



State of Minnesota

Department of Human Services

2018-2020 Affirmative Action Plan

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Minnesota Statutes, Chapter 3.197, requires the disclosure of the cost to prepare this report. The estimated cost of preparing this report is \$2,829.00.

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Executive Summary

This Affirmative Action Plan meets the requirements as set forth in statute, in Administrative Rule, and 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.

This Affirmative Action 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
		(Metro)(Non-Metro)	
Officials & Administrators		(X)(X)	
Professionals		(0)(X)	
Office Clerical		(0)(X)	
Paraprofessional/Technicians		(0)(X)	X
Skilled Craft	X	(X)(X)	
Service Maintenance		(X)(X)	X

Information about how to obtain or view a copy of this Plan will be provided to every employee of the agency. Our intention is to make every employee aware of the Department of Human Services' commitments to affirmative action and equal employment opportunity. The Plan will also be posted on the agency's website and maintained in the Equal Opportunity and Access Division.

Affirmative Action Officer or Designee: [Signature] Date Signed: 7/23/18

Human Resources Director or Designee: [Signature] Date Signed: 7-23-18

Commissioner or Agency Head: [Signature] Date Signed: 7/30/18

Organizational Profile (Brief Overview)

The Department of Human Services (DHS) is a governmental agency and a cabinet-level department of the executive branch of Minnesota state government. The agency has oversight and regulatory responsibility for various social service, public assistance, and health care programs for Minnesotans.

Statement of Commitment

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

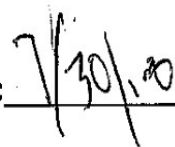
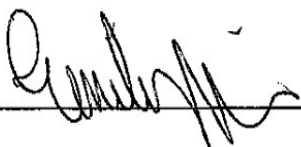
I affirm my personal and official support of these policies which provide that:

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities, or subjected to harassment, on the basis of race, sex (including pregnancy), color, creed, religion, age, national origin, sexual orientation, gender expression, gender identity, disability, marital status, familial status, status with regard to public assistance, or membership or activity in a local human rights commission.
- The prohibition of discrimination on the basis of sex includes prohibition of sexual harassment, gender-based harassment, and harassment based on pregnancy.
- This agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include, but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to employees and applicants with disabilities.
- This agency will continue to actively promote a program of affirmative action, wherever minorities, women, and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.
- This agency will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this agency will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

It is the agency's policy to provide an employment environment free of any form of discriminatory harassment as prohibited by federal, state, and local human rights laws. I strongly encourage suggestions as to how we may improve. We strive to provide equal employment opportunities and the best possible service to all Minnesotans.

Commissioner: _____

Date Signed: _____



Executive Summary

This Affirmative Action Plan meets the requirements as set forth in statute, in Administrative Rule, and 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.

This Affirmative Action 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 (Metro)(Non-Metro)	Individuals with Disabilities
Officials & Administrators	0	(X)(X)	0
Professionals	0	(0)(X)	0
Office Clerical	0	(0)(X)	0
Paraprofessional/Technicians	0	(0)(X)	X
Skilled Craft	X	(X)(X)	0
Service Maintenance	0	(X)(X)	X

Information about how to obtain or view a copy of this Plan will be provided to every employee of the agency. Our intention is to make every employee aware of Department of Human Services' commitments to affirmative action and equal employment opportunity. The Plan will also be posted on the agency's website and maintained in the Equal Opportunity and Access Division.

Affirmative Action Officer or Designee: _____ **Date Signed:** _____

Human Resources Director or Designee: _____ **Date Signed:** _____

Commissioner or Agency Head: _____ **Date Signed:** _____

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

It is the agency's policy to provide an employment environment free of any form of discriminatory harassment as prohibited by federal, state, and local human rights laws. I strongly encourage suggestions as to how we may improve. We strive to provide equal employment opportunities and the best possible service to all Minnesotans.

