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**STATE OF MINNESOTA**

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**DEPARTMENT OF EDUCATION**

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**Affirmative Action Plan**

**August 2016 – August 2018**

This document can be made available upon request in alternative formats by contacting Human Resources at  
[mde.hr@state.mn.us](mailto:mde.hr@state.mn.us) or 651-582-8612

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## I. EXECUTIVE SUMMARY

Department of Education Affirmative Action Plan 2016 – 2018

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

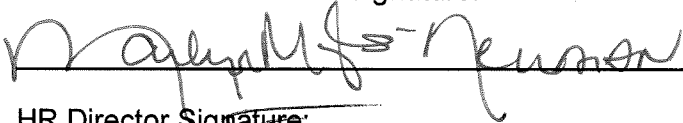
**Table 1. Underutilization Analysis of Protected Groups**

Job Categories	Women	Racial/Ethnic Minorities	Individuals with Disabilities
Officials/Administrators			XX
Professionals		XX	XX
Office/Clerical		XX	
Technicians		XX	

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

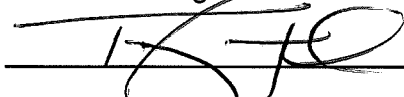
This Affirmative Action Plan meets the requirements as set forth by Minnesota Management and Budget, and contains affirmative action goals and timetables, as well as reasonable and sufficiently assertive hiring and retention methods for achieving these goals.

Affirmative Action Officer Signature:



Date: 9/7/16

HR Director Signature:



Date: 9-7-16

Commissioner Signature:



Date: 9.7.16

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## II. STATEMENT OF COMMITMENT

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This statement reaffirms Education 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.

Brenda Carrellin

Commissioner Signature

9. 7. 14

Date

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

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#### **Commissioner**

Brenda Cassellius

#### **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.

#### **Affirmative Action Officer (AAO)**

Marilyn Myles Newman

#### **Responsibilities:**

The AAO 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 AAO 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;
- 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 AAO is accountable directly to Tammy Funk, HR Director and indirectly to the Commissioner on matters pertaining to affirmative action and equal opportunity.

### **Americans with Disabilities Act Coordinator**

#### 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 Tammy Funk, HR Director.

## **Human Resources Director**

Tammy Funk

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 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 the AAO 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 disparities;
- Make available to the AAO 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 Charlene Briner, Deputy Commissioner.

## **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 AAO 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.

**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, 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.

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## **IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN**

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### **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 AAO, to all staff on an annual basis.
- The agency's Affirmative Action Plan is available to all employees on the agency's internal website at <https://inside.education.state.mn.us/intranet/index.htm> 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.

### **External Methods of Communication**

- The agency's Affirmative Action Plan is available on the agency's external website at <http://education.state.mn.us/MDE/Welcome/Employ/index.html> 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.

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## **V. POLICY PROHIBITING DISCRIMINATION AND HARASSMENT**

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The Department of Education is committed to providing a working environment that is free from discrimination and discriminatory harassment. The Department will take prompt and appropriate action in response to complaints of alleged discrimination and discriminatory harassment, including sexual harassment.

### **Standards**

- Retaliation or discrimination will not be tolerated against any employee who has participated as a complainant or as a witness in any departmental proceedings involving discrimination or sexual harassment.
- Employees are responsible for treating co-workers in a manner consistent with this policy.
- Supervisors have the responsibility to maintain a work environment free of harassment for all employees under their supervision.
- Employees are encouraged, but not required, to request offensive behavior to stop.
- No employee shall intentionally use this policy or related procedure for reason of personal malice or abuse.

## **Definitions**

**Discrimination** is differing treatment of an individual in any term or condition of employment based on race, color, sex, religion, creed, national origin, disability, age, sexual orientation, marital status, or status with regard to public assistance or membership or activity in a local human rights commission. Discrimination may also include conduct by a supervisor or co-worker that creates a hostile work environment based on sex or race. Discrimination and harassment based on these protected classes may violate the Minnesota Human Rights Act, Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, the Rehabilitation Act, or the Americans with Disabilities Act.

**Discriminatory Harassment** is harassment based on race, color, sex, religion, creed, national origin, disability, age, sexual orientation, marital status, or status with regard to public assistance or membership or activity in a local human rights commission.

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

**Third Party Harassment** involves discrimination where the harasser is not an employee of our agency, but is a customer, vendor, subcontractor or member of the general public. If you should feel harassed by any of these people, you should complain in the same manner as if you were harassed by a co-worker or supervisor.

The **AAOD** is the Affirmative Action Officer, located in the Human Resources Office.

The **Complainant** is the person filing the complaint.

The **Respondent** is the person or persons named in the complaint.

## **Reporting Discrimination/Discriminatory Harassment**

Employees are strongly encouraged to report acts of discrimination or discriminatory harassment or suspected acts of such conduct by anyone in the workplace to the manager/supervisor or to the AAOD. Reporting by employees is essential in order to take appropriate corrective action and achieve the goals of this policy.

