parties within sixty (60) days after the complaints are 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 after the final determination is made.
- 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 respondents. 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), respondents, 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.

9. REASONABLE ACCOMMODATION POLICY

POLICY

The Department of Military Affairs is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified employees and applicants face barriers to employment without the accommodation process. It is the policy of this agency to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Definitions

Disability:

For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities; or a record of such an impairment; or being regarded as having such an impairment.

Reasonable Accommodation:

A reasonable accommodation is a 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 training materials; making facilities readily accessible; modifying work schedules; 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.

Procedure - Current Employees and Employees Seeking Accommodation

1. This agency will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their supervisor or the ADA Coordinator 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.
 - 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 Military Affairs is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The ADA Coordinator designee will work with the employee to obtain technical assistance, as needed.
6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time.
7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator designee shall work together to determine whether reassignment may be an appropriate accommodation.

Procedure-Job Applicants

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

Policy for Funding Accommodations:

Funding must be approved by this agency for accommodations that do not cause an undue hardship.

Definition of 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 this agency.

Procedure for Determining Undue Hardship

In determining whether or not providing a reasonable accommodation would impose an "undue hardship," the agency will consider at least the following factors:

1. overall size of the program (i.e., number and type of facilities, size of budget);
2. type of the operation including the composition and structure of the work force;
3. nature and cost of the accommodation needed;
4. reasonable ability to finance the accommodation; and
5. documented good-faith efforts to explore less restrictive or less expensive alternatives including consultation with the disabled person or with knowledgeable disabled persons or organizations.

The ADA Coordinator designee will provide a decision to the employee.

Appeals

Employees or applicants who are dissatisfied with the decisions pertaining to his/her accommodation request may file an appeal with the agency head, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the agency's complaint procedure as outlined in this plan.

Supported Work

This agency will review vacant positions and assess the current workload and needs of the office, to determine if job tasks might be performed by a supported employment worker(s). If appropriate, the agency will work with the agency ADA Coordinator and organizations that provide employment services to persons with disabilities to recruit and hire individuals for supported employment if such a position is created.

VIII. EVACUATION PROCEDURES FOR PERSONS WITH DISABILITIES

WEATHER EMERGENCY NOTIFICATION

Our agency recognizes the need for all employees to be able to receive timely notification of building or location closure due to weather or other emergencies as determined by the Commissioner of Minnesota Management & Budget and announced through the media as described in Administrative Procedure 5.4, Time Off in Emergencies. The Alertcast System will be used to notify commanders at each large location.

Hearing-impaired employees will be notified by their supervisors via the Minnesota Relay System if they are not to report for work due to adverse weather conditions.

If an emergency arises during the workday, the Veterans Service Building is equipped with audio and visual emergency alarms in numerous locations including rest rooms. Capitol Security has instituted a policy of notifying the department's Executive Director for severe weather warnings. All employees will be notified immediately and are to go to the lowest (tunnel) level of the building until advised to return to their workstations. Designated employees adjacent to those with disabilities will assist them to safety.

EMERGENCY BUILDING EVACUATION

All buildings under the operational control of the Department of Military Affairs are governed by a locally prepared and posted Building Evacuation Plan to be used when emergency evacuation of a building is required. Designated employees adjacent to those with disabilities will assist them in the event of a building evacuation.

An emergency evacuation plan has been developed for the entire Veterans Service Building. The plan is in writing with designated employees appointed as evacuation staff.

IX. GOALS AND TIMETABLES

GOALS AND TIMETABLES CHART

EEO Job Group	WOMEN			MINORITIES			PEOPLE WITH A DISABILITY		
	Number Underutilized	Goal	Timetable	Number Underutilized	Goal	Timetable	Number Underutilized	Goal	Timetable
Officials and Administrators	1	0	N/A	0	0	N/A	0	0	N/A
Professionals	20	3	2012-2014	3	0	N/A	5	0	N/A
Technicians	5	1	2012-2014	1	0	N/A	2	0	N/A
Protective Services	58	5	2012-2014	1	1	2012-2014	11	2	2012-2014
Paraprofessionals (included w/ Office/Clerical)	0	0	0	0	0	0	0	0	0
Office/Clerical	0	0	N/A	1	1	2012-2014	2	1	2012-2014
Skilled Craft	3	0	N/A	2	0	N/A	2	0	N/A
Service Maintenance	8	1	2012-2014	6	1	2012-2014	6	0	N/A

We will continue to work hard to identify minority, female, and disabled applicants to further enhance the diversity of our workforce. Our ability to obtain such applicants has been hampered by the geographical location of some of our posted vacancies and the ongoing trend whereby applicants are declining to provide affirmative action information, making it difficult to detail the complete makeup of our applicant pools.

