

STATE OF MINNESOTA

DEPARTMENT OF HUMAN SERVICES

Affirmative Action Plan

August 2014 – August 2016

540 Cedar Street
Saint Paul, Minnesota 55101-2208

This document can be made available upon request in alternative formats by contacting Lisa Duda at dhs@equalopportunity.state.mn.us or 651-431-3040.

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I. EXECUTIVE SUMMARY

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

Table 1. Underutilization Analysis of Protected Groups

PROTECTED GROUPS			
Job Categories	Women	Racial/Ethnic Minorities	Individuals with Disabilities
Officials/Administrators		XX	
Professionals		XX	XX
Protected Services: Non-sworn	XX	XX	XX
Office/Clerical			XX
Technicians			XX
Skilled Craft	XX	XX	XX
Service Maintenance		XX	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 is aware of the Minnesota Department of Human Services commitments to affirmative action and equal employment opportunity. The plan will also be posted on the agency’s website and maintained in the Office for Equity, Performance, and Development’s Equal Opportunity and Access division office.

This Affirmative Action Plan meets the requirements as set forth by Minnesota Management and 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 Signature: _____ Date: _____

HR Director/Designee Signature: _____ Date: _____

Commissioner/Agency Head Signature: _____ Date: _____

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Affirmative Action Officer Signature: *Constance Tuck* Date: *8/12/2014*

HR Director/Designee Signature: *Sean Selby* Date: *8-12-14*

Commissioner/Agency Head Signature: *Heidi J. Jans* Date: *Aug 10, 2014*

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II. STATEMENT OF COMMITMENT

This statement reaffirms that Minnesota Department of Human Services is committed to Minnesota’s statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

I affirm my personal and official support of these policies which provide that:

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, sexual orientation, disability, marital status, familial status, status with regard to public assistance, or membership or activity in a local human rights commission.
- 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 employees and applicants with disabilities.
- This agency will continue to actively promote a program of affirmative action, wherever minorities, women, and individuals 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 directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this 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.

Commissioner/Agency Head Signature: _____

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Commissioner/Agency Head Signature: _____



Date: _____

Aug 10, 2014

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

**A. Commissioner or Agency Head
Lucinda Jesson, Commissioner**

Responsibilities:

The Commissioner 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 Commissioner shall include, but are not 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;
- Take action, if needed, on complaints of discrimination and harassment;
- 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;
- Actively promote equal opportunity employment; and
- Require all agency directors, managers, and supervisors include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.

Accountability:

The Commissioner is accountable directly to Governor and indirectly to the Minnesota Management and Budget Commissioner on matters pertaining to equal opportunity and affirmative action.

**B. Affirmative Action Officer
Constance Tuck, Chief Equity and Development Officer, Office for Equity, Performance, and Development ("OEPD")**

Responsibilities:

The Affirmative Action Officer or designee is responsible for implementation of the agency's affirmative action and equal opportunity program, and oversight of the agency's compliance with equal opportunity and affirmative action laws.

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Duties:

The duties of the Affirmative Action Officer or designee shall include, but are not limited to the following:

- Prepare and oversee the Affirmative Action Plan, including development and setting of agency-wide goals;
- Monitor the compliance and fulfill all affirmative action reporting requirements;
- Inform the agency's Commissioner of progress in affirmative action and equal opportunity and report potential concerns;
- Review the Affirmative Action 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 individuals in protected groups for employment, promotion, and training opportunities;
- Stay current on changes to equal opportunity and affirmative action laws and interpretation of the laws;
- Initiate and report on specific program objectives contained in the Affirmative Action Plan;
- Serve as the agency liaison with Minnesota Management and Budget's Office of Equal Opportunity and Diversity and enforcement agencies.

Accountability:

The Affirmative Action Officer is accountable directly to the Commissioner on matters pertaining to affirmative action and equal opportunity.

C. Affirmative Action Officer Designee

Zecharias Hailu, OEPD, Director of Equal Opportunity and Access Division

Responsibilities:

The Affirmative Action Officer designee is responsible for the daily implementation of the agency's affirmative action and equal opportunity programs.

Duties:

The duties of the Affirmative Action Officer designee shall include, but are not limited to the following:

- Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention,

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progress on hiring goals, reasonable accommodations, and other opportunities for improvement;

- Assign and oversee investigations of allegations of discrimination;
- Develop and maintain policies and procedures that support affirmative action and equal opportunity; and
- Generate reports concerning hiring and affirmative action goals, and investigations.

Accountability:

The Affirmative Action Officer designee is accountable directly to the Affirmative Action Officer and indirectly to the Commissioner.

D. Americans with Disabilities Act Coordinator or Designee

Eric Falk, Americans with Disabilities Act Coordinator, OEPD Equal Opportunity and Access division

Responsibilities:

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

Duties:

The duties of the Americans with Disabilities Act Coordinator shall include, but not limited to the following:

- Provide guidance, coordination, and direction to agency management with regard to the Americans with Disabilities Act in the development and implementation of the agency's policy, procedures, practices, and programs to ensure they are accessible and nondiscriminatory;
- Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention of individuals with disabilities, provisions of reasonable accommodations for employees and applicants, and other opportunities for improvement; and
- Track and facilitate requests for reasonable accommodations for employees and applicants, as well as members of the public accessing the agency's services, and reports reasonable accommodations annually to Minnesota Management and Budget.

Accountability:

The Americans with Disabilities Act Coordinator reports directly to OEPD Director of Equal Opportunity and Access division.

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E. Human Resources Director or Designee Connie Jones, Director of Human Resources

Responsibilities:

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

Duties:

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

- Provide leadership to human resources staff and others to 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;
- Ensure pre-hire review process is implemented and receives support from directors, managers, and supervisors;
- Include the Affirmative Action Officer in the decision-making process regarding personnel actions involving protected group members, including hiring, promotion, disciplinary actions, reallocation, transfer, termination, and department and division-wide classification studies;
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in position descriptions and annual objectives;
- Assist in recruitment and retention of individuals in protected groups, and notify directors, managers, and supervisors of existing vacancies in which disparities exist;
- Make available to the Affirmative Action Officer and Americans with Disabilities Act Coordinator or designee all necessary records and data necessary to perform duties related to equal opportunity and affirmative action.

Accountability:

The Human Resources Director is directly accountable to the Commissioner.

F. 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 employees and applicants.

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Duties:

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

- Assist the Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity;
- Communicate the agency's affirmative action policy to assigned staff;
- Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan;
- Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis;
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives;
- To provide a positive and inclusive work environment; and
- To refer complaints of discrimination and harassment to the appropriate parties.

Accountability:

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

G. 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; and
- Refrain from any actions that would adversely affect the performance of a coworker with respect to their race, sex, color, creed, religion, age, national origin, disability, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or membership or activity in a local human rights commission.

Accountability:

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

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 the agency's leadership or alternatively, the Affirmative Action Officer, 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 [internal website link](#) or in print copy to anyone who requests it. 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 [external website link](#) or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- The agency's website homepage, 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: Equal Employment Opportunity is the law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.

V. POLICY PROHIBITING DISCRIMINATION AND HARASSMENT

[Minnesota Department of Human Services](#)

[Policy Prohibiting Discrimination, Harassment, and Retaliation](#)

Overview

This policy prohibits workplace discrimination, harassment, and retaliation based upon certain personal characteristics, status, beliefs, or associations, known as "protected classes," which are: 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 (including transgender), age, political affiliation, and genetic information.

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Description:

All employees and non-employees who work for or on behalf of the Minnesota Department of Human Services (DHS) are prohibited from engaging in discrimination, harassment and retaliation based upon protected class(es) while conducting business in the DHS workplace and public service environment (see Definitions section in this policy). Individuals who file a complaint, oppose discriminatory behavior, participate in investigations under this policy, or request accommodations based on disability or religious beliefs, are protected from retaliation for doing so.

Reason for Policy:

Individuals with certain personal characteristics, status, beliefs, or associations, i.e., protected class(es), may face discrimination and harassment in the workplace, or may face retaliation for requesting accommodations because of disability or religious beliefs or filing a complaint of discrimination. This policy is enacted to protect the rights of those individuals, and to encourage and protect from retaliation all others who file discrimination complaints, object to discriminatory practices, or participate in investigations of complaints brought under this policy.

Failure to Comply:

Failure to comply with this policy and its procedures may result in disciplinary action, up to and including termination, or ending a contractor or volunteer relationship with the agency. Alternatively, DHS may require mandatory training, or other appropriate remedial measures. DHS will evaluate each situation and determine an appropriate response based on the circumstances and severity of the discrimination, harassment, or retaliation.

Policy

1. Discrimination and Harassment

The Minnesota Department of Human Services (DHS) prohibits discrimination and harassment against any employee or non-employee because of their protected class(es): 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 (including transgender), age, political affiliation, or genetic information. Discrimination occurs when a person is treated unfavorably or denied benefits generally available to others based upon their protected class(es). Discriminatory Harassment occurs when there is repeated and on-going unwelcome and offensive behavior that interferes with a person's ability to perform his/her job and that can be directly linked to protected class(es).

2. Retaliation

DHS prohibits retaliation against any employee or non-employee for filing a complaint of discrimination or harassment, engaging in protected activities such as opposing discriminatory behavior or participating in an investigation of alleged discrimination or harassment, or requesting an accommodation based on disability or religious beliefs. Retaliation includes: threats; intimidation; coercion; adverse employment actions, or other negative treatment designed to discourage individuals from exercising their rights under this policy.

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3. Right to File a Complaint

All employees and non-employees may file a complaint if they believe that they have experienced or seen discrimination, harassment, or retaliation based upon 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 (including transgender), age, political affiliation, and genetic information.

Procedure(s) that Apply:

1. Informal Resolution

Although you have the right to file a formal complaint about discrimination, harassment or retaliation, you are encouraged to attempt to resolve your concerns by any of the following informal methods:

- a. As a complainant, i.e., a person who has a concern about discrimination, harassment or retaliation, you may speak with the person who you believe is responsible for the discrimination, harassment or retaliation, i.e., the respondent, and ask him/her to stop the behavior.
- b. If you are not comfortable confronting the respondent directly, or if the respondent continues the behavior after being asked to stop, you may complain to your supervisor.
- c. If your supervisor is the respondent, you may complain to the next higher supervisor or manager.
- d. You may also request a facilitated conversation with the respondent through OEPD Equal Opportunity and Access.

2. Formal Complaint Procedure

If you are not comfortable using an informal resolution process, or if that process has failed to resolve your concerns, you may contact the Equal Opportunity and Access division of the Office for Equity, Performance, and Development (“OEPD Equal Opportunity and Access”) and file a formal complaint.

- a. OEPD Equal Opportunity and Access will first determine if your complaint is based on one or more of the protected classes, for example, race, religion, age, sex, etc.
- b. If the complaint is not based on a protected class, OEPD Equal Opportunity and Access will confer with Human Resources for appropriate action.
- c. If the complaint is based on protected class, an OEPD Equal Opportunity and Access investigator may interview you, request that you submit a complaint in writing, or request that you sign a [Discrimination/ Harassment Complaint Form](#).
- d. OEPD Equal Opportunity and Access will notify you and the appropriate bargaining unit of its decision to investigate or not, generally within 10 business days.
- e. In some situations when it has notice of possible discrimination, OEPD Equal Opportunity and Access may begin an investigation even if a specific person has not filed a complaint.

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- f. The investigation may include interviews with you, respondent(s) and witnesses. OEPD Equal Opportunity and Access may request other relevant information and documents including but not limited to personnel files, computer files and e-mail.
- g. When the investigation is completed, OEPD Equal Opportunity and Access will submit its findings to Human Resources, management, and other responsible parties, as appropriate.
- h. OEPD Equal Opportunity and Access will notify you, the respondent and others who need to know of the conclusion of the investigation, generally within 60 days of the filing of the complaint.
- i. The Minnesota Government Data Practices Act does not allow OEPD Equal Opportunity and Access to share the findings of the investigation with the complainant; the complainant can only be told that the investigation has been concluded. Minnesota Statutes section 13.43.
- j. If the investigation results in a finding that discrimination, harassment or retaliation has occurred, OEPD will recommend that appropriate action be taken. Such action may include discipline, up to and including discharge, or other appropriate remedial action. Discipline will be determined on a case-by-case basis, after careful review of all the relevant facts and in accordance with the relevant collective bargaining agreements, Managerial and/or Commissioner's Plans.
- k. If the investigation concludes that no discrimination, harassment or retaliation has occurred, OEPD Equal Opportunity and Access may make recommendations to Human Resources and management as to how to resolve any outstanding issues.
- l. OEPD Equal Opportunity and Access may exceed the 60-day timeline for concluding a complaint when the OEPD Equal Opportunity and Access director determines it is necessary to do so. Factors may include, but are not limited to, the scope and complexity of the investigation, number of witnesses and the availability of investigation resources and witnesses.

4. Filing a Complaint Outside of DHS

Any person covered by this policy has the right to file a discrimination complaint with the [Minnesota Department of Human Rights](#), the [U.S. Equal Employment Opportunity Commission \(EEOC\)](#), or through other legal channels. Complaints made to the above agencies or other legal channels must be filed within certain time limitations. Please contact the agencies listed above for further details about options for filing a complaint.

5. Responsibilities of Employees

All employees are expected to conduct themselves in a non-discriminatory manner when performing their job duties and when representing DHS. They should:

- a. Promptly report to supervisor, or OEPD Equal Opportunity and Access any complaints regarding discrimination, harassment or retaliation.

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- b. Cooperate with investigations by providing truthful, accurate and complete information.

6. Responsibilities of Non-employees

All non-employees are expected to conduct themselves in a non-discriminatory manner in the DHS workplace. They should:

- a. Promptly report to DHS supervisor, Human Resources, or OEPD Equal Opportunity and Access any complaints regarding discrimination, harassment or retaliation.
- b. Cooperate with investigations by providing truthful, accurate and complete information.

7. Responsibilities of Supervisors (all levels of management)

All supervisors are expected to conduct themselves in a non-discriminatory manner, and model appropriate behavior when performing their job duties and when representing DHS outside the workplace. They should:

- a. Take prompt and appropriate action to protect persons covered by this policy from unlawful discrimination, harassment and/or retaliation in the workplace.
- b. Receive reports of alleged discrimination, harassment or retaliation and promptly refer such matters to OEPD Equal Opportunity and Access. Any supervisor who receives a complaint but fails to report it to OEPD Equal Opportunity and Access may be subject to disciplinary action.
- c. Consult with OEPD Equal Opportunity and Access to determine if the complaint is related to discrimination, harassment or retaliation and determine a plan of action.
- d. If an investigation finds that discrimination, harassment or retaliation has occurred, take prompt disciplinary and/or other remedial action as appropriate. Any supervisor who fails to take appropriate corrective action when OEPD Equal Opportunity and Access has substantiated that discrimination, harassment or retaliation has occurred may be subject to disciplinary action.
- e. Cooperate with any investigation by providing truthful, accurate and complete information.

8. Responsibilities of Chief Equity Officer or designee

- a. Implements and promotes the letter and spirit of this policy.
- b. Ensures that all persons covered are aware of this policy.

9. Responsibilities of OEPD, Equal Opportunity and Access Division

- a. Implements and promotes the letter and spirit of this policy.
- b. Counsels supervisors and persons covered by this policy regarding discrimination, harassment, and/or retaliation issues and complaints.
- c. Receives and evaluates complaints of discrimination, harassment and retaliation.

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- d. Refers complaints to alternate resources for resolution of concerns as appropriate.
- e. Consults with Chief Equity Officer and Legal Management Office, as needed.
- f. Promptly, thoroughly and impartially investigates complaints when investigation is warranted.
- g. Makes recommendations to management regarding appropriate actions to be taken in response to discrimination, harassment, or retaliation.