Managers/supervisors shall refer complaints to the AAOD and shall report immediately to the AAOD if they have any knowledge, or have reasonable suspicion of any discrimination or discriminatory harassment, including sexual harassment.

Any employee, applicant, eligible candidate for a position, contractor, or volunteer who feels they are being discriminated against or harassed in employment matters within the scope of this policy is encouraged to take immediate and appropriate actions to address the situation, including filing a complaint under these procedures. Filing of a complaint under these procedures does not preclude the filing of a complaint with the Equal Employment Opportunity Commission (EEOC) the Minnesota Department of Human Rights, or pursuing other legal channels.

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

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### **Filing Complaints**

Complaints should be made in writing on the department's Discrimination/Discriminatory Harassment Complaint form available in the Human Resources Office and filed with the AAOD.

If a complaint is made orally, the AAOD shall help the individual fill out the complaint form prior to making a request for information.

### **Preliminary Review**

The AAOD and the Human Resources Director will conduct a preliminary review of the complaint and, within three business days of receiving the complaint, if possible, shall determine if the complaint falls within the area of discrimination/discriminatory harassment.

If the complaint falls within the area of discrimination/discriminatory harassment, the AAOD and the Human Resources Director shall determine the appropriate avenue of investigation. They will take appropriate intervening action to deal with the situation, including, but not limited to, an investigatory suspension or temporary reassignment, until such time as the complaint is investigated fully, there is a finding, and corrective action, if required, is implemented. When appropriate, the AAOD shall notify the complainant's union representative that a complaint has been filed unless requested by the complainant that they not be notified.

If the complaint does not fall within the scope of this policy, the complainant will be notified so that s/he may use another grievance or resolution process.

### **Investigation**

If an investigation is required, the AAOD shall initiate it within ten (10) business days of receipt of the complaint, if possible. The AAOD shall notify the complainant and respondent of the investigation. The notice to the respondent shall include the substance of the allegations contained in the complaint, and if the respondent is a member of a bargaining unit, notification of their right to representation. If requested by the member, the subsequent procedure shall be open to the exclusive representative's participation.

The investigation may include interviews with, or statements from, all parties involved, including the complainant, respondent, complainant's supervisor(s), witnesses, and co-workers; and a review of all pertinent records or documents relating to the complaint.

In compliance with the Minnesota Data Practices Act, the identity of individuals making complaints or providing information in the course of an investigation shall be disclosed only as needed to properly investigate and resolve the complaint. No discrimination or retaliation against any employee participating in any investigation involving discrimination or sexual harassment will be tolerated.

Upon completion of the investigation, and no later than 60 days after the filing of the complaint, the AAOD/investigator shall prepare a written report to the appropriate Assistant Commissioner or Executive Manager.

The AAOD shall notify the complainant and the respondent when final action has been taken, subject to the terms of the Data Practices Act.

Disposition of the complaint will be filed with the Commissioner of Minnesota Management and Budget within 30 days of final determination.

### ***Remedy***

The appropriate Executive Manager and the Human Resources Director shall make the final determination for resolving the complaint and shall take action to remedy the complaint based on severity and recurrence of similar behaviors.

### ***Discipline***

If disciplinary or remedial action is taken pursuant to this procedure, it may consist of, but need not be limited to, training, oral or written reprimand, suspension, or termination.

If at any time during the review or investigation, the AAOD establishes that a complainant made a false report in bad faith, the Department reserves the right to take employment or disciplinary action against the complainant, including but not limited to training, oral or written reprimand, suspension, or termination.

### **Other Options**

If a complainant is not satisfied with the process and/or outcome of the investigation, or has not pursued external options, they may pursue other options including filing a complaint with the Minnesota Department of Human Rights or the Equal Employment Opportunity Commission, or other legal remedies.

The respondent has rights to appeal disciplinary action under the grievance provisions of the applicable collective bargaining agreement or plan.

### **Data Privacy and Records Retention**

The Department shall maintain the privacy of all records consistent with the requirements of the Data Practices Act. Information gathered in the course of an investigation, including the identity of individuals, is considered to be private data on individuals and shall be disclosed only as needed to properly investigate and resolve the complaint. All complaints and related material shall be retained in accordance with applicable Department record retention policies. When disciplinary action has been taken on the basis that a complaint was made in bad faith, such information will be maintained in accordance with applicable collective bargaining agreements/plans.

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## **VII. REASONABLE ACCOMODATION POLICY**

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The Department of Education is committed to the fair and equal employment of people with disabilities. 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 Department of Education to accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

## Definitions

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

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

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

Reasonable accommodation applies to three aspects of employment:

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

## Procedure

1. The Department of Education will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their manager/supervisor of their need for an accommodation and the manager/supervisor shall discuss alternatives with them.
3. The Manager/Supervisor must inform the ADA Coordinator of the request and submit a request for accommodation form (copy attached).
4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
  1. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
  2. Determine the precise job-related limitation.
  3. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
  4. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Department of Education is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The ADA Coordinator may request documentation from the employee's health care provider to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.