Commissioner or Agency Head: _____ **Date Signed:** _____

Individuals Responsible for Directing/Implementing the Affirmative Action Plan

A. Commissioner

Responsibilities

The Commissioner is responsible for establishing an Affirmative Action Program, including goals, timetables and compliance with all federal and state laws and regulations. The Commissioner, through the Commissioner of Minnesota Management & Budget (MMB), will report annually to the Governor and the Legislature the agency's progress in meeting its affirmative action goals and objectives.

Duties

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

- Appoint the Affirmative Action Officer or designee and include accountability for the administration of the agency's Affirmative Action Plan in his or her position description.
- Take action, if needed, on complaints of discrimination and discriminatory harassment.
- Issue a statement affirming the department's commitment to affirmative action and equal employment opportunity, and ensure that such a statement is disseminated to all employees.
- Make such decisions and changes in policies, procedures or physical accommodations as may be needed to implement effective affirmative action in the agency.
- Actively promote equal employment opportunity and incorporate diversity and inclusion principles in annual business plans, strategic plan, and agency's mission.
- Report annually to the Governor and the Legislature through the Commissioner of MMB the department's progress in affirmative action.
- Notify all contractors and sub-contractors with the department of their affirmative action responsibilities.
- Actively promote the enforcement of equal employment opportunity in affirmative and non-affirmative hiring decisions reviewed in the hiring process.
- Require that all agency directors, managers, and supervisors include responsibility statements for the supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.

Accountability

The Commissioner is accountable directly to the Governor and indirectly to the Commissioner of MMB for affirmative action matters.

Name of individual(s) responsible

Name: Emily Piper

Email: emily.piper@state.mn.us

Title: Commissioner

Phone: 651-431-2924

B. Affirmative Action Officer

Responsibilities

The Affirmative Action Officer is directly responsible for developing, coordinating, implementing and monitoring the department's affirmative action program.

Duties

The duties of the Affirmative Action Manager shall include, but not be limited to, the following:

- Develop and administer the agency's Affirmative Action Plan.
- Develop and set agency-wide affirmative action hiring goals.
- Monitor agency compliance and fulfill all affirmative action reporting requirements.
- Disseminate the affirmative action policy to employees in the agency.
- Inform the Commissioner on progress in affirmative action and equal opportunity and report potential concerns.
- Act as the affirmative action liaison between the Agency, MMB, and the Governor's Office.
- Determine the need for affirmative action training within the agency and initiate the development of such training programs with the assistance of internal and external resources, as necessary.
- Review and recommend changes in policies, procedures, programs and physical accommodations to facilitate affirmative action and equal opportunity.
- Develop innovative programs to attract and retain protected group members in the Agency.
- Support and participate in the recruitment of protected class persons for employment, promotion and training opportunities.
- Manage the agency's pre-hire review process.
- Review requests for non-affirmative non-justified hires in the Monitoring the Hiring process and refer unresolved issues to the Commissioner for final decision.
- Ensure supervisors and managers are making affirmative efforts to recruit and retain protected group candidates and employees.
- Oversee the administration of the Americans with Disabilities Act Title I and Title II.

- Receive requests for ADA accommodations and work with appropriate supervisors, unions, etc. to approve or deny the request, or provide alternative accommodations.
- Maintain records of requests for reasonable accommodations.
- Oversee the administration of the Agency Diversity Recruitment program.

Accountability

The Affirmative Action Officer is accountable directly to the Chief of Staff and indirectly to the Commissioner for program impacts and for ongoing program activities and direction. The Affirmative Action Manager oversees the administrator of ADA Title II, administrator of Diversity and Inclusion, and administrator of Limited English Program.