10. Responsibilities of Human Resources

- a. Refers complaints received regarding discriminatory, harassing or retaliatory behavior based on protected class to OEPD Equal Opportunity and Access.
- b. As appropriate, meets with OEPD Equal Opportunity and Access to determine if immediate steps should be taken to address the complaint prior to the conclusion of the investigation.
- c. Reviews recommendations from OEPD Equal Opportunity and Access at the conclusion of the investigation, and ensures that appropriate action is taken in response to investigative findings.

Forms that Apply:

Employment Discrimination/Harassment Complaint Form

<http://workplace/fmo/eo/Forms%20Library/1.%20Discrimination%20and%20Harassment%20Complaint%20Form.doc>

Employee Request for Reasonable Accommodation

<http://workplace/fmo/eo/Forms%20Library/Reasonable%20Accommodation%20Request%20Form.doc>

Related Policies and Reference(s):

General Harassment

http://dhsinfo.dhsintra.net/InfoLink/Policies_Procedures/Equalopportunity/Generalharassmentpolicy/infolink_id_000621

Sexual Harassment

http://dhsinfo.dhsintra.net/InfoLink/Policies_Procedures/Equalopportunity/id_042754?ssSourceNodeid=159&ssSourceSiteid=InfoLink

State of Minnesota's HR/LR Policy #1432 Respectful Workplace

<http://www.mn.gov/mmb/images/respectful-workplace-policy.pdf>

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Reasonable Accommodation

http://dhsinfo.dhsintra.net/InfoLink/Employment_Resources/EqualOpportunity/Reasonableaccommodation/index.htm

Affirmative Action

http://dhsinfo.dhsintra.net/InfoLink/Employment_Resources/EqualOpportunity/Affirmativeactionplan/index.htm

Training:

OEPD Equal Opportunity and Access Training

http://dhsinfo.dhsintra.net/InfoLink/Agencywide_Activities/Training/Newemployeeorientation/index.htm?ssSourceNodeId=49&ssSourceSiteId=InfoLink

Legal Authority:

Minn. Stat. §43A.01, Subd. 2 (nondiscrimination in state employment); Minnesota Human Rights Act, Minn. Stat. §363A.01 *et seq.*; Title VII of the Civil Rights Act of 1964 (Title VII); Equal Pay Act (EPA); Age Discrimination in Employment Act (ADEA); Americans with Disabilities Act (ADA); Genetic Information Nondiscrimination Act of 2008 (GINA); and all other relevant state and federal laws.

Standards:

State of Minnesota Accessibility Standard

http://mn.gov/oet/images/TA_G_Accessibility_2011-04-29.pdf

Definition(s):

Adverse Employment Action: An adverse employment action is an action directed toward an employee in which the employee suffers some significant workplace harm or loss, such as disciplinary action, discharge, less favorable working conditions or assignments, demotion, or other significant negative circumstances that can be directly linked to the filing of a complaint, participating in protected activity such as opposing discriminatory behavior or participating in a related investigation, or requesting a reasonable accommodation based on disability or religious beliefs. Such harm or loss must be more than a mere inconvenience or minor change in working conditions.

Age Discrimination: Age discrimination means treating an employee or an applicant less favorably because of age.

Applicant: An applicant is any person who applies for an employment, volunteer, internship, or contract position with DHS.

Community Board Member: A community board member is any person who serves on a board, commission, or committee operated by DHS.

Complainant: A complainant is any person who alleges discrimination, harassment or retaliation prohibited by this policy.

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Contractor: A contractor is a subset of non-employees who performs services for DHS because of a contract, memorandum of understanding, or memorandum of agreement.

Disability: Disability means:

- a physical or mental impairment that substantially limits one or more of the major life activities of an individual;
- a record of such impairment; or
- being regarded as having such an impairment.

Discrimination: Discrimination is treating someone unfavorably or denying them benefits generally available to others based on protected class(es). Discrimination may include an adverse employment action, discriminatory harassment, sexual harassment, or retaliation.

Discriminatory harassment: Discriminatory harassment is repeated or on-going offensive and unwelcome conduct based on a protected class where:

- enduring the conduct is a condition of continued employment; and/or
- the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile or abusive.

Offensive conduct may include, but is not limited to, offensive jokes, slurs, epithets, name calling, physical assaults, threats, intimidation, ridicule, mockery, insults, put-downs, offensive objects or pictures, and interference with work performance. Petty slights, minor annoyances, and isolated incidents, unless severe, do not rise to the level of discriminatory harassment.

Employee: All persons, regardless of classification or status, appointed pursuant to Minnesota Statutes Chapter 43A whose work assignment is with the Minnesota Department of Human Services.

Gender Expression: Gender expression means external appearance, characteristics or behaviors typically associated with a specific gender.

Gender Identity: Gender identity means an innate sense of one's own gender.

General Harassment: General harassment is harassment that is not based on any protected class but which is an obviously offensive repeated or persistent pattern of verbal, psychological, social or physical action, which results in intimidation, ridicule, entrapment, degradation, coercion or harm with the purpose or the effect of unreasonably and substantially interfering with and/or jeopardizing an individual's employment, or unreasonably creating an intimidating, hostile or offensive work environment.

Genetic Information: Genetic information includes information about an individual's genetic tests and the genetic tests of an individual's family members, as well as information about the manifestation of a disease or disorder in an individual's family members (i.e. family medical history).

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

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National Origin: National origin means the place of birth of an individual or of any of the individual's lineal ancestors, or culture or linguistic characteristics common to a specific ethnic group.

Non-Employees: Individuals, other than employees, who are stationed at DHS, routinely present, or assigned to conduct business with DHS in the workplace, such as: contractors; persons assigned from other government agencies; unpaid interns; community board members; applicants; or volunteers.

Protected Activity: A protected activity includes any of the following:

- opposing discrimination or harassment that a person reasonably believes is prohibited by this policy;
- participating in a complaint process, whether internal or external, concerning discrimination or harassment, for example, filing a discrimination or harassment complaint, charge or lawsuit; serving as a witness regarding a complaint of discrimination or harassment; and/or otherwise cooperating with an investigation concerning discrimination or harassment; or
- requesting a reasonable accommodation based on disability or religious beliefs.

Protected Class: Protected class refers to the characteristics or identities that are protected under law. This policy covers the following protected classes: 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 (inclusive of being transgender), age, political affiliation, and genetic information.

Public Service Environment: A location that is not the official workplace location, but where DHS is conducting business or public service is being provided. Examples include off-site meetings, or places visited or contacted by employees or non-employees while conducting business on behalf of DHS.

Reasonable Accommodation:

- **Disability.** A reasonable accommodation with respect to disability is any change or adjustment to a job or job procedures or practices, or the work environment that makes it possible for a qualified individual with a disability to satisfactorily perform the essential functions of the job and to enjoy equal benefits and privileges of employment.
- **Religious Beliefs and Practices.** A reasonable accommodation with respect to religious beliefs and practices means reasonable adjustments to the work environment that will allow an employee to practice his or her religion, without causing too much of a burden for the employer.

Respondent: A respondent is a person whom a complainant alleges engaged in discrimination, harassment, or retaliation.

Retaliation: Retaliation is an adverse employment action or other negative action taken against an employee or non-employee because the person has engaged in a protected activity or because the person has associated with a person or persons of a different protected class engaged in protected activity. Retaliation includes: threats; intimidation; coercion; denial of benefits generally available to others; demotion; denial of hiring or promotion, tenure, compensation, terms, conditions, or privileges of employment; adverse employment actions; or other negative treatment designed to discourage

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individuals from exercising their rights under this policy. Retaliation includes the term “reprisal” within the meaning of the Minnesota Human Rights Act, Minn. Stat. §363A.15.

Sex Discrimination: Sex discrimination includes but is not limited to, sexual harassment, and/or adverse employment actions based on pregnancy, childbirth, or disabilities related to pregnancy and childbirth.

Sexual Harassment: Sexual harassment is a form of sex discrimination that includes unwelcome behavior of a sexual nature, requests for sexual favors or other verbal or physical conduct of a sexual nature where the following occurs:

- Submission to the unwelcome sexual conduct is explicitly or implicitly made a term or condition of employment;
- Submission to or rejection of the unwelcome sexual conduct is used as a factor in decisions affecting that individual’s employment; or
- The unwelcome sexual conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, offensive, or hostile work environment.

Sexual Orientation: Sexual Orientation means whether a person is heterosexual (“straight”), homosexual (“gay” or “lesbian”), bisexual (“bi”), transgender, or the perception of any of the foregoing.

Supervisors: A subset of employees that includes all who have supervisory and managerial responsibilities.

Transgender: Transgender means having a gender identity or gender expression that differs from societal expectations based on gender assigned at birth.

Unpaid Intern: An unpaid intern is any person who performs services or undertakes program activities for DHS without monetary compensation for educational course credit for the purpose of gaining practical work, professional or programmatic experience.

Workplace: The physical, electronic, or virtual environs in which DHS staff regularly perform their duties.

Policy Contact(s):

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9/13/06 (reaffirmed)

01/01/2002 (Initial Release)

This policy and its procedures remain in effect until rescinded or updated.

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

The Minnesota Department of Human Services (DHS) is committed to ensuring that investigations are conducted in a fair, impartial, thorough, and thoughtful manner in compliance with all applicable collective bargaining agreements and state and federal laws. Investigations should obtain facts in an objective, fair, thoroughly documented, and timely manner.

INTAKE STAGE

All complaints that have been initiated by completing the Discrimination/Harassment Complaint Form come to the OEPD Equal Opportunity and Access Director for assignment. (See Appendix A) The investigator, in consultation with the Director, must determine whether the complaint is based on unlawful discrimination or general harassment. If the complaint is based on general harassment, the investigator prepares a memo and refers the file immediately to the appropriate director of human resources for further action and notice must be given to the Complainant of the transfer (See Appendix B). When HR simply forwards a complaint to OEPD Equal Opportunity and Access for an opinion on who has jurisdiction and has not so notified the complainant, OEPD Equal Opportunity and Access does not notify the complainant when HR retains jurisdiction.

All complaints of harassment and or discrimination must be logged into the DIGITS and Access complaint databases which can be found at this location: EShare/Employment

Investigation/Complaints&Charges/2012 Complaint Database. OEPD Equal Opportunity and Access under normal circumstances does not accept complaints of general harassment for investigations.

However, under the following limited situations, general harassment complaints may be investigated by OEPD Equal Opportunity and Access: (1) In a mixed case situation, i.e., where general harassment constitutes only one ground of the complaint, and the other grounds of the complaint is based on protected classification; (2) Where a conflict of interest exists for Human Resource division to conduct the investigation, and (3) Under some other special circumstances when the Director finds that it is to the best interest of DHS for OEPD Equal Opportunity and Access to conduct the investigation.

If the complaint is based on unlawful discrimination, the investigator should proceed to the next steps in the process which are outlined in Section III of this manual.

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INVESTIGATIONS OF INTERNAL COMPLAINTS

Opening an Investigation

Once it has been determined that OEPD Equal Opportunity and Access has jurisdiction over the complaint, the investigator sends letters to the complainant and respondent informing them that a complaint has been accepted. These letters also discuss the investigative process and the expectations of complainant and respondent throughout that process. (See Appendix C and Appendix D). Copies of these letters should also be sent to the appropriate HR representative, the Director of Equal Opportunity and Access, and the respondent's immediate supervisor and his/her supervisor. For complaints of sexual harassment filed by a member of the MN Association of Professional Employees (MAPE), OEPD Equal Opportunity and Access must inform the complainant of his/her right to MAPE representation and any such complainant waiving this right must sign a Waiver of Union Representation form; MAPE should also be copied on the letter to complainant that the complaint has been accepted. Investigations of such MAPE sexual harassment complaints must be completed within 30 days and, if the complainant has not waived MAPE representation, a copy of the summary and recommendations must be sent to MAPE.

Preparing for the Investigation

It is important to have an investigative plan before you begin to interview the complainant and witnesses. Utilizing the Investigative Plan Checklist and Investigative Plan (See Appendix E-F-) will assist you in preparing for the investigation.

Step 1. Review the Complaint Procedure Manual & DHS Policy

Review the manual for guidelines as to the proper processing of the complaint. You should also review the policy upon which the complaint is based.

Step 2. Review the Complaint

Ensure that the complaint has been completed properly. It should include proper contact information, work unit/area, and telephone numbers for complainant and respondent.

Step 3. Create a Plan and Timeline Based on the Initial Complaint

The initial investigation plan should be completed before interviewing the complainant. This will outline the issues as presented in the complaint. The complaint is not always organized in a manner that clearly outlines each separate allegation. The plan is basically an outline of the parties, issues, witnesses and documents which is later edited as you proceed through the investigative process.

Step 4. Create a case file

- Label a file folder as follows:
Complainant's Last Name, First Name, File Number (from the database).
- Staple an Investigation Tracking and Routing Form (See Appendix G) on the inside of file folder cover.

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Collect Supporting Data

It is important early on to establish a list of any supporting documents that you will need. This list will change as the interviews progress. Create a list of documents and the person(s) that are in possession of those documents. Request the information as you discover the need. Although you will create this list prior to the initial interview of the complainant, you will likely make additions to the list with each interview.

Conducting Interviews

Step 1. Interviewing Complainant

Using the investigative plan, develop a set of questions you have based on the reading of the initial complaint. These questions should seek information that specifically outlines each allegation (who, what, where, when, context of remark/action, reaction of complainant/others to remark/action), and any witnesses or documentation that may corroborate each allegation. It is helpful to create the questions in conjunction with the outline of the issues. Create general and specific questions leaving space for follow up questions during the interview process. Please see Appendix L for sample questions.

In general, select a neutral, safe place to conduct all interviews.

Provide the complainant with a copy of the Tennessee Warning and Pre-interview Checklist (**Appendix H-J**), which should be read to the complainant (and every other witness) and signed by the interviewees. The signature is not required to effectuate the warning. It is a good practice to bring an additional copy along to give to the witness.

At the close of the interview explain the timelines and confidentiality of the process. Advise Complainant not to discuss the complaint with anyone and to contact you with any additional relevant information.

Step 2. Update the Investigative Plan

Once the initial interview has been conducted you will have more information upon which to base your plan. This plan should contain:

- A clear outline of the issues and supporting allegations
- Witnesses to each allegation
- Supporting documents
- A timeline for interviewing witnesses and collecting data
- A timeline for completing the investigation

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Step 3. Interviewing Witnesses

Prior to interviewing witnesses prepare a “boiler plate” set of instructions and a list of general questions to ask each witness. The boiler plate set of instructions should include the following:

- Explanation of what to expect during the interview
- Explanation the process of the investigation
- Explaining confidentiality policy and how that may impact the statements of the witness
- Retaliation policy
- That you are not recording the interview or documenting it verbatim, but that you will be taking notes.

The general list of questions should include the following:

- Name
- Unit/Title/Responsibility
- Length of Employment
- Who they report to
- Relationship to Complainant or Respondent
- Whether witnesses has discussed this complaint with anyone prior to the date and time of the interview.
- What the work environment is like in their unit (to obtain an overview and context for the allegations investigated)
- A list of questions regarding knowledge of the general allegations of the complaint. (Do not provide information to witnesses that they don't already know.) See Appendix L for a list sample questions.

Step 4. Interviewing the Respondent

Employees represented by the Middle Management Association (MMA) by The respondent should be interviewed last. When setting up the interview be sure to inform respondent that he/she has the right to have a union representative present at the interview. Interviewing all witnesses prior to interviewing respondent gives you an opportunity to evaluate all of the information before developing questions for the respondent. The fact finding conducted prior to conducting the respondent's interview gives you the necessary information to fully develop the allegations, facts supporting each allegation, and witnesses that have corroborated or otherwise discounted the allegations.

