

OFFICE OF THE ATTORNEY GENERAL

AFFIRMATIVE ACTION PLAN

August 2014 - August 2016

***Lori Swanson
Attorney General***

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EXECUTIVE SUMMARY

Attorney General's Office Affirmative Action Plan 2014-2016

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

GOAL UNITS	PROTECTED GROUPS		
	Women	Minorities Persons of Color	Persons With Disabilities
Officials/Administrators			
Professionals	X	X	X
Paraprofessionals		X	X
Office/Clerical		X	X

Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the agency. Our intention is that every employee is aware of the Attorney General's Office commitment to affirmative action and equal employment opportunity. The plan will be maintained in the Human Resources/Affirmative Action 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:


HR Director

Date: 7.29.2014

Agency Head Signature:



Date: 7.30.2014

STATEMENT OF COMMITMENT

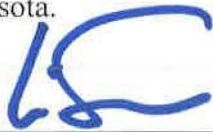
This statement reaffirms the Attorney General's Office commitment to Minnesota's statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

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, 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. We will provide reasonable accommodation to employees with disabilities.
- This agency will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.
- This agency will evaluate its efforts, including those of its 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 the citizens of Minnesota.

Agency Head Signature: _____



Date: 7.30.14

INDIVIDUALS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN

A. Agency Head

Attorney General Lori Swanson

Responsibilities:

The Attorney General 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 Attorney General 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 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 to include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.

B. Affirmative Action Officer or Designee

Sue Vrooman, Director of Human Resources

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.

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 Attorney General 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;
- Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention, progress on hiring goals, reasonable accommodations, and other opportunities for improvement; and
- 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 Attorney General on matters pertaining to affirmative action and equal opportunity.

C. Americans with Disabilities Act Coordinator or Designee

Sue Vrooman, Director of Human Resources

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 are not limited to:

- 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 the Attorney General.

D. Human Resources Director or Designee

Sue Vrooman, Director of Human Resources

Responsibilities:

The Human Resources Director is responsible for ensuring equitable and uniform administration of personnel policies including taking action to remove barriers to equal employment opportunity with 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;
- Initiate and report on specific program objectives contained in the Affirmative Action Plan;
- Ensure pre-hire review process is implemented and receives support from directors, managers, and supervisors;
- 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 disparities.

Accountability:

The Human Resources Director is directly accountable to the Attorney General.

E. 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.

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 workplace 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 to the Attorney General.

F. 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 coworkers with respect to their race, sex, color, creed, religion, age, national origin, disability, marital 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 directly to their designated supervisor and to the Attorney General.

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.
- The agency's Affirmative Action Plan is available to all employees on the agency's intranet website page or in print copy to anyone who requests it. It is also posted on bulletin boards on each floor and/or office location. 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 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."

POLICY PROHIBITING DISCRIMINATION AND HARASSMENT AND COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS FOR ALLEGED DISCRIMINATION/HARASSMENT

INTERNAL PROCEDURES PROCESSING DISCRIMINATION/HARASSMENT COMPLAINTS DIVERSITY POLICY

The Attorney General's Diversity Policy gives an overview of the commitment of the Office to diversity and its commitment to addressing any situation which makes the workplace a difficult one for an individual to function. This section of the Plan addresses procedures for dealing with issues involving discrimination or harassment.

The Office of the Attorney General values the richness that diversity brings to the workplace and to our central mission of public service. By appreciating and encouraging the diverse talents, strengths, backgrounds and ideas of each staff member, the Attorney General's Office promotes its goal of delivering the highest quality legal service to the public and to state government.

In order to serve the people well, it is our goal to recruit, retain, support and encourage staff with diverse talents, strengths, backgrounds and ideas. To do this, the Office will seek to maintain a working atmosphere in which the value of diversity is recognized, persons of all backgrounds feel welcome, and all persons are treated with dignity and respect regardless of their backgrounds, job assignments or functions.

In pursuit of these goals, the Office will provide training, education, and other resources to its staff to enhance knowledge, understanding and appreciation of the diversity of our staff and of the people it serves. The Office will provide fair, prompt procedures for addressing complaints of discrimination either by our staff, or by persons outside our Office, including clients, attorneys, judges or other members of the public, which is directed at our staff. The Office will strive to create a work environment in which concerns about discriminatory treatment can be freely raised without fear of retaliation.

POLICY AGAINST DISCRIMINATION/HARASSMENT

In support of these principles, and in accordance with all applicable federal, state and local laws, the Governor's Executive Orders, and the Rules of Professional Conduct, the Office of the Attorney General will not discriminate against individuals in the access to and delivery of services or in employment on the basis of race, color, creed, religion, national origin, age, sex, sexual orientation, marital status, familial status, disability, membership or activity in a local civil rights enforcement agency, or status with regard to public assistance.

Such discrimination is prohibited in all aspects of employment, including, but not limited to recruitment, hiring, training, work assignments, compensation, benefits (as determined by the Minnesota Department of Employee Relations), promotion, tenure and any other terms and conditions of employment.

The Office shall address and take action appropriately under the facts and in accordance with this policy's enforcement mechanism, in response to all complaints of discrimination or harassment based on the above characteristics, which involve one of our staff members in the performance of his or her job duties.

COMPLAINT PROCEDURE FOR INTERNAL COMPLAINTS

The Attorney General's Office is committed to an Affirmative Action/Diversity Policy granting all employees, as well as applicants a right to a workplace free of discrimination or harassment.¹ The purpose of these procedures is to implement the Office's Affirmative Action/Diversity Policy as it relates to employment matters. They are not intended to be applicable to complaints of general harassment covered by other Office policies.

