

STATE OF MINNESOTA

Office of the State Auditor

Affirmative Action Plan

August 2016 – August 2018

525 Park Street, Suite 500
Saint Paul, Minnesota 55103

This document can be made available in alternative formats upon request. Call 651-296-2551 (voice) or 1-800-627-3529 (TDD number) for assistance, or visit Office of the State Auditor website:

www.auditor.state.mn.us.

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I. EXECUTIVE SUMMARY

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			X
Professionals	X	X	X
Protected Services: Sworn			
Protected Services: Non-sworn			
Office/Clerical			
Technicians			
Skilled Craft			
Service Maintenance			

Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the office. Our intention is that every employee to is aware of the Office of the State Auditor's commitments to affirmative action and equal employment opportunity. The plan will also be posted on the office's website and 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 or Designee 8/4/16
Date Signed


 Human Resources Designee 5/4/2016
Date Signed


 Rebecca Otto, State Auditor Date Signed

II. STATEMENT OF COMMITMENT

This statement reaffirms the Office of the State Auditor 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, status with regard to public assistance, or membership or activity in a local human rights commission.
- This office 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 office 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 office 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 office will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

It is the office'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.



Rebecca Otto, State Auditor

Date Signed

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

A. State Auditor

Rebecca Otto, State Auditor

Responsibilities:

The State Auditor 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 State Auditor shall include, but are not limited to the following:

- Appoint the Affirmative Action Officer or designee and include accountability for the administration of the office'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 office 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.

B. Affirmative Action Officer or Designee

Mark Kerr, Assistant Legal Counsel

Responsibilities:

The Affirmative Action Officer or designee is responsible for implementation of the office's affirmative action plan, and oversight of the office'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:

Office of the State Auditor
AFFIRMATIVE ACTION PLAN 2016-2018

- 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 State Auditor 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 office-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 office'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 office 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 Deputy State Auditor/ General Counsel and indirectly to the State Auditor on matters pertaining to affirmative action and equal opportunity.

C. Americans with Disabilities Act Coordinator or Designee

David Kenney, Assistant General Counsel

Responsibilities:

The Americans with Disabilities Act Coordinator or designee is responsible for the oversight of the office'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 office management with regard to the Americans with Disabilities Act in the development and implementation of the office'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 office's services, and reports reasonable accommodations annually to Minnesota Management and Budget.

Accountability:

The Americans with Disabilities Act Coordinator reports directly to the Deputy State Auditor/General Counsel.

D. Human Resources Designee

Deborah Phelps, Human Resources Designee

Responsibilities:

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

Duties:

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

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

Accountability:

The Human Resources Designee is directly accountable to the Deputy State Auditor/General Counsel.

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 office'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 office'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 State Auditor.

F. All Employees

Responsibilities:

All employees are responsible for conducting themselves in accordance with the office'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, status with regard to public assistance, sexual orientation, gender identity, gender expression, or membership or activity in a local human rights commission.

Accountability:

Employees are accountable to their designated supervisor and indirectly to the State Auditor.

IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

The following information describes the methods that the office 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 office's leadership or alternatively, the Affirmative Action Officer, to all staff on an annual basis.
- The office's Affirmative Action Plan is available to all employees on the office's internal website at <https://portal.osa.state.mn.us/> or in print copy to anyone who requests it. As requested, the office 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 office's Affirmative Action Plan is available on the office's external website at www.auditor.state.mn.us or in print copy to anyone who requests it. As requested, the office will make the plan available in alternative formats.
- The office's website homepage, letterhead, publications, and all job postings, will include the statement "an equal opportunity employer."
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented by and accessible to members of the public. Examples of posters displayed include: Equal Employment Opportunity is the law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.

V. STATEWIDE POLICY PROHIBITING DISCRIMINATION AND HARASSMENT

It is the policy of the of the State of Minnesota to prohibit harassment of its employees based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights, disability, sexual orientation, or age. This prohibition with respect to harassment includes both overt acts of harassment and those acts that create a negative work environment.

Any employee subjected to such harassment should file a complaint internally with the office's Affirmative Action Officer or designee. If the employee chooses, a complaint can be filed externally with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. These agencies have time limits for filing complaints, so individuals should contact the agencies for more information. In extenuating circumstances, the employee should contact the State Affirmative Action Program Coordinator in the Office of Equal Opportunity and Diversity at Minnesota Management and Budget for information regarding the filing of a complaint. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

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

- Notifying all employees and applicants of this policy; and
- Informing all employees of the complaint procedure and ensuring that all complaints will be investigated promptly and carefully.

Definitions:

Discriminatory harassment is any behavior based on protected class status which is not welcome, which is personally offensive, which, therefore, may affect morale and interfere with the employee's ability to perform. For example, harassment based on national origin has been defined by the U.S. Equal Employment Opportunity Commission as "Ethnic slurs and other verbal or physical conduct relating to an individual's national origin."

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

“Sexual harassment” includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

- 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 decision affecting that individual's employment; or
- That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

It is possible for discriminatory harassment to occur:

- Among peers or coworkers;
- Between managers and subordinates; or
- Between employees and members of the public.

Employees who experience discrimination or harassment should bring the matter to the attention of the Office of the State Auditor's Affirmative Action Officer or designee. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer or designee and all employees are expected to address or report any suspected harassment or retaliation.

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

Any employee or applicant who believes that they have experienced discrimination or harassment based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint of discrimination.

Complaints of discrimination or harassment can be filed using the internal complaint procedure included in this Affirmative Action Plan.