Contract must be informed of the “principal allegations being investigated and, if known, the alleged time and place of occurrence prior to questioning.” To comply with this provision, OEPD Equal

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Opportunity and Access e-mails the specific allegations to MMA representative on the day of the interview.

All other collective bargaining agreements require only that the employee be merely notified of the nature or topic of the allegations prior to questioning, notice of which is provided in the letter sent to the Respondent opening the investigation.

When interviewing the respondent it important to set out the issues completely. See Attachment J for a sample questions.

Tennessee Warning and Pre-interview Checklist: You must read to and have respondent sign these documents. (See Appendices H-J) If the respondent refuses to sign the documents, document the refusal in your notes. Provide Respondent with a copy.

Union Waiver - You must allow respondent to have union representation during the interview. If Respondent desires to have representation and did not bring someone with him/her you must reschedule the interview unless Respondent agrees to waive said representation. A Respondent who waives this right must sign the waiver prior to the interview (see Appendix K). A copy of the signed waiver must be sent to the union per union contract. Review the applicable union contract language for notice requirements.

Investigation Results

1. Preparing the Investigation Report

Once the investigation has been completed you must prepare a report to the OEPD Director of Equal Opportunity and Access, outlining the results of the investigation. An outline and example can be found in Appendix P. The Director will then notify you when the report has been approved.

2. Preparing the Investigation Summary

Upon approval of the report, prepare an Investigation Summary, which is essentially the Report minus descriptions of the evidence (See Appendix Q).

3. Preparing the Recommendations

Also upon approval of the report, prepare Recommendations for management based on the Report's findings. These could include that discipline be imposed on certain parties (though not level of discipline), that certain training be required, and/or that certain consultative services be provided (See Appendix R).

4. Closing notifications

Once you receive approval from the Director, prepare Notices to send to the Complainant and – two days later (to allow input from management) -- to the Respondent informing them of the conclusion of the investigation (See Appendices S-T). Copies of these notices should also be sent to the division director, direct supervisor of respondent and the OEPD Director of Equal Opportunity and Access and the appropriate HR Representative, along with the Investigation Summary and Recommendations. The full Investigation Report may be provided to certain parties upon request and after approval by the OEPD Director of Equal Opportunity and Access.

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File Closing

Once the investigation has been completed and the results forwarded to the Respondent's supervisor the file can be closed. The file will remain closed unless there is a grievance or outside law suit. Included in the file should be the following:

- The completed complaint form
- Notification letters
- Interview notes
- The full Investigation Report
- The Investigation Summary
- The Investigation Recommendations
- All documents collected during the investigation

E-mails exchanged in connection with completing the investigation need not be included in the file.

The investigator should update the DIGITS and Access databases with the closing information and report it within 30 days of closure to MMB at the following web site: <http://www.mmb.state.mn.us/dispositon> .

Timeliness

As a general rule every investigation should be completed within 60 days of filing a complaint. However, this time may be extended in limited circumstances by the Director, among others in the following circumstances: (1) In complaints that Director determines "complex" which involve multiple allegations and witnesses, or where complex sets of facts and legal issues are involved; (2) when due to unavailability of key participants in the investigation it becomes impossible to conduct interviews or when other special circumstances makes the interview impossible; and (3) when obtaining essential evidence delays the process. In all these circumstances, the investigator should inform the OEPD Director of Equal Opportunity and Access and get authorization to extend the time.

Follow up

Three (3) months after the file is closed, the investigator should follow up with HR and/or management and document in the case file what actions were taken in response to the Investigation Recommendations.

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RESPONDING TO EXTERNAL DISCRIMINATION CHARGES

Employees may decide to file a formal complaint (also known as a “charge”) with the Minnesota Department of Human Rights (“MDHR”) or the federal Equal Employment Opportunity Commission (“EEOC”). Normally charges filed with the MDHR are cross-filed with the EEOC but investigated only by MDHR.

All FEPA and EEOC charges filed against DHS require an agency response (also known as a “position statement”). Although the Minnesota Attorney General’s Office (“AG”) is DHS’ designated representative and is, thereby, responsible for responding formally to FEPA and EEOC charges, OEPD Equal Opportunity and Access works in collaboration with the AG to prepare DHS position statements. Accordingly, FEPA and EEOC charges against DHS should be forwarded to OEPD Equal Opportunity and Access. Notice of the filing of these charges will typically come to the attention of OEPD Equal Opportunity and Access in one of three ways: (1) OEPD Equal Opportunity and Access receives the charge in the mail addressed to our attention; (2) The charge is forwarded to OEPD Equal Opportunity and Access via interoffice mail by another office within DHS; or (3) OEPD Equal Opportunity and Access receives a copy of the charge from our internal legal officer or from the attorney general liaison.

Once a charge has been received, OEPD Equal Opportunity and Access will take the following immediate actions:

- Prepare an internal file;
- Input the required information into the database;
- Notify the AG of the charge by scanning and emailing the charge to the designated assistant (if the AG has not yet been notified);
- Notify the appropriate HR Director of the charge by providing a copy;
- Notify the DHS Legal Department of the need for a litigation hold and provide them with the names of DHS employees who may be custodians of relevant documents.

Once assigned, the OEPD Equal Opportunity and Access staff will take the following actions to prepare the position statement on behalf of DHS:

- Review the charge and prepare a timeline for collecting the data requested in the initial charge and responding to the charge, allowing adequate time (at least one week) for the AG to finalize the response in advance of the deadline imposed by the charging agency;
- Send information requests to all relevant parties (for example, Complainant’s supervisor, HR rep(s) handling data collection, ADA Coordinator, FMLA Coordinator);
 - Requested data could include, but is not limited to: personnel files; Family Medical Leave Act (“FMLA”) files, if applicable; supervisory files, if applicable; and investigatory files, if applicable;
- Conduct interviews with DHS staff to obtain additional information, as necessary;

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- Prepare DHS' written position statement in response to the charge and compile all requested data for submission to AG, using any applicable verbiage from the "Division, office description" folder found in the Employment Investigation Library on the OEPD Equal Opportunity and Access SharePoint page. If no applicable description is in the folder, place one there after drafting it.

Submit position statement and requested data to AG.

After OEPD Equal Opportunity and Access has submitted the position statement and requested documents to the AG, the AG will review and finalize the position statement:

- This process does not preclude the AG from having direct contact with DHS staff, including those staff in OEPD Equal Opportunity and Access and HR, and/or their designees,
- When practicable, send a copy of the completed position statement to OEPD Equal Opportunity and Access staff for review and approval before the response is sent to the charging agency.
- OEPD Equal Opportunity and Access will determine whether the response accurately reflects the position of DHS.
- Upon approval, forward the response and documents to the charging agency.
- Send a copy of the final response to OEPD Equal Opportunity and Access staff for their file.

VII. GENERAL HARASSMENT POLICY

Purpose: To establish a policy on prohibition of general harassment and to establish procedures for reporting and reviewing and/or investigating such complaints.

Authority: Minnesota Management & Budget (MMB) Administrative Procedure 1.2 (harassment prohibited).

Policy: DHS shall provide an environment free of verbal, psychological, social or physical harassment. Employees who believe they have been harassed by other employees or agency customers or clients may file complaints (as described in this document) against those persons.

Definitions:

General harassment: An egregious, repeated or persistent pattern of verbal, psychological, social or physical action, which results in intimidation, ridicule, entrapment, degradation, coercion or harm with the purpose or the effect of unreasonably and substantially interfering with and/or jeopardizing an individual's employment, or unreasonably creating an intimidating, hostile or offensive work environment, providing the harassment is not based on any protected characteristics.

Protected characteristics: Race, color, sex, disability, religion, creed, national origin, age, marital status, status with regard to public assistance, sexual orientation, political activity and membership or activity in a local human rights commission.

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Employee: As used in this document, the word employee includes DHS employees, interns, volunteers and independent contractors.

Policy violations:

The commissioner shall:

- Implement the provisions of this policy.
- Ensure that employees are fully aware of this policy.

Each employee shall:

- Report allegations of harassment to his/her immediate supervisor, to the Equal Opportunity and Access director, or to the Human Resources director by completing the Central Office [General Harassment Complaint Form](#) (available in the Equal Opportunity and Access Division, the Human Resources Division or on the DHS intranet site), or by submitting a written statement detailing the specific action involved, type of harassment (general or protected characteristic), persons responsible and requested remedy.
- Do not intentionally use this complaint procedure for reasons of personal malice or abuse toward another employee.

Supervisors shall:

- Review complaints with staff of the Equal Opportunity and Access Division to determine if the complaint alleges harassment based on the employee's protected group characteristics, or if there is some other indication that the issue might be related to the employee's protected group characteristics.
- Investigate and resolve complaints of general harassment.
- Coach and counsel employees or take disciplinary action, up to and including discharge, when warranted.

The Equal Opportunity and Access director or designee shall:

- Review all complaints to determine whether the complaint is general harassment or based on protected characteristics.
- Handle the complaint to its conclusion if the determination is made that the alleged harassment is related to protected characteristics. (Refer to Procedure Manual No. 58.2 - Prohibition of Discrimination.)
- Refer the complaint to the Human Resources director if the determination is that the alleged harassment is not related to protected characteristics.

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The Human Resources director or designee shall:

- Conduct an appropriate review of the complaint, refer the complaint to the employee's supervisor or, if the complaint is related to an action of the supervisor, to a higher level of supervision for review. The review shall begin within 15 working days from the date the complaint was received by the Human Resources director. The review may include any or all of the following:
 - Interview the complainant.
 - Interview other appropriate individuals.
 - Gather relevant information.
 - Write a summary.
 - Discuss the situation with appropriate supervisory and managerial personnel.
 - Provide a written statement to the complainant and/or to the person (s) charged with general harassment outlining the status of the review and whether action is to be taken.
- Ensure that appropriate levels of management implement any necessary actions.

State of Minnesota's HR/LR Policy #1432 Respectful Workplace

<http://www.mn.gov/mmb/images/respectful-workplace-policy.pdf>

VIII. REASONABLE ACCOMMODATION POLICY

Minnesota Department of Human Services

Policy on Reasonable Accommodation

Overview

This policy describes the rights guaranteed to job applicants and employees with disabilities by the Americans with Disabilities Act and similar laws.

Description:

Qualified individuals with disabilities have the right to ask for changes in procedures or other assistance, i.e., 'reasonable accommodation,' in order to apply for jobs or perform their jobs. For purposes of this policy, individuals with disabilities are those who have a physical or mental condition which interferes with or substantially limits, i.e., impairs, their major life activities. These activities may include: moving, talking, hearing, seeing, eating, breathing, sleeping, having healthy bodily functions, concentrating, interacting with others, and many other activities. A qualified individual with a disability is one who can perform the critical, i.e., essential, functions of a particular job with or without a reasonable accommodation. (Please see the Definitions section at the end of this Policy).

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Reason for Policy:

The Minnesota Department of Human Services (DHS) must ensure that qualified individuals with disabilities can request and receive appropriate assistance, i.e., a reasonable accommodation, to apply for a job or to perform the essential functions of their job. This policy helps to enforce the rights guaranteed under the Americans with Disabilities Act and its amendments, and similar laws.

Failure to Comply:

Failure to comply with this policy may result in disciplinary action up to and including discharge, or may result in a delay or denial of a request for reasonable accommodation.

Policy

DHS will provide reasonable accommodations to qualified individuals with disabilities who are job applicants or employees, and prohibits retaliation against any applicant or employee for requesting a reasonable accommodation.

- This policy applies to all qualified job applicants and all DHS employees.
- All job vacancy announcements will state that DHS will provide reasonable accommodations to qualified applicants with disabilities.
- Requests for reasonable accommodations may be presented to an immediate supervisor, the DHS Americans with Disabilities Act (ADA) Coordinator, or Human Resources (HR) representatives.
- The Americans with Disabilities Act (“ADA”) Coordinator, in the DHS Office for Equity, Performance, and Development, Equal Opportunity and Access division (OEPD Equal Opportunity and Access) is responsible for implementing this policy.

Procedures that apply:

Requesting a Reasonable Accommodation to Apply for a Job:

- You may request a reasonable accommodation to assist you in applying for a job or interviewing for a job.
- When you request a reasonable accommodation you may be asked to provide additional information that will help DHS to decide if your accommodation can be granted.
- You can make the request for reasonable accommodation to a supervisor or other management personnel, Human Resources (“HR”) personnel, or the ADA Coordinator. The request can be made in person, over the phone, or in writing.
- If you disagree with a decision about your request for reasonable accommodation, you may follow the Grievance Procedures listed at the end of this policy.

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Requesting a Reasonable Accommodation in a Current Job:

- As a current DHS employee you may ask for a reasonable accommodation at any time during your employment.
- You can make the request for reasonable accommodation to a supervisor or other management personnel, Human Resources (“HR”) personnel, or the ADA Coordinator. The request can be made in person, over the phone, or in writing.
- You may have to provide supporting information that explains how the requested reasonable accommodation will help you perform the essential functions of your job. Please use the following forms if you are asked to provide this information: [Request for Reasonable Accommodation form.](#), [Authorization for Release of Medical Information.](#) These forms are also available in alternate formats.
- You should return all forms and requested documentation to the Americans with Disabilities Act Coordinator (“ADA Coordinator”) within 15 days of your request.
- After all forms are received, the ADA Coordinator will meet with you and your supervisor (“engage in an interactive process”) to discuss your request.
- If you disagree with a decision about your request for reasonable accommodation or believe that you have been retaliated against for making the request, you may follow the Grievance Procedures listed at the end of this policy.

Supervisors’ Responsibilities to Applicants and Employees:

- As a hiring supervisor, you must be certain that applicants are told about any testing requirements or physical tasks or exams that will be part of the application process. This will help the applicant identify in advance any reasonable accommodation that might be required.
- You should consider an applicant’s request for reasonable accommodation and consult with the ADA coordinator if you have any concerns about granting it.
- You should also consult with the ADA Coordinator or his/her designee if an applicant makes a request for reasonable accommodation after receiving a job offer.
- As a supervisor of current employees, you are responsible for creating a workplace in which employees feel they can come to you if they need an accommodation.
- When an employee asks for a reasonable accommodation you may ask the employee to explain the need for accommodation in more detail, i.e., enter into an ‘interactive process.’ Through the interactive process, you may ask about the nature of the disability and how a reasonable accommodation will help the employee to overcome the effects of the disability.
- You may choose to approve temporary accommodations, i.e., those that will last six months or less, when they are easy to grant and do not involve the employee taking time away from work. You should make a note of such accommodations in your supervisory records.

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- You should consult with the ADA Coordinator if the requested accommodation will be permanent, i.e., last longer than six months, or if you have any concerns about granting the accommodation.
- You should consult with Human Resources if the requested accommodation will involve time away from work. In those cases, the Family Medical Leave Act and collective bargaining agreements may apply.
- If you are concerned that a disability may be the cause of an employee's poor performance, you should consult with the ADA Coordinator or his/her designee.
- You should monitor the reasonable accommodation for its effectiveness and in order to recommend keeping, changing, or ending it.
- You may be asked to pay from your budget for purchasing equipment or services to provide a reasonable accommodation to one of your employees. Most accommodations do not require such purchases.