6. The ADA Coordinator will work with the employee and the manager/supervisor to obtain technical assistance, as needed.
7. The ADA Coordinator will provide a decision to the manager/supervisor and the employee within a reasonable amount of time.

### **Request for Reasonable Accommodations for Job Applicants**

1. The job applicant shall inform the hiring manager/supervisor of the need for an accommodation. The hiring manager/supervisor will discuss the needed accommodation and possible alternatives with the applicant and contact the ADA Coordinator, if necessary, for resources and information.
2. The hiring manager/supervisor in cooperation with the 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.

### **Funding for Reasonable Accommodation**

Funding must be approved by the Department of Education for accommodations that do not cause an undue hardship (M.S. 43A.191(c)). 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 Department of Education.

The expenditure of funds for accommodations over the amount determined to be significant, must be approved by the Agency Head. When determining whether or not to make the accommodation without imposing undue hardship on the agency, the following factors will be considered:

- the size of the agency's budget;
- the nature and cost of the accommodation;
- the ability to finance the accommodation in relationship to the site(s) where there may be a need; and
- a documented good faith effort to explore a less restrictive or less expensive alternative.

### **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, within a reasonable period of time, for a final decision.

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

### **Supported Work**

The Department of Education will review vacant positions and assess the current workload and needs of the office, to determine if job tasks might be performed by a supported employment worker(s). If appropriate, a list of supported worker candidates will be requested from MMB. The Department of Education will work with the State ADA/Disability Coordinator to recruit and hire individuals for supported employment if such a position is created.

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## **VIII. EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES**

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Employees with disabilities will make the determination about how they want to be evacuated and will select two attendants to provide assistance to them during an emergency. Employees with disabilities and their attendants should form a plan to meet in a specific area of the workplace for all emergencies to eliminate lost time spent looking for each other before actually evacuating the area.

A copy of the agency's weather and emergency evacuation plans can be found on the intranet. The Emergency Procedures Policy is under revision at this time.

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

Everyone has a responsibility to develop their own personal emergency evacuation plan, this includes individuals with disabilities or individuals who will need assistance during evacuation. The Americans with Disabilities Act Coordinator or designee in each agency will work to develop a plan and consult the appropriate building and safety personnel.

Directors, managers, and supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance may be needed, and individuals with disabilities should contact the agency ADA Coordinator below to request the type of assistance they may need.

### **Evacuation Options:**

Individuals with disabilities have four basic:

- Horizontal evacuation: Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
- Stairway evacuation: Using steps to reach ground level exits from building;
- Shelter in place: Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire resistant door. If the individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds;
- Area of rescue assistance: Identified areas that can be used as a means of egress for individuals with disabilities. These areas, located on the same level or below the building's exits, can be used by individuals with disabilities until rescue can be facilitated by emergency responders.

### **Evacuation Procedures for Individuals with Mobility, Hearing, and Visual Disabilities:**

Individuals with disabilities should follow the following procedures:

- Mobility disabilities (individuals who use wheelchairs or other personal mobility devices ("PMDs")): Individuals using wheelchairs should be accompanied to an area of rescue assistance by another employee or shelter in place when the alarm sounds. The safety and/or security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify the



individuals in these areas and notify to emergency responders how many individuals need assistance to safely evacuate.

- **Mobility disabilities** (individuals who do not use wheelchairs): Individuals with mobility disabilities, who are able to walk independently, or may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue assistance until emergency responders arrive to assist them.
- **Hearing disabilities:** The agency's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for individuals with who are deaf and/or hard of hearing. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.
- **Visual disabilities:** The agency's buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, individuals with visual disabilities may need assistance in evacuating. The assistant should offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

### **Severe Weather Evacuation Options:**

Individuals with disabilities or who are in need of assistance during a severe weather event shall:

1. Vacate all areas with windows;
2. Close office doors and move to the designated areas of refuge.
3. Attendants for people with mobility impairments will coordinate and assist with any necessary movement of the individual.

### **Designated areas of refuge**

Building occupants shall move to the following areas of refuge: inner conference rooms, hallways, enclosed stairwells and lobbies. No area of refuge shall have a window.

All personnel shall remain in the areas of refuge until the **all clear** signal to return to their work area is given. When the severe-weather emergency condition has been declared **over** by the National Weather Service, an **all clear** message will be delivered to emergency monitors and staff.

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## **IX. GOALS AND TIMETABLES**

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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 the following hiring goals for the next two years (Reference Table 2).