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

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

A. Responsibility of Employee:

All employees shall respond promptly to any and all requests by the Affirmative Action Officer or designee for information and for access to data and records for the purpose of enabling the Affirmative Action Officer or designee to carry out responsibilities under this complaint procedure.

B. Who May File:

Any employees or applicants who believes that they have been discriminated against or harassed by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation; however, complaints will be taken for a reasonable period of time subsequent to the actual separation date.

C. Complaint Procedure:

The internal complaint procedure provides a method for resolving complaints involving violations of this office's policy prohibiting discrimination and harassment within the office. Employees and applicants are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement office or other legal channels is prohibited. The Affirmative Action Officer or designee may contact the Office of Diversity and Equal Opportunity if more information is needed about filing a complaint.

D. Filing Procedures:

1. The employee or applicant completes the "Complaint of Discrimination/Harassment Form" provided by the Affirmative Action Officer or designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve discrimination or harassment. The Affirmative Action Officer or designee will, if requested, provide assistance in filling out the form.

2. The Affirmative Action Officer or designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer or designee shall also discuss other options for resolution, such as the workplace mediation.
 - If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer designee will inform the complainant, in writing, within ten (10) working days of receiving the complaint.
 - If the complaint is related to discrimination, the Affirmative Action Officer or designee will, within ten (10) working days of receiving the complaint, contact all parties named as respondents and outline the basic facts of the complaint. The respondents will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Officer or designee will then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer or designee will notify each complainant and respondent that the investigation is completed. The Affirmative Action Officer or designee will then review the findings of the investigation.
 - If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
 - If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the respondents dismissing the complaint.
4. A written response will be provided to the parties within sixty (60) days after the complaint is filed. The complainants will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.
5. Disposition of the complaint will be filed with the Commissioner of the Minnesota Management and Budget within thirty (30) days after the final determination.
6. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with complainants and respondents. After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.
7. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but is not limited to, the following types of data:

- Interviews or written interrogatories with all parties involved in the complaint, i.e., complainants, respondents, and their respective witnesses; officials having pertinent records or files, etc.; and
 - All records pertaining to the complaint, i.e., written, recorded, filmed, or in any other form.
8. The Affirmative Action Officer or designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the complaint is closed.

VII. REASONABLE ACCOMODATION POLICY

State agencies and offices must comply with all state and federal laws that prohibit discrimination against qualified individuals with disabilities in all employment practices. All state agencies and offices must provide reasonable accommodations to qualified applicants and employees with disabilities unless to do so would cause an undue hardship or pose a direct threat. Agencies and offices must provide reasonable accommodation when:

- A qualified applicant with a disability needs an accommodation to have an equal opportunity to compete for a job;
- A qualified employee with a disability needs an accommodation to perform the essential functions of the employee's job; and

A qualified employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., trainings, office sponsored events).

The following definitions apply to this policy:

A. Applicant

A person who expresses interest in employment and satisfies the minimum requirements for application established by the job posting and job description.

B. Americans with Disabilities Act (ADA) Coordinator

Each agency/office is required to appoint an ADA coordinator or designee, depending on office size, to direct and coordinate office compliance with Title I of the ADA.

C. Direct Threat

A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.

The determination that an individual poses a direct threat shall be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job.

D. Essential Functions

Duties so fundamental that the individual cannot do the job without being able to perform them. A function can be essential if:

- The job exists specifically to perform the function(s); or
- There are a limited number of other employees who could perform the function(s); or
- The function(s) is/are specialized and the individual is hired based on the employee's expertise.

E. Interactive Process

A discussion between the employer and the individual with a disability to determine an effective reasonable accommodation for the individual with a disability. To be interactive, both sides must communicate and exchange information.

F. Individual with a Disability

An individual who:

- Has a physical, sensory, or mental impairment that substantially limits one or more major life activities; or
- Has a record or history of such impairment; or
- Is regarded as having such impairment.

G. Qualified Individual with a Disability

An individual who:

- Satisfies the requisite skill, experience, education, and other job-related requirements of the job that the individual holds or desires; and
- Can perform the essential functions of the position with or without reasonable accommodation.

H. Major Life Activities

May include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

I. Medical Documentation

Information from the requestor's treating provider which is sufficient to enable the employer to determine whether an individual has a disability and whether and what type of reasonable accommodation is needed when the disability or the need for accommodation is not obvious. Medical documentation can be requested using the standardized [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider.](#)

J. Reasonable Accommodation

An adjustment or alteration that enables a qualified individual with a disability to apply for a job, perform job duties, or enjoy the benefits and privileges of employment. Reasonable accommodations may include:

- Modifications or adjustments to a job application process to permit a qualified individual with a disability to be considered for a job; or
- Modifications or adjustments to enable a qualified individual with a disability to perform the essential functions of the job; or
- Modifications or adjustments that enable qualified employees with disabilities to enjoy equal benefits and privileges of employment.

Modifications or adjustments may include, but are not limited to:

- Providing materials in alternative formats like large print or Braille;
- Providing assistive technology, including information technology and communications equipment, or specially designed furniture;
- Modifying work schedules or supervisory methods;

- Granting breaks or providing leave;
- Altering how or when job duties are performed;
- Removing and/or substituting a marginal function;
- Moving to a different office space;
- Providing telework;
- Making changes in workplace policies;
- Providing a reader or other staff assistant to enable employees to perform their job functions, where a reasonable accommodation cannot be provided by current staff;
- Removing an architectural barrier, including reconfiguring work spaces;
- Providing accessible parking; or
- Providing a reassignment to a vacant position.