Name of individual(s) responsible

1. Name: Zecharias Hailu	Email: zecharias.hailu@state.mn.us
Title: Director, Equal Opportunity and Access	Phone: 651-431-2134
2. Name: Amy Dellwo	Email: amy.dellwo@state.mn.us
Title: Chief of Staff	Phone: 651-431-2585
3. Name: Eric Falk	Email: eric.falk@state.mn.us
Title: ADA Title II Coordinator	Phone: 651-431-3039
4. Name: Lauren Hunter	Email: lauren.hunter@state.mn.us
Title: Director, Diversity Recruiting	Phone: 651-431-3032

C. Affirmative Action Officer Designee(s)

Responsibilities

The designees are responsible for the implementation of the department's Affirmative Action Plan at their facility/work location. Each designee is directly accountable to the agency's Affirmative Action Officer for matters relating to affirmative action.

Duties

- Fulfill all affirmative action reporting requirements by submitting standard quarterly reports.
- Ensure dissemination of all relevant affirmative action information to appropriate staff.
- Serve as ex-officio member of the Employee Resource Group (ERG) diversity committee at their work location.

- Serve as a member of the department-wide Affirmative Action Officers Committee.
- Determine the need for diversity training and recommend training at their respective work location.
- Review policies, procedures, and practices and to recommend changes to the Affirmative Action Manager.
- Serve as ex-officio member of the recruitment team at their work locations.

Accountability

The Affirmative Action Designee is accountable indirectly to the Director of Equal Opportunity and Access on matters pertaining to Affirmative Action and Equal Opportunity.

Name of individual(s) responsible

1. Name: Richard Nymoen	Email: richard.nymoen@state.mn.us
Title: ADA, Civil Rights & AA Consultant	Phone: 651-431-2901
2. Name: Trevor Boulter	Email: trevor.boulter@state.mn.us
Title: Investigator and EO Consultant	Phone: 651-431-3018

D. Human Resources Director or Designee(s)

Responsibilities

The Human Resources Office is responsible for ensuring equitable and uniform administration of all personnel policies. Human Resources Directors are responsible for ensuring timely responses to all Americans with Disabilities Act (ADA) requests for accommodations to remove barriers to equal employment opportunity with the agency, assisting managers and supervisors in human resources management activities.

Staff within Human Resources who work on affirmative action and diversity issues are accountable to the Human Resources Director or designee.

Duties

The duties of Human Resources shall include, but not be limited to, the following:

- Maintain effective working relationships with agency affirmative action officers and designees.
- Provide leadership to HR staff and others to ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles.

- Provide guidance in the development and utilization of selection criteria to ensure they are objective, uniform, and job related.
- Assist in recruitment and retention of protected class persons and notify managers and supervisors of existing disparities
- Ensure an Affirmative Action Pre-hire Review process is implemented and followed by hiring managers and supervisors by working effectively with the affirmative action officer.
- Initiate and report on specific program objectives contained in the affirmative action plan;
- Ensure that the reasonable accommodation process is implemented and followed for all employees and applicants in need of reasonable accommodation.
- Assist supervisors, managers and the Affirmative Action Officer in affirmative recruitment of protected group members through career and job fairs and other recruitment efforts, as well as in selection and retention of protected group members.
- Assist supervisors, managers, affirmative action officers, and human resources staff in the intentional creation of Supported worker positions that assist in reduction of agency costs by diverting supportive employment duties from higher skilled workers to a supported worker position and thus improve employee morale and retention of individuals with disabilities in integrated employment.
- Request recruitment assistance from MMB's Statewide Director of Diversity Recruitment and Retention in the diversity recruitment and retention of protected group members in hard to fill or executive level positions.
- Include responsibility statements for affirmative action/equal employment opportunity in position descriptions and annual performance objectives.

Accountability

Human resources staff are accountable to the Human Resource Directors or designees. Additionally, Human Resources Department ensures that aggregate data and trends of complaints of illegal discrimination in hiring are provided and shared with the Affirmative Action Manager on a quarterly basis.