X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

OBJECTIVE NUMBER 1:

To increase staff knowledge, through formal and informal training and internal communications on the following subjects: 1) Affirmative Action and the interview and selection process; 2) Disability awareness, including reasonable accommodations for people with disabilities.

<u>Action Steps</u>	<u>Proponent</u>	<u>Target</u>
1. Require appropriate staff to attend any appropriate AA/EEO training.	AA Officer	When Scheduled
2. Ensure all new employees are informed of our agency's Affirmative Action Program.	Supervisor	At in-briefing
3. Ensure all employees are aware of their obligations and rights under the department plan.	AA Officer Supervisor HR Rep	Annual Email Notification
4. Distribute changes to the Affirmative Action Plan and ensure the plan is posted at employee work areas and on the Department's intranet site.	AA Officer Supervisor HR Rep	As changes occur or biennially
5. Formally brief new employees on all department policies, including AA topics; complete in-briefing checklist.	Supervisors HR Rep	At in-briefing
6. ADA training is required for all division managers and supervisors.	AA Officer	As needed

We will attempt to offer ADA training periodically within the priorities of agency commitments.

The Affirmative Action Officer is responsible for accomplishment of the action steps listed above. However, the affirmative action process is a combined responsibility of the hiring chain and all must embrace the letter and spirit of this directive.

Evaluation Process:

Completion of training is indicated by attendance at classes. Success of training translated to affirmative action is measured by goal achievement. By requiring supervisors to document Action Steps 2 and 5, we can verify that department employees are aware of their rights and responsibilities under this plan.

OBJECTIVE NUMBER 2:

To encourage a work environment free of discriminatory harassment through education and awareness.

<u>Action Steps:</u>	<u>Proponent</u>	<u>Target</u>
1. Require supervisors and managers below to attend appropriate training for discriminatory harassment/discrimination	AA Officer	Note (1)
2. Through internal communications, ensure that supervisors and Division Managers are reminded to watch for actions by employees that could undermine this objective.	AA Officer	Continual
3. Ensure all new employees are trained in prevention of Sexual Harassment and know what constitutes discriminatory harassment.	AA Officer	Within 6 months of hire
(1) All current Division Managers and Supervisors have completed discriminatory harassment training. As new managers or supervisors are appointed, they are scheduled for training as soon as possible.		

Responsibility

It is the responsibility of each employee and supervisor to be aware of signs of tension in his or her work area that may be caused by discriminatory harassment. Each manager and supervisor must constantly stress this objective to all subordinates.

Evaluation Process

Knowledge of the department's harassment policy by all employees and training of supervisors for awareness of potential problems and how to properly deal with them should keep problems to a minimum.

OBJECTIVE NUMBER 3:

To attract qualified protected group members as applicants for vacant positions.

<u>Action Steps:</u>	<u>Proponent</u>	<u>Target</u>
1. Place notices of job opportunities in trade journals, publications targeted to the disabled, females or communities of color, bulletins, postings, e-mail messages and any other means of making vacancies known to potential applicants.	Supervisor or Manager	For each unlimited vacancy
2. Contact the Urban League, technical colleges, rehabilitation sources and women's organizations.	Supervisor or Manager	For each unlimited vacancy

Responsibility:

The combined efforts of the AAO designee and each manager and supervisor will reflect our commitment to intensified recruiting for all vacancies in which we have a disparity.

Evaluation Process:

Success will be measured by increased numbers of protected group members applying for position vacancies and the hire of those qualified individuals whenever possible.

Retention Plan:

Long-term retention of protected group employees is hindered by lack of opportunity for upward mobility because most supervisors are military personnel. There is limited opportunity for advancement particularly to supervisory and managerial positions; this situation applies to all agency employees.

Historically there have been relatively few hires from the general public due to low agency turnover, and every effort is made to retain and promote current employees.

1. All vacancies are reviewed to determine if any current employees may qualify for advancement. Employees are informed of opportunities for promotions or transfers as soon as approval to fill is obtained. Any positions targeted for layoff will be studied to determine their effect on affirmative action. If they will affect our compliance, further consideration may be given to the targeted positions to determine if others could be eliminated instead.
2. We anticipate drawing up individual training plans for each employee and career progression will be monitored as part of the formal evaluation program.
3. Establishment of support groups will be considered along with better access to managers for career development counseling.