Table 2. Underutilization Analysis and Hiring Goals for 2016-2018

<b>Job Categories</b>	<b>Under-utilization # for Women</b>	<b>Under-utilization # for Racial/Ethnic Minorities</b>	<b>Under-utilization # for Individuals With Disabilities</b>	<b>Hiring Goal Women</b>	<b>Hiring Goal Racial/Ethnic Minorities</b>	<b>Hiring Goal Individuals With Disabilities</b>
Officials/Administrators	0	0	1	0	0	1
Professionals	0	7	0	0	7	0
Office/Clerical	0	0	0	0	0	0
Technicians	0	1	1	0	0	1

### **Availability:**

The agency determined the recruitment area to be statewide for all job categories and relied on 2010 labor force availability data for racial/ethnic minorities and women. 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 remained approximately the same, with little significant change in terms of percentages employed by the department across job categories.

### **Minorities:**

At the agency, the population of racial/ethnic minorities has improved in the in the following job categories: professionals and office/clerical; and has remained the same in the technicians and officials/administrators job categories. In the Professionals and Office/Clerical job category for calendar years 2014 and 2015 the department made 15 hires of individuals who self-identified as minorities, exceeding the goal for 2014-2016. The department is committed to continued efforts in recruitment and retention.

### **Individuals with Disabilities:**

At the agency, the population of individuals with disabilities has improved in the professionals job category; has remained the same in the officials/administrators and office/clerical job categories; and was not improved in the technicians category. Overall, the department has exceeded hiring goals for individuals with disabilities. The department intends to continue efforts in recruitment of individuals with disabilities and maintain efforts at retaining these individuals.

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## **X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES**

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**Objective #1:** The agency will continue to hire affirmatively and will include affirmative action consideration in the hiring process for all hires where a disparity exists.

### **Action Steps:**

- For all hires in which a disparity exists, Human Resources will thoroughly conduct a pre-hire review prior to the interview process.
- The Human Resources office will maintain files with documentation on affirmative and justified hires.

Evaluation: This is an ongoing objective, continued from the 2014-2016 plan.

**Objective #2:** The AAO Designee will monitor the agency's Pre-Employment review procedure in a consistent and fair manner, ensuring that hiring personnel do not have access to protected group information.

Action Steps:

- Meet with hiring personnel to review and suggest recruitment methods and to identify whether there is a disparity for any of the three protected groups.
- Review hiring responsibilities and procedures with managers and supervisors.

Evaluation: This is an ongoing objective, continued from the 2014-2016 plan. Protected group information is maintained only by the Human Resources office. Monitoring the hiring process forms are completed for all vacancies in which a disparity exists.

**Objective #3:** The AAO designee will work with MMB's Office of Diversity and Equal Opportunity to develop a comprehensive workforce/utilization analysis in order to develop affirmative action goals and timetables.

Action Steps:

- Update current workforce/utilization analysis for the new affirmative action plan.
- Develop new hiring goals and timetables for approval in the agency's affirmative action plan.
- Disseminate information about job classifications for which there are disparities to all hiring personnel.

Evaluation: These activities are done on a biennial basis for the agency's Affirmative Action Plan.

**Objective #4:** Educate all managers and supervisors about their affirmative action responsibilities.

Action Steps:

- Develop informational materials outlining the hiring process for vacancies in which a disparity exists directly addressing the role of the manager/supervisor.
- Develop informational materials specifically addressing the manager/supervisor's role in implementing the affirmative action plan and specific supervisory responsibilities that contribute to the retention of protected group members.
- Inform all managers and supervisors of external training pertaining to affirmative action/equal opportunity and Americans with Disabilities Act.
- Work with Training Coordinator to ensure that all managers and supervisors have attended Core training, which includes affirmative action, Americans with Disabilities Act and discrimination/discriminatory harassment training.

Evaluation: This is an ongoing objective, continued from the 2014-2016 plan. Annually, the AAO provides an update to the department's Division Directors regarding underutilizations and reviews the role of the AAO in the hiring process.

**Objective #5:** The AAO will keep the agency employees informed, updated and aware of Affirmative Action, Equal Opportunity and Diversity policies, news, training and events.

Action Steps:

- Post Affirmative Action plan in multiple visible locations throughout the agency and on the web site.
- Distribute information announcing training, conferences, events, etc.

The Affirmative Action plan is posted on bulletin boards and is available in the Human Resources Office. We are working to include this information on the Agency's web site and on the internal Intranet. Information on training, conferences and events is regularly posted on the agency's electronic bulletin board.

**Objective #6:** Evaluate recruitment process used to hire for classified employees to determine if methods are effective in recruiting protected group applicants.

Action Steps:

- Survey persons inquiring about position regarding where they heard about the position.
- Investigate other advertising and recruiting methods.

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## **XI. METHODS OF AUDITING, EVALUATING, AND REPORTING PROGRAM SUCCESS**

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### **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, or individuals with disabilities. The agency will use the monitoring the hiring process form for every hire to track the number of women, minorities, and individuals with disabilities, in each stage of the selection process. Directors, managers, and supervisors will work closely with human resources and the AAO in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure that objective criteria are established for determining candidates to interview and hire, and 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; the Chief of Staff will be asked to authorize the missed opportunity. If the Department has over 25% missed opportunities, the final decision on each hire rests with the Commissioner after consultation with the appropriate division manager and the AAO.