When an employee has a concern about alleged discriminatory or harassing conduct of the nature described in the Policy Against Discrimination in the Diversity Policy of the Office of the Attorney General from other persons within the Office, the employee is encouraged to take immediate and appropriate action to address the situation, including the filing of a complaint under these procedures. Reporting discrimination or harassment can be a difficult step to take. These procedures seek to make reporting as easy as possible. Consequently, any employee who believes that he/she or another employee has been discriminated against or harassed in employment matters within the scope of the Policy, may choose to report the matter in a variety of ways. Reporting is strongly encouraged and essential in order for the Office to take appropriate corrective action and to achieve the goals of the Policy. Reprisals against anyone reporting discrimination or harassment or serving as a witness, assisting, or participating in any way in an investigation, proceeding, or hearing are prohibited.

¹ Discrimination, as it affects the terms or conditions of employment, is the failure of one employee to treat other employees equally where no reasonable distinction can be found for the difference in treatment; harassment, is the display of behavior by one employee toward another employee which has the purpose or effect of unreasonably interfering with an individual's work environment. Under the Office's Diversity Policy, no employee may be discriminated against or harassed because of the employee's race, color, creed, religion, national origin, sex, sexual orientation, marital status, familial status disability, membership or activity in a local civil rights enforcement agency, or status with regard to public assistance.

Sexual harassment is a form of discrimination. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually-motivated physical contact or communication of a sexual nature when:

Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;

Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment; or

That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile or offensive employment environment.

1. Reporting Discrimination or Harassment

If an employee, applicant or eligible, feels he/she is being subjected to discrimination or harassment and desires to report the matter, the individual can report a complaint and discuss the matter with any of the following:

- Any manager (office manager, division manager, deputy attorney general, etc.) at the staff member's location or any other location, or
- The Office's Affirmative Action Officer.

A person receiving the complaint must report the matter in writing to the Affirmative Action Officer and the section deputy of the person who is the subject of the complaint.

The employee may report a complaint orally or in writing and may use the complaint form that is attached to these procedures. If a complaint is made orally, persons receiving the complaint shall give the staff member the Tennessean Warning that is contained on the complaint form prior to making a request for information. If the person receiving the complaint is a manager and the complaint implicates the manager or presents a conflict, then that manager's supervisor shall process the complaint consistent with the requirements of the Minnesota Rules of Professional Conduct. Persons receiving the complaint shall take any appropriate action within the scope of their authority; however, no disciplinary action shall be taken before completion of a full investigation.

- A manager or section deputy has the authority to receive and discuss the complaint and render disciplinary or remedial action after an investigation is conducted by the Affirmative Action Officer and after consultation with the Attorney General
- The Affirmative Action Officer has the authority to receive and discuss the complaint, conduct a preliminary inquiry, and, after approval of the Attorney General, may take remedial measures including, but not limited to, an investigatory suspension or temporary reassignment pending the outcome of the preliminary inquiry or investigation.

2. Inquiry/Investigation

a. Preliminary Inquiry

The Affirmative Action Officer, in consultation with the manager of the subject of the complaint shall, if possible, initiate a preliminary inquiry within three (3) business days of receipt of the written complaint. If the preliminary inquiry establishes that a reasonable basis for the complainant's concern exists, the Affirmative Action Officer shall take appropriate intervening action to deal with the situation until such time as the complaint is investigated fully, there is a finding, and corrective action, if required, is implemented. If the Affirmative Action Officer determines that the complaint is meritless, it shall be so noted on the complaint and no further action shall be required. A complaint shall be deemed meritless either because it cannot be substantiated or it falls outside the scope of this Policy.

b. Full Investigation

If a full investigation is required, the Affirmative Action Officer shall initiate it, if possible, within ten (10) business days of receipt of the complaint. The investigation shall include an interview with the

subject of the complaint. At the time of the interview, the Affirmative Action Officer shall give a summary of the complaint to the subject of the complaint. The complaint summary shall include the substance of the allegation(s) contained in the complaint. If the matter is resolved informally prior to the completion of a full investigation, the Affirmative Action Officer need not issue a written report. However, if the Affirmative Action Officer determines that the complaint is meritless, the Affirmative Action Officer shall prepare a written report indicating that the complaint is meritless.

If the subject of the complaint is a member of a bargaining unit, the Affirmative Action Officer shall notify the member's exclusive representative when a complaint has been filed and the subsequent procedure shall be open to the exclusive representative's participation if requested by the member.

Upon completion of the full investigation, the Affirmative Action Officer shall prepare a written report to the Attorney General. A copy shall be sent to the manager and section deputy of the subject of the complaint. If the investigation will take more than ten (10) days, the Affirmative Action Officer will inform the complaining employee and the subject of the complaint of when the Officer expects to complete the investigation. The report shall include recommendations for designated actions to be taken to remedy the complaint. In making the recommendations, the Affirmative Action Officer shall consult with the manager of the subject of the complaint.

If possible, within ten (10) business days of receiving the report the Attorney General shall take final action to remedy the complaint. If disciplinary or remedial action is taken pursuant to this procedure, it may consist of, but need not be limited to, training, an oral or written reprimand, suspension, or termination. The subject of the complaint shall be provided a written summary of the report and notice of the proposed action.

The Affirmative Action Officer shall notify the complainant when final action has been taken, subject to the terms of the Data Practices Act. A final written answer will be provided within 60 days after the complaint is filed.

If at any time during the inquiry or investigation, the Affirmative Action Officer establishes that a complainant made a false report in bad faith, the Office reserves the right to take employment or disciplinary action against the complainant,

3. Records Retention

The Attorney General's Office shall maintain the privacy of all records to the extent required by the Data Practices Act. All complaints (and related material) shall be retained in accordance with applicable office record retention policies and, when applicable, Minnesota Management and Budget's statewide human resource records retention schedule.

Where it has been established that a complaint is false and was made in bad faith, the Office may retain documentation in the complainant's personnel record.

4. Alternatives

A complainant may also choose to file a complaint within the scope of Minn. Stat. ch. 363 with the Minnesota Department of Human Rights. A complaint must be filed within one year of the occurrence of the alleged discrimination. Minn. Stat. § 363.06, subd. 3. A complainant may also choose to file a charge within the scope of 42 U.S.C. §§ 2000e-2 and 2000e-3 (unlawful employment practices) with the Equal Employment Opportunity Commission. A charge must be filed within 300 days after the alleged

unlawful employment practice occurred if proceedings have not been instituted with a state or local agency. 42 U.S.C. § 2000e-5(e). This timeframe conforms to the Minnesota Department of Human Rights Work Share Agreement. There may be other legal remedies available to a complainant which are not listed here.