K. Reassignment

Reassignment to a vacant position for which an employee is qualified is a “last resort” form of a reasonable accommodation. This type of accommodation must be provided to an employee, who, because of a disability, can no longer perform the essential functions of the position, with or without reasonable accommodation, unless the employer can show that it will be an undue hardship.

L. Support Person

Any person an individual with a disability identifies to help during the reasonable accommodation process in terms of filling out paperwork, attending meetings during the interactive process to take notes or ask clarifying questions, or to provide emotional support.

M. Undue Hardship

A specific reasonable accommodation would require significant difficulty or expense. Undue hardship is always determined on a case-by-case basis considering factors that include the nature and cost of the accommodation requested and the impact of the accommodation on the operations of the office. A state agency/office is not required to provide accommodations that would impose an undue hardship on the operation of the agency/office.

N. General Standards and Expectations

Individuals who may request a reasonable accommodation include:

- Any qualified applicant with a disability who needs assistance with the job application procedure or the interview or selection process; or
- Any qualified office employee with a disability who needs a reasonable accommodation to perform the essential functions of the position; or
- A third party, such as a family member, friend, health professional or other representative, on behalf of a qualified applicant or employee with a disability, when the applicant or employee is unable to make the request for reasonable accommodation. When possible, the office must contact the applicant or employee to confirm that the accommodation is wanted. The applicant or employee has the discretion to accept or reject the proposed accommodation.

The office must abide by the [Minnesota Government Data Practices Act, Chapter 13](#), in obtaining or sharing information related to accommodation requests.

How to request a reasonable accommodation

An office applicant or employee may make a reasonable accommodation request to any or all of the following:

- Immediate supervisor or manager in the employee's chain of command;
- Office Affirmative Action Officer/Designee;
- Office ADA Coordinator;
- Office Human Resources Designee;
- Any office official with whom the applicant has contact during the application, interview and/or selection process.
-

Timing of the request

An applicant or employee may request a reasonable accommodation at any time, even if the individual has not previously disclosed the existence of a disability or the need for an accommodation. A request is any communication in which an individual asks or states that he or she needs the office to provide or change something because of a medical condition.

The reasonable accommodation process begins as soon as possible after the request for accommodation is made.

Form of the request

The applicant or employee is responsible for requesting a reasonable accommodation or providing sufficient notice to the office that an accommodation is needed.

An initial request for accommodation may be made in any manner (e.g., writing, electronically, in person or orally).

The individual requesting an accommodation does not have to use any special words and does not have to mention the ADA or use the phrase "reasonable accommodation" or "disability." Oral requests must be documented in writing to ensure efficient processing of requests.

Office request forms can be found at: ["Employee/Applicant Request for Reasonable Accommodation Form" \(Appendix B\)](#).

When a supervisor or manager observes or receives information indicating that an employee is experiencing difficulty performing the job due to a medical condition or disability, further inquiry may be required. Supervisors or managers should consult with the ADA Coordinator for advice on how to proceed.

When an employee needs the same reasonable accommodation on a repeated basis (e.g., the assistance of a sign language interpreter), a written request for accommodation is required the first time only. However, the employee requesting an accommodation must give appropriate advance notice each subsequent time the accommodation is needed. If the accommodation is needed on a regular basis (e.g., a weekly staff meeting), the office will make appropriate arrangements without requiring a request in advance of each occasion.

The interactive process entails

Communication is a priority and encouraged throughout the entire reasonable accommodation process. The interactive process is a collaborative process between the employee and/or applicant and the office to explore and identify specific reasonable accommodation(s). (For information on the Interactive Process see the U.S. Department of Labor, Job Accommodation Network at <http://askjan.org/topics/interactive.htm>). This process is required when:

- The need for a reasonable accommodation is not obvious;
- The specific limitation, problem or barrier is unclear;
- An effective reasonable accommodation is not obvious;
- The parties are considering different forms of reasonable accommodation;
- The medical condition changes or fluctuates; or,

- There are questions about the reasonableness of the requested accommodation.

The interactive process should begin as soon as possible after a request for reasonable accommodation is made or the need for accommodation becomes known.

The process should ensure a full exchange of relevant information and communication between the individual and the office. An individual may request that the ADA Coordinator, a union representative, or support person be present.

The ADA Coordinator shall be consulted when:

- Issues, conflicts or questions arise in the interactive process; and
- Prior to denying a request for accommodation.

Office responsibilities for processing the request

As the first step in processing a request for reasonable accommodation, the person who receives the request must promptly forward the request to the supervisor/manager or ADA Coordinator. At the same time, the recipient will notify the requestor who the decision maker is.

The ADA Coordinator is the office's decision maker for reasonable accommodation requests. The ADA Coordinator will work with the supervisor and manager, and where necessary, with Human Resources, to identify and implement the approved reasonable accommodation.

Analysis for processing requests

Before approving or denying a request for accommodation, the ADA Coordinator will:

1. Determine if the requestor is a qualified individual with a disability;
2. Determine if the accommodation is needed to:
 - Enable a qualified applicant with a disability to be considered for the position the individual desires;
 - Enable a qualified employee with a disability to perform the essential functions of the position; or
 - Enable a qualified employee with a disability to enjoy equal benefits or privileges of employment as similarly situated employees without disabilities;
3. Determine whether the requested accommodation is reasonable;
4. Determine whether there is a reasonable accommodation that will be effective for the requestor and the office; and

5. Determine whether the reasonable accommodation will impose an undue hardship on the office's operations.

An employee's accommodation preference is always seriously considered, but the office is not obligated to provide the requestor's accommodation of choice, so long as it offers an effective accommodation, or determines that accommodation would cause an undue hardship.

