
State of Minnesota

LOTTERY

Affirmative Action Plan

August 2014 – August 2016

2645 Long Lake Road
Roseville, MN 55113

Individuals with disabilities may request this document in alternative formats by contacting Amanda Amis at amandaa@mnlottery.com or by calling 651-635-8114 through their preferred relay service.

Lottery
2014 – 2016 Affirmative Action Plan

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I. EXECUTIVE SUMMARY

Lottery Affirmative Action Plan 2014-2016

Review revealed underutilization of the following protected group(s) in the following EEO-4 job categories:

Table 1.

EEO-4 Job Categories	PROTECTED GROUPS		
	Women	Racial/Ethnic Minorities	Persons With Disabilities
Officials/Administrators			
Professionals		XX	
Technicians	XX		XX
Office/Clerical		XX	XX
Service Maintenance	XX		

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 to is aware of the Lottery'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 requirements as set forth by Minnesota Management & Budget, and contains affirmative action goals and timetables, as well as reasonable and sufficiently assertive hiring and retention methods for achieving these goals.


Affirmative Action Officer/Human Resources Director

7/29/14
(date)


Agency Head

7-29-14
(date)

II. STATEMENT OF COMMITMENT

This statement reaffirms that the Minnesota State Lottery is committed to Minnesota's statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants for employment in accordance with equal opportunity and affirmative action laws.

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, sexual orientation, disability, age, marital status, membership or activity in a local human rights commission, or status with regard to public assistance will not be tolerated.
- This agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include but are not limited to, the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to applicants and employees with disabilities.
- This agency will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce; and work to retain all qualified, talented employees, including protected group employees.
- This agency will evaluate its efforts, including those of its managers and supervisors in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, the agency will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

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 all Minnesotans.



Agency Head

7-29-14

(date)

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

Ed Van Petten
Executive Director of the Lottery

Responsibilities:

The Executive Director is responsible for the establishment of an affirmative action plan that complies with all federal and state laws and regulations.

Duties:

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

- Appoint the affirmative action officer or designee and include accountability for the administration of the agency's affirmative action plan in his or her position description.
- To take action, if needed, on complaints of discrimination.
- To ensure the affirmative action plan is effectively communicated to all employees on an annual basis.
- Make decisions and changes in policy, procedures, or accommodations as needed to facilitate effective affirmative action and equal employment opportunity.
- To actively promote equal opportunity employment.
- Require all agency managers and supervisors include responsibility for supporting affirmative action, diversity and/or cultural responsiveness in their position descriptions and annual objectives;

Accountability:

The Executive Director is accountable directly to the Governor and indirectly to the MMB Commissioner on matters pertaining to equal opportunity and affirmative action.

Affirmative Action Officer/Equal Opportunity Consultant or Designee
Human Resources Director
Loretta Nicholson

Responsibilities:

The Affirmative Action Officer ("AAO") is responsible for implementation of agency-wide affirmative action and equal opportunity program, and oversight of the agency's compliance with equal opportunity and affirmative action laws.

Duties:

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

- Preparation and oversight of agency affirmative action and equal opportunity plan, including development and setting of agency-wide goals;
- Monitoring agency compliance and fulfill all affirmative action reporting requirements;
- Inform agency head of progress in affirmative action and equal opportunity and report potential concerns;
- Review of the Agency's Affirmative Action and Equal Opportunity Plan at least annually, and provide updates as appropriate;
- Provide an agency-wide perspective on issues relating to affirmative action and equal opportunity and assist in the identification and development of effective solutions in problem areas related to affirmative action and equal opportunity;
- Identify opportunities for infusing affirmative action and equal opportunity into the agency's considerations, policies and practices;
- Participate in and/or develop strategies to recruit protected class persons for employment, promotion and training opportunities;
- Stay current on changes to equal opportunity and affirmative action laws and interpretation of the laws.
- Provide consultation and/or training to hiring managers and supervisors regarding recruitment, selection, and retention best practices and resources, progress on hiring goals, providing reasonable accommodations, and other opportunities for improvement; and
- Serving as the agency liaison with MMB's Office of Equal Opportunity & Diversity and enforcement agencies .