COMPLAINT PROCEDURE FOR COMPLAINTS BY STAFF MEMBERS AGAINST NON-STAFF MEMBERS

This procedure applies to situations in which an employee has a concern about alleged behavior by persons outside the Office which, if it occurred in an employment context, would be discriminatory or harassing, as described in the Policy Against Discrimination in the Diversity Policy of the Office of the Attorney General. "Persons outside the Office" include members of the public, clients, legislators, opposing counsel and judges. The employee is encouraged to take immediate and appropriate action to address the situation. However, if the employee believes that the matter requires the attention and response of the Attorney General's Office, the employee may use the following procedure.

1. An employee who has a concern about discriminatory or harassing conduct by a person outside the Office may report the concern to any manager or to a deputy.
2. The party receiving the complaint shall immediately report it to the Affirmative Action Officer. If the Affirmative Action Officer, in consultation with the employee and his/her manager, believes that the conduct merits no further action, the matter shall be dropped. However, if, the matter merits further attention, the Affirmative Action Officer may within ten (10) business days, if practicable, determine the appropriate response to the concern.

If action cannot be taken within ten (10) business days, the Affirmative Action Officer shall inform the employee of the amount of time necessary to take action.

3. In all cases the Affirmative Action Officer shall inform the affected employee of the action in response to the concern.
4. If at any time during the inquiry, the Affirmative Action Officer establishes that the employee made a false report in bad faith, the Office reserves the right to take appropriate employment or disciplinary action against the employee.
5. The Attorney General's Office shall maintain the privacy of all records to the extent required by the Data Practices Act. All complaints (and related material) shall be retained in accordance with applicable office record retention policies and, when applicable, Minnesota Management and Budget's statewide human resource records retention schedule.

Where it has been established that a complaint is false and was made in bad faith, the Office may retain documentation in the complainant's personnel record.

COMPLAINT PROCEDURE FOR COMPLAINTS AGAINST STAFF MEMBERS FROM NON-STAFF MEMBERS

This procedure applies to situations in which a person outside the Office has a concern about alleged behavior by an employee which, if it occurred in an employment context, would be discriminatory

or harassing, as described in the Policy Against Discrimination in the Diversity Policy of the Office of the Attorney General. "A person outside the Office" includes members of the public (including applicants), clients, legislators, opposing counsel and judges. Complaints shall be handled as outlined in this procedure.

1. Processing the Complaint

a. Any employee who receives a complaint alleging that another employee has discriminated against or harassed a person outside the Office shall refer the matter to the employee's manager and shall provide the manager with the name of the person making the complaint, that person's address and telephone number, and the identity of the employee who is the subject of the complaint. No complaint shall be processed under this procedure if the complaining party refuses to divulge his/her identity and how he/she can be contacted to verify the nature of the complaint. If the complaint implicates the manager or presents a conflict of interest, then that manager shall refer the complaint to his or her supervisor who will process the complaint pursuant to the procedures outlined in this Complaint Procedure. All complaints shall be processed in a manner consistent with the requirements of the Minnesota Rules of Professional Conduct.

b. The manager shall contact the complaining party and request that the complaining party make a written statement outlining the basis for the complaint. If the complaining party is unwilling to submit a written complaint, the manager shall make a written account of the complaint based on his/her conversation with the complainant. If the manager makes a written account of the complaint, a copy of the written account shall be sent to the complaining party with instructions that the complaining party should verify the accuracy of the account and return a signed copy of the account to the manager. Failure of a complainant to verify the accuracy of the written complaint within a reasonable time period may be a factor considered by the manager in making a recommendation as to whether to proceed with the complaint pursuant to Paragraph 1 .d of these procedures.

c. The manager shall advise the employee against whom the complaint was made of the substance of the allegations contained in the complaint and shall discuss the complaint with the employee. The manager may also have further discussions with the complaining party regarding the complaint. The employee shall be given an opportunity to respond to the complaint.

If the employee who is the subject of the complaint is a member of a bargaining unit, the Affirmative Action Officer or manager shall notify the employee's exclusive representative that a complaint has been filed and the subsequent procedure shall be open to the exclusive representative's participation if requested by the employee.

d. After meeting or conferring with the complaining party and the employee about whom the complaint was made, the manager shall make a written report within fifteen (15) business days after receiving the complaint. This report shall include the identity of the employee against whom the complaint has been made, the identity of the party bringing the complaint, the nature of the complaint, and the manager's recommendation as to how the complaint should be handled. A manager shall recommend either that no further action be taken or recommend that the matter be subject to a preliminary inquiry. If the manager has consulted with the Affirmative Action Officer, a full investigation may be recommended rather than a preliminary inquiry. However, a manager shall not recommend that the matter shall be subject to further investigation until he/she has discussed the complaint with the individual employee. The manager's recommendation shall contain the employee's response to the complaint. A copy of the report shall be provided to the individual employee, the Affirmative Action Officer and the employee's section deputy.

The employee shall have ten (10) business days after receipt of the report in which to provide a written response to the report before any investigation commences.

2. Inquiry/Investigation

a. Preliminary Inquiry

The Affirmative Action Officer, in consultation with the manager of the subject of the complaint, shall conduct a preliminary inquiry within twelve (12) business days of receipt of the written report. If this preliminary inquiry establishes that a reasonable basis for the complaint exists, a full investigation will be conducted. If the Affirmative Action Officer determines that the complaint is meritless, it shall be so noted on the complaint and the report. A complaint shall be deemed meritless either because it cannot be substantiated or it falls outside the scope of this policy.

b. Full Investigation

If possible, within ten (10) business days after a determination to conduct a full investigation the Affirmative Action Officer shall conduct a full investigation that shall include an interview with the subject of the complaint. If the investigation will take more than ten (10) business days, the Affirmative Action Officer will inform the subject of the complaint when the Officer expects to complete the investigation. Upon completion of the full investigation the Affirmative Action Officer shall prepare and submit a report to the Attorney General together with any other related materials. A copy shall be sent to the employee's manager and section deputy. The report shall include recommendations for designated actions to be taken to remedy the complaint. In making the recommendations, the Affirmative Action Officer shall consult with the appropriate manager.