Responsibilities of the ADA Coordinator:

- During the application process, the ADA Coordinator or his/her designee will respond to requests for assistance from applicants, interviewers, hiring supervisors and HR representatives. The ADA Coordinator will decide what, if any, accommodation might be best to assist the qualified applicant.
- When the ADA Coordinator is notified of a current employee's request for reasonable accommodation, s/he will contact the employee and the supervisor to discuss the request, i.e., enter into an interactive process.
- The ADA Coordinator may ask the employee for additional information on the [Request for Reasonable Accommodation form](#) and the [Authorization for Release of Medical Information form](#).
- The ADA Coordinator makes the final decision as to whether a reasonable accommodation should be granted, decides the exact nature of the accommodation, and monitors whether DHS is following related policies and procedures.
- The ADA Coordinator may choose from and recommend a variety of options. For example, s/he may suggest the purchase of adaptive equipment, change in work hours, change in physical location or workstation reconfiguration, leave of absence, or other options.
- The ADA Coordinator will consider each employee's preferred accommodation, however, may select an alternative accommodation that works best for all parties.
- When the ADA Coordinator decides the accommodation s/he will ask the employee and supervisor to sign a Reasonable Accommodation Agreement. This agreement will describe the accommodation(s) and the responsibilities of both the supervisor and the employee for upholding the Agreement.

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- The ADA Coordinator will not grant the accommodation if granting the accommodation will not allow an employee to perform the essential functions of his/her job, or if granting the accommodation would be an undue hardship for DHS or would pose a direct threat of harm to the employee or others.

Responsibilities of OEPD Director of Equal Opportunity & Access:

- The OEPD Director of Equal Opportunity and Access will review requests for reconsideration from applicants or employees who disagree with the ADA Coordinator's decision.
- The OEPD Director of Equal Opportunity and Access will make a decision within five (5) business days of receiving the request. The Director may take some additional time to make the decision if s/he needs any additional documentation to make a determination.

Confidentiality Procedures:

- All requests for reasonable accommodations, along with any medical or other documentation provided or obtained, will be kept in confidential files separate from the employee's personnel file or the applicant's resume.
- The ADA Coordinator will maintain these files after the final determination on the request for reasonable accommodation. Access to this information is strictly limited to those employees who need to see the information in order to carry out their jobs.
- Supervisors and managers will be told about necessary restrictions on the work or duties of the employee and necessary accommodations provided, but will not have access to medical documentation.

Appeals/Grievance Procedures:

- If you disagree with the decision about your accommodation request, you may file for reconsideration by DHS through the OEPD Director of Equal Opportunity and Access, or file a grievance under a collective bargaining agreement (if already employed with DHS), or file a complaint with the Minnesota Department of Human Rights (MDHR) or the Equal Employment Opportunity Commission (EEOC).
- If you are asking DHS to reconsider its decision about your accommodation request, you must file your request for reconsideration within 30 days notification of the ADA Coordinator's decision. The OEPD Director of Equal Opportunity and Access may extend the time for filing at his/her discretion. The Director's decision will be the final Agency determination.
- If you believe you have been retaliated against for exercising your rights under this policy, you may file a complaint with DHS through the OEPD Director of Equal Opportunity and Access, or file a complaint with MDHR or EEOC (please see links below), or other legal channels.
- If you file a complaint of retaliation with DHS, you should bring it forward as soon as possible, preferably within 60 days after you believe the retaliation occurred.

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- If you file a complaint of retaliation with a union, or with MDHR or EEOC, or other legal channels, you will have to meet the individual filing requirements and deadlines for those organizations.

Forms that Apply:

[Request for Reasonable Accommodation](#)

[Authorization for Release of Medical Information](#) form

[Employment Discrimination/Harassment Complaint Form](#)

Related Policies and Reference(s):

Policy on Reasonable Modification in Public Service

Policy on Reasonable Modification for Clients in the Minnesota Sex Offender Program

Policy on Americans with Disabilities Act Advisory

Policy on Accessible Formats

Policy on Website Accessibility

Policy on Scents Sensitivity

Policy on Smoking

Policy on Accessibility of People with Hearing Loss in Presentations

Scent Policy

General Harassment

http://consump.dhsintra.net/main/groups/forms/documents/pub/infolink_id_001049.doc

State of Minnesota's HR/LR Policy #1432 Respectful Workplace

<http://www.mn.gov/mmb/images/respectful-workplace-policy.pdf>

Training:

Disabilities amongst Work Conduct Rules

Reasonable Accommodations Interactive Process

Accommodating Mental Illness in the Workplace

Scents Sensitivity on the Job Site

Legal Authority:

Americans with Disabilities Act, as amended, 42 U.S.C. §12101, et seq.

Section 504 of the Federal Rehabilitation Act, as amended

Minnesota Human Rights Act, Minnesota Statutes, chapter 363A

All applicable Collective Bargaining Agreements

Standards:

Standards on PowerPoint Presentations for Uniformity and Accessibility

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Definitions:

Direct threat: a significant risk of substantial harm to the health and safety of the individual with the disability or other people that cannot be eliminated or reduce to an acceptable level through reasonable accommodation.

Disability: a physical or mental impairment that substantially limits one or more major life activities of the individual, a record of such an impairment, or being regarded as having such an impairment, regardless of the impairment being episodic or in remission.

Employee: All persons, regardless of classification or status, appointed pursuant to Minnesota Statutes Chapter 43A whose work assignment is with the Minnesota Department of Human Services.

Essential functions: tasks and responsibilities considered most critical to the job that employees in the position are actually required to perform, and if removed would fundamentally change the job.

Impairment: means a cosmetic disfigurement, anatomical loss, or physiological disorder or condition affecting a body system; or a psychological, psychiatric, emotional, intellectual, developmental, or learning disorder.

Major life activity: any basic activity of daily living that most people in the general population can do with no or little difficulty, including, but not limited to: breathing, sleeping, seeing, hearing, smelling, tasting, feeling, balancing, caring for oneself, ingesting, digesting, excreting, thinking, concentrating, learning, reading, communicating, speaking, writing, interacting with others, sitting, reaching, manipulating, standing, walking, bending, lifting, and working; and the operation of a major bodily function, including respiratory, cardiovascular, circulatory, neurological, brain, special sense organs, immune, lymphatic, endocrine, hemic, musculoskeletal, normal cell growth, skin, genitourinary, digestive, bowel, bladder, and reproductive.

Qualified individual with a disability: is a person with a disability who has the required skills, experience, education and other job-related requirements for the position the individual holds or desires and who can perform the essential functions of that position either with or without reasonable accommodation.

Reasonable accommodation: is a modification or adjustment to: an application process, job, employment practice, the work environment, or the way things usually are done that enables a qualified individual with a disability to apply for a job or to satisfactorily perform the essential functions of the job and enjoy equal benefits and privileges of employment. Reasonable accommodation may include, but is not limited to: making existing facilities readily accessible to individuals with disabilities; job restructuring, modification of work schedules or place of work, extended leave, telecommuting, reassignment to a vacant position; and acquisition or modification of equipment or devices, including computer software and hardware, appropriate adjustments or modifications of examinations, training materials or policies, the provision of qualified readers and/or sign language interpreters and other similar accommodations.

Record of such an impairment: means having a history of, or have been classified or misclassified as having, a physical or mental impairment that substantially limit one or more major life activities.

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Regarded as having such an impairment: means an actual or perceived physical, sensory, or mental impairment regardless of whether the impairment limits or is perceived to limit a major life activity, excluding impairments that are minor and transitory, having an actual or expected duration of six months or less.

Substantially limits: means being restricted in the conditions, manner, or duration of performing a major life activity in comparison to most people in the general population.

Supervisors: A subset of employees that includes all who have supervisory and managerial responsibilities.

Undue hardship: means an action that is extensive, requiring significant expense, administrative difficulty, operational disruption, or fundamental alteration to the nature or operation of the agency.

Policy Contact(s):

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Policy History:

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Version 2.0:

__/__/14 (Reaffirmed)

__/__/14 (Revised)

Version 1.0

9/13/06 (reaffirmed)

01/01/2002 (Initial Release)

This policy and its procedures remain in effect until rescinded or updated, and supersedes Minnesota Department of Human Services' Policy 51.02 and all other previous Reasonable Accommodation Policies.

IX. EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

DHS has plans for both weather emergencies and emergency evacuations. A copy of the agency's weather emergency plans can be found at: http://dhsinfo.dhsintra.net/InfoLink/Agencywide_Activities/Allhazardsplanning/id_042372?ssSourceNodId=314&ssSourceSiteId=InfoLink

A copy of the DHS emergency evacuation plans can be found at: http://dhsinfo.dhsintra.net/InfoLink/Workplace_Info/Healthandsafety/index.htm.

All locations that are considered DHS buildings have conspicuously posted weather and emergency evacuation or relocation plans. Written plans are communicated and readily available to employees at each location. Plans include alternative methods for individuals with disabilities for notification of evacuation or relocation.

Auditory signals, visual signals, and substitute avenues for elevator or stairway use are included in the plans. It is the procedure to assign a "buddy" to each employee who has different needs for physical evacuation of the buildings. Specific accommodations may be made for individuals with disabilities consistent with their needs in accordance with reasonable accommodation request procedures. Additionally, each floor of DHS buildings has a floor warden who coordinates with employees with disabilities and ensures that they are familiar with their options for safely exiting the building in the event of an emergency.

Individuals with disabilities who cannot exit the building via stairs are informed where to wait for evacuation assistance by the fire department.

NOTIFICATIONS:

Depending on the building, occupants are notified of the immediate threat to the building via the InformaCast System¹, building PA system, National Weather Radio Service, or municipal defense sirens.

BUILDING SPECIFIC NOTIFICATIONS:

InformaCast messages utilizing VoIP telephones can be generated to the Elmer L. Andersen Building, 444 Lafayette, DC1, and Golden Rule.

The InformaCast system is also available at Brainerd and SOS facilities, which have Central Office installed VoIP phones. Alerts, however, are not generated by MSD for those locations.

Building PA systems can also be utilized by DHS Management Services staff at Andersen, Lafayette, and DC1. At Golden Rule, the landlord operates the building wide PA system, and staff with hearing, visual, and/or mobility limitations will be assisted by staff who do not have such limitations.

¹ The VoIP InformaCast System will broadcast prerecorded or live emergency information through desktop telephone speakers in common areas. InformaCast will also provide a short text message on the VoIP telephone LCD display. InformaCast is used for life safety purposes such as fire, severe weather, or other incidents that affect the building or staff.

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FURTHER INFORMATION:

DHS has instituted the Employee Preparedness Campaign, a series of training modules aimed at helping employees take steps to prepare for and respond to emergencies at home. Further information on the DHS Employee Preparedness Campaign can be found at http://dhsinfo.dhsintra.net/InfoLink/Agencywide_Activities/Allhazardsplanning/id_042372?ssSourceNodeid=159&ssSourceSiteid=InfoLink.

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X. GOALS AND TIMETABLES

Through the utilization analysis, the agency has determined which job categories are underutilized for women, minorities, and individuals with disabilities within the agency and has set hiring goals for the next two years.

Availability:

The agency determined the recruitment area to be statewide for all job categories. In conducting its minority underutilization analysis, the agency used the two-factor analysis, using statewide census data and statewide minority population as the two factors. The agency determined it was best to use this type of analysis because using internal availability as a factor would reduce overall availability.

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

Women:

At the agency, the population of women has improved in the following job category: Skilled Craft; but has not improved in the following job category: Protective Services. Overall DHS has a workforce composed of 68.68% female. With the exception of skilled craft, and protective services, DHS has consistently met or exceeded its hiring goals for women. Hiring for these job categories has traditionally been a challenge for three main reasons: 1) hiring for the skilled craft has been stagnant for several years, so there have been fewer opportunities to fill positions; 2) the location of most of these jobs are in greater Minnesota in small communities where it is difficult to attract a significant pool of qualified applicants; 3) these are job categories in which there are traditionally very few females available. The significant improvement in hiring for protective services positions over the past two years is in part due to recruitment efforts directed toward persons returning from military duty, but it also reflects using a different census category (i.e. COC 380, Bailiff, Correction Officer, Jailers) for more realistic female availability. The 2012 to 2014 goals for DHS were established with the recognition that there would be limited hiring opportunities; we reviewed the number of positions that had been opened in the skilled craft and protective services categories over the time period between FY 2009 and 2011 and adjusted our goals accordingly. DHS will continue to use the more applicable census category and continue its targeted recruitment efforts.

Minorities:

At the agency, the population of minorities has improved in the following job categories: Officials/Administrators, Professionals, Paraprofessional/Technicians, and Office/Clerical; but has not improved in the following job categories: Skilled Craft and Service Maintenance. In early 2012, DHS made a significant change to its affirmative action goals relating to minority populations. It decided to adjust upwards its hiring goals for persons from minority communities in order to more closely match the clientele that is served by the agency and to acknowledge the changing demographics of the state population. At the time of adjustment, DHS was meeting hiring goals for this population in all but the three categories of service maintenance, skilled craft, and protective services, which, as discussed above, have traditionally been a challenge to fill for all three affirmative action populations. Additionally, DHS hired a Diversity Recruiter to specifically target populations from minority

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communities. Since instituting these efforts, DHS has made slow but incremental progress toward increasing the population of persons from minority communities in its workforce. DHS continues to be challenged in filling positions in the skilled craft, service maintenance and protective services categories. DHS will continue to make efforts toward targeted recruitment, as outlined in the recruitment plans included in this plan.

Individuals with Disabilities:

At the agency, the population of individuals with disabilities has improved in all job categories. DHS has continued to work with the Minnesota State Council on Disability (MSCOD), the Minneapolis Placement Partnership Network, the South Placement Partnership Network, and other community organizations that serve individuals with disabilities, to place its job announcements, attracting and hiring more individuals with disabilities. Additionally, DHS has made regular announcements encouraging employees to update their ability/disability status. DHS believes that these two factors have contributed to its being more accurately credited with having individuals with disabilities as part of its workforce. Recruitment within the skilled craft and protective services categories continues to be a challenge because the physically demanding nature of the work tends to eliminate a significant number of individuals with disabilities. DHS will continue to work with MSCOD and others and encourage employees to update their ability/disability status.

XI. 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: Enhance retention efforts by creating employee resource groups, and building on current mentoring and networking opportunities.

Action Steps:

- Develop employee resource groups to share professional expertise, discuss best practices, promote appreciation and understanding of a diversity of backgrounds and cultures, and network about job opportunities.
- Do targeted marketing of the DHS Mentoring program to encourage experienced DHS employees and managers to share best practices and advice with those looking to move into management or otherwise seek new opportunities.
- Review retention figures after implementation of the above measures

Evaluation:

DHS has not previously developed employee resource groups. We are expecting that having access to individuals with similar professional expertise or cultural backgrounds will make recruitment and retention more effective. DHS began a mentoring program soon after implementation of the DHS 2012-2014 Affirmative Action Plan. The plan has been well-received by participants, but DHS plans to use it more strategically to assist in the retention of employees from under-represented communities.

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Objective #2: Implement diversity and cultural competencies accountability into performance evaluations of all employees and management.

Action Steps:

- Develop objective criteria for evaluating an employee or manager's understanding of the impact of culture on his/her interactions with others
- Review with human resources and get approval to include in performance evaluation forms
- Post in on-line forms

Evaluation:

This is just being implemented in the upcoming round of evaluations at DHS.

Objective #3: Raise awareness of affirmative action hiring goals through updating the DHS Outstanding Achievement in Diversity, promoting the newest award given to managers for increasing the diversity of DHS' workforce, and providing more non-traditional training opportunities for DHS supervisors, managers and directors on the benefits of diversity and equal opportunity policies and practices.

Action Steps:

- Edit current Diversity Achievement Award to 'plain language' standards, i.e., make it easier to understand
- Review the criteria for the Award
- Work with DHS Communications Office to promote the Award well in advance of its due date
- Engage in other marketing strategies to promote nominations for the Award
- Develop a list of critical topics about which to provide training
- Identify non-traditional, quick and easy on-line training opportunities, such as 'Ted Talks' and make them available to DHS management
- Market these resources at Managers' Conferences and other managerial meetings and on DHS Today (intranet website for DHS)
- Develop method for evaluating effectiveness of presentations

Evaluation:

This award was just presented for the first time in July 2014 at DHS, and these other objectives will be tried for the first time during the course of the current 2014-2016 Affirmative Action Plan.