Obtaining medical documentation in connection with a request for reasonable accommodation

In some cases, the disability and need for accommodation will be reasonably evident or already known, for example, where an employee is blind. In these cases, the office will not seek further medical documentation. If a requestor's disability and/or need for reasonable accommodation are not obvious or already known, the ADA Coordinator may require medical information showing that the requestor has a covered disability that requires accommodation. The ADA Coordinator may request medical information in certain other circumstances. For example when:

- The information submitted by the requestor is insufficient to document the disability or the need for the accommodation;
- A question exists as to whether an individual is able to perform the essential functions of the position, with or without reasonable accommodation; or
- A question exists as to whether the employee will pose a direct threat to himself/herself or others.

Where medical documentation is necessary, the ADA Coordinator will make the request and use the [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#). The ADA Coordinator will also obtain the requestor's completed and signed **Authorization for Release of Medical Information**.

Only medical documentation specifically related to the employee's request for accommodation and ability to perform the essential functions of the position will be requested. When medical documentation or information is appropriately requested, an employee must provide it in a timely manner, or the office may deny the reasonable accommodation request. The office will not request or accept medical records. **Supervisors and managers *must not* request medical information or documentation from an applicant or employee seeking an accommodation.** Such a request will be made by the ADA Coordinator, if appropriate.

Confidentiality requirements

Medical Information

Medical information obtained in connection with the reasonable accommodation process will be kept confidential. All medical information obtained in connection with such requests will be collected and maintained on separate forms and in separate physical or electronic files from non-medical personnel files and records. Electronic copies of medical information obtained in connection with the reasonable accommodation process will be stored so that access is limited to only the ADA Coordinator. Physical copies of such medical information will be stored in a locked cabinet or office when not in use or unattended. Generally, medical documentation obtained in connection with the reasonable accommodation process will only be reviewed by the ADA Coordinator.

The ADA Coordinator may disclose medical information obtained in connection with the reasonable accommodation process to the following:

- Supervisors, managers or office HR staff who have a need to know may be told about the necessary work restrictions and about the accommodations necessary to perform the employee's duties. However, information about the employee's medical condition will only be disclosed if strictly necessary, such as for safety reasons;
- First aid and safety personnel may be informed, when appropriate, if the employee may require emergency treatment or assistance in an emergency evacuation;
- To consult with the State ADA Coordinator or Employment Law Counsel at MMB, or the Attorney General's Office about accommodation requests, denial of accommodation requests or purchasing of specific assistive technology or other resources; or
- Government officials assigned to investigate office compliance with the ADA.

Whenever medical information is appropriately disclosed as described above, the recipients of the information must comply with all confidentiality requirements.

Accommodation Information

The fact that an individual is receiving an accommodation because of a disability is confidential and may only be shared with those individuals who have a need to know for purposes of implementing the accommodation, such as the requestor's supervisor and the ADA Coordinator.

General Information

General summary information regarding an employee's or applicant's status as an individual with a disability may be collected by office equal opportunity officials to maintain records and evaluate and report on the office's performance in hiring, retention, and processing reasonable accommodation requests.

Approval of requests for reasonable accommodation

As soon as the decision maker determines that a reasonable accommodation will be provided, the ADA Coordinator will process the request and provide the reasonable accommodation in as short of a timeframe as possible. The time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. If an approved accommodation cannot be provided within a reasonable time, the decision maker will inform the requestor of the status of the request before the end of 30 days. Where feasible, if there is a delay in providing the request, temporary measures will be taken to provide assistance.

Once approved, the reasonable accommodation will be documented for record keeping purposes and the records maintained by the ADA Coordinator.

Procedures for reassignment as a reasonable accommodation

If there are no effective reasonable accommodations that would enable the employee to perform the essential functions of his/her current job, or if all other reasonable accommodations would impose an undue hardship, the ADA Coordinator will work with office Human Resources Designee and the requestor to identify appropriate vacant positions within the office for which the employee may be qualified and can perform the essential functions of the vacant position, with or without reasonable accommodation. Vacant positions which are equivalent to the employee's current job in terms of pay, status, and other relevant factors will be considered first. If there are none, the office will consider vacant lower level positions for which the individual is qualified.

Denial of requests for reasonable accommodation

The ADA Coordinator will be contacted for assistance and guidance prior to denying any request for reasonable accommodation. The office may deny a request for reasonable accommodation where:

- The individual is not a qualified individual with a disability;
- The reasonable accommodation results in undue hardship or the individual poses a direct threat to the individual or others. Undue hardship and direct threat are determined on a case-by-case basis with guidance from the ADA Coordinator; or
- Where no reasonable accommodation, including reassignment to a vacant position, will enable the employee to perform all the essential functions of the job.

The explanation for denial will be provided to the requestor in writing. The explanation will be written in plain language and clearly state the specific reasons for denial. Where the office has denied a specific requested accommodation, but has offered a different accommodation in its place, the decision letter will explain both the reasons for denying the accommodation requested and the reasons that the accommodation being offered will be effective.

Consideration of undue hardship

An interactive process will occur prior to the office making a determination of undue hardship. Determination of undue hardship is made on a case-by-case basis and only after consultation with the office's ADA Coordinator. In determining whether granting a reasonable accommodation will cause an undue hardship, the office considers factors such as the nature and cost of the accommodation in relationship to the size and resources of the office and the impact the accommodation will have on the operations of the office.

The office may deny reasonable accommodations based upon an undue hardship. Prior to denying reasonable accommodation requests due to lack of financial resources, the office will consult with the State ADA Coordinator at MMB.