If possible, within ten (10) business days of receiving the report the Attorney General shall take final action to remedy the complaint. If disciplinary or remedial action is warranted, it may consist of, but need not be limited to, training, an oral or written reprimand, suspension, or termination. The subject of the complaint shall be provided a written summary of the report and notice of the proposed action.

The Affirmative Action Officer shall notify the complainant when final action has been taken, subject to the terms of the Data Practices Act.

3. Records Retention

The Attorney General's Office shall maintain the privacy of all records to the extent required by the Data Practices Act. All complaints (and related material) shall be retained in accordance with applicable office record retention policies and, when applicable, Minnesota Management and Budget's statewide human resource records retention schedule.

REASONABLE ACCOMMODATION POLICY

A. Policy

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

B. Definition

For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that materially or substantially limits one or more major life activities.

C. Reasonable Accommodation

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

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and/or reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

To assure equal opportunity in the employment process;

To enable a qualified individual with a disability to perform the essential functions of a job; and

To enable an employee with a disability to enjoy equal benefits and privileges of employment.

D. Procedure-Existing Staff

1. The Attorney General's Office will inform all employees of this accommodation policy in accessible formats.
2. The employee shall inform his/her supervisor of the need for an accommodation.

3. The Attorney General's Office may request documentation of the individual's functional limitations to support the request.
4. When a qualified individual with a disability has requested an accommodation, the Attorney General's Office shall, in consultation with the individual:
 - a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary;
 - b. Determine the precise job-related limitation;
 - c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job; and
 - d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Attorney General's Office is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The Attorney General's Office ADA Coordinator will work with the supervisor and employee to obtain technical assistance as needed.
6. If the supervisor is unable to make a definitive decision, for whatever reason, about providing the accommodation, the supervisor will forward a written request for accommodation along with his/her recommendation to the ADA Coordinator within five (5) working days following the employee's request.
7. If the ADA Coordinator is unable to make a definitive decision for whatever reason, about providing the accommodation, the ADA Coordinator will forward a written request for accommodation, along with his/her recommendations, to the Attorney General or his designee within ten (10) working days following the employee's request.
8. The Attorney General or his designee will provide a decision in writing to the ADA Coordinator and employee within ten (10) working days.
9. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator shall work together to determine whether reassignment may be an appropriate accommodation.

The ADA Coordinator shall first look for an equivalent vacant position in the Attorney General's Office equivalent to the one presently held by the employee in terms of pay and other job status. If the individual with the disability is not qualified, with or without reasonable accommodation, for a vacant position (or a position the Attorney General's Office knows will become vacant within a reasonable period of time) the Attorney

General's Office may reassign the individual as a reasonable accommodation to a lower graded vacant position for which the employee is qualified. If this occurs, the Attorney General's Office is not required to maintain the individual's salary at the previous level.

The Attorney General's Office will look at transfer opportunities, mobility opportunities, appointment opportunities, noncompetitive and competitive opportunities. (Minn. Stat. Ch. 43A).

The Attorney General's Office is not required to create a new job or to bump another employee from a job in order to provide a reassignment as a reasonable accommodation.

10. If a request for accommodation is not approved, the Attorney General's Office shall inform the employee of the reason(s) for non-approval, in writing, within three (3) working days of the decision.

E. Procedure-Job Applicants

1. The Attorney General's Office shall notify all applicants of this accommodation policy using accessible formats.
2. When a request for accommodation is received from an applicant, the supervisor/ADA Coordinator will discuss the needed accommodation and discuss possible alternatives with the applicant.
3. The supervisor/ADA Coordinator will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.
4. If the supervisor/ADA Coordinator is unable to make a definitive decision, for whatever reason, about providing the accommodation, the supervisor/ADA Coordinator will forward a written request for accommodation, along with his/her recommendations to the Deputy in charge of Legal Operations within three (3) days following the applicant's request.
5. If approved, the Deputy shall take the necessary steps to see that the accommodation is provided. If the accommodation is not approved, the Deputy will inform the applicant of the reason for non-approval, in writing, within three (3) working days of the decision. Upon the request of the employee for whom an accommodation has been made, the accommodation may be reviewed at six-month intervals.

F. Appeals

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

If the individual believes the decision is based upon discriminatory reasons, they may file a complaint internally through the agency's complaint procedure.

G. Policy for Funding Accommodations

Funding must be provided by the Attorney General's Office for accommodations that do not cause an undue hardship [Minn. Stat. Ch. 43A.191(c)].

Undue Hardship

An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the Attorney General's Office.

Procedure for Determining Undue Hardship

1. The supervisor will meet with the ADA Coordinator to discuss the requested accommodation.
2. Undue hardship will be determined by considering:
 - a. The nature and cost of the accommodation in relation to the size, the financial resources, the nature and structure of the Attorney General's Office operation; and
 - b. The impact of the accommodation on the nature or operation of the Attorney General's Office.
3. If the ADA Coordinator considers the accommodation will impose an undue hardship, he/she will forward an undue hardship analysis and recommendation to the Attorney General within ten (10) working days following employee request or within three (3) working days following applicant request.
4. The Attorney General or his/her designee will provide a decision in writing to the supervisor, ADA Coordinator and employee within ten (10) working days or applicant within three (3) working days.

H. ADA Public Grievance Procedures

The Attorney General's Office has adopted grievance procedures that provide for the prompt and equitable resolution of complaints alleging any action that is prohibited by Title II of the Americans With Disabilities Act (ADA). This grievance procedure is to be used by persons with disabilities who are eligible for the services, benefits, programs, or activities of this Office.