Accountability:

The AAO is accountable directly to the Executive Director on matters pertaining to affirmative action and equal opportunity.

Americans with Disabilities Act Coordinator or Designee

LORETTA NICHOLSON

HUMAN RESOURCES DIRECTOR

Responsibilities:

The Americans with Disabilities Act ("ADA") Coordinator is responsible for the oversight of the agency's compliance with the Americans with Disabilities Act ("ADA") Title I – Employment and Title II – Public Services, in accordance with the ADA - as amended, the Minnesota Human Rights Act, and Executive Order 96-09.

Duties:

The duties of the ADA Coordinator shall include, but not limited, to the following:

- Provide guidance, coordination, and direction to agency management with regard to the ADA in the development and implementation of agency policy, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to agency management and staff on compliance and best practices with regard to hiring and retention of individuals with disabilities as well as the provision of reasonable accommodations to employees and job applicants; and
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing agency services, and reports reasonable accommodations annually to MMB.

Accountability:

The ADA Coordinator reports directly to Human Resources Director if not represented by the Human Resources Director.

A. Human Resources Director

Loretta Nicholson

Responsibilities:

The Human Resources ("HR") Director is responsible for ensuring equitable and uniform administration of all personnel policies including taking action to remove barriers to equal employment opportunity with the agency.

Duties:

The duties of the HR Director include, but are not limited, to the following:

- Provide leadership to HR staff and others ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles;
- Ensure, to the extent possible, development and utilization of selection criteria that is objective, uniform, and job-related;
- Initiate and report on specific program objectives contained in the affirmative action plan;
- Ensure pre-hire review process is implemented and receives support from hiring managers and supervisors;
- Include the AAO in the decision-making process regarding personnel actions involving protected group members, including hiring, promotion, disciplinary actions, reallocation, transfer and termination, and department and division-wide classification studies;
- Include responsibility statements for affirmative action/equal employment opportunity in position descriptions and annual performance objectives;
- Assist in recruitment and retention of protected class persons, and notify managers and supervisors of existing disparities;
- Make available to the AAO and ADA Coordinator all necessary records and data necessary to perform duties related to equal opportunity and affirmative action.

Accountability:

The HR Director is directly accountable to the Executive Director.

Directors, Managers and Supervisors

Responsibilities:

Directors, Managers, and Supervisors are responsible for implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with the agency's affirmative action programs and policies to ensure fair and equal treatment of all applicants and employees.

Duties:

The duties of directors, managers, and supervisors shall include, but not be limited to, the following:

- To assist the AAO in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity;
- To communicate the agency's affirmative action policy to assigned staff;
- To carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan;
- To maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed and rewarded on a fair and equitable basis;

To include responsibility statements for affirmative action/equal opportunity in staff position descriptions;

- To provide a positive and inclusive work environment; and
- To refer complaints of discrimination to the appropriate parties.

Accountability:

Directors, managers, and supervisors are accountable directly to their designated supervisor and indirectly to the agency's Executive Director.

All Employees

Responsibilities:

All employees are responsible for conducting themselves in accordance with the agency's equal opportunity and affirmative action plan and policies.

Duties:

The duties of all employees shall include, but are not limited, to the following:

- Exhibit an attitude of respect, courtesy and cooperation towards fellow employees and the public.
- Refrain from any actions that would adversely affect the performance of a coworker with respect to their race, color, creed, religion, national origin, sex, marital status, public assistance, disability, genetic information, sexual orientation, or membership in a local human rights commission.

Accountability:

Employees are accountable to their designated supervisor and indirectly to the agency's Executive Director.

IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

The following information describes the methods that the agency takes to communicate the Affirmative Action Plan to employees and the general public:

A. Internal Methods of Communication

- A memorandum detailing the location of the affirmative action plan and the responsibility to read, understand, support and implement equal opportunity and affirmative action will be sent from agency leadership or alternatively, the AAO, to all staff on an annual basis.
- The agency's affirmative action plan is available to all employees on the agency's internal website at http://intranet.mnlottery.com/ADMINISTRATION/Human_Resources/Lottery
- A printed copy is distributed to all employees, including new employees hired during the time frame designated in this plan. As requested, the agency will make the plan available in alternative formats.
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented and accessible to employees.