Name of individual(s) responsible

1. Name: Connie Jones

Email: connie.l.jones@state.mn.us

Title: HR Director

Phone: 651-431-2999

2. Name: Sean Tolefree

Email: sean.tolefree@state.mn.us

Title: Director, HR Agency-wide Functions

Phone: 651-431-2291

E. Americans with Disabilities Act Title I Coordinator

Responsibilities

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

Duties

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

- Provide guidance, coordination, and direction to agency management with regard to the ADA in the development and implementation of agency policy, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to agency management and staff on compliance and best practices with regard to hiring and retention of individuals with disabilities as well as the provision of reasonable accommodations to employees and job applicants.
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing agency services, and report reasonable accommodations annually to MMB.
- Research case law rules and regulation and update Human Resources Directors on evolving ADA issues. Meet bi-annually with ADA Coordinators and provide updates on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Manager in designing and delivering specific ADA training for targeted groups.
- Submit reasonable accommodation reimbursement under the guidelines of the statewide accommodation fund.
- Provide reasonable accommodations to qualified individuals (as defined by ADA) with known physical or mental disabilities, to enable them to compete in the selection process or to perform the essential functions of the job and/or enjoy equal benefits and privileges. The ADA coordinator and the regional human resources director (RHRD) who also serves as the regional ADA coordinator, in consultation with the employee and supervisor, and other individuals who may need to be involved must:
 - Discuss the purpose and essential functions of the particular job and complete a step-by-step job analysis;
 - Determine the precise job-related limitations;
 - Identify the potential accommodations and assess the effectiveness each would have in allowing the employee to perform the essential functions of the job; and

- After discussion and review, select and implement the accommodations that are appropriate for both the employee and the employer using the Reasonable Accommodation Agreement.

Accountability

The ADA Title 1 Coordinator is accountable to the Director of Equal Opportunity and Access.

Name of individual(s) responsible

1. Name: Eric Falk

Email: eric.falk@state.mn.us

Title: ADA Coordinator

Phone: 651-431-3039

F. Americans with Disabilities Act Title II Coordinator

Responsibilities

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

Duties

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

- Provide guidance, coordination, and direction to agency management with regard to the ADA in the development and implementation of agency policy, procedures, and practices to ensure agency services and programs are accessible and nondiscriminatory for the public.
- Provide training, technical guidance, and consultation to the agency's management and staff on compliance and best practices with regards and obligations to members of the public with disabilities as well as the provision of reasonable modifications to visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing agency services, and report reasonable modifications annually to MMB.
- Research case law rules and regulation and update Executive team on evolving ADA issues. Meet bi-annually with state ADA Coordinators and learn updates on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Manager in designing and delivering specific ADA training for Agency employees assisting ADA modifications for the public.
- Provide reasonable modifications to members of the public (as defined by ADA) with known physical or mental disabilities, to ensure equal access and privileges to programming and

services. The ADA Title II coordinator in consultation with the member of the public in need of a modification shall:

- Discuss the purpose and essential functions of a particular reasonable modification;
- Identify the potential modifications and assess the effectiveness of each request.
- After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the Agency. This review shall be documented and reported in the State ADA Annual Report.

Accountability

The ADA Title II Coordinator is accountable to the Director of Equal Opportunity and Access.

G. Diversity Recruitment Coordinator

Responsibilities

The Diversity Recruitment Coordinator is responsible for the creation and coordination of the Diversity Recruitment Plan outlined in this document.

Duties

The duties of Diversity Recruitment Coordinator shall include, but not be limited to, the following:

- Identify high need recruitment job areas within the agency.
- Communicate the strategic recruitment plan to human resources, the executive team, management, and staff.
- Assist the Affirmative Action Officer in conducting periodic audits of recruitment activity to measure the effectiveness of efforts and activities to attaining strategic diversity goals and objectives.
- Maintain relationships with agency executive teams, human resources, and management to ascertain the diversity recruitment needs of the department.
- Maintain relationships with community stakeholders, colleges and universities, and workforce centers to continue effective diversity recruitment strategies.
- Maintain active participation in the statewide recruiters group and MNCARRS.