Title II states in part, that "*no otherwise qualified disabled person shall, solely by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination*" in programs or activities sponsored by a public entity.

Complaints should be sent to:

Sue Vrooman
Attorney General's Office
900 Bremer Tower Building
445 Minnesota Street
St. Paul, MN 55101
(651) 757-1057 (Voice)
(651) 296-1410 (TTY)

Step 1. A complaint should be filed in writing. It should contain the name and address of the complainant, a brief description of the violation and the accommodation sought. The complaint shall be filed within 90 working days after the complainant becomes aware of the alleged violation. Within ten (10) working days of the receipt of the written complaint the office's ADA Coordinator will acknowledge in writing receipt of the complaint. The ADA Coordinator shall review the complaint for completeness and validity, shall make all parties to the complaint aware of the violation, obtain additional information related to the complaint if necessary, and shall attempt to resolve the complaint.

Step 2. If the ADA Coordinator is not able to resolve the complaint in Step 1, the Coordinator shall schedule a meeting with representative(s) of the office and the complainant within 15 working days. The Coordinator will respond in writing to the complaint detailing any actions taken or proposed by the office within 15 working days of the meeting.

Step 3. If the complainant is not satisfied with the office's proposal to resolve the complaint, the complaint shall be referred to the ADA Advisory Committee at Minnesota Management and Budget. The ADA Advisory Committee will review the complaint and respond to the complainant in writing within 30 days of its recommendation for action.

AMERICANS WITH DISABILITIES ACT NOTICE TO THE PUBLIC

The following notice is posted in the reception area of all AGO locations:

It is the policy of the Office of the Attorney General ("Office") to comply with the provisions of the Americans with Disabilities Act, 42 U.S.C.A. Section 12101, et seq. ("ADA"). The ADA prohibits discrimination against qualified individuals with disabilities on the basis of their disability. The ADA provides, in part, that qualified individuals with disabilities shall not be excluded from participating in or be denied the benefits of any program, service or activity offered by this Office.

The ADA requires that all programs, services and activities, when viewed in their entirety, are readily accessible to and usable by qualified individuals with disabilities. This Office must communicate effectively with individuals with speech, visual, and hearing impairments and provide auxiliary communication aids to qualified individuals with disabilities participating in or benefiting from this Office's programs, services or activities to afford equal opportunity.

Should you wish to review the ADA or its interpretive regulations, ask questions about your rights and remedies under the ADA, request a reasonable modification to this Office's policies, practices or procedures, or file a written grievance with this Office alleging noncompliance with the ADA, please contact the Office's Designated Coordinator for the ADA listed below.

Name: Sue Vrooman

Address: Office of the Attorney General
900 Bremer Tower Building
445 Minnesota Street
St. Paul, Minnesota 55101

Telephone Numbers: Voice: (651) 757-1057
TTY: (651) 296-1410

EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

A copy of the agency's weather and emergency evacuation plan can be found on the AGO's intranet website. It is also prominently displayed at each AGO location on bulletin boards and in each conference room. All staff have received copies of these plans, new employees receive a copy upon hire, and staff are reminded periodically to review them. Updates are issued as needed. All AGO locations work closely with the management companies of those buildings so that AGO staff are aware of and follow building evacuation procedures.

The plans provide for aiding staff who require assistance during an evacuation of the premises. Monitors have been assigned at each location and on each floor, if applicable, to assist individuals with disabilities during a weather emergency or evacuation. These monitors are listed in the weather and emergency evacuation plan. All receptionists have been notified of the need to be aware of visitors who might require assistance during an evacuation and staff have been advised of the possibility of this need in the location evacuation plans.

Everyone has a responsibility to develop their own personal emergency evacuation plan, including individuals with disabilities or individuals who will need assistance during evacuation. To request assistance in setting up a personal evacuation plan, staff should contact:

- Sue Vrooman, HR Director (651) 757-1057, sue.vrooman@ag.state.mn.us; or
- Donna Paulson, Personnel Assistant, (651) 757-1262, donna.paulson@ag.state.mn.us.

GOALS AND TIMETABLES

PURPOSE

State law requires that numerical goals be established for each occupational category where one or more protected groups are under-represented. The law also requires that reasonable timetables be established for achievement of these goals. This section establishes reasonable and attainable numerical standards. They are an essential frame of reference for evaluating progress.

DEVELOPMENT OF GOALS

The following criteria are used in developing goals: Percentage of members of each protected class in the recruiting area population who have the necessary skills and availability of protected class members in the recruiting area population.

The Attorney General's Office is composed of four principal occupational groups. These are Officials/Administrators, Professionals, Paraprofessionals and Office Clerical (support staff).

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

GOALS AND TIMETABLES CHART

EEO Job Group	Women			Minorities			People with a Disability		
	Number Under-utilized	Goal	Timetable	Number Under-utilized	Goal	Timetable	Number Under-utilized	Goal	Timetable
Officials and Administrators	0			0			0		
Professionals	9	5	2014-2016	2	1	2014-2016	4	2	2014-2016
Paraprofessionals	0			2	1	2014-2016	4	2	2014-2016
Office/Clerical	0			2	2	2014-2016	5	2	2014-2016

Availability:

The agency determined the recruitment area to be statewide availability. In conducting its underutilization analysis, the agency used the two factor analysis. The agency determined it was best to use this type of analysis because its recruitment efforts generally focus on the statewide area.

Women:

At the agency, the population of women has not improved in the following job category: professionals.

Minorities:

At the agency, the population of minorities has not improved in the following job categories: professionals, paraprofessionals, and office/clerical.

Individuals with Disabilities:

At the agency, the population of individuals with disabilities has not improved in the following job categories: professionals, paraprofessionals, and office/clerical.

It is difficult to assess the amount of growth we may have during the next two years. Taking budget constraints and attrition into account, the AGO will make a good faith effort to recruit and hire into each disparate group as summarized in the chart above.