Analysis of Separation and Layoff Patterns:

1. FY 11 there were 30 separations:
3 Females left the agency – 2 Resignations and 1 Retirement
1 Minority left the agency- 1 Resignation
The additional separations were not in the protected group categories

2. FY 12 there were 19 separations:
4 Females left the agency – 3 Resignations and 1 Dismissal/ Non-Certification
1 Minority left the agency- 1 Dismissal/Non-Certification
The additional separations were not in the protected group categories

3. Agency Affirmative Action statistics remain essentially unchanged.

XI. METHODS OF AUDITING, EVALUATING AND REPORTING PROGRAM SUCCESS

To ensure that hiring and retention procedures support the Department's commitment to hire affirmatively in a work environment free of discrimination, the following activities will be done:

PRE-EMPLOYMENT REVIEW

The pre-employment review is the most important tool available to accomplish the goal of increasing protected group representation in the department.

When a vacancy exists, resumes of qualified applicants are forwarded to the appropriate Division Manager. Intensified recruiting efforts have added protected group applicants to each list. Qualified applicants will be contacted to interview for the vacancy, however if there are >20, the best qualified will be contacted. At no time during the interview process will a commitment of employment be made to any person.

When interviews are completed, the Division Manager and interviewing supervisor will objectively review the interview panel's results to determine selection of the best qualified candidate. Military Affairs' Human Resources Representative, who reports to the Executive Director and is responsible for AA reporting directly to the Adjutant General, functions as AAO and is designated by the Adjutant General to work with the Executive Director to make all final hiring decisions.

All individuals interviewed but not selected will be notified in writing by email or US mail from the Division Manager/Supervisor that another applicant was selected for the position. Qualifications of the selected person will be provided upon request.

PRE-REVIEW PROCEDURE (Lay-off Determinations)

Military Affairs will make lay-off determinations consistent with applicable collective bargaining agreements and personnel plans. Proposed lay-off decisions will be reviewed by the Equal Opportunity/Affirmative Action Officer to evaluate their effect on Military Affairs' affirmative action goals and timetables.

METHODS OF AUDITING, EVALUATING AND REPORTING PRGORAM SUCCESS

Military Affairs completes the appropriate and required documentation for all hires. The following recordkeeping is maintained for hires:

- Monitoring the Hiring Process reports
- Purchase orders for recruitment fees paid
- Turnover
- Specific recruitment activities (i.e., where ads placed, outcome of the ads)
- Complaints filed

XII. RECRUITMENT PLAN

The objective of this recruitment plan is to ensure our agency recruitment programs are publicly marketed, attract and obtain qualified applicants, enhance the image of state employment and to assist in meeting our agency affirmative action goals to achieve a diverse work force.

Listed below are various recruitment methods or strategies utilized by this agency during the past year.

As part of its recruitment efforts, the MN Department of Military Affairs will take steps to market, identify and obtain qualified applicants in meeting Affirmative Action goals. Though it varies from year to year, the agency does expect to have a limited number of hiring opportunities in some of the job groups. The number of projected openings by job group is listed in Goals and Timetables (page 19). Special efforts will be made to recruit women, minorities and persons with disabilities in job groups where underutilization has been identified.

1. Advertising

Due to the large numbers of applicants for all of our positions, Military Affairs did not use any additional recruitment sources outside of the State of MN Career site, agency-wide distributions of vacancies notices and targeted recruitment.

2. Job Fairs

The agency did not attend any job fairs in 2010-2012. We also anticipate that we will not participate in any job fairs in 2012-2014. This is due to the high volumes of applications we are currently receiving for our positions and the continuing budget challenges currently taking place at the State of MN.

3. Projected hiring opportunities and strategies

The agency anticipates several vacancies in the 2012-2014 reporting period. There are several employees that plan to retire in the next two years and we anticipate vacancies in the following areas:

- Military Personnel
- Security
- Airfield Firefighter Assistant Chief

4. Internships

The agency is currently working with Central Lakes College and various State of MN educational institutions to continue employing interns in several internship opportunities at Camp Ripley.

XIII. RETENTION PLAN

1. Person(s) Responsible for Retention

Retention is an important component to consistent completion of agency goals and continued use of employee expertise. Military Affairs utilizes a variety of strategies. These strategies involve a coordinated effort among several persons including the Affirmative Action Officer/Human Resources Representative, the Managers (state and federal), Supervisors (state and federal) and Don Kerr, Executive Director. The Human Resources representative plays the lead role in carrying out retention strategies for Military Affairs. She can be reached at (651) 282-4080.

- **Separation Analysis**

Military Affairs experienced a moderate number of separations during the 2010-2012 reporting period. Many of those separations were due to (non-Early) retirements and individuals who are active in the military moving to federal positions in the National Guard. These separations do not appear to have had a significant impact on the diversity of the organization overall. Furthermore, these numbers are consistent with the percentage of protected group members and non-protected group employees within the agency. We are going to continue to monitor any potential separations of protected group employees to see if there are any patterns that develop. At this time, it is difficult to determine this due to the absence of low number of non-retirement separations we have experienced.