Accountability

The Diversity Recruitment Coordinator is accountable to the HR Director.

H. Senior Managers and Facility Executive Team Leaders

Responsibilities

Agency senior managers and executive team leaders are responsible for implementing all aspects of the agency Affirmative Action Plan and the agency's commitment to affirmative action and equal opportunity.

Duties

The duties of senior managers and facility executive team leaders shall include, but not be limited to, the following:

- Identify problem areas and eliminate barriers that inhibit equal employment opportunity within their units and the agency.
- Communicate the equal opportunity employment policy and the affirmative action program and plan to all employees assigned to their units.
- Assist the Affirmative Action Officer in conducting periodic audits of hiring and promotion patterns to remove impediments to attaining affirmative action goals and objectives.
- Hold regular discussions with supervisors and employees to ascertain that the agency's equal employment opportunity policies are being followed.
- Inform and evaluate managers and supervisors on their equal employment opportunity efforts and results in addition to other job performance criteria.
- Demonstrate and practice a discrimination and harassment free work environment for all employees.

Accountability

Senior managers and executive team leaders are accountable directly to the appropriate Assistant Commissioner, the Deputy Commissioner or the Commissioner.

I. All Employees

Responsibilities

All employees are responsible for conducting themselves in accordance with the state of Minnesota's policy of equal employment opportunity by refraining from any actions that would subject any employee to negative treatment on the basis of that individual's race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance, membership or activity in a local human rights commission, religion, political opinions, or affiliations. Employees who believe they have been

subjected to such discrimination or harassment are encouraged to use the agency's complaint procedure.

Duties

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

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

Accountability

Employees are accountable to their designated supervisor and indirectly to the agency's Commissioner. Employees are responsible for maintaining an environment free from harassment and discrimination. All employees are responsible for conducting themselves in accordance with the Affirmative Action Plan.

Communication of the Affirmative Action Plan

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

Internal Methods of Communication

- A memorandum detailing the location of the Affirmative Action Plan and the responsibility to read, understand, support, and implement equal opportunity and affirmative action will be sent from the agency's leadership or alternatively, the Affirmative Action Officer, to all staff on an annual basis.
- The agency's Affirmative Action Plan is available to all employees on the agency's internal website at [DHS Affirmative Action Plan](#) or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- A physical copy of the Agency's Affirmative Action Plan will be available to employees at the following address:

Anderson Building, 8th Floor, C8349F
540 Cedar Street
St. Paul, MN 55101-2208
- 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 public website at [DHS Affirmative Action Plan](#) 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" and "women, minorities, and individuals with disabilities are encouraged to apply." The agency will also ensure a representative ratio of diversity is on all diversity marketing materials.
- 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.
- A physical copy of the Agency's Affirmative Action Plan will be available to contractors, vendors, and members of the public at the following address:

Anderson Building, 8th Floor, C8349F
540 Cedar Street
St. Paul, MN 55101-2208

Underutilization Analysis and Affirmative Action Goals

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 2-3. Underutilization Analysis and Hiring Goals for 2018-2020

The second, third, and fourth columns of this chart show the number of underutilized individuals of each group in each category at this agency. The fifth, sixth, and seventh columns show the agency's hiring goals for each group in each category.

Underutilization - # of Individuals

Job Categories	Women	Racial/Ethnic Minorities (Metro)(Non-Metro)	Individuals with Disabilities
Officials / Administrators	0	(1) (1)	0
Professionals	0	(0) (20)	0
Office/Clerical	0	(0) (2)	0
Paraprofessionals / Technicians	0	(0) (13)	23
Skilled Craft	1	(1) (1)	0
Service Maintenance	0	(2) (6)	1