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Objective #4: Address the apparent gap in separation numbers between employees from minority communities and the other two protected groups.

Action Steps:

- Do research and collect data to verify the actual hiring figures for employees from minority communities and how this compares to the overall hiring figures for the two other protected groups and DHS as a whole.
- Develop methodology for identifying specific job categories or geographic locations where separation gaps may be disproportionate
- Identify methods for improving those gaps

Evaluation:

This was not an identified objective in the 2012-2014 DHS Affirmative Action Plan.

XII. 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 its requirements unnecessarily screen out a disproportionate number of women, minorities, individuals with disabilities, or veterans. The agency will use the monitoring the hiring process form for every hire to track the number of women, minorities, individuals with disabilities, and veterans in each stage of the selection process. Directors, 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. Directors, managers, and supervisors 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 non-affirmative hires as well as missed opportunities to Minnesota Management and Budget on a quarterly basis.

When candidates are offered interviews, employees scheduling interviews will describe the interview format to the candidate. For example, they will be told if interview questions are offered ahead of time or what technology may be used during the interview process. This will allow an individual with a disability to determine if they may need a reasonable accommodation in advance of the interview.

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.

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B. Pre-Review Procedure for Layoff Decisions

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

If it is determined that there is an adverse impact on protected groups, the agency will document the reasons why the layoff 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

The agency submits the following compliance reports to Minnesota Management and Budget as part of the efforts to evaluate the agency's affirmative action program:

- Quarterly Monitoring the Hiring Process Reports;
- Biannual Affirmative Action Plan;
- Annual Americans with Disabilities Act Report;
- Annual Internal Complaint Report; and
- Disposition of Internal Complaint (within 30 days of final disposition).

The agency also evaluates the Affirmative Action Plan in the following ways:

- Monitors progress toward stated goals by job category;
- Reviews the accessibility of online systems, websites, and ensures that reasonable accommodations can be easily requested; and
- Discusses progress with agency leadership on a periodic basis and makes recommendations for improvement.

XIII. RECRUITMENT PLAN

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

Recruitment costs incurred during the 2012-2014 plan year total: DHS employs a Manager of Recruitment and a Diversity Recruiter. The approximate cost of these two positions is \$165,000 (including benefits). DHS also expends funds attending recruitment events, and this amount is approximately \$5,000 per year (including registration and travel). Additionally, recruitment that involves specialty journals or websites is borne by the individual hiring supervisor, and DHS does not track these amounts on an agency-wide basis. It is estimated that approximately another \$5,000 may be spent on this type of recruitment.

Below are various recruitment methods or strategies utilized by the agency during the past year and plans for the upcoming plan years 2014-2016.

A. Advertising Sources:

DHS recruitment team is implementing an advertising campaign and employment branding program. We feel this is a key component of our recruitment plan. The DHS employment brand will be used to appeal to current and future applicants. Our employment brand is the image job seekers have in their mind when they see and hear the name DHS. This advertising campaign will position DHS in an attractive way, increasing top-of-mind awareness, brand recognition and aid in future recruitment efforts.

- DHS logo will be on all recruitment materials
 - Website
 - social media sites
 - email signatures
 - brochures
 - online job postings on general job boards and MMB
 - publications
 - promotional items
 - all advertising materials
1. One (1) year contract with Jobs in Minneapolis and Minnesotajobs.com. (Local job boards)
 2. One (1) year contract with Diversity Minnesota (local board)
 3. Rotating DHS banner on Diversityminnesota.com
 4. DHS will be highlighted as employer of choice on KMOJ, KFAI, KSTP Channel 5 and Fox 9

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5. Developing a Social Media Platform

6. Mass transit advertising is another cost effective means of advertising to large groups of people.

7. Radio Advertisement

In an effort to strengthen the existing recruitment campaign, we are proposing ongoing targeted radio advertising. Using radio advertising will increase our efforts to reach candidates throughout Greater Minnesota. Radio advertising will enable DHS to expand our reach to possible candidates while increasing top-of-mind awareness, brand recognition and aid in future recruitment efforts. DHS recruitment team will utilize targeted radio advertising as a strategy for reaching a large demographic of people in difficult-to-reach areas. A general, interchangeable job-focused radio spot will run on numerous stations that target Northern & Southern MN.

8. Publication Inserts

The goal of this method is to reach a large number of passive job seekers. A large majority of the supervisors in greater Minnesota feel very strongly in regards to utilizing the publications. This publication insert method is the best way to utilize the publications and still reach the passive job seekers. These flyers will be inserted in all of the local newspapers and separated by region.

B. Job Postings

Job postings are an essential part of recruiting and hiring; and we would like them to be treated like a marketing material. Each job posting will have the following criteria:

- Catch the reader's eye from the beginning. Craft our introductions to what appeals to our target audience. Using targeted questions or statements, such as "Want to work for a dynamic organization that offers great benefits?"
- Minimum qualifications. We need to keep it short, 5-7 essential qualifications, the list will be bullet points and not paragraph form, easier to read and relate to. The list will include qualifications such as: education level, years of experience, software skills, and experience. We will steer away from soft skills, such as good communication skills etc...
- Our job postings should be about marketing DHS. We will use DHS's logo, which will brighten up the page. Proper spelling, grammar, and clear format are essential and must not be overlooked.
- Keep the process simple. The less places applicants have to click, the better. Our job postings will give clear, concise directions on how to apply.
- Less words, people have a limited attention span. The purpose of our job description is to "hook" people so they will want to apply. More information is not always better. Recruitment Supervisors will work with Staffing Supervisors on the changes to the postings.

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C. Additional Recruitment Strategies:

1. Video message on our Job postings:
2. Redesign of Recruitment Brochures
3. Redesign of Recruitment Business cards
4. Mass transit advertising is another cost effective means of advertising to large groups of people.
5. Employee Referral Program
6. By attending various community events, DHS is building relationships and is creating a presence in the various communities in which we serve. DHS has the opportunity to connect with and educate people on our many career opportunities and services that DHS provides. DHS will continue to attend diversity career fairs and community events and will continue to build community relationships.

Date	Event	Location
9/29/2013	Native American Day Celebration- Health & Resource Fair	Midtown Farmers Market, Mpls
9/28/2013	La Familia	Neighborhood House, St Paul
10/10/2013	North Placement Partnership	East Phillips Community Center, Minneapolis
10/15/2013	Hmong Resource Fair	Mounds View Community Center
1/14/2014	Job Connect Panel Presentation	Job Connect Panel Presentation
1/18/2014	Science Fusion -African Americans	Science Fusion -African Americans
2/1/2014	Science Fusion- Hispanics	Science Fusion- Hispanics
2/15/2014	Science Fusion- American Indian	Science Fusion- American Indian
2/22/2014	Science Fusion - Asian Americans	Science Fusion - Asian Americans
2/27/14	Pan African Leadership Graduate and Employment Fair	Mankato State University
3/19/2014	Forum on Workplace Inclusion	Minneapolis Convention Center
3/25/2014	World Casting Events Multi-Cultural career & Resource Expo	Normandale Community College
3/27/2014	Job Core Career and Resource Fair	H.H. Humphrey Job Corp Center, St Paul
4/7/2014	Classroom Presentation-DHS Diversity (Masters Class)	St. Mary's, Minneapolis
4/10/2014	Women Achieving New Directions Workshop Presentation	Employment Action Center, Minneapolis
4/29/2014	World Casting Events Multi-Cultural career & Resource Expo	Plaza Verde, 1516 E Lake Street
5/1/2014	South Metro Placement Partnership	Best Western 14201 Nicollet Ave. South, Burnsville
5/6/2014	Diversity Career, resource and Education Expo	Sabathani Community Center, 310 E. 38th Street, Minneapolis

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Date	Event	Location
5/13/2014	Transition Job fair	Phelps Community Center, 701 East 39th Street, Mpls 55407
5/15/2012	18TH Annual AIOIC Fair and Open House	AIOIC 1845 E Franklin Ave, Mpls
5/28/2014	World Casting Events Multi-Cultural career & Resource Expo	Minneapolis Public Schools - Davis Center
6/19/2014	Renew Hiring and Resource Event	Ababukar As-Saddique Islamic Center, Minneapolis
7/9/2014	8th Annual Veteran's Career Fair	Earle Brown Heritage Center, Brooklyn Center
8/2/2014	Afrifest	Northview Junior High, Brooklyn Park
8/7/2014	DEED's Diversity Career fair	Hennepin technical College, Brooklyn Park

D. Recruitment for Individuals with Disabilities

DHS will continue to work with the Minnesota State Council on Disability (MSCOD), the Minneapolis Placement Partnership Network, the South Placement Partnership Network and other community organizations that serve individuals with disabilities. These partnerships will help to promote the DHS as a viable employer for individuals with disabilities. DHS will also continue to look for marketing opportunities and other resources that will strengthen the number of individuals with disabilities in its applicant pool. DHS has also worked with, and will continue to work with, various employment counselors and plans to continue to develop those working relationships.

Last year, DHS attended three job fairs specifically for people with disabilities. DHS will continue to attend these job fairs in the future.

Job fair targeting people with disabilities:

North Metro Placement Partnership Job Fair

South Metro Placement Partnership Job Fair

Transition Job Fair (for High School students)

E. Recruitment events for sourcing candidates with disabilities

- South Metro Placement Partnership (Burnsville)
- Transition Job fair (Phelps Community Center)
- MPP 3rd Annual Career Fair (Minneapolis Placement Partnership)
- Transition Resource Fair (Northwest Metro CTIC)
- Ability Links Virtual Job Fair (2 day online career fair)

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TAP (Talent Acquisition Portal) <https://tapability.org/> Recruitment Supervisor working with Ann Feaman on this project.

- TAP is an online system which includes both a national talent pool of Vocational Rehabilitation (VR) candidates looking for employment and a job posting section for businesses looking to hire individuals with disabilities.
- TAP was created to assist employers recruiting and individuals with disabilities in finding jobs. (Similar to Jobs in Minneapolis, but is specific to peoples with disabilities.)
- DHS will partner with other state agencies for one price,\$7500 per year
- Benefits for DHS to utilize TAP
 - Post Jobs that will reach all 80 Agencies in all 50 States, Territories, and DC
 - Voluntary Self-Disclosure of Candidates
 - Resume searching and Geographic Availability of Candidates
 - Job Reporting Metrics
 - Compliance Reports
 - Preliminary Interview Capability
 - Online Job Fairs
 - Printable Transcripts
 - Manual or Automated Job Postings

AbilityLinks.org

- Ability Links is a nationwide, web-based community where qualified job seekers with disabilities and employers meet and gain access to valuable networking opportunities. Job seekers who want to connect to employers by voluntarily self-identifying having a disability use AbilityLinks to post resumes and apply for jobs. No information about disability type is asked.

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EARN Employer Assistance and Resource Network

DHS will post vacancies with (EARN), which is sponsored by the Department of Labor. EARN is a nationwide, cost-free employer referral and technical assistance service that connects employers with job vacancies to employment service providers who have direct access to job ready individuals with disabilities. DHS will utilize the following sites for sourcing candidates and posting our open positions.

- [Ability Jobs](#)
- [disABLED Person](#)
- [Getting Hired](#)
- [Hire Disability Solutions](#)
- [One More Way](#)
- [Recruit Disability](#)
- [Think Beyond the Label](#)
- [Lime Connect](#)
- [EnableAmerica](#)
- [OurAbility](#)

1. Veterans with Disabilities

- 2. MMB promotes state employment to active military and National Guard transitioning to civilian life. DHS will continue to promote state employment to veterans, including disabled veterans.**

DHS will also focus recruitment efforts on Veterans with Disabilities: utilizing the following sites to source candidates and post positions.

- [Job Opportunities for Disabled American Veterans](#)
- [Vet Success](#)
- [Recruit Military](#)
- [Hero 2 Hired](#)

F. Relationship Building and Outreach

DHS is committed to strengthening and building diverse community relationships to help build awareness of our many career opportunities and provide education on the hiring process.

One way the Department of Human Services had reached its targeted candidate pool, is by forming working relationships and partnerships within the communities we serve. By working closely with the various community groups and agencies, DHS has gained a better understanding of needs and best practices of the various communities.

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DHS will continue to be a member of the MnCARRS (Minnesota Community Advisors on Recruitment and Retentions Solutions) group and will also continue to attend job fairs and other community events sponsored by minority communities, as well as, continue to send out job notifications on DHS positions.

DHS will also continue to research and learn about the various community organizations within Minnesota (Metro and Greater Minnesota) and develop working relationships, as appropriate. DHS will provide organizations with DHS career opportunities and application process information, as well as, figure out best way to partner with the various organizations (email, community bulletin boards, info session, classroom presentation, mock interviews, etc.).

G. Internships

Executive Pathways

In addition to outreach into the community, DHS continues to sponsor the Executive Pathways internship program, which is a 400 hour paid internship designed to attract students from under-represented communities to work in the public sector. DHS has been operating this program for 19 years. It provides meaningful work opportunities for senior level undergraduates and graduate level students in public policy, public health, healthcare, law, social work, and related fields. Interns work alongside experienced DHS employees during the summer months, helping to research, shape and implement human services policies and practices. Each summer DHS hosts six Executive Pathways interns, and many have stayed on at DHS in paid positions after the internship has ended.

STEP-UP Achieve & Right Track Summer Youth Employment Programs

Last summer (2013), DHS participated in the STEP-UP Achieve summer employment program for Minneapolis youth. DHS hosted six interns from the STEP-UP Achieve program in various divisions throughout the department.

This year, DHS has continued its partnership with the STEP-UP Achieve program, as well as, has partnered with the Right Track program, a summer employment program for St. Paul youth.

Both programs provide youth with 6 to 10 weeks of valuable paid training and work experience and work recruit youth from low income households. In addition, these youth programs help us further our efforts in developing a pipeline of diverse talent to meet our future workforce needs. Youth employment will occur between June 16 and August 22, 2014 and youth will work 20 to 40 hours a week.

This summer (2014) DHS is hosting 2 Right Track youth employee and 8 STEP-UP youth employees.

DHS plans to continue working with these programs every summer.

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

The 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 individuals with disabilities to recruit for these positions.

XIV. RETENTION PLAN

The agency is committed to not just the recruitment of women, minorities, individuals with disabilities, and veterans, but also to the retention of these protected groups.

A. Individual(s) Responsible for the Agency's Retention Program/Activities

Minnesota Department of Human Services
Human Resources Division
651-431-3016

Constance Tuck,
Chief Equity and Development Officer (Affirmative Action Officer)
651-431-3037
constance.tuck@state.mn.us

Team for Retention and Employee Engagement ("TREE")

- Mary Britt, OEPD Director of Agency-wide Development and Learning, 651-431-4002, mary.britt@state.mn.us
- De Anna Conover, Development and Learning Consultant, 651-431-2147, deanna.conover@state.mn.us
- Zecharias Hailu, OEPD Director of Equal Opportunity and Access, 651-431-2134, zecharias.hailu@state.mn.us
- Richard Nymoen, OEPD Equal Opportunity and Access investigator, 651-431-2901, richard.nymoen@state.mn.us
- David Everett, OEPD Diversity and Inclusion Consultant, 651-431-4361, david.l.everett@state.mn.us
- Sean Tolefree, Deputy Director, Human Resources, 651-431-2291, sean.tolefree@state.mn.us
- Liz Mack, Recruitment Manager, 651-431-2734, elizabeth.mack@state.mn.us
- Diversity Recruiter, (vacant)

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B. Separation Analysis by Protected Groups

It appears that the members of minority communities are separating for reasons of dismissal or non-certification at a higher rate (24.55%) than they represent in the overall population of DHS (11.63%). This is concerning and requires additional research to determine how those separation numbers relate to the actual number of individuals from minority communities who were hired during this period. See DHS Affirmative Action Plan Objective #4.