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 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.

### **Pre-Review Procedure for Layoff Decisions**

The AAO, in conjunction with the HR Director, 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 department 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.

### **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 annually;
- Analyzes employment activity (hires, promotions, and terminations) by job category to determine if there is adverse impact annually;
- Reviewing disciplinary actions taken during the year including review of job classification, bargaining unit, racial/ethnic group, gender, and disability status.
- Analyzes compensation program to determine if there are patterns of discrimination each year;
- 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.

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## **XII. RECRUITMENT PLAN**

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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 2014-2016 plan year totaled approximately \$700.

Below are various recruitment methods or strategies utilized by the agency during the past year and plans for the upcoming plan years 2016-2018.

### **A. Advertising Sources**

The department has expanded the use of a number of internet based job boards, including those maintained by the following organizations:

- EdPost – hosted by St. Cloud State University
- Minnesota Association of School Administrators
- Minnesota Association of School Business Officers
- Minnesota Evaluation Studies Institute, University of Minnesota, College of Education and Human Development

These resources are free to job applicants and we plan to continue expanding the reach of department recruiting for competitive hires. In addition, the department plans to continue utilizing the Workforce Community Email List on a regular basis

Internally, department employees are made aware of opportunities via posted bulletin notices as well as a link to open opportunities as they're posted to the state's careers website.

### **B. Recruitment for Individuals with Disabilities**

- 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.
  - The department 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 ensure language pertaining to physical and sensory requirements is inclusive language for job qualifications.
- Enhance use of recruitment efforts
  - The department will explore additional recruitment outlets specifically aimed at individuals with a disability, such as those shared or identified by ACCESS and the Human Resources Directors Partnership.
- Self-Identification

- At the time of application and occasionally thereafter, our agency will communicate to our employees that we collect summary data related to the number of individuals who have applied for 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.
- Reasonable Accommodations
  - We will prominently display on our career site that we will provide reasonable accommodation to qualified individuals with a disability who apply for our positions where needed. Once hired, we will educate employees, supervisors, and managers on accommodating employees in the workplace.

### **C. Internships**

The department utilizes internships on a very limited basis and has recruited interns through contact by interested parties and employee suggestions. A formal internship program does not currently exist at the department.

During the 2014-2016 plan year the department hired one Urban Scholar intern.

### **D. Supported Employment (M.S. 43A.191, Subd. 2(d))**

The department 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.

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## **XIII. RETENTION PLAN**

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

### **Individual(s) Responsible for the Agency's Retention Program/Activities**

Tammy Funk , Human Resources Director, (651) 582-8502, tammy.funk@state.mn.us

### **Separation Analysis by Protected Groups**

There has been turnover for Women, however, the department has been successful at recruiting and hiring additional women to avoid a disparity and underutilization. Given the overall number of women employed by the department it is not surprising that the majority of separations are women, and is not a cause for concern.

The department remains underutilized for racial/ethnic minorities. There were four total separations of minorities, three voluntary resignations and one layoff, though that individual was retained in another position within the department. On balance the number of separations of racial/ethnic minorities remained a small percentage of the overall total.

For individuals with a disability five of the six separations occurred as a result of retirements, one was a resignation. Again, this is a positive method of separation in terms of retention of employees. The administrators/officials category turns over very little outside of the gubernatorial election, so little progress is anticipated in this category. Additional work needs to be done considering the level of the disparity in terms of the professional category.

(Include an analysis of the separation report by protected groups. Are protected group members leaving the organization at the same rate as other groups? If not, how will your agency pay attention to this issue? If you do not have access to this report, contact the State AAO at 651.259.3643. Include the Separation Report by Protected Groups in the appendix.)

### **Methods of Retention of Protected Groups**

The Department feels that the retention effort begins with the employees first day on the job. We have developed a checklist for supervisors to use for working with new employees. This checklist includes various suggestions for welcoming and orienting new employees to the Department. These suggestions include the use of a mentor to help the employee on a day-to-day basis with the work and the processes and procedures used in their office.

The Department has implemented a performance management system with an increased emphasis on individual development plans. Employees must have a development plan incorporated in their annual performance review. This development plan is a cooperative effort on the part of the employee and the supervisor.