Determining direct threat

The determination that an individual poses a "direct threat," (i.e., a significant risk of substantial harm to the health or safety of the individual or others) which cannot be eliminated or reduced by a reasonable accommodation, will be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job with or without reasonable accommodation. The office will make a decision by relying on the most current medical knowledge and the best available objective evidence.

In determining whether an individual poses a direct threat, the factors to be considered include:

- Duration of the risk;
- Nature and severity of the potential harm;
- Likelihood that the potential harm will occur; and
- Imminence of the potential harm.

Appeals process in the event of denial

If an applicant or employee is dissatisfied with a decision to deny a request for reasonable accommodation, he or she may, within 15 working days, file an appeal with the office's Deputy State Auditor/General Counsel.

Information tracking and records retention

The office will track reasonable accommodations requested and report once a year by September 1st to MMB the number and types of accommodations requested, approved, denied and other relevant information. The office will retain reasonable accommodation documentation according to the office's document retention schedule, but in all cases for at least one year from the date the record is made or the personnel action involved is taken, whichever occurs later. 29 C.F.R. § 1602.14.

VIII. EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

If a weather emergency is called, employees will be notified during work hours and non-work hours by way of the OFFICE's email system and telephone. During non-work hours, an announcement detailing the date, time and geographic location of the closure will be given by MMB to WCCO (830) radio, KSTP, KMSP, WCCO and KARE-11 for broadcast. The announcement will also be forwarded to the Associated Press (AP) to be placed on the news wire for radio stations in Greater Minnesota. If changes in the emergency declaration are warranted, they will be broadcast as the day or night progresses. Employees who are deaf or hard of hearing can watch close captioned weather broadcasts on WCCO or KARE-11 television stations.

Employees can obtain basic information about MMB-related weather emergencies and state office closures 24- hours per day at <https://mn.gov/mmb/be-ready-mn/>.

If an employee requires special notification, he or she is encouraged to consult with the supervisor in advance to arrange a procedure that is most appropriate for her/him. If an employee requires notification by TTY, the supervisor will make contact via the Minnesota Relay Service (MRS) at 7-1-1 (Metro) or 1-800-627-3529 (Greater Minnesota).

Emergency Action Plans

At any time employees may need to evacuate work areas and/or to seek shelter. Causes for evacuation or shelter could be fire, explosion, severe storm, tornado, and chemical release or spill or bomb threat. This Plan is established to ensure that staff is prepared for emergencies and that evacuation/shelter procedures are developed. A listing of emergency contact names and telephone numbers will be maintained and made available to appropriate staff as a part of the office emergency Plan (COOP). An emergency contact list will be maintained by the OFFICE COOP Coordinator.

Responsibilities

The COOP Administrator and Human Resources Designee are responsible for developing and revising emergency action plans for the central office and out-state facilities.

Supervisors and managers are responsible for development of emergency action plans for each regional office facility. Supervisors are responsible for accounting for each staff person in their unit immediately following emergency evacuation or shelter procedures and will report missing persons to the COOP Coordinator or Human Resources Designee.

Employees and Visitors with Disabilities

Employees with disabilities should contact their supervisor or the Human Resources Designee regarding special needs they may have regarding emergency evacuation plans. In addition, supervisors are responsible for providing the COOP Administrator or the Human Resources Designee with a list of those in their work unit who need assistance during evacuation or shelter emergencies.

Supervisors will work with the COOP Administrator or the Human Resources Designee to develop plans to address the needs of such individuals.

Each Supervisor is responsible for insuring that a volunteer attendant has been assigned to assist visitors with disabilities in his or her unit. Visitors with mobility impairments or sensory impairments will be assisted in evacuating by the supervisor of the area or assigned attendant. Everyone who needs assistance evacuating should meet at the designated area.

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 an employee or shelter in place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify 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 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 office’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 office’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 form 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 an evacuation have three evacuation options based on their location in their building:

- **Horizontal evacuation:** If located on the ground or basement floor, severe weather shelter areas are located throughout each floor;

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

Note: Do not use elevators to evacuate if a cause of the emergency evacuation is fire.

Staff contacts for evacuation assistance are: Deborah Phelps, Human Resources Designee,(telephone 651-297-3677 or email Deborah.Phelps@osa.state.mn.us) and/or David Kenney ADA Coordinator (telephone 651-2973671 or email David.Kenney@osa.state.mn.us) and on-site supervisors. See Appendix F.

IX. GOALS AND TIMETABLES

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

Using the utilization analysis, the office has determined that certain job categories are underutilized within the office and has set the following hiring goals for the next two years based on anticipated hiring opportunities. (Reference Table 2)

Job Categories	Underutilization – # of Individuals			Hiring Goals for 2016-2018		
	Women	Racial/Ethnic Minorities	Individuals With Disabilities	Women	Racial/Ethnic Minorities	Individuals With Disabilities
Officials/Administrators			1			
Professionals	3	4	5	2	1	1
Office/Clerical						

In Table 2, if no number is indicated, the office found no underutilization.

Availability:

The office determined the recruitment area to be metropolitan availability for all job categories. In conducting its underutilization analysis, the office used the one factor analysis. The majority of hires are anticipated to be external.

Underutilization Analysis worksheets are attached in Appendix D.

Women:

In 2016, the office exceeded its goal for women in the Officials/Administrator's category and the Professional's category. Professional women made up the majority of the separations in each year. An equal number of men and women employees were promoted during this time.

In general, the population of women employees has remained the same.

Minorities:

The number of individuals in the Racial/Ethnic Minorities' group has remained the same in the Office/Clerical category. The number of racial/ethnic minorities in the Professionals' category has improved. The office continues to meet its goal for the Officials/Administrator's category.