4. Specific Methods to retain protected group employees

- The Department of Military Affairs will actively engage in conducting exit interviews for all employees.
- Each supervisor is required to work with his/her employees to create a professional development plan as a part of the performance evaluation process. Military Affairs believes that training is a very important tool in retaining employees. We are committed to employee growth and development and promote training opportunities at all times.
- Military Affairs currently incorporates Diversity training into employee professional development. This training includes diversity awareness, harassment awareness, gender equality, racism and bigotry and gender communications. We will continue this effort for employees at all sites during the next biennium.

ATTACHMENT- Discrimination Complaint Form

Department of Military Affairs
20 West 12th Street
St. Paul, MN 55155
(651) 282-4080

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):	
<input type="checkbox"/> Race	<input type="checkbox"/> Color
<input type="checkbox"/> Disability	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Sex	<input type="checkbox"/> Creed
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Status with Regard to Public Assistance
<input type="checkbox"/> Age	<input type="checkbox"/> Religion
<input type="checkbox"/> National Origin	<input type="checkbox"/> Membership or Activity in a Local Human Rights Commission
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.
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Complainant Signature	Date
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Affirmative Action Officer Signature	Date
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ATTACHMENT –Employee Request for Reasonable Accommodation Form

Employee Request for Reasonable Accommodation Form

Please Print or Type

Employee Name:	Classification/Division	Date of Request:								
<i>Attach additional sheets for questions below if necessary.</i>										
1. Please describe the nature of your medical condition for which you are requesting an accommodation. Describe how it limits any major life activities.										
2. How does it affect your ability to perform your job?										
3. Type of accommodation requested: <table border="0"><tr><td><input type="checkbox"/> Making facilities readily accessible</td><td><input type="checkbox"/> Modification of equipment or devices</td></tr><tr><td><input type="checkbox"/> Job restructuring</td><td><input type="checkbox"/> Qualified reader or interpreter</td></tr><tr><td><input type="checkbox"/> Part-time or modified work schedule</td><td><input type="checkbox"/> Acquisition of equipment or devices</td></tr><tr><td colspan="2"><input type="checkbox"/> Other (specify): _____</td></tr></table>			<input type="checkbox"/> Making facilities readily accessible	<input type="checkbox"/> Modification of equipment or devices	<input type="checkbox"/> Job restructuring	<input type="checkbox"/> Qualified reader or interpreter	<input type="checkbox"/> Part-time or modified work schedule	<input type="checkbox"/> Acquisition of equipment or devices	<input type="checkbox"/> Other (specify): _____	
<input type="checkbox"/> Making facilities readily accessible	<input type="checkbox"/> Modification of equipment or devices									
<input type="checkbox"/> Job restructuring	<input type="checkbox"/> Qualified reader or interpreter									
<input type="checkbox"/> Part-time or modified work schedule	<input type="checkbox"/> Acquisition of equipment or devices									
<input type="checkbox"/> Other (specify): _____										
4. Describe in detail the accommodation you are requesting:										
5. Has your medical provider recommended the accommodation? <input type="checkbox"/> Yes <input type="checkbox"/> No										
6. How will the requested accommodation be effective in allowing performance of the essential job function(s)?										
Signature of Employee:		Date:								

This information will be used by human resource management or any other person, including the agency's legal counsel, who is authorized by my employer to handle medical information for ADA/MHRA purposes and, any information concerning my physical or mental condition, that are necessary to determine whether I have a disability as defined by the Americans with Disabilities Act and/or the Minnesota Human Rights Act, and to determine whether any reasonable accommodations can be made. The provision of this information is voluntary, however if you refuse to provide it, your employer may refuse to provide reasonable accommodation.

ATTACHMENT – Reasonable Accommodation Agreement

This form is to be completed by the department's ADA Coordinator after the reasonable accommodation decision has been made. The signatures on the bottom of this form indicate an agreement between the employee and the department to the specific accommodation.

Name of Employee

Name of Division Manager

The request for reasonable accommodation to the needs of the above named employee with a disability was:

_____ Accepted

_____ Denied

Justification for the decision (indicate specific factors considered)

If reasonable accommodation was approved, was the employee's suggestion accepted?

_____ Yes

_____ No

_____ Partially

Reason:

Describe specific accommodations to be made:

Cost estimate:

I have read the employee request for reasonable accommodation. I understand that all tangible accommodations purchased by the department will become the property of the State of Minnesota.

Signature of Employee

Date

Signature of Executive Director

Date

Signature of ADA Coordinator

Date