B. External Methods of Communication

- The agency's affirmative action plan is available on the agency's external website at http://intranet.mnlottery.com/ADMINISTRATION/Human_Resources/Lottery%20HR%20Main%20Page.htm in MSL/HR Policies at the top of the list of policies, or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- The agency's web site home page, agency letterhead, publications, and all job postings, will include the statement "an equal opportunity employer. "
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented by and accessible to members of the public. Examples of posters displayed include: EEO is the law, Employee Rights under the Fair Labor Standards Act, and the ADA Notice to the Public.

V. STATEWIDE POLICY PROHIBITING DISCRIMINATION AND HARASSMENT

It is the policy of the of the State of Minnesota 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, 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 in the Office of Equal Opportunity & Diversity 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 Lottery 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 Lottery's Affirmative Action Officer. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer 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.

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

The Lottery 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 employees or applicants 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, 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 complainants 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 complainants 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 complainants will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.**
- 5. Disposition of the complaint will be filed with the Commissioner of the Minnesota Management & Budget within 30 days after the 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 complainants 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., complainants, 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.**

VII. REASONABLE ACCOMMODATION POLICY

POLICY

The State of Minnesota 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 the Minnesota Lottery 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, as amended, 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 agency is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.**
- 5. The ADA Coordinator will work with the employee 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 for 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

A copy of the agency's weather and emergency evacuation plans can be found at the back of the Affirmative Action Plan and also on the Lottery web page at:

<http://intranet.mnlottery.com/SECURITY/SEC%20Procedures.html>

Knowledge and preparation by both persons needing assistance and those who don't is key to reducing the impact of emergencies. When developing a plan, safety needs should be determined on a case-by-case basis because it varies with each individual and building.

All persons have a responsibility to develop their own personal emergency evacuation plans; this includes persons with disabilities or persons who will need assistance during evacuation. The ADA Coordinator or designee in each agency will work to develop a plan and consult the appropriate building and safety personnel. Work with your safety administrators to ensure an appropriate plan is in place and list the appropriate contacts in the affirmative action plan.

Supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance may be needed, individuals should contact the agency contact below to request the type of assistance they may need.

Doug Wills, Security Director, 651-635-8250, or dougw@mnlottery.com

Evacuation Options

Persons with disabilities have four basic, possibly five, evacuation options :

- **Horizontal evacuation:** using building exits to the outside ground level or going into unaffected wings of multi-building complexes.
- **Stairway evacuation:** using steps to reach ground level exits from building.
- **Shelter in Place:** unless danger is imminent, remaining in a room with an exterior window, a telephone and a solid or fire resistant door. If individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency

services, who will in turn relay that information to on-site responders. The Shelter in Place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an occupant who is alone when the alarm sounds.

- **Area of Rescue Assistance:** Identified areas that can be used as a means of egress for persons with disabilities. These areas, located on floors above or below the buildings' exits, can be used by persons with disabilities until rescue can be facilitated by emergency responders.
- **For agencies equipped with an evacuation chair** – this may be an option. Evacuation chairs or a light-weight solution to descending stairways and generally require single user operation. If an agency is equipped with an evacuation chair, best practice indicates that all employees are trained and have practiced evacuating using an evacuation chair.

Evacuation Procedures

Mobility disabilities (Individuals who use wheelchairs or other personal mobility devices ("PMDs"))

Persons using wheelchairs should be accompanied to an Area of Rescue Assistance by an employee or Shelter in Place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify for the Director of Security and Emergency responders how many individuals need assistance to safely evacuate.

Mobility disabilities (Individuals who do not use wheelchairs)

Persons with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the person with disability may choose to wait at the Area of Rescue Assistance until Emergency responders arrive to assist them.

Hearing Disabilities

The agency's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for persons with who are deaf and/or hard of hearing. Persons with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.