Individuals with Disabilities:

At the office, the population of individuals with disabilities has improved in the Office/Clerical category. All other categories remain unchanged.

To address the areas of underutilization, the office in 2016-2018 will continue to broaden its recruiting outreach to individuals in the underutilized categories. In addition, the office will further develop and formalize its mentoring relationships, as a means of encouraging retention and fostering a diverse, inclusive culture.

Based on anticipated hiring opportunities, the office has set a goal of a minimum of three new hires from the underutilized groups by June 30, 2018.

X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

The Affirmative Action Program Objectives are ongoing and designed to meet the office's affirmative action goals by providing tools to: (1) help recognize when action is called for to ameliorate barriers to having and supporting a diverse workforce, (2) to promote recruitment and retention of protected class individuals, and (3) to empower individuals to take appropriate action in furtherance of these goals.

Objective #1: AAO and ADA Coordinator Training

- Ensure that ADA Coordinator and Affirmative Action Officer are knowledgeable about current state and federal laws, office policies, and recent changes in the law.

ADA Coordinator and Affirmative Action Officer will be sent to appropriate training sessions annually.

Evaluation Procedure: Record of ADA Coordinator and Affirmative Action Officer completion of training.

Objective #2: Promote Training and Career Development Opportunities

- Provide training and career development opportunities to enhance promotability and encourage employee retention.

Training will be recommended at least annually on employee evaluations, when warranted, and specialized training options will be provided.

Evaluation Procedure: Ongoing monitoring of improvement and potential for promotability.

- Ensure that all managers and supervisors are knowledgeable about the office's ADA, affirmative action and sexual harassment policy and potential employer liability.

Mandatory training will be provided for managers and supervisors; supervisors will be provided with special training needs related to diversity issues.

Evaluation Procedure: Summary of the training evaluation and ongoing employee feedback.

- Ensure that all employees are aware of the office Affirmative Action policy and commitment by State Auditor.

Reissue office Affirmative Action policy with new statement of commitment from State Auditor. Post the policy on the OSANet. Post the policy on the State Auditor website. Provide mandatory training at all-staff meetings.

Evaluation Procedure: Employee feedback and active use of policy by employees.

Objective #3: Environment

- Promote an office work environment conducive to diverse employees.

Continue to implement activities that will promote awareness, acceptance and appreciation for diversity and affirmative action.

Evaluation Procedure: Evaluate semiannually the impact of program.

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

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

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

Any time the agency cannot justify a hire, the agency takes a missed opportunity. Office leadership will be asked to authorize the missed opportunity. The office 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.

B. Pre-Review Procedure for Layoff Decisions

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

If it is determined that there is an adverse impact on protected groups, the office 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 office will determine if other alternatives are available to minimize the impact on protected groups.

C. Other Methods of Program Evaluation

The office 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 office 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 adverse impact;
- Analyzes compensation program to determine if there are patterns of discrimination;
- Reviews the accessibility of online systems, websites, and ensures that reasonable accommodations can be easily requested; and
- Discusses progress with office leadership on a periodic basis and makes recommendations for improvement.

XII. RECRUITMENT PLAN

The objective of this recruitment plan is to ensure the office'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 total: \$2,930.

Below are various recruitment methods or strategies the office is using or plans to use:

A. Advertising Sources

Recruiting materials were revised for career fairs. Job opportunities were posted at HireMnGrad, GoldPass at the University of Minnesota, Minnesota's Private Colleges Job & Internship Fair, Minnesota State Universities Job and Internship Fair and the Accounting & Auditing Student Conference, Diversity Job Fair and at college and university career centers' websites.

B. Job and Community Fairs

Office staff attended the Minnesota's Private Colleges Job & Internship Fair, Minnesota State Universities Job and Internship Fair, the Accounting & Auditing Student Conference, Diversity Job Fair, and two additional job fairs in the Fargo/Moorhead area.

C. College and University Recruitment Events

Office staff made presentations to Minnesota college/university accounting each year.

D. Recruitment for Individuals with Disabilities

- Review of all job postings for physical and sensory requirements and to determine if the qualifications for the position are job-related and consistent with business necessity.
- At the time of application and once a year, communicate to employees that we collect summary data related to the number of individuals who have applied for positions and who are in our workforce. 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.
- Review posted positions for tasks that can be completed by a supported worker. Work with VRS or the MMB State ADA Coordinator to assist us in our efforts.
- Utilize where possible the 700-hour program, which allows us to hire an individual with a disability and provide them training. At the end of this period, our office can hire the individual.
- Distribute marketing material and resources to 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.
- Prominently display on our career site that we provide reasonable accommodation to qualified individuals with a disability who apply for our positions where needed. Educate employees and supervisors and managers on accommodating employees in the workplace.
- 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.

- Conduct a quarterly analysis of the number of individuals with disabilities who have applied for positions and the number of individuals with disabilities hired.

E. Relationship Building and Outreach

Staff spoke to several university student accounting clubs.

F. Internships

Recruiting materials were revised for career fairs. Internship opportunities were posted at HireMnGrad, GoldPass at the University of Minnesota, Minnesota's Private Colleges Job & Internship Fair, Minnesota State Universities Job and Internship Fair the Accounting & Auditing Student Conference, Diversity Job Fair and at college and university career centers' websites.

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

The office supports the employment of individuals with disabilities and will review vacant positions to determine if job tasks can be performed by supported employment workers. We will work with community organizations that provide employment services to individuals with disabilities to recruit for these positions.