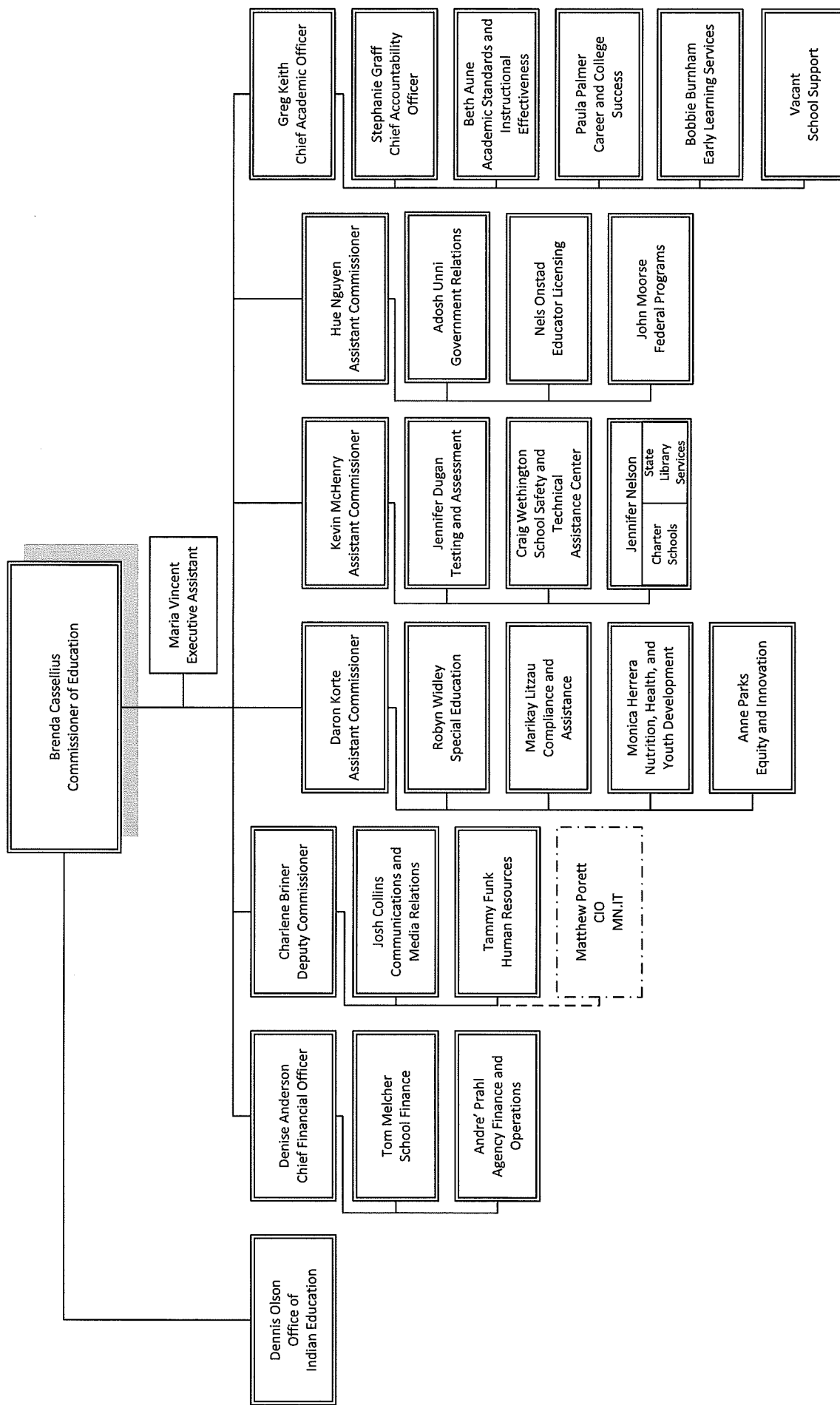


## **Agency Profile and Organizational Chart**

The Minnesota Department of Education serves a wide range of customers: approximately 850,000 K-12 students and their families; 118,000 young children participating in a variety of early learning programs including Head Start and ECCE; 82,000 adult learners participating in adult education programs including GED and citizenship programs; Minnesota's 339 school districts and over 52,000 licensed teachers. [Organization Chart Attached](#).



# Minnesota Department of Education





## Separation Analysis For Minnesota Department of Education

### 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	4	5.56%	3	4.2%	2	2.8%	1	1.4%
Resignations	21	29.17%	16	22.2%	1	10.34%	1	1.4%
Enhanced Separation	0	0.00%	0	0%	0	0.00%	0	0.00%
Retirement	43	59.72%	31	43.1%	3	4.2%	10	13.9%
Deaths	2	2.78%	2	2.8%	1	1.4%	0	0.00%
Lay-off	1	1.39%	1	1.4%	0	0%	0	0.00%
Termination without Rights	1	1.39%	1	1.4%	1	1.4%	0	0.00%
Total Separations	72	100.00%	54	75%	8	11.1%	12	16.7%

### Separations of 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	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	6	85.7%	5	71.4%	2	28.6%	2	28.6%
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	1	14.3%	1	14.3%	1	14.3%	0	0.00%
Total Separations	7	100.00%	6	85.7%	3	42.9%	0	28.6%

### Separations of 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	3	5.9%	2	3.9%	1	2.00%	1	2.00%
Resignations	20	39.2%	15	29.4%	1	2.00%	1	2.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	27	52.9%	17	33.3%	0	0.00%	4	7.8%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	1	2%	1	2.00%	1	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	51	100.00%	33	68.6%	2	3.9%	2	11.8%