C. Methods of Retention of Protected Groups

DHS anticipates using the following methods to retain members of protected groups:

- Creating and implementing employee resource groups;
- Creating more opportunities for non-traditional training and professional development around cultural competence, unconscious bias, disability awareness, etc.;
- Ensuring accessibility of electronic systems, physical office spaces, and other aspects of the employment experience;
- Developing action plans to address results of agency-wide employee engagement survey;
- Expanding networking and mentoring opportunities.

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XV. APPENDIX

A. Complaint of Discrimination/Harassment Form

**THE DEPARTMENT OF HUMAN SERVICES
CENTRAL OFFICE**

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Please Read Before Completion of Form

TENNESSEN NOTICE: This form asks you to give some information about yourself that is considered private or confidential under the Minnesota Government Data Practices Act (Minn. Stat. § 13.01, et seq.). This information is being collected to help the Minnesota Department of Human Services (“DHS”) understand and investigate your complaint about a violation of the policy prohibiting discrimination. The law does not require you to give this information, but if you don’t DHS may not be able to investigate your complaint, or get all of the information needed to complete the investigation. The information that you give may be used to take disciplinary or other remedial action, and you may be required to testify at a hearing about that information. Other people who are involved in decision-making, human resources, employment grievances, prosecution, or litigation may have the right to see the information that you give. Those people include: supervisors and managers; persons or organizations to whom you give permission to see the information; staff of Minnesota Management and Budget; labor union representatives and the employee who is being investigated; legal counsels, arbitrators, hearing examiners, or judges; state or federal enforcement agencies, and unemployment agencies.

Complainant (You)		
Name		Job Title or Position Applied for
Work/Home Address	City, State, Zip Code	Telephone ()
Work Unit/Area	Mail Code	Supervisor
Respondent (the person who you believe discriminated against or harassed you or another individual)		
Name		Job Title
Work Address	City, State, Zip Code	Telephone ()
Agency	Division	Supervisor
The Complaint		
Check any of the following that you feel may be the basis for the complaint.		

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<input type="checkbox"/> Age	<input type="checkbox"/> Membership or activity in a local human rights commission	<input type="checkbox"/> Religion
<input type="checkbox"/> Color	<input type="checkbox"/> National Origin	<input type="checkbox"/> Retaliation
<input type="checkbox"/> Creed	<input type="checkbox"/> Political Affiliation	<input type="checkbox"/> Gender/Sexual Harassment
<input type="checkbox"/> Disability	<input type="checkbox"/> Race	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> General Harassment	<input type="checkbox"/> Reliance on Public Assistance	<input type="checkbox"/> Veterans Status
<input type="checkbox"/> Marital Status		

Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, give the name of that agency:
---	--

Describe the situation(s) that makes you feel that you or another individual have been discriminated against or harassed. Be specific. Include the name(s) of the individual(s) who you feel have discriminated against or harassed you or another individual; a detailed description of the incident(s); the date and time of the incident(s); and names of any witnesses and the name(s) of anyone with whom you discussed the incident(s). Use additional paper if necessary.

Give the following information on all witnesses. Use additional paper if necessary.

Name	Address/Work Location	Telephone

How do you think this situation can be resolved?

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This complaint is being filed based on my honest belief that the named person(s) has discriminated against or harassed me or another individual. 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. I hereby affirm that I am not using this complaint procedure for reasons of personal malice or abuse towards another employee.

Signature: _____

Date: _____

Received by: _____

Date: _____

Please hand deliver, mail, email, or fax this completed form to the Minnesota Department of Human Services, OEPD Equal Opportunity and Access, Mail Code 0997, P.O. Box 64997, St. Paul, MN, 55164-0997

Email: dhs.equalopportunity@state.mn.us

Fax: (651) 431-7444

This information is available in other forms to persons with disabilities by contacting OEPD Equal Opportunity and Access via: Voice (651) 431-3040, TTY (866) 786-3945, Fax (651) 431-7444, or Speech-to-Speech Relay (877) 627-3848.

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**State of Minnesota – Department of Human Services
Employee/Applicant Reasonable Accommodation Request Form**

The Department of Human Services (DHS) 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 substantially 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/Applicant Name:	Employee ID Number:
Position Title:	Division or Domain:
Work Phone Number:	Work email:
Building Name or Work Location:	Work Station Number:
Union Name:	Union Local:
Supervisor’s Name:	Supervisor’s Telephone:

Data Privacy Statement: This information may be used by DHS human resources representative, ADA Coordinator or designee, DHS legal counsel, or any other individual who is authorized by DHS 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 a reasonable accommodation.

1. Briefly describe the condition requiring accommodation:

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This request 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/Applicant Signature: _____

Date: _____

B. Agency Profile and Organizational Chart

The Department of Human Services (DHS) helps provide essential services to Minnesota's most vulnerable residents. Working with many others, including counties, tribes and non-profits, DHS helps ensure that Minnesota seniors, people with disabilities, children and others meet their basic needs and have the opportunity to reach their full potential.

While the vast majority of human services in Minnesota are provided by its partners, DHS (at the direction of the Governor and Legislature) sets policies and directs the payments for many of the services delivered. As the largest state agency, DHS administers about one-third of the state budget.

As a steward of a significant amount of public dollars, DHS takes very seriously its responsibility to provide Minnesotans with high value in terms of both the quality and cost of services.

DHS' largest financial responsibility is to provide health care coverage for low-income Minnesotans. It is also responsible for securing economic assistance for struggling families, providing food support, overseeing child protection and child welfare services, enforcing child support, and providing services for people with mental illness, chemical dependency, or physical or neurocognitive disabilities.

Through its licensing services, DHS ensures that certain minimum standards of care are met in private and public settings for children and vulnerable adults. DHS also provides direct service through our regional offices for the deaf and hard of hearing; and through our Direct Care and Treatment Administration which provides direct care to people with physical and mental disabilities, and through the Minnesota Sex Offender Program, which provides treatment to persons who the courts have committed for treatment of sexually dangerous behavior.

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Overview Organization Chart

May 2015

MN DEPARTMENT OF HUMAN SERVICES

Commissioner

Lucinda Jesson 651-431-2907

- Executive Aide, Denise Flock 651-431-2923

Community Supports:

- Assistant Commissioner, Jennifer DeCubellis 651-431-2323
- Executive Assistant, Linda Dahlquist 651-431-2324
- Adult Mental Health, Carol LaBine 651-431-4871
- Alcohol and Drug Abuse, vacant
- Children's Mental Health, Bill Wyss 651-431-2364
- Housing, Erin Sullivan Sutton 651-431-3849
- Legislative, Matt Burdick 651-431-4858
- Operations, Thomas Ruter 651-431-3687
- Deaf and Hard of Hearing Services, David Rosenthal 651-431-2356; 651-964-1452 (VP)
- Disability Services, Alexandra Bartolic 651-431-2381

Children and Family Services:

- Assistant Commissioner, Jim Koppel 651-431-3835
- Executive Assistant, Stephanie Ostwald 651-431-3830
- Child Safety and Permanency, Jamie Sorenson 651-431-4655
- Child Support Enforcement, Jeffrey Jorgenson 651-431-4276
- Community Partnerships and Child Care Services, Mary Orr 651-431-3828
- Management Operations, Ralph McQuarter 651-431-3858
- Economic Assistance and Employment Supports Division, Dale Simonson 651-431-4009.
- Economic Assistance and Employment Supports Division, Ramona Scarpace at 651-431-3938.

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Continuing Care for Older Adults:

- Assistant Commissioner, Loren Colman 651-431-2560
- Executive Assistant, Darci Steffen 651-431-2598
- Aging and Adult Services, Jean Wood 651-431-2563
- Fiscal Analysis and Performance Measurement, Robert F. Meyer 651-431-2383
- Nursing Facility Rates and Policy, Robert Held 651-431-2261
- Operations and Central Functions, Sue Roberts-Banken 651-431-2559
- Planning and Aging 2030, LaRhae Knatterud 651-431-2606

Health Care Administration:

- Assistant Commissioner, Nathan Moracco 651-431-5929
- Deputy Assistant Commissioner, Vacant
- Executive Assistant, Christine Wasieleski 651-431-2182
- Chief Administrative Officer, Matthew Woods 651-431-2315
- Health Care Eligibility and Access, Karen Gibson 651-431-2297
- Health Care Eligibility Operations, Pamela Daniels 651-431-5814
- Health Care Research and Quality, Karen Schirle 651-431-2612
- Medical Director, Jeffrey S. Schiff, M.D. 651-431-3488
- Member and Provider Services, Rachel Peterson 651-431-2703
- Policy Development and Implementation, Jennifer Blanchard 651-431-3307
- Purchasing and Service Delivery, Julie A. Marquardt 651-431-2669
- State Medicaid, Marie Zimmerman 651-431-4233
- State Medicaid Federal Relations, Ann Berg 651-431-2193

MINNESOTA DEPARTMENT OF HUMAN SERVICES

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Human Resources and Management Services:

- Director, Connie Jones 651-431-4320
- Management Services, Linda M. Nelson 651-431-2205
- Agency-wide Functions, Sean Tolefree 651-431-2291
- Minnesota Merit System Personnel Services, Betty Carlson 651-431-3025
- Direct Care and Treatment Personnel Services (includes all DHS 24/7 programs in greater Minnesota), Melissa Gresczyk 218-565-6016
- Safety and Health, Susan Thibedeau-Coilan 651-431-4256

Office for Equity, Performance, and Development:

- Chief Equity and Development Officer, Constance Tuck 651-431-3037
- Executive Assistant, Priscilla Caldwell 651-431-3121
- Agency-Wide Development and Learning, Mary Britt 651-431-4002
- Agency and County Performance, Marisa Hinnenkamp 651-431-2935
- Equal Opportunity and Access, Zecharias Hailu 651-431-2134

DIRECT CARE AND TREATMENT

Deputy Commissioner, Anne M. Barry 651-431-2921

- Executive Aide, Mari Konesky 651-431-2921
- Assistant Commissioner, Brownell E. Mack 651-431-2687
- Chief Medical Director, Steven E. Pratt, M.D. 612-790-8719
- Chief Administrative Officer, Michael West 651-431-2766

MINNESOTA DEPARTMENT OF HUMAN SERVICES

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Community Based Services:

- Executive Director, Steve Jensen 763-689-7169
- Administrative Assistant, Annaliza Heesch 651-766-4117
- Community Engagement & Transition, Donovan A. Chandler 218-831-5409
- Community Partnership Network, Emilie Mikes 320-231-5411
- Community Support Services, Steven Dahl 651-431-5192
- Dental and Outpatient Clinics, Jared Greupner 651-276-3655
- Long Term Residential, James E. Campbell 651-208-2226
- Medical Director, Peter S. Miller, M.D. 651-431-5214
- Property Acquisition & Housing, Roger Deneen 651-208-2224
- Vocational Services, Shirley Nelson-Williams 218-831-6677

Forensic Treatment Services:

- Executive Director, Carol J. Olson 507-985-3128
- Executive Assistant, Mary Bergervoet 507-985-2002
- Assistant Administrator, Thomas Kolstad 507-985-2152
- Chief Nurse Administrator, Colleen A. Ryan 507-985-2056
- Clinical Services, Sharon Mahowald-Horner 507-985-2168
- Competency Restoration Program, Lisa Vanderveen 507-985-2426
- Forensic Medical Director, KyleeAnn Stevens, M.D. 507-985-2009
- Forensic Nursing Home Administrator, Michelle Chalin 507-985-2002
- Minnesota Security Hospital, Young Adult and Adolescents Program, and Special Needs Services, Scott Melby 507-985-2467
- Security Services, Thomas Christensen 507-985-2124
- Transition Services, Julia Roehm 507-985-2155

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Mental Health and Substance Abuse Treatment Services:

- Executive Director (Interim), Wade Brost 651-431-3404
- Executive Assistant, Margee Holt 651-431-2367
- Anoka-Metro RTC, Tina Sneen 651-431-5004
- Business Operations, Derrick Jones 651-431-6363
- Central Pre-admissions, Elizabeth Bangle 651-431-5339
- Nurse Executive, Pamela Bajari 763-238-5740
- Medical Director Anoka-Metro RTC, Randy Ward, M.D. 651-431-5005
- Medical Director Child & Adolescent Behavioral Health Services, George Realmuto, M.D. 612-298-2664
- Medical Director Community Behavioral Health Hospitals, Peter S. Miller, M.D. 651-431-5214
- Medical Director Community Addiction Recovery Enterprise & Minnesota Specialty Health Services, Gregory Peterson, M.D. 218-736-1884

Minnesota Sex Offender Program:

- Executive Director, Nancy A. Johnston 651-431-4390
- Executive Assistant, Cindy Breault 651-431-5896
- Deputy Director, Shelby Richardson 651-431-3666
- Executive Clinical Director, Jannine Hebert 651-431-4377
- Legal Manager, Jessica Geil 218-565-6234
- Legislative and Stakeholder Relations, Sheila Brandt 651-431-5877
- Medical Director, David Paulson, M.D. 651-431-5872
- Reintegration, Elizabeth Barbo 507-985-2187
- Special Investigations, Ralph Schmidt 651-431-5871

MINNESOTA DEPARTMENT OF HUMAN SERVICES
AFFIRMATIVE ACTION PLAN 2014-2016

POLICY AND OPERATIONS

Deputy Commissioner, Charles E. Johnson 651-431-5672

- Chief Financial Officer, Alexandra Kotze 651-431-2582
- Executive Aide, Mari Konesky 651-431-2921
- Budget Analysis, Jayne Rankin 651-431-3432
- Communications, Terry Gunderson 651-431-2912
- Community Relations, Antonia Wilcoxon 651-431-3301
- County Relations, Kate Lerner 651-431-2928
- Financial Operations, Martin Cammack 651-431-3742
- Indian Affairs, Vern LaPlante 651-431-2910
- Legislative, Amy Dellwo 651-431-2585
- Management Operations, Roger Ehresmann 651-431-2936
- Public Affairs, Kathryn Mintz 651-431-5605
- Reports and Forecasts, Shawn Welch 651-431-2939
- State Operated Services, Chemical and Mental Health Services, Financial Management, Shirley Jacobson 651-431-3696

Compliance:

- Chief Compliance Officer, Gregory Gray 651-431-4266
- Appeals, Darwin Lookingbill 651-431-3585
- Contracts, Procurement and Legal Compliance, Jay Brunner 651-431-3599
- Internal Audits, Gary L. Johnson 651-431-3623
- Legal Management, Amy Kaldor Akbay 651-431-2913
- Management and Policy, Louis Thayer 651-431-3618
- Special Projects, Michael Tessneer 651-431-3763

MINNESOTA DEPARTMENT OF HUMAN SERVICES

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Inspector General:

- Inspector General, Jerry Kerber 651-431-6597
- Background Studies, Kristin Johnson 651-431-6595
- Financial Fraud and Abuse Investigation, Deputy Inspector General, Vicki Kunerth 651-431-2618
- Licensing, Deputy Inspector General, Regina Wagner 651-431-4979

MN.IT Services:

- Chief Information Officer, Scott Peterson 651-431-3315
- Information Technology Operations, Ann Sessoms 651-431-2908
- Application Support Services, Anna C. Lattu 651-431-3941
- Program Management Division, Gregory Poehling 651-431-4552
- Enterprise Planning and Administration Division, Lisa Koenig 651-431-4857
- Information Technology Services, John Hoenigschmidt 651-431-3260
- Java Application Development, Debra Tibstra 651-431-4074
- Application Services Division, Vacant
- Project Management Office, Mark Broberg 651-431-4993
- Microsoft Applications Division, Thomas Kine 651-431-4755
- Natural Application Development Division, Deb Bokhorst 651-431-4413
- Systems and Business Analysis, Karla Larsen 651-431-4077
- Quality Assurance, Rick Anderson 651-431-6279
- System Security, Vacant