AFFIRMATIVE ACTION PROGRAM OBJECTIVES

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

AUDIT AND EVALUATION

TASK:	Evaluate retention trends in all occupational categories.
ACTION:	Review all exit interviews. Prepare annual statistical retention report.
ASSIGNMENT:	Affirmative Action Officer. All managers are required to assist with retention of protected group employees.
COMPLETION DATE:	Annually.
EVALUATION:	Review all exit interview data by protected groups and occupational categories on an annual basis.

REVIEW OF PROMOTION PATTERNS

TASK:	Analyze promotion patterns to identify disparities between protected group members and non-protected group members to ensure that all employees have an equal opportunity to fill promotional vacancies.
ACTION:	Review criteria for promotion. Clarify, eliminate barriers. Identify changes needed in the decision making process.
ASSIGNMENT:	Executive Committee/Affirmative Action Officer.
COMPLETION DATE:	Annual review.

MENTORING ASSIGNMENTS

TASK:	Provide mentoring opportunity for all new employees.
ACTION:	Assign a mentor to all new employees within two weeks of their hire date.
ASSIGNMENT:	Division managers, supervisors.
COMPLETION DATE:	Two weeks after a new staff member joins the Office.
EVALUATION:	New employees are assigned mentors.

DIVERSITY

TASK:	Provide the Office's Diversity Policy and Procedures to all staff in order to develop and encourage a workplace open to and nurturing diversity in individuals.
ACTION:	Disseminate the Office's policy and complaint procedures during the AGO orientation process.
ASSIGNMENT:	Director of Human Resources/Personnel Assistant.
COMPLETION DATE:	All new staff receive information upon hire.
EVALUATION:	All employees receive information and updates as necessary.

SEXUAL HARASSMENT TRAINING

TASK:	Provide sexual harassment awareness training to all staff. Provide elective refresher training to all staff members.
ACTION:	Set training schedule.
ASSIGNMENT:	Director of Human Resources/Personnel Assistant.
COMPLETION DATE:	Course is completed on-line within three months of hire.
EVALUATION:	New employees are trained within three months of joining the Office.

ADA

TASK:	Disseminate the Office's ADA Manual and accommodation policy during the AGO orientation process. Provide training office-wide from time to time on relevant issues.
ACTION:	Provide ADA policy and reasonable accommodation forms to new employees at orientation.
ASSIGNMENT:	Director of Human Resources/Personnel Assistant.
COMPLETION DATE:	All new staff receive information upon hire.
EVALUATION:	All employees receive information and updates as necessary.

DISABILITY AWARENESS

TASK:	Provide information about disability awareness to new staff.
ACTION:	Discussion with new employees during the AGO orientation process.
ASSIGNMENT:	Director of Human Resources/Personnel Assistant.
COMPLETION DATE:	All new staff receive information upon hire.
EVALUATION:	All employees receive information and updates as necessary.

DISCRIMINATION/HARASSMENT AWARENESS

TASK:	Provide information about discrimination/harassment and the Office policy prohibiting it to all new staff.
ACTION:	Provide information during the AGO orientation process.
ASSIGNMENT:	Director of Human Resources/Personnel Assistant.
COMPLETION DATE:	All new staff receive information upon hire.
EVALUATION:	All employees receive information and updates as necessary.

EMPLOYEE DEVELOPMENT/TRAINING PROGRAMS

TASK:	Provide appropriate training opportunities for all staff.
ACTION:	Identify development needs for individual staff, including those which would lead to promotional opportunities.
ASSIGNMENT:	Managers/supervisors in cooperation with employees.
COMPLETION DATE:	Ongoing.
EVALUATION:	All staff receive information about available opportunities and encouragement to seek opportunities.

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 classified 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 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.

Any time the agency cannot justify a hire in the classified service, the agency takes a missed opportunity. The agency will report the number of affirmative and non-affirmative classified 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 and provide an invitation to request a reasonable accommodation for individuals with disabilities to allow the candidate equal opportunity to participate in the interview process. For example, describe if interview questions are offered ahead of time or what technology may be used during the interview process. This allows for 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.

B. Pre-Review Procedure for Layoff Decisions

The Affirmative Action Officer, in conjunction with managers, 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;
- Analyzes employment activity (hires, promotions, and terminations) by job category to determine if there is an adverse impact;
- Analyzes compensation program to determine if there are patterns of discrimination;
- Reviews the accessibility of online systems and 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.

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 years total: \$18,000

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

ATTORNEY AND OTHER PROFESSIONAL RECRUITMENT

The Attorney General's Office recruits attorneys from all local law schools, as well as outstate law schools. The Office networks with protected group student associations at the various campuses to encourage protected group candidates to send a resume and letter of interest to the Office. We ask employees who belong to these associations to encourage protected group individuals to apply for positions in the Office.

Hiring criteria include a broad range of factors, not limited to academic standing. The Attorney Recruitment Guide states:

In evaluating applicants, we seek to identify the unique strengths of each candidate and to achieve diversity in our hiring decisions. Numerous factors are considered including the individual's particular interest in our Office and a demonstrated interest in public service generally; academic achievement; participation in law review, moot court competitions or other law-related activities; written, oral and analytical skills; other life or work experiences; and the personal qualities demonstrated by the applicant.

The Office will work with the various law schools at which we recruit to encourage individuals with disabilities to consider applying to our Office.

The Office has also recruited attorneys by proactively speaking at meetings and attending conferences of the following organizations, and will continue to do so in the upcoming plan years 2014-2016:

MN Asian Pacific American Bar Association
MN Association of Black Lawyers
MN Hispanic Bar Association
Diversity in Practice (Minnesota Minority Recruitment Conference)

The Attorney General's Office advertises at over 50 colleges, universities, community and technical colleges throughout Minnesota and Wisconsin, at many post-secondary institutions throughout the nation, as well as on Minnesota Management and Budget's Resumix System to recruit individuals for professional positions which are not attorney positions. We are also frequently in direct contact with professors, career services' staff, and offices of equity and diversity at colleges in order to attract qualified candidates and meet our goal of achieving a diverse workforce.