### Separations of 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	1	7.7%	1	7.7%	1	7.7%	0	0.00%
Resignations	1	7.7%	1	7.7%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	10	76.9%	9	69.2%	1	7.7%	4	30.8%
Deaths	1	7.7%	1	7.7%	1	7.7%	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	13	100%	12	92.3%	3	23.1%	4	30.8%

## Separations of 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	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Deaths	1	100.00%	1	100.00%	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	1	100.00%	1	100.00%	0	0.00%	0	0.00%





## E. Education Department - Separation Analysis

Separations counts from 7/1/2014 - 6/16/2016

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
Dismissal or Non-Certification	< 10		< 10		0	0.00%	0
Resignations	19	27.54%	16	84.21%	< 10	0.00%	< 10
Enhanced Separation	0		0	0.00%	0	0.00%	0
Retirement	43	62.32%	31	72.09%	< 10	0.00%	10
Deaths	< 10		< 10		0	0.00%	0
Lay-off	< 10		0	0.00%	< 10	0.00%	0
Termination without Rights	< 10		< 10		0	0.00%	0
Total Separations	69		51	73.91%	4	5.80%	10
							14.49%

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
Dismissal or Non-Certification	0		0	0.00%	0	0.00%	0
Resignations	0		0	0.00%	0	0.00%	0
Enhanced Separation	0		0	0.00%	0	0.00%	0
Retirement	< 10		< 10		0	0.00%	0
Deaths	0		0	0.00%	0	0.00%	0
Lay-off	0		0	0.00%	0	0.00%	0
Termination without Rights	< 10		< 10		0	0.00%	0
Total Separations	< 10		< 10		0	0.00%	0

# E. Education Department - Separation Analysis

Separations counts from 7/1/2014 - 6/16/2016

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	< 10		< 10		0	0.00%	0	0.00%
Resignations	28	54.90%	20	71.43%	< 10		< 10	
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	19	37.25%	12	63.16%	0	0.00%	< 10	
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Lay-off	< 10		0	0.00%	< 10		0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	51		33	64.71%	< 10		< 10	

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	< 10		< 10		0	0.00%	0	0.00%
Resignations	< 10		< 10		0	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	11	84.62%	11	100.00%	0	0.00%	< 10	
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	13		13	100.00%	0	0.00%	< 10	

## E. Education Department - Separation Analysis

Separations counts from 7/1/2014 - 6/16/2016

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	0		0	0.00%	0	0.00%	0	0.00%
Resignations	0		0	0.00%	0	0.00%	0	0.00%
Enhanced Separation	0		0	0.00%	0	0.00%	0	0.00%
Retirement	0		0	0.00%	0	0.00%	0	0.00%
Deaths	0		0	0.00%	0	0.00%	0	0.00%
Lay-off	0		0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0		0	0.00%	0	0.00%	0	0.00%
Total Separations	0		0		0		0	



Agency Name

TWO-FACTOR AVAILABILITY ANALYSIS

Worksheet for calculating job group availability percentages, considering internal and external availability.

Job Category:

Office/Clerical

A	ASSIGNED WEIGHT (%)
Internal Availability	32.00%
External Availability	68.00%
Total Assigned Weight (must equal 100%)	100.00%

WOMEN		
	Initial Statistics (%)	Weighted Statistics
B	77.34%	24.75%
C	61.30%	41.68%

MINORITIES		
	Initial Statistics (%)	Weighted Statistics
D	11.56%	3.70%
E	13.40%	9.11%

INDIVIDUALS WITH DISABILITIES		
	Initial Statistics (%)	Weighted Statistics
F	7.00%	2.24%
G	7.00%	4.76%

JOB GROUP AVAILABILITY (%)		
Women	66.43%	
Minorities	12.81%	
Individuals with Disabilities	7.00%	

J	SOURCE OF INITIAL STATISTICS
Internal Availability	Agency Appt Summary
External Availability	2010 MSA Labor Force Availability



Agency Name

**TWO-FACTOR AVAILABILITY ANALYSIS**

Worksheet for calculating job group availability percentages, considering internal and external availability.

Job Category:

Officials/Administrators

A		ASSIGNED WEIGHT (%)
Internal Availability		21.00%
External Availability		79.00%
Total Assigned Weight (must equal 100%)		100.00%

B		C		WOMEN	
Initial Statistics (%)		Weighted Statistics			
Internal Availability		42.90%		9.01%	
External Availability		42.90%		33.89%	

D		E		MINORITIES	
Initial Statistics (%)		Weighted Statistics			
Internal Availability		16.71%		3.51%	
External Availability		9.50%		7.51%	

F		G		INDIVIDUALS WITH DISABILITIES	
Initial Statistics (%)		Weighted Statistics			
Internal Availability		7.00%		1.47%	
External Availability		7.00%		5.53%	

JOB GROUP AVAILABILITY (%)			
Women	42.90%	Minorities	11.01%
		Individuals with Disabilities	
		7.00%	

J		SOURCE OF INITIAL STATISTICS
Internal Availability		Agency Appt Summary
External Availability		2010 MSA Labor Force Availability

Use the percentages above to complete the Job Category Availability/Utilization/Underutilization Analysis and Goals worksheet. Include this worksheet with your AAP.