C. Separation Analysis by Protected Groups Worksheets

MINNESOTA DEPARTMENT OF HUMAN SERVICES
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DHS								
SEPARATION ANALYSIS								
Worksheet for conducting separation analysis of protected group members as total separations and in each job category.								
TOTAL SEPARATIONS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	277	16.86%	178	64.26%	68	24.55%	8	2.89%
Resignations	934	56.85%	664	71.09%	125	13.38%	25	2.68%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	389	23.68%	254	65.30%	15	3.86%	36	9.25%
Deaths	18	1.10%	9	50.00%	0	0.00%	3	16.67%
Lay-off	10	0.61%	8	80.00%	1	10.00%	3	30.00%
Termination without Rights	15	0.91%	6	40.00%	0	0.00%	1	6.67%
Total Separations	1643	100.00%	1119	68.11%	209	12.72%	76	4.63%
OFFICIALS/ADMINISTRATORS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	15	28.85%	7	46.67%	1	6.67%	1	6.67%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	29	55.77%	10	34.48%	0	0.00%	6	20.69%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	8	15.38%	2	25.00%	0	0.00%	1	12.50%
Total Separations	52	100.00%	19	36.54%	1	1.92%	8	15.38%
PROFESSIONALS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	57	10.11%	38	66.67%	13	22.81%	2	3.51%
Resignations	319	56.56%	364	114.11%	38	11.91%	11	3.45%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	170	30.14%	114	67.06%	6	3.53%	13	7.65%
Deaths	8	1.42%	4	50.00%	0	0.00%	2	25.00%
Lay-off	3	0.53%	2	66.67%	1	33.33%	1	33.33%
Termination without Rights	7	1.24%	4	57.14%	0	0.00%	0	0.00%
Total Separations	564	100.00%	526	93.26%	58	10.28%	29	5.14%
PROTECTIVE SERVICES: NON-SWORN								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	23	15.44%	12	52.17%	3	13.04%	3	13.04%
Resignations	99	66.44%	32	32.32%	13	13.13%	6	6.06%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	25	16.78%	11	44.00%	1	4.00%	3	12.00%
Deaths	2	1.34%	0	0.00%	0	0.00%	1	50.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	1	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	149	100.00%	55	36.91%	17	11.41%	14	9.40%

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AFFIRMATIVE ACTION PLAN 2014-2016

Continuation of: DHS Separation Analysis

OFFICE/CLERICAL								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	5	11.36%	4	80.00%	0	0.00%	1	20.00%
Resignations	18	40.91%	15	83.33%	2	11.11%	3	16.67%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	21	47.73%	17	80.95%	2	9.52%	7	33.33%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	44	100.00%	36	81.82%	4	9.09%	11	25.00%

TECHNICIANS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	141	25.78%	90	63.83%	42	29.79%	3	2.13%
Resignations	323	59.05%	228	70.59%	52	16.10%	6	1.86%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	77	14.08%	56	72.73%	5	6.49%	3	3.90%
Deaths	5	0.91%	5	100.00%	0	0.00%	1	20.00%
Lay-off	1	0.18%	1	100.00%	0	0.00%	1	100.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	547	100.00%	380	69.47%	99	18.10%	14	2.56%

SKILLED CRAFT								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	3	42.86%	0	0.00%	0	0.00%	0	0.00%
Resignations	1	14.29%	0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	3	42.86%	0	0.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	7	100.00%	0	0.00%	0	0.00%	0	0.00%

SERVICE MAINTENANCE								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	8	22.86%	3	37.50%	1	12.50%	0	0.00%
Resignations	17	48.57%	9	52.94%	3	17.65%	1	5.88%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	10	28.57%	6	60.00%	0	0.00%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	35	100.00%	18	51.43%	4	11.43%	1	2.86%

MINNESOTA DEPARTMENT OF HUMAN SERVICES
AFFIRMATIVE ACTION PLAN 2014-2016

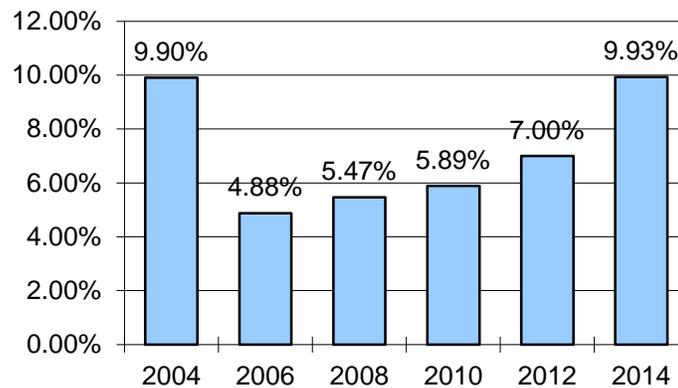
D. Other Relevant Agency Information, Policies, or Documents

Trends in DHS Employee Hiring Data

DHS WORKFORCE COMPARISON MINORITY GROUP 2004 THROUGH 2014

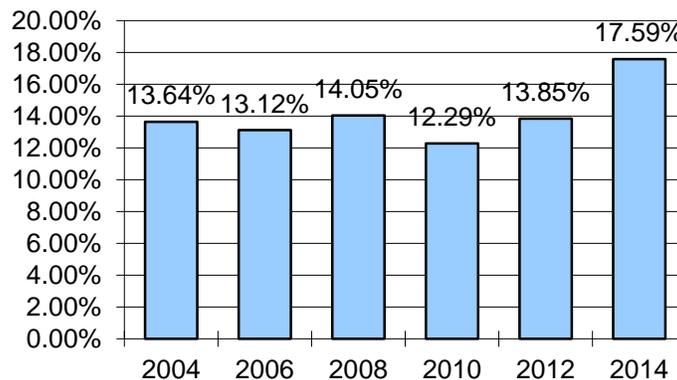
(EMPLOYEE DATA AS OF JULY 2014)

Minority Employees at SOS and MSOP



YEAR	2004	2006	2008	2010	2012	2014
PERCENT	9.90 %	4.88 %	5.47 %	5.89 %	7.00 %	9.93 %
MINORITY EMPLOYEES	481	251	289	262	309	398
TOTAL EMPLOYEES	4857	5148	5285	4447	4414	4009

Minority Employees at Central Office



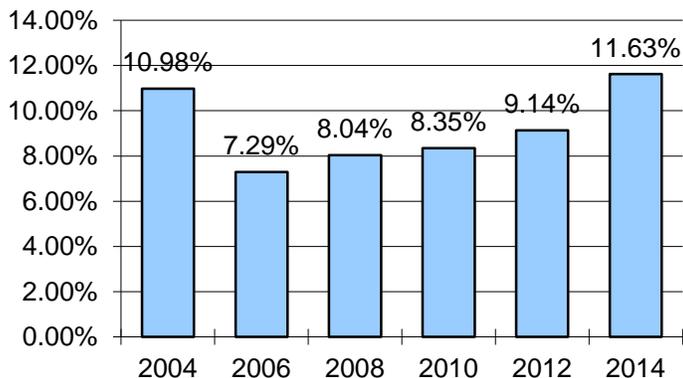
YEAR	2004	2006	2008	2010	2012	2014
PERCENT	13.64 %	13.12%	14.05 %	12.29%	13.85%	17.59%
MINORITY EMPLOYEES	268	280	318	315	304	333

MINNESOTA DEPARTMENT OF HUMAN SERVICES

AFFIRMATIVE ACTION PLAN 2014-2016

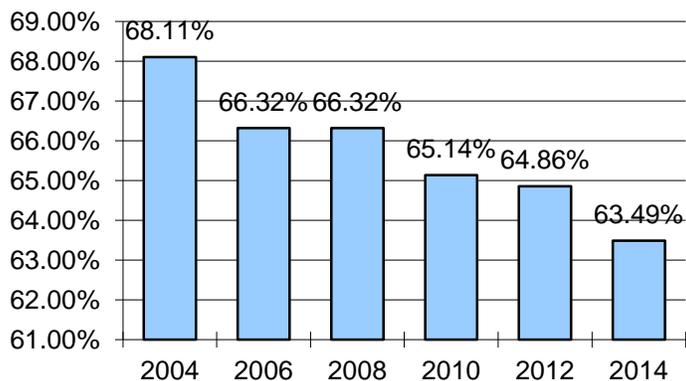
YEAR	2004	2006	2008	2010	2012	2014
TOTAL EMPLOYEES	1965	2134	2263	2462	2195	1893

Minority Employees at DHS



YEAR	2004	2006	2008	2010	2012	2014
PERCENT	10.98%	7.29 %	8.04 %	8.35 %	9.14 %	11.63%
MINORITY EMPLOYEES	749	531	607	577	605	768
TOTAL EMPLOYEES	6822	7282	7548	6909	6618	6606

Women Employees at SOS and MSOP



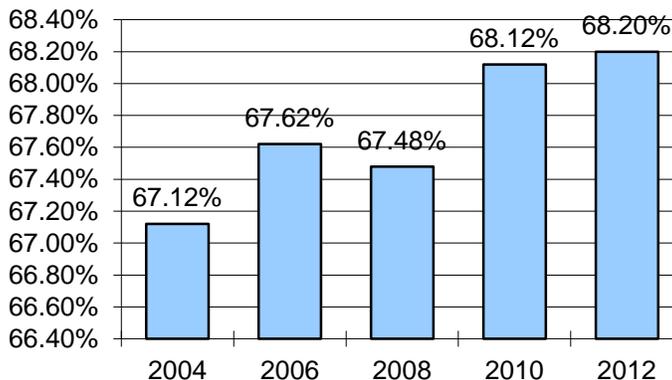
YEAR	2004	2006	2008	2010	2012	2014
PERCENT	68.11%	66.32%	66.32%	65.14%	64.86%	63.49%
WOMEN EMPLOYEES	3308	3414	3505	2897	2863	2545

MINNESOTA DEPARTMENT OF HUMAN SERVICES

AFFIRMATIVE ACTION PLAN 2014-2016

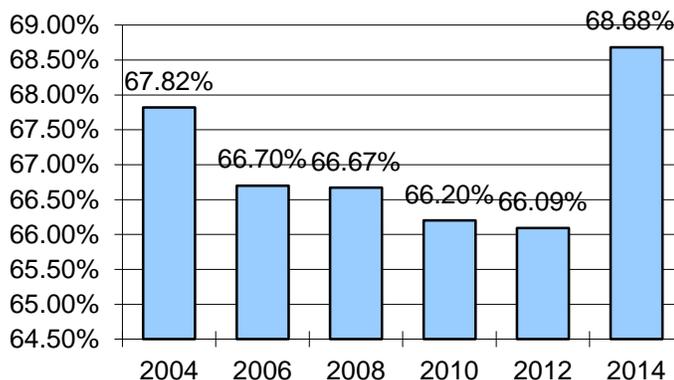
YEAR	2004	2006	2008	2010	2012	2014
TOTAL EMPLOYEES	4857	5148	5285	4447	4414	4009

Women Employees at Central Office



YEAR	2004	2006	2008	2010	2012	2014
PERCENT	67.12%	67.62%	67.48%	68.12%	68.20%	76.33%
WOMEN EMPLOYEES	1319	1443	1527	1677	1497	1445
TOTAL EMPLOYEES	1965	2134	2263	2462	2195	1893

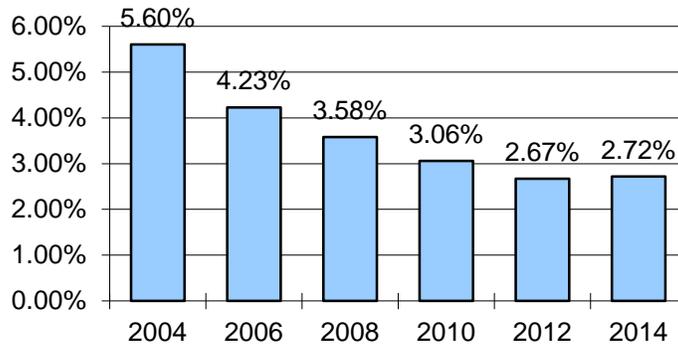
Women Employees at DHS



YEAR	2004	2006	2008	2010	2012	2014
PERCENT	67.82%	66.70%	66.67%	66.20%	66.09%	68.68%
WOMEN EMPLOYEES	4627	4857	5032	4574	4374	4537
TOTAL EMPLOYEES	6822	7282	7548	6909	6618	6606

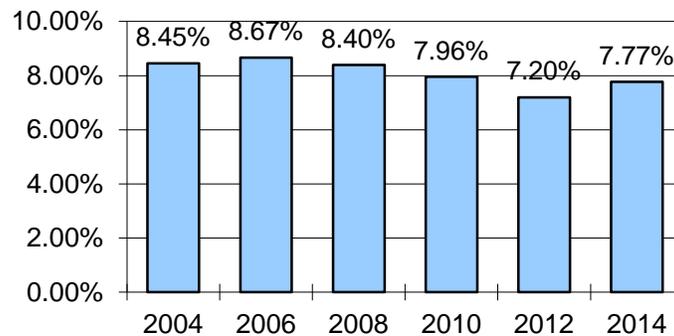
MINNESOTA DEPARTMENT OF HUMAN SERVICES
AFFIRMATIVE ACTION PLAN 2014-2016

Employees with Disabilities at SOS and MSOP



YEAR	2004	2006	2008	2010	2012	2014
PERCENT	5.60%	4.23%	3.58%	3.06%	2.67%	2.72%
EMPLOYEES WITH DISABILITIES	272	218	189	135	118	109
TOTAL EMPLOYEES	4857	5148	5285	4447	4414	4009

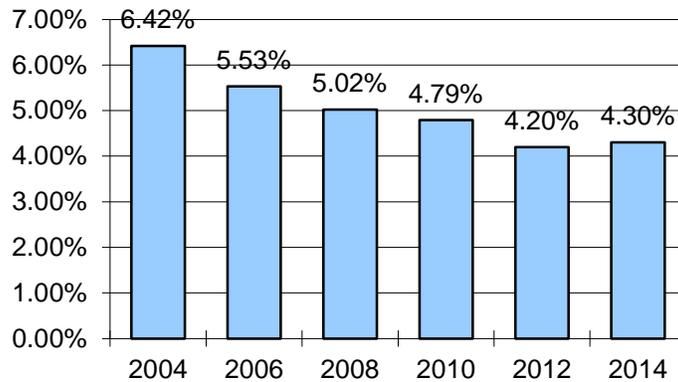
Employees with Disabilities at Central Office



YEAR	2004	2006	2008	2010	2012	2014
PERCENT	8.45%	8.67%	8.40%	7.96%	7.20%	7.77%
EMPLOYEES WITH DISABILITIES	166	185	190	196	158	147
TOTAL EMPLOYEES	1965	2134	2263	2462	2195	1893