OFFICE (SUPPORT STAFF) RECRUITMENT

The Attorney General's Office obtains lists of candidates for each classified position via Resumix, following the guidelines established in the Multi-Source Recruitment and Selection Guidebook, and MMB personnel policies and rules. Searches for disparate applicants are performed and preference is given to those applicants that meet the minimum qualifications of a position. The Office also works with DEED's Division of Vocational Rehabilitation to find qualified candidates.

LAW CLERK OPPORTUNITIES

Law clerk positions are advertised at the four local law schools. The Office uses this method as an opportunity to attract protected group members, introduce them to the Office, and encourage their candidacy for attorney positions.

COMMUNITY-BASED NOTIFICATION

The AGO provides notices of employment opportunities to the four local law schools: the University of Minnesota, William Mitchell Law School, Hamline and St. Thomas.

PERSONS RESPONSIBLE FOR RECRUITMENT PLANS

Under the general direction of the Attorney General and the Affirmative Action Officer the following staff will have responsibility for specific job groups.

<u>Managers</u>	Recruitment responsibilities are assigned to staff identified by the Attorney General.
<u>Legal Assistants</u>	Recruitment responsibilities are assigned to staff identified by the Attorney General.

Support Staff

Recruitment responsibilities are assigned to the Director of Human Resources.

All of the above persons are aware of the AGO's commitment to hire affirmatively and are required to adopt proactive methods to identify and recruit diverse candidates.

RECRUITMENT FOR PERSONS WITH DISABILITIES

1. Review of job postings for physical and sensory requirements and ensure that qualifications in job postings are inclusive and do not pose any unnecessary barriers.
 - a. Our agency will review all job postings for physical and sensory requirements and determine if the qualifications for the position are job-related and consistent with business necessity. Additionally, our agency will edit language pertaining to physical and sensory requirements and change this language to reflect more inclusive language for job qualifications.
2. Self-Identification
 - a. At the time of application and once a year, our agency will communicate to our employees that we collect summary data related to the number of individuals who have applied for classified positions and who are in our workforce. We will inform employees that we collect this summary data to make determinations about where we need to improve in terms of recruitment, selection, or retention of individuals with disabilities.
3. Supported Employment (Minn. Stat. § 43A.191, subd. 2(d))
 - a. 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 worker. We will work with community organizations that provide services to individuals with disabilities to recruit for these positions when they become available.
4. Accessibility Matters Campaign
 - a. Our agency will distribute marketing material and resources to our staff to remind them to create accessible electronic documents and systems, so that employees with disabilities coming into the workforce can contribute to the workforce and will be able to access similar information and resources as other employees.
5. Reasonable Accommodations
 - a. We will prominently display in our recruitment materials that we will provide reasonable accommodation to qualified individuals with a disability who apply for our positions where needed. All recruitment materials are available in alternate format and the Office ensures that physical spaces and technology are accessible to individuals with disabilities.
6. Strategic Partnerships
 - a. Our agency has built a partnership with Steve Kuntz, DEED - Vocational Rehabilitation Services ("VRS"), to assist in referral of candidates to open classified positions. Our agency will work to inform VRS when a position is posted or prior to a posting, if possible, about the position.
 - b. Our agency will maintain contact with a variety of professors at a number of law schools as a method to have faculty recommend the AGO to persons with disabilities.
7. Self-Analysis
 - a. Our agency will conduct periodic self-checks to determine if our systems or documents are accessible, language in our job postings is inclusive, and reasonable accommodations have been provided and staff have been trained on how to provide reasonable accommodations.
8. Reporting
 - a. Our agency will conduct a quarterly analysis of the number of individuals with disabilities who have applied for classified positions and the number of individuals with disabilities hired in the classified service.

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. The responsibility for retention efforts lies with all employees, but primary responsibility lies with Sue Vrooman, Affirmative Action Officer/Human Resources Director, sue.vrooman@ag.state.mn.us (651) 757-1057, as well as those individuals specified below.

A. Individuals Responsible for the Agency's Retention Program/Activities

RETENTION PLAN

TASK:	Promote retention of protected group members by providing mentoring, training and fostering internal networking.
ACTION:	Identify protected group members and arrange for mentoring, training and fostering internal networking.
ASSIGNMENT:	Deputy attorneys general, division managers.
COMPLETION DATE:	Ongoing.
EVALUATION:	Separation patterns are analyzed annually to determine impact on protected group members.

RETENTION – EXIT INTERVIEW PROCESS

TASK:	Conduct exit interview of all employees leaving the Office.
ACTION:	Distribute an exit interview questionnaire to all employees leaving the Office. Conduct face-to-face interviews with employees selected randomly.
ASSIGNMENT:	Affirmative Action Officer.
COMPLETION DATE:	As staff leave the Office.
EVALUATION:	Questionnaires are distributed to all employees who terminate employment. Face-to-face interviews are conducted. At the end of each fiscal year the paper exit surveys are tabulated to determine if there is any pattern to the reasons protected group members state for leaving the Office. The most common response among those interviewed and responders was "low pay" and "new opportunity." Given economic constraints past, present and future, this is a difficult obstacle to overcome.

B. Separation and Retention Analysis by Protected Groups

The majority of the total number of separations in the office during this reporting period were due to retirements. Retirements are generally not a retention problem, but rather are related to the natural lifecycle of each individual's employment. Of the 29 total number of resignations, 12 (46.15%) were in the underutilized category of women professionals. That number, however, represents both professionals and paraprofessionals, which is not a job category where women are underutilized, therefore making it difficult to accurately assess. Minorities constituted 8 (30.77%) of the total number of resignations. Based on this data, protected group members are generally not leaving the office at a higher rate; however, we will continue to monitor this data and review exit surveys to address any patterns, consistencies or identifiable issues in the future. Two persons with disabilities separated from the office during this reporting period, but both were due to retirements.