Visual Disabilities

The agency's buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, persons with visual disabilities may need assistance in evacuating. The assistant should

offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

Severe Weather Evacuation Options

Persons with disabilities or who are in need of assistance during an evacuation have three evacuation options based on their location in their building:

- **Horizontal evacuation:** If located on the ground or basement floor, severe weather shelter areas are located throughout each floor.
- **Elevator evacuation:** If there are no safe areas above the ground floor, the elevator may be used to evacuate to the ground or basement levels.
- **Shelter in Place:** Seeking shelter in a designated severe weather shelter and remaining there until the all clear is used.

IX. GOALS AND TIMETABLES

Through the utilization analysis, the agency has determined which job groups are underutilized for women, minorities and persons with disabilities within the agency and has set the following hiring goals for the next two years. These goals take into consideration the limited number of hiring opportunities while striving to meet the Under Utilization goals determined in the analysis.

Table 1

Job Group	Underutilization - # of Persons			Hiring Goals for 2014-16		
	Women	Minorities	Persons with Disability	Women	Minorities	Persons with Disability
Officials and Administrators	0	0	0	0	0	0
Professionals	0	1	0	0	1	0
Technicians	2	0	1	1	0	1
Office/Clerical	0	4	3	0	2	1
Service Maintenance	3	0	0	2	0	0

Underutilization Analysis

Availability

The agency determined the recruitment area to be the metropolitan availability for all job categories. While the Lottery has four regional offices, only 3 of the hires in the past two years have been for those offices. Therefore, the metropolitan availability is being used. In conducting its underutilization analysis, the agency used the two-factor analysis. The agency determined it was best to use this type of analysis because that data better reflected the availability for our agency population. The Lottery has had 52 hires in the past two years.

Underutilization Analysis worksheets are attached in the appendix. Numbers less than 10 are indicated with "<10" in accordance with MMB's guidance on data privacy.

Women

At the agency, the population of women has improved in the following job categories: Professionals; Technicians; Service Maintenance; and remained the same in the Officials/Administrators and Office/Clerical categories. There is an underutilization goal in Technicians and Service Maintenance which was present in the previous plan. There were no job categories reflecting declining percentages of Women.

There are very small numbers of employees in the Technicians and Service Maintenance Categories. Each of those categories total less than ten employees. Turnover is not anticipated in these categories. The Lottery will continue to monitor hiring opportunities and where possible increase opportunities to hire women in both of those Categories. The Lottery made great progress in the Professionals Category by supervisor/manager awareness and evaluating position candidates objectively. Number of Agency hires is not anticipated to be impacted, but if it should happen the Lottery will continue efforts to retain and improve on our goals. Where possible concentrating efforts on expanding our candidate base with additional targeted advertising.

Minorities

At the agency, the population of minorities has improved in the following job categories: Officials/Administrators. The population has remained the same in the following categories: Technicians and Service Maintenance; and not improved in the following job categories: Professionals and Office/Clerical. The Lottery will concentrate efforts on advertising and networking with entities most accessed by minority populations.

People with Disabilities

At the agency, the population of persons with disabilities has improved in the following job categories: Professionals and Office/Clerical. The population has remained the same in the following job categories: Officials/Administrators; Technicians; and Service Maintenance. There were no job categories where the population did not remain the same or was not improved. Concentrated efforts will be made to share job information with entities that work with people with disabilities and increase our advertising efforts to attract candidates.

While hiring qualified, disabled persons has been a challenge area, the Lottery does out-source work activities to two entities that work with people with disabilities. The Lottery will continue that practice and look for other ways to employ people with disabilities.

X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

In pursuing the agency's commitment to affirmative action, the agency will take the following actions during 2014-2016.

Objective #1: Insure that the Lottery has accurate data on the Affirmative Action goal status for its staff, and to make employees aware of their ability to request reasonable accommodations.

Action Steps:

1. Send Self-Service instructions to all employees with an explanation of how to Disclose information. Instructions last sent in July, 2014.
2. Remind employees of the Reasonable Accommodation request procedure.

Evaluation: A similar objective was set in the last affirmative action plan. Employee statics did change as a result of employees updating personal information. Several employees have requested and been granted reasonable accommodations.

Objective #2: Improve the process for recruitment of best-qualified candidates that embraces affirmative hiring goals.