Agency Name

**TWO-FACTOR AVAILABILITY ANALYSIS**

Worksheet for calculating job group availability percentages, considering internal and external availability.

Job Category:

Professionals

A	ASSIGNED WEIGHT (%)
Internal Availability	42.00%
External Availability	58.00%
Total Assigned Weight (must equal 100%)	100.00%

WOMEN		
	Initial Statistics (%)	Weighted Statistics
B	68.94%	28.95%
C	53.70%	31.15%

MINORITIES		
	Initial Statistics (%)	Weighted Statistics
D	10.60%	4.45%
E	12.50%	7.25%

INDIVIDUALS WITH DISABILITIES		
	Initial Statistics (%)	Weighted Statistics
F	7.00%	2.94%
G	7.00%	4.06%

JOB GROUP AVAILABILITY (%)		
Women	60.10%	
Minorities	11.70%	
Individuals with Disabilities	7.00%	

SOURCE OF INITIAL STATISTICS	
Internal Availability	Agency Appt Summary
External Availability	2010 MSA Labor Force Availability



## **A. Complaint of Discrimination or Harassment**

The department reviews complaints according to our discrimination/discriminatory harassment policy. In order for us to properly administer this policy and monitor our compliance with it, we need information from you regarding your complaint. You are not legally required to provide this information, but we may not be able to review your complaint if you do not provide it.

The information collected about you is private personnel data. However, it will be disclosed to the agency's affirmative action officer and/or human resources director, and as needed to managers, assistant commissioners, and the commissioner, to assess your complaint.

The data collected on this form will be handled according to the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.

### **Information on the Complainant**

*(person filing the complaint)*

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Division: \_\_\_\_\_ Work Location: \_\_\_\_\_

Phone: \_\_\_\_\_

Supervisor: \_\_\_\_\_

### **Information on the primary respondent**

*(person against whom you are filing the complaint)*

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Division: \_\_\_\_\_ Work Location: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Names of any secondary respondents involved in this complaint:

\_\_\_\_\_

I believe I was discriminated against because of

Race \_\_\_\_\_ Color \_\_\_\_\_ Creed \_\_\_\_\_ Religion \_\_\_\_\_ Disability \_\_\_\_\_ Age \_\_\_\_\_

Sex \_\_\_\_\_ Marital Status \_\_\_\_\_ National Origin \_\_\_\_\_ Sexual Orientation \_\_\_\_\_

\_\_\_\_\_ Status with regard to public assistance

\_\_\_\_\_ Membership/activity in a local commission

Date most recent act of discrimination/discriminatory harassment occurred: \_\_\_\_\_

Describe the incident(s) in detail, beginning with the most recent incident. Include names, types of behavior, location, dates, and witnesses.

*Attach additional sheets if necessary.*

Witnesses (name, work address, and phone):

*Attach additional sheets if necessary.*

Relief requested:

**This complaint is being filed on my honest belief that I have been discriminated against or sexually harassed. 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.**

Did you file this complaint with another Agency? \_\_\_\_\_ Yes \_\_\_\_\_ No

Complainant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

## B. Request for Reasonable Accommodation

Name: \_\_\_\_\_

Job Title: \_\_\_\_\_

Division: \_\_\_\_\_

Date of Request: \_\_\_\_\_

I understand this information will be used by the ADA coordinator and anyone else authorized by my employer to handle medical information for ADA/MHRA purposes, including my physical or mental condition, as necessary to determine whether I have a disability (as defined by the Americans with Disabilities Act and/or the Minnesota Human Rights Act) and whether reasonable accommodations can be made. I understand I am not required to provide this information; however, if I do not, my employer may refuse to provide a reasonable accommodation.

1. Please describe the nature of your limitations, including what life activity(s) is substantially limited and how.

2. How does the limitation affect your ability to perform your job?

3. Type of accommodation you are requesting:

Making facilities readily accessible \_\_\_\_\_ Modification of equipment or devices \_\_\_\_\_

Job restructuring \_\_\_\_\_ Qualified reader or interpreter \_\_\_\_\_

Part-time or modified work schedule \_\_\_\_\_ Acquisition of equipment or devices \_\_\_\_\_

Modification to a rule, policy or practice \_\_\_\_\_

Other (specify):

Please describe in detail the accommodation you are requesting:

4. How will the requested accommodation be effective in allowing you to perform the essential functions of your job?

5. Additional Comments:

Information Pertaining to Medical Documentation: As part of assessing an accommodation request, medical documentation may be needed to determine if you have a disability covered by the ADA and to assist in identifying an effective accommodation. The ADA Coordinator or designee is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, you will be provided with the appropriate forms to submit to your medical provider. You have 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.

Signature of Employee: \_\_\_\_\_ Date: \_\_\_\_\_