C. Methods of Retention of Protected Groups

- Promote retention of protected group members by providing a mentor, coaching opportunities, and fostering an internal network of support.
- Continue to conduct exit surveys of all employees leaving the agency. Analyze data for common reasons for leaving, and share with leadership. Develop and implement positive changes.
- Ensure accessibility of electronic systems and physical office spaces and equipment.
- Ensure all employees are aware of the Employee Assistance Program available to them.

COMPLAINT OF DISCRIMINATION/HARASSMENT

The information on this form is collected so that the Attorney General's Office may review your complaint under the Office Diversity Policy and to administer that Policy and monitor compliance with it. You are not legally required to provide this information, but the Attorney General's Office may not be able to review your complaint if you do not provide sufficient information. The information collected is private personnel data on you. It will, however, be disclosed, as needed, within the agency to the Affirmative Action Officer, appropriate managers or deputies, and the Attorney General. During any investigation the data remains personnel data on you, but it may also be disclosed subject to the limitations imposed by Minn. Stat. § 13.43, subd. 8, to any individual who may have information on the matter, the employee against whom or on whose behalf the complaint is made or to the Minnesota Department of Human Rights or the Equal Employment Opportunity Commission.

NAME/TITLE: _____

PHONE: _____

Who is (are) the subject(s) of your complaint?

NAME(S) _____

TYPE OF DISCRIMINATION OR HARASSMENT:

Race ____ Sex ____ Color ____ Creed ____ Religion ____ Age ____ National Origin ____

Sexual Orientation ____ Marital Status ____ Familial Status ____ Status with Regard to
Public Assistance ____

Other (Specify) _____

When did the incident occur? Date: _____ Time: _____

Place: _____

Describe the incident in detail. If you are reporting an incident on behalf of another, please include that person's name and division in the Office (attach additional sheet(s) if needed):

Were there any witnesses to the incident?

NAME(s) _____

I certify that the information I provided is true and correct to the best of my ability.

Signature: _____ Date: _____

Received by: _____

Signature: _____ Date: _____



**STATE OF MINNESOTA – OFFICE OF THE ATTORNEY GENERAL
EMPLOYEE/APPLICANT REQUEST FOR
ADA REASONABLE ACCOMMODATION FORM**

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

Employee/Applicant Name:	Job Title:
Work Location:	Phone Number:

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

Questions to clarify accommodation requested.

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

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

Reasonable Accommodation Request Form, Page 2

1. What job function, if any, are you having difficulty performing?
2. What employment benefit, if any, are you having difficulty accessing?

3. What limitation as result of your physical or mental impairment is interfering with your ability to perform your job or access an employment benefit?
4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?

Information Pertaining to Medical Documentation

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

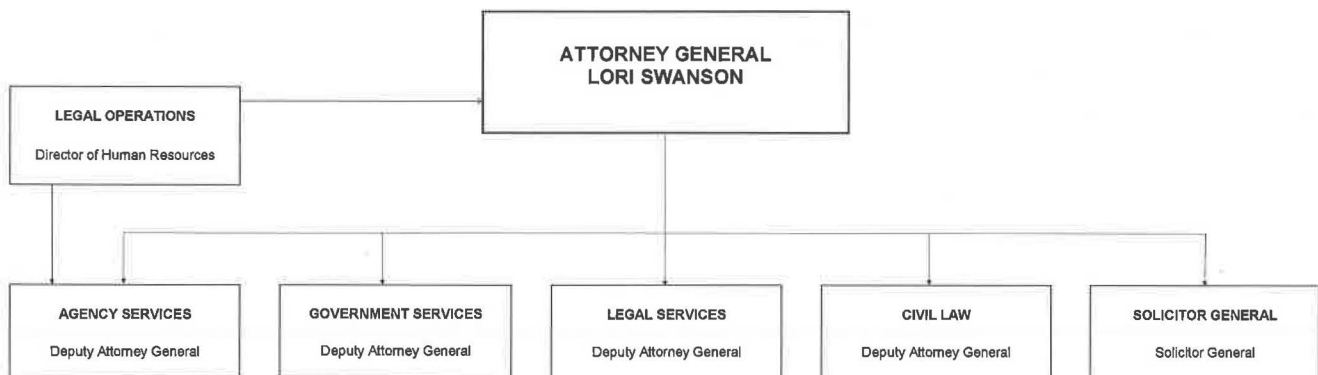
The ADA Coordinator or designee in each agency is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that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

This authorization does not cover, and the information to be disclosed should not contain, genetic information. "Genetic Information" includes: Information about an individual's genetic tests; information about genetic tests of an individual's family members; information about the manifestation of a disease or disorder in an individual's family members (family medical history); an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; and genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

Employee/Applicant Signature:	Date:
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AGENCY PROFILE AND ORGANIZATIONAL CHART

The Attorney General is the chief legal officer for the state and is the legal advisor to the Governor and all the constitutional officers. Her duties arise from the constitution, state statutes and common law. Every board, commission and agency of the state receives its legal counsel and representation from the Attorney General. The Attorney General provides legal assistance to local officials, such as county attorneys and sheriffs, in their efforts to enforce laws, and her Criminal Division prosecutes difficult or complex criminal cases at the request of local prosecutors, especially serious crimes against people. She represents and advocates for consumers through specialized divisions focused on consumer protection, charities oversight, antitrust enforcement and utilities regulation. In these areas the Attorney General has focused on privacy issues, protecting the public from unscrupulous businesses, combating scams and fraud targeted at senior citizens, and combating telemarketing fraud. The Attorney General is also a member of the State Executive Council, the State Board of Investment, the Pardon Board and the Land Exchange Board. The Attorney General's staff includes the Solicitor General, four Deputy Attorneys General, Assistant Attorneys General, legal assistants and support staff.



APPENDIX D

Underutilization Analysis Worksheets are on file.

APPENDIX E

Separation Analysis by Protected Groups Worksheets are on file.