XIII. RETENTION PLAN

The office is dedicated to retention of all employees, but is especially committed to increasing the retention of individuals who belong to protected groups. The office strives and will continue to strive to create an environment which promotes the importance and benefits of a diverse workforce.

The office will continue to promote retention, especially of protected group members, by taking the following action steps, all of which are on-going:

- Update and provide new employee checklist for supervisors to welcome and orient new employees to the work unit.
Responsibility: Human Resources Designee
- Ensure all employees are aware of the Employee Assistance Program (EAP) available to them
Responsibility: Human Resources Designee.
- Provide mentors to new employees and to all employees who request them
Responsibility: Human Resources Designee, Managers
- Provide supervisors an opportunity to discuss difficult employee situations, get support for intervention and tools to resolve conflicts in the workplace.

Responsibility: State Auditor, Affirmative Action Officer, Managers

- When possible, providing a flexible working environment by offering options such as telecommuting, and alternative work schedules;
Responsibility: State Auditor, Managers and supervisors.
- Encourage involvement in formal and informal committees
Responsibility: State Auditor, Managers and supervisors.
- Identify and advise current employees of mobility and career advancement opportunities
Responsibility: Human Resources Designee, managers and supervisors.
- Conduct annual recognition programs and employee appreciation events
Responsibility: State Auditor, Affirmative Action Officer
- Foster an internal network of support;
Responsibility: State Auditor, Affirmative Action Officer, Managers and Supervisors.
- Conduct exit surveys of all employees leaving the office.
Responsibility: Affirmative Action Officer or Human Resources Designee
- Analyze data for trends or common reasons for leaving,
Responsibility: Affirmative Action Officer
- Share information with office leadership to be used to make positive changes.
Responsibility: Affirmative Action Officer

Retention activities are the shared responsibility of MMB and the Office of the State Auditor.

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

Deborah Phelps, Human Resources Designee, is the contact for retention programs and activities. Her telephone number is 651-297-3677 and email address is Deborah.Phelps@osa.state.mn.us.

B. Separation and Retention Analysis by Protected Groups

The population of the office is less than 100. Employees self-identify in the areas of gender, ethnicity and race. Expertise in government financial and compliance audits, and reporting provides the foundation for higher-level positions. Supervisory and management classes are impacted by the office's ability to retain protected group employees.

July 1, 2014 - June 30, 2016

Minority employees make up 6.4% of the workforce. No promotions or separations of minority employees occurred over this time period.

Female employees make up 51.1% of the office's workforce. Fifty percent of promotions were of female employees, Slightly over 55% of separations were female employees; these were due to resignations and retirements.

Analysis. The data indicates there is a slight increase in separations of women due to retirements. More female employees were hired than male. An equal number of men and women employees were promoted during this time.

Employees with disabilities make up 1.1% of the office population. Slightly over 20% of employees have not indicated whether they fall into a protected group.

There were no layoffs in any category in either fiscal year.

C. Methods of Retention of Protected Groups

To encourage retention, particularly with protected group employees, the office continues to support work life balance for all employees. The office provides and will continue to provide to employees opportunities to telecommute, work part-time and work flexible schedules to aid in employee retention. However, all professional positions in the Office of the State Auditor require employees to travel to provide audit and training services to local governments.

The office offered and continues to offer employees opportunities to grow professionally to prepare them for promotional opportunities.



REBECCA OTTO
 STATE AUDITOR

STATE OF MINNESOTA
OFFICE OF THE STATE AUDITOR

SUITE 500
 525 PARK STREET
 SAINT PAUL, MN 55103-2139

(651) 296-2551 (Voice)
 (651) 296-4755 (Fax)
state.auditor@state.mn.us (E-mail)
 1-800-627-3529 (Relay Service)

Appendix A - Complaint of Discrimination/Harassment Form

Please Read Before Completion of Form Any complaint of harassment/discrimination is considered confidential data under Minnesota Statute § 13.39, subds. 1 and 2. This information is being collected for the purpose of determining whether harassment/discrimination has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may be released only to the Affirmative Action Officer, the complainant, the respondent, and appropriate personnel.

Complainant (You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone ()
Office	Division	Manager
Respondent (Person Who Harassed/Discriminated Against You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone ()
Office	Division	Manager
The Complaint		
Basis of Complaint ("X" all that apply):		
<input type="checkbox"/> Race	<input type="checkbox"/> Color	<input type="checkbox"/> Disability
<input type="checkbox"/> Sex	<input type="checkbox"/> Creed	<input type="checkbox"/> Marital Status
<input type="checkbox"/> Age	<input type="checkbox"/> Religion	<input type="checkbox"/> National Origin
		<input type="checkbox"/> Sexual Orientation
		<input type="checkbox"/> Status with Regard to Public Assistance
		<input type="checkbox"/> Membership or Activity in a Local Human Rights Commission

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

Describe how you believe that you have been harassed/discriminated against (names, dates, places, etc.). Use a separate sheet of paper if needed and attach to this form.

Information on Witnesses Who Can Support Your Case		
Name	Work Address	Work Telephone
1.		()
2.		()
3.		()

Additional witnesses may be listed in “Additional Information” or on a separate sheet attached to this form.

This complaint is being filed on my honest belief that the State of Minnesota has harassed/discriminated against me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.	
Complainant Signature	Date

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

Employee Signature

Date



REBECCA OTTO
STATE AUDITOR

STATE OF MINNESOTA OFFICE OF THE STATE AUDITOR

SUITE 500
525 PARK STREET
SAINT PAUL, MN 55103-2139

(651) 296-2551 (Voice)
(651) 296-4755 (Fax)
state.auditor@state.mn.us (E-mail)
1-800-627-3529 (Relay Service)

Appendix B - 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 the Office of the State Auditor human resources representative, ADA Coordinator or designee, Office of the State Auditor legal counsel, or any other individual who is authorized by the Office of the State Auditor 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, Office of the State Auditor may refuse to provide a reasonable accommodation.