Action Steps:

1. Manager and/or supervisor ensure job descriptions accurately reflect Agency's work.
2. Reporting systems indicate the best-qualified candiates are hired.
3. Ensure positions are advertised in appropriate publications/website to reach More affirmative candidates.

Evaluation: This goal was included in the last affirmative action plan. Supervisors have been required to up-date position descriptions within the past two years to accurately relect job responsibilities with a 90% compliance rate. Consistently review hiring criteria to ensure the best-qualified candidates are hired. Progress has been made in our affirmative action goals from the last plan.

Objective #3: Identify and elilminate possible issues with regard to equal employment Opportunity and affirmative action by developing and implementing an exit interview process.

Action Steps: Develop and implement an exit interview process/questionnaire.

Evaluation: This objective was set in the previous affirmative action plan and has been accomplished. We will continue to provide exit interviews and evaluate the data, as well as make changes to the interview questions. in order to better accomplish our affirmative action goals.

XI. METHODS OF AUDITING, EVALUATING AND REPORTING PROGRAM SUCCESS

A. Pre-Employment Review Procedure/Monitoring the Hiring Process

The agency will evaluate its selection process to determine if our requirements unnecessarily screen out a disproportionate number of women, minorities, or people with disabilities. The agency will use the monitoring the hiring process form for every hire to track the number of women, minorities, and individuals with disabilities in each stage of the selection process. Hiring managers and supervisors will work closely with human resources and the affirmative action officer in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure that equal opportunity and affirmative action is carried out. Hiring managers will be asked to document their hiring decisions and equal opportunity professionals will review for bias.

Any time the agency cannot justify a hire, the agency takes a missed opportunity. Agency leadership will be asked to authorize the missed opportunity. The agency will report the number of affirmative and nonaffirmative hires as well as missed opportunities to Minnesota Management & Budget on a quarterly basis.

When candidates are offered interviews, personnel scheduling interviews will describe the interview format to the candidate and provide an invitation to request a reasonable accommodation notice to candidates with disabilities to allow the candidate equal opportunity to participate in the interview process. For example, if interview questions are offered ahead of time or what technology may be used during the interview process.

All personnel involved in the selection process will be trained and accountable for the agency's commitment to equal opportunity and the affirmative action program and its implementation.

B. Pre-Review Procedure for Layoff Decisions

The Affirmative Action Officer, in conjunction with the agency human resources office, shall be responsible for reviewing all pending layoffs to determine their effect on agency affirmative action goals and timetables.

If it is determined that there is an adverse impact on affirmative action groups, the agency will document the reasons why the lay off is occurring, such as positions targeted for layoff, applicable personnel policies or collective bargaining agreement provisions, or other relevant reasons. The agency will determine if other alternatives are available to minimize the impact on protected groups.

C. Other Methods of Program Evaluation

Our agency submits the following compliance reports to Minnesota Management & Budget as part of our efforts to evaluate our affirmative action program.

- Quarterly hiring reports to MMB
- Biannual Affirmative Action Plan
- Annual ADA Report
- Annual Internal Complaint Report
- Disposition of Internal Complaint (within 30 days of final disposition)

Our agency also evaluates our affirmative action plan in the following ways:

- Monitors progress toward stated goals by job category on a monthly basis;
- Analyzes employment activity – hires, promotions, and terminations by job group to determine if there is adverse impact;
- Analyzes compensation program annually to determine if there are patterns of discrimination;
- Reviews the accessibility of online systems, websites, and ensures that reasonable accommodations can be easily requested;
- Discussion of progress with agency leadership on a periodic basis during Executive Staff meetings focusing on recommendations for improvement.

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.

Recruitment costs incurred during the 2012-2014 plan year were \$ 5979.00 (Reference Budget Account # 903.7020)

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

A. Advertising Sources

The Lottery has used websites, job boards and newspaper advertising as recruitment sources over the past two years.

B. Job and Community Fairs

The Lottery has not attended job and Community Fairs during the past two years due to staffing changes, limited number of vacancies and the size of the HR office. A concentrated effort to expand our hiring practices will include attending these events.