MINNESOTA DEPARTMENT OF HUMAN SERVICES
AFFIRMATIVE ACTION PLAN 2014-2016

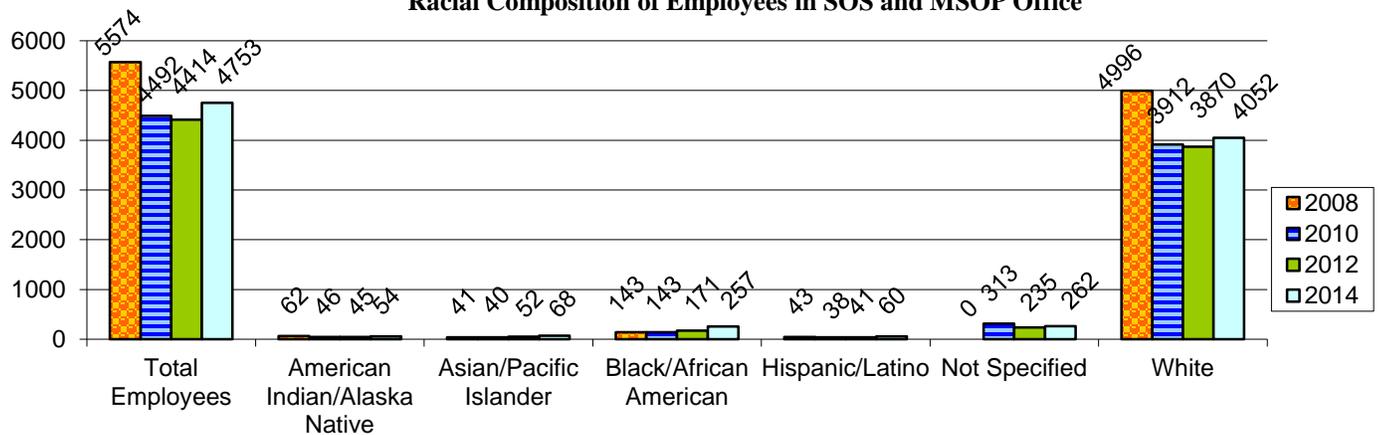
Employees with Disabilities at DHS



YEAR	2004	2006	2008	2010	2012	2014
PERCENT	6.42%	5.53%	5.02%	4.79%	4.20%	4.30%
EMPLOYEES WITH DISABILITIES	438	403	379	331	278	284
TOTAL EMPLOYEES	6822	7282	7548	6909	6618	6606

DHS WORKFORCE REPRESENTATION BY RACIAL GROUP
(EMPLOYEE DATA AS OF JULY 2014)

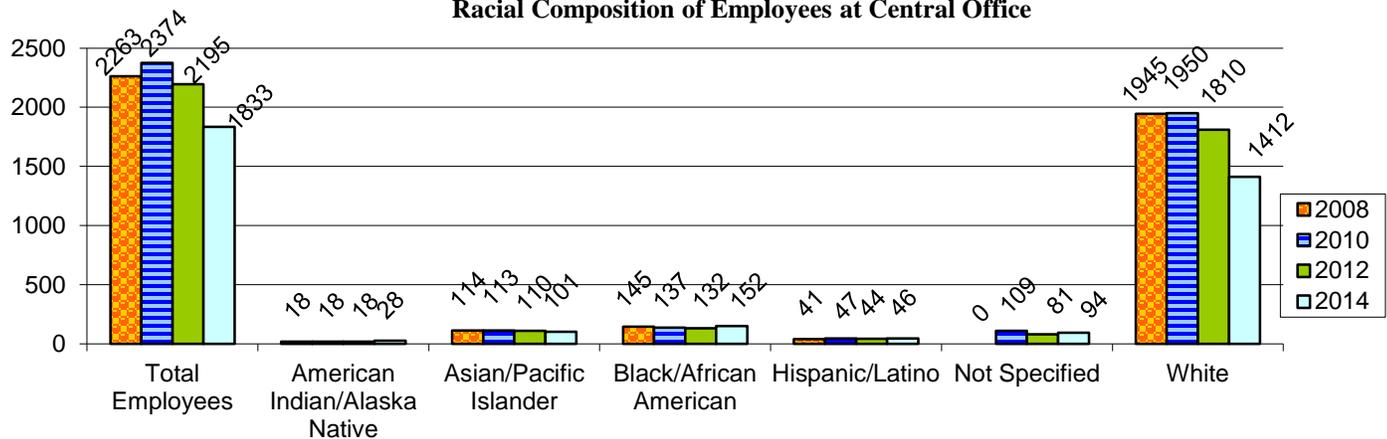
Racial Composition of Employees in SOS and MSOP Office



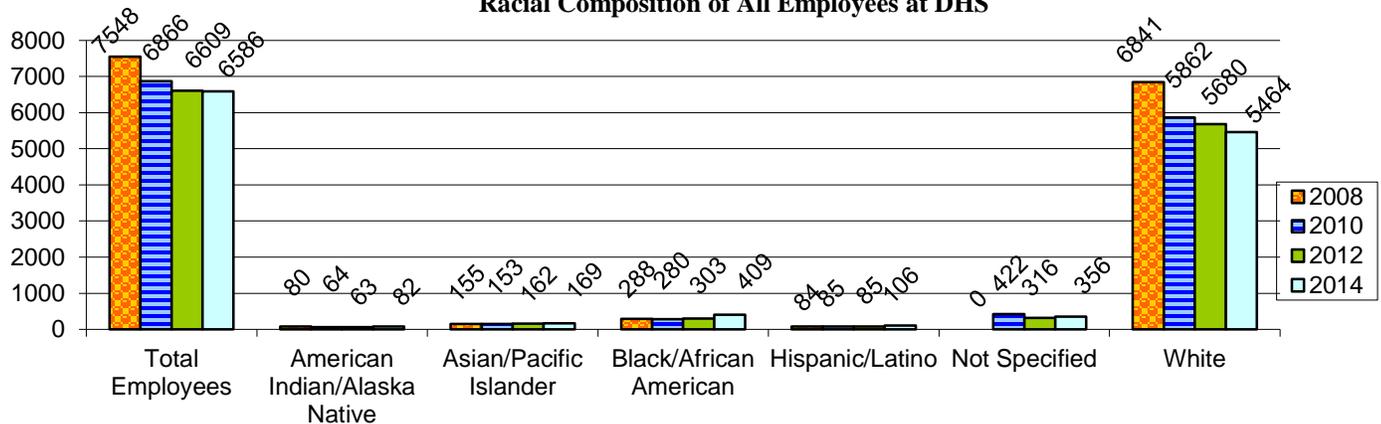
MINNESOTA DEPARTMENT OF HUMAN SERVICES

AFFIRMATIVE ACTION PLAN 2014-2016

Racial Composition of Employees at Central Office

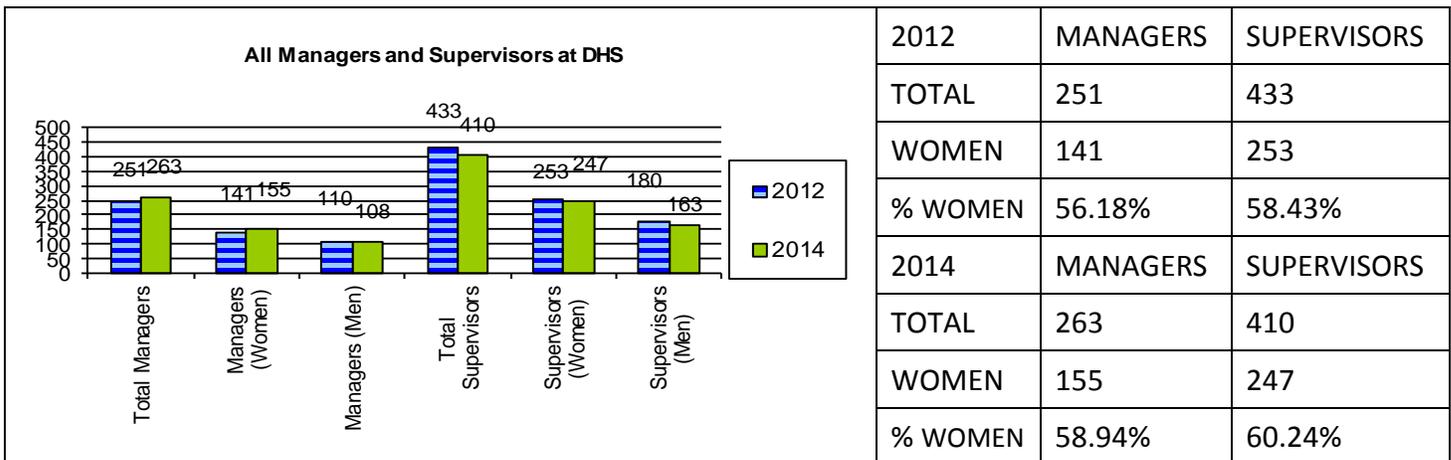
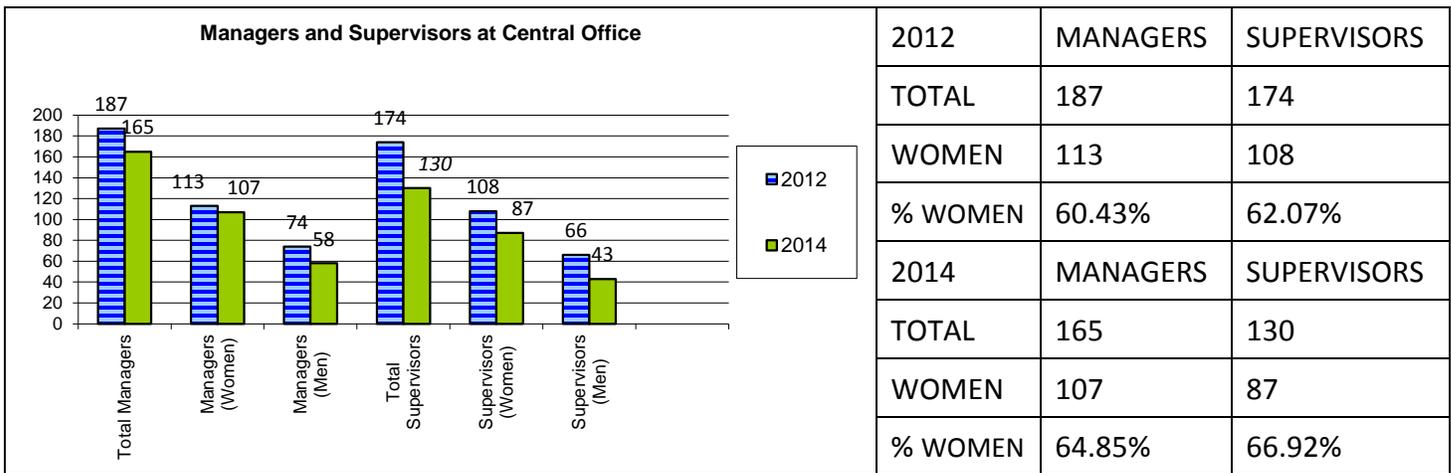
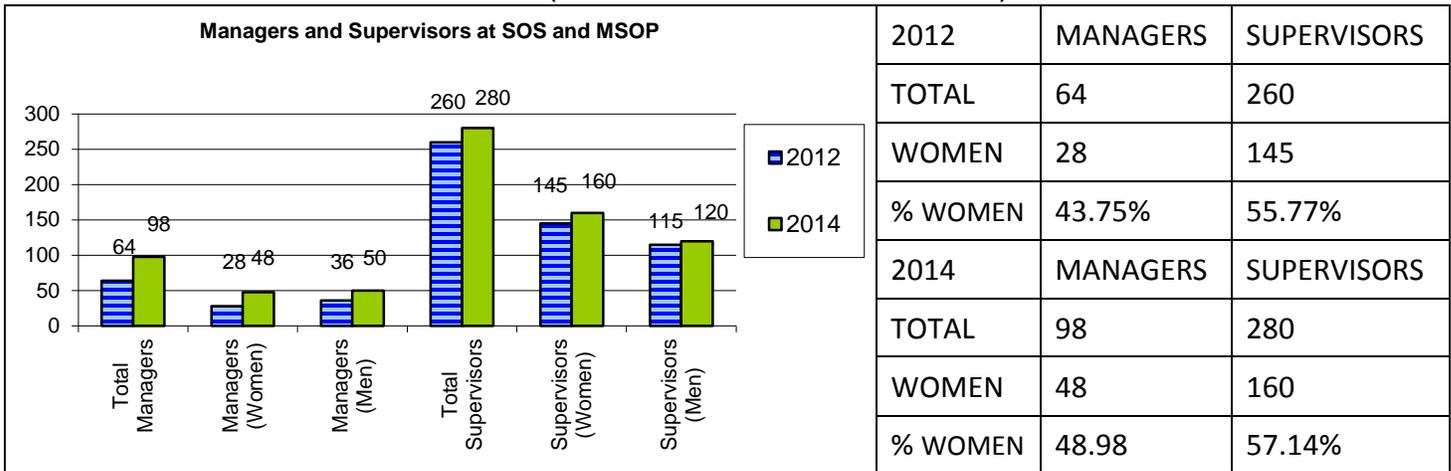


Racial Composition of All Employees at DHS

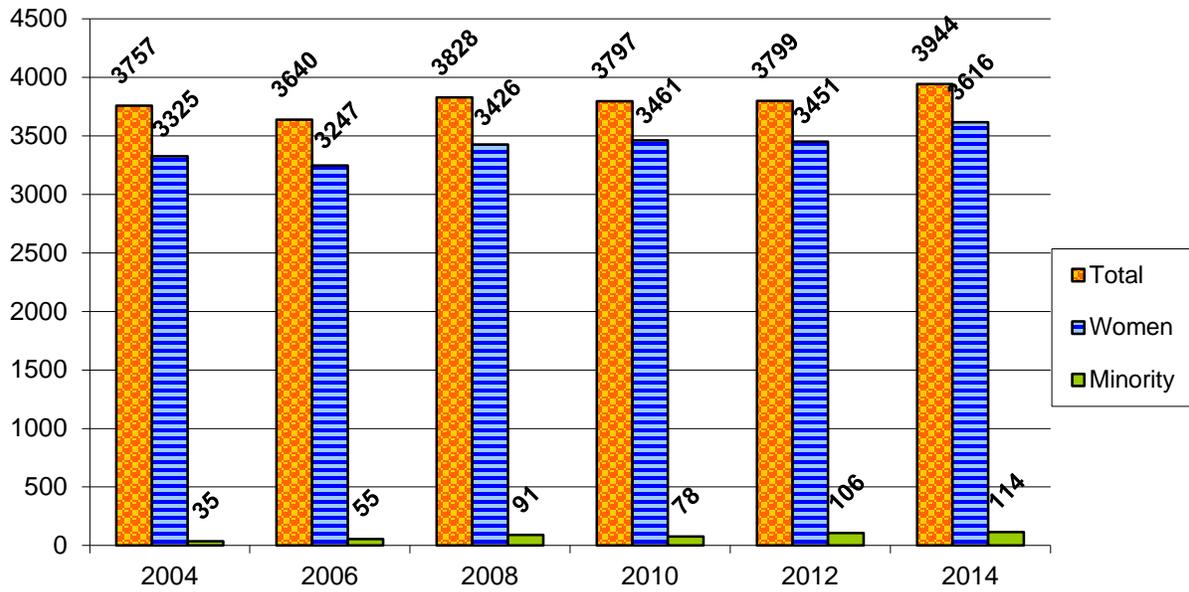


MINNESOTA DEPARTMENT OF HUMAN SERVICES
AFFIRMATIVE ACTION PLAN 2014-2016

DHS WORKFORCE COMPARISON FTE FEMALE MANAGERS AND SUPERVISORS
(EMPLOYEE DATA AS OF JULY 2014)



MINNESOTA DEPARTMENT OF HUMAN SERVICES
AFFIRMATIVE ACTION PLAN 2014-2016



MINNESOTA MERIT SYSTEM COMPARISON
DISPARATE GROUP WORKFORCE REPRESENTATION 2004 – 2014

	EMPLOYEES IN MERIT SYSTEM HUMAN SERVICES AGENCIES					
YEAR	2004	2006	2008	2010	2012	2014
PERCENT WOMEN	88.50%	89.20%	89.50%	91.15%	90.84 %	91.68 %
WOMEN EMPLOYEES	3325	3247	3426	3461	3451	3616
PERCENT MINORITY	0.93%	1.51%	2.38%	2.05%	2.79%	2.89 %
MINORITY EMPLOYEES	35	55	91	78	106	114
TOTAL EMPLOYEES	3757	3640	3828	3797	3799	3944