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.

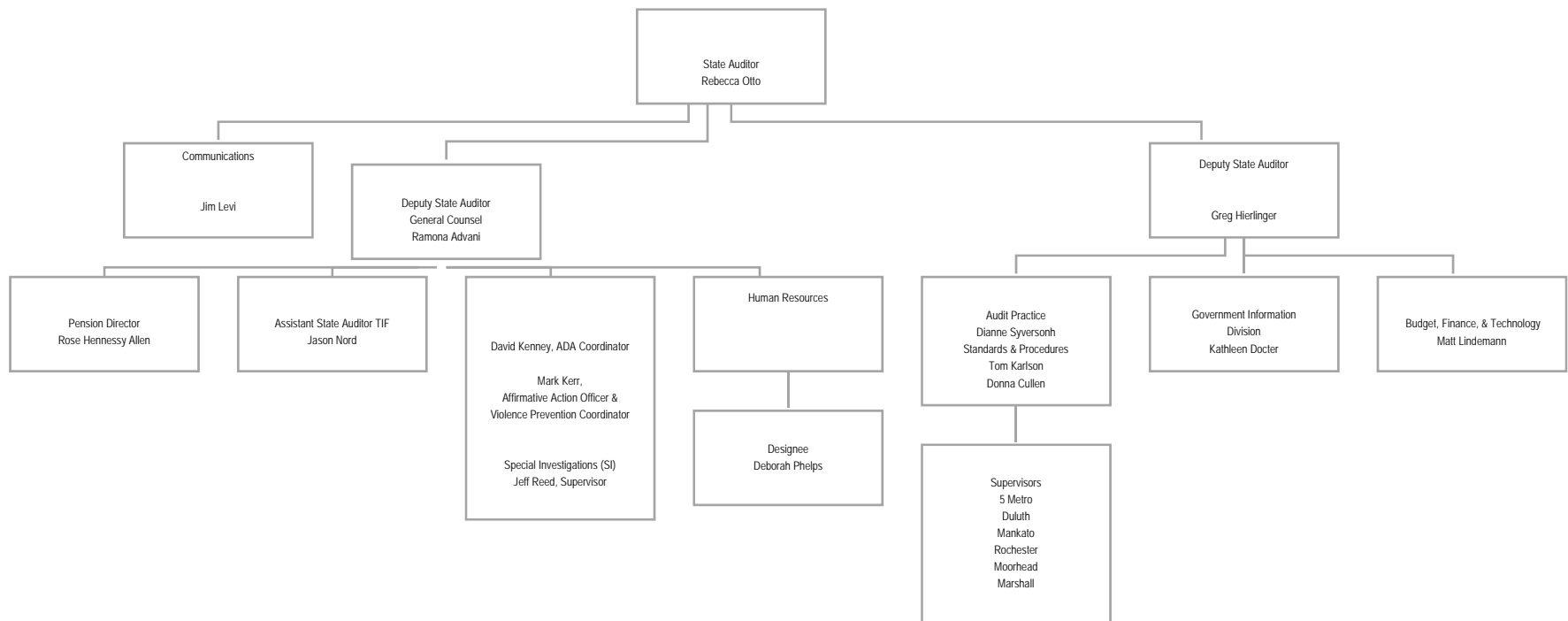
The ADA Coordinator or designee in each OSA is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the 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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Appendix C - Office Profile and Organizational Chart

The Office of the State Auditor is a constitutional office that oversees local government financial activity in Minnesota by performing audits of local government financial statements and by reviewing documents, data, reports, and complaints reported to the Office.



Appendix F - Staff Contacts for Evacuation Assistance by Location

**CONTACTS FOR EVACUATION ASSISTANCE
BY LOCATION**

Location	Contact Person	Alternates for all locations
Duluth	Jerry Baker 218-723-4902 Jerry.Baker@osa.state.mn.us	Human Resources 651-297-3677 or ADA Officer: David.Kenney@osa.state.mn.us or 651-297-3671
Marshall	Rick Pietrick 651-282-2387 Rick.Pietrick@osa.state.mn.us	
Mankato	Amy Thomas 508-389-6667 Amy.Thomas@osa.state.mn.us	
Moorhead	Bob Johnson 218-299-5981 Bob.Johnson@osa.state.mn.us	
Rochester	Carla Blahnik 507-280-5055 Carla.Blahnik@osa.state.mn.us	

**CONTACTS FOR EVACUATION ASSISTANCE
BY LOCATION**

Location	Contact Person	Alternates for all locations
Saint Paul/ Minneapolis	Stephanie Erickson 651-297-7106 or 612-673-3712 Stephanie.Erickson@osa.state.mn.us	Human Resources 651-297-3677 David Kenney, ADA Officer David.Kenney@osa.state.mn.us 651-297-3671
Saint Paul/ Statewide	Randall Vogt 651-284-4136 Randall.Vogt@osa.state.mn.us	
Saint Paul	Rick Clark 651-297-7675 Rick.Clark@osa.state.mn.us	
Saint Paul	Amy Ames 651-282-2392 Amy.Ames@osa.state.mn.us	
Statewide 525 Park Suite 500 Saint Paul	David Kenney, ADA Officer David.Kenney@osa.state.mn.us 651-297-3671	