C. College and University Recruitment Events

The Lottery has not attended these events and does not anticipate attending in the next two years due to the limited HR staff and the limited number of hires anticipated.

D. Recruitment for Persons with Disabilities

The Lottery will begin using the Workforce Community Email List managed by MMB to advertise job openings. We will also use the Inclusion Resources page of the MMB website for additional advertising opportunities.

E. Relationship Building and Outreach

Due to the limited number of HR staff, outreach efforts are not planned at this time. Should our hiring needs dictate, we will pursue efforts to develop hiring relationships and outreach efforts.

F. Internships

No Internship recruitment is anticipated at this time. If that changes, the Lottery will advertise Internship opportunities to all Metro Area Colleges.

G. Supported Employment (M.S. 43A.191, Subd. 2(d))

This agency supports the employment of individuals with disabilities and will review vacant positions to determine if job tasks can be performed by a supported employment workers. We will work with community organizations that provide employment services to people with disabilities to recruit for these positions. The Lottery currently contracts with the following organizations employing persons with disabilities to provide services:

Accessibility – provides general maintenance and cleaning to the Roseville location.

Midwest Special Services – performs mailing assembly services for our Point-Of-Purchase kits and for retailer mailings.

H. Additional Recruitment Activities

None.

XIII. RETENTION PLAN

Our agency is committed to not just the recruitment of women, minorities, and persons with disabilities, but also to the retention of these affirmative action groups.

A. Person Responsible for Agency's Retention Program/Activities

Loretta Nicholson, Human Resources Director

Loretta_n@mnlottery.com

Phone: 651-635-8114

B. Separation and Retention Analysis by Protected Groups

The Lottery had a total of 16 separations for the past two years.

(Chart is on file)

C. Methods of Retention of Protected Groups

- ♦ Creating and implementing networking and mentoring opportunities.
- ♦ Implementing a welcoming onboarding process.

APPENDIX

APPENDIX

Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113
651-835-8100

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.	
Complainant Signature	Date

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

A. Employee Request for Reasonable Accommodation Form



**State of Minnesota – Lottery
Employee/Applicant Request for ADA Reasonable
Accommodation Form**

The State of Minnesota is committed to complying with the Americans with Disabilities Act ("ADA") and the Minnesota Human Rights Act ("MHRA"). To be eligible for an ADA accommodation, you must be 1) qualified to perform the essential functions of your position and 2) have a disability that limits a major life activity or function. The ADA Coordinator/Designee will review each request on an individualized case-by-case basis to determine whether or not an accommodation can be made.

Employee Name: _____ Job Title: _____

Work Location: _____

Data Privacy Statement: This information may be used by your agency Human Resources representative, ADA coordinator/designee, your agency legal counsel or any other person who is authorized by your agency to receive medical information for purposes of providing reasonable accommodations under the ADA and MHRA. This information is necessary to determine whether you have a disability as defined by the ADA or MHRA, and to determine whether any reasonable accommodation can be made. The provision of this information is strictly voluntary; however, if you refuse to provide it, your agency may refuse to provide reasonable accommodation.

Questions to clarify accommodation requested.

1. What specific accommodation are you requesting?
2. If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore?
 - a. If yes, please explain.

Questions to document the reason for the accommodation request. *(Please attach additional pages as necessary).*

State of Minnesota – Lottery
Reasonable Accommodation Request Form, Page 2

1. What, if any job function are you having difficulty performing?

2. What, if any employment benefit are you having difficulty accessing?

3. What limitation as result of your physical or mental impairment is interfering with your ability to perform your job or access an employment benefit?

4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?

Information Pertaining to Medical Documentation

In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee has a disability covered by the ADA and to assist in identifying an effective accommodation.

The ADA Coordinator/Designee in each agency is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the medical provider follows through on requests for medical information.

Genetic Information Nondiscrimination Act of 2008 Disclosure: This authorization does not cover, and the information to be disclosed should not contain, genetic information. **“Genetic Information”** includes: Information about an individual’s genetic tests; information about genetic tests of an individual’s family members; information about the manifestation of a disease or disorder in an individual’s family members (family medical history); an individual’s request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; and genetic

information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

Employee Signature: _____ Date: _____

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