Hiring Goals for 2018-2020

Job Categories	Women	Racial/Ethnic Minorities (Metro)(Non-Metro)	Individuals with Disabilities
Officials / Administrators	NA	(1)(1)	NA
Professionals	NA	(0)(10)	NA
Office/Clerical	NA	(0)(1)	NA
Paraprofessionals / Technicians	NA	(0)(7)	12
Skilled Craft	1	(1)(1)	NA
Service Maintenance	NA	(1)(3)	1

Availability

Separate minority availability analyses were conducted for DHS facilities in the Minneapolis/Saint Paul Metropolitan Statistical Area (MSA) and for its facilities in greater Minnesota, which include those for the Minnesota Sex Offenders Program (MSOP) located in Moose Lake, and the Security Hospital (Forensics), located in St. Peter.

For both analyses, internal availability was a factor, with weights ranging from 33% to 78%. For the one analysis, the remaining weights were split evenly between the Minneapolis/Saint Paul MSA job group data and the Minneapolis/Saint Paul MSA minority population. For the other analysis, the remaining weights were split evenly between statewide job group data and Greater Minnesota minority population.

In conducting its underutilization analysis, the agency used this multiple-factor analysis because it best reflected minority availabilities of the respective geographic areas.

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, for women underutilization, there has been improvement for Officials/Managers because now there is no underutilization of women for that category. For the current and prior AAP, there has been no underutilization for the Professionals, Paraprofessionals/Technicians, Office/Clerical, and Service Maintenance categories. Underutilization of women remains in the Skilled Craft category and improved recruitment is needed to increase the number of women in that category.

Non-metro Minorities

At the agency, the underutilization of non-metro minorities has improved in all job categories. The increases can be attributed to agency’s workforce growing in size, the recruitment efforts and the affirmative action requirements that apply for underutilized positions, e.g. that candidate lists must be sufficiently diverse, that sufficient underrepresented candidates must be interviewed and that justification forms must be completed for non-affirmative hires.

Metro Minorities

At the agency, the underutilization of metro minorities has improved in the following job categories: Professionals, Paraprofessionals/Technicians, and Service Maintenance. The improvement can be attributed to agency’s workforce growing in size, and improved recruitment efforts. For the current and prior AAP, there has been no underutilization for the Office/Clerical category. The underutilization of metro minorities has not improved in the following job categories: Officials/Managers and Skilled Craft. Improved recruitment is needed to increase the number of metro-minorities in these categories.

Individuals with Disabilities

At the agency, the underutilization of individuals with disabilities has improved in the following job categories: Office/Clerical and Service Maintenance. The improvement can be attributed to agency's workforce growing in size, and improved recruitment efforts. For the current and prior AAP, there has been no underutilization for the Officials/Managers, Professionals and Skilled Craft categories. The underutilization of individuals with disabilities has not improved in the Paraprofessional category. Improved recruitment is needed to increase the number of individuals with disabilities in this category.

Separation and Retention Analysis by Protected Groups

The agency is committed to the retention of all employees, including members of the following protected groups: women, racial/ethnic minorities, and individuals with disabilities. The agency will strive to affirmatively ensure equal employment opportunity by retaining a diverse composite of talented and qualified employees, with emphasis on under-represented individuals. To be successful, the responsibility for these retention efforts lies with all employees. The agency's retention strategy is a multi-faceted approach, guided by the agency management, Human Resources Director, and Affirmative Action Officer.

Table 2 Persons Responsible for Agency Retention Programs/Activities

Title	Contact Information
HR Director	Connie Jones, 651-431-2999
Affirmative Action Officer	Zecharias Hailu, 651-431-2134
Diversity Recruitment and Inclusion Manager	Lauren Hunter, 651-431-3032

The Agency will continue to analyze and review separation data for disparate impact on protected group employees. This will include reviewing non-certification trends, layoff trends, resignation trends, and disciplinary discharges. The appendix will include a separation report broken down by EEO4 job category. Below is a snapshot of the agency separations throughout the past two years as well as a narrative describing the separation analysis:

Table 3 Type of Separation

Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage Women	Total Number of Minorities	Percentage Minorities	Total Number of Indv w/ Disabilities	Percentage of Indv w/ Disabilities
Dismissal or Non-certification	311	14.66%	188	60.45%	81	26.05%	25	8.04%
Resignations	1161	54.71%	825	71.06%	251	21.62%	86	7.41%
Enhanced Separation	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Retirement	439	20.69%	296	67.43%	21	4.78%	41	9.34%
Deaths	25	1.18%	13	52.00%	4	16.00%	3	12.00%
Lay-off	21	0.99%	17	80.95%	1	4.76%	1	4.76%
Termination Without rights	165	7.78%	116	70.30%	35	21.21%	20	12.12%
Total Separations	2122	100.00%	1455	68.57%	393	18.52%	176	8.29%

Women

Women represent approximately 68% of the total agency workforce. The agency saw a total of 2122 female separations in the last two fiscal years. Women were 69% of all separations. This is slightly proportionately higher relative to their total Agency workforce representation.

Minorities

Minorities represent approximately 17% of the total Agency workforce. The agency saw a total of 393 minority separations in the last two fiscal years. Minorities were 19% of all separations. This is slightly proportionately higher relative to their total Agency workforce representation.

For some specific categories of separations, such as Dismissal/non-certification (26%), resignation (22%), and termination (21%) minority separation is higher than the total agency workforce representation.

DHS is concerned about this disparity of separation in some categories, like Dismissal/non-certification and resignation. The Team of Retention and Employee Engagement (TREE) has discussed this matter and agreed that the Enterprise Exit Survey Policy being drafted at MMB, will be helpful tool to gain insights into the cause of this discrepancy. In addition, as shown under the DHS Diversity Recruitment and Retention Framework, DHS has a plan to implement exit surveys for all diverse employees leaving the agency. To increase the representation of minorities in the agency workforce, DHS will actively recruit minorities, as well as strive to increase retention.

Individuals with Disabilities

Individuals with Disabilities represent approximately 7% of the total agency workforce. The agency saw a total of 176 separations of Individuals with Disabilities in the last two fiscal years. Individuals with Disabilities were 8% of all separations. This is slightly proportionately higher relative to their total Agency workforce representation. At the current hiring rate, if retention does not improve, the representation of individuals with disabilities in the agency's workforce will decrease.

Program Objectives, Identified Barriers, and Corrective Action to Eliminate Barriers

The agency's Affirmative Action Program is designed to implement the provisions of this Affirmative Action Plan and meet requirements found in Minnesota Statutes, Chapter 43A.191, and Subdivision 2.

This section will identify ways this agency has determined to eliminate barriers, provide corrective actions, and achieve affirmative action goals for underutilized protected group applicants/employees (broken down by specific job categories.) *If an agency has an underutilization in an EEO4 job category, there must be a program objective defined to address the underutilization.* These objectives have been developed as strategic, actionable and measurable efforts the agency has committed to pursuing and implementing from 2018-2020.

Program Objectives for Women

The following job categories have been identified as underutilized for women.

List job category name	Percent women employees in category	Percent women hired in category	Percent women separated in category
Skilled Craft	1.7%	1%	0%

The following corrective action has been planned to eliminate the barriers for women in this category.

Recruitment action for women in this category:

DHS has underutilization for women only in the job category of "Skilled Craft". Still, DHS will continue proactively recruiting from a diverse and qualified group of applicants, particularly women, to ensure a high-performing workforce. The agency has participated in the following outreach activities, targeting women, including women of color:

Advertisements:

- Women's Press

- Black Career Women
- Minnesota Black Nurses Association
- Hmong Nurses Association
- Nigerian Nurses Association
- Society of Women Engineers
- Sister Spokesman
- Organization of Liberian Women in Minnesota
- Association of Black Women in Higher Education
- Black Career Women

Job fairs:

- Mom's Rock Expo,
- The Mom Project
- Diversity Job and Internship Fair: St. Cloud University
- University of Minnesota, Women in Business Diversity Fair

Recruitment barrier identified for women in this category:

There has been dedicated focus on recruiting women through various mechanisms, including but not limited to job fairs, events, conferences and job announcements within publications; however, the recruitment efforts do not separate out women of color and as a result, there has not been targeted recruitment efforts specifically for women of color. While we have had great success recruiting women overall, the lack of targeted recruitment for women of color has led to a smaller number of women of color joining the agency's workforce. Developing and implementing targeted recruitment strategies for women of color will result in a larger number of women of color being added and contributing to the agency's workforce.

Future Evaluation:

The following evaluations will be used to track successes on a quarterly basis:

- a) Track the number of female candidates within each slate for every position.
- b) Track the number of female candidates moving throughout the stages of the hiring process, i.e., "Referred to Manager," "Interview," and "Hire."
- c) Identify where each female candidate found out about the job (ex: Indeed, diversity job board, etc.).
- d) Implement candidate survey to be sent to all female candidates who interview at DHS to evaluate the candidate's hiring experience (is the process fair and equitable, are diverse candidates having the same experience?)

- e) Track where female candidates are falling off in the hiring process (i.e., 1st interview, 2nd interview, background check, etc.)
- f) Track the number of female employees receiving promotions and transfers.
- g) Track retention rates among female employees.
- h) Track the number of interview panels that include female panel members.
- i) Track the % of female candidates interviewed by hiring managers.
- j) Track number of new female hires from referrals (ERGs, friends, family, etc.)
- k) Track the % turnover rate among female hires within a year.
- l) Track average female applicant satisfaction rate (from survey listed above).

After one year, the progress will be assessed and the program objective may be modified

Past Evaluation:

At the agency, the population of women made progress in all job categories, except in the category of Skilled Craft. In the last Affirmative Action Plan, an objective was set to make further effort in improving recruitment for women. This was successfully implemented and resulted in improving the overall representation of women in the workforce. No progress was made in the area of Skilled Craft, which could be attributed to a very limited opening of jobs in this category. In the whole agency there are only 58 jobs in this category.

Person's Responsible:

- **Lauren Hunter, Director of Diversity, Equity and Inclusion**
- **Zecharias Hailu, Director, Equal Opportunity and Access Division**

Target Dates:

As identified in the Diversity Recruitment and Retention Strategic Plan, action items and strategies are outlined to recruit and retain a more diversity workforce at the agency. This plan was developed in 2016 and is active until January 2019. The three areas assessed in this plan are strategies implemented to increase the diversity of the workforce, retention activities and measurement.

Program Objectives for Individuals with Disabilities

The following job categories have been identified as underutilized for individuals with disabilities.

List job category name	Percent individuals with disabilities in category	Percent individuals with disabilities hired in category	Percent individuals with disabilities separated in category
Paraprof/Technician	5.9%	3%	6%
Service Maintenance	5.0%	1%	5%

The following corrective action has been planned to eliminate the barriers for individuals with disabilities in each category.

Recruitment action for individuals with disabilities in this category:

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

DHS attended five job fairs specifically for people with disabilities. DHS will continue to attend these job fairs in the future.

Job fair targeting people with disabilities:

- North Metro Placement Partnership Job Fair
- South Metro Placement Partnership Job Fair
- Minneapolis VA Career and Disabilities Resource Fair
- Transition Job Fair (for High School students)
- AVIVO (formerly known as RESOURCE) Career Fair

Recruitment events for sourcing candidates with disabilities

- South Metro Placement Partnership (Burnsville)
- Transition Job fair (Phelps Community Center)
- MPP 3rd Annual Career Fair (Minneapolis Placement Partnership)
- Transition Resource Fair (Northwest Metro CTIC)

- Ability Links Virtual Job Fair (2 day online career fair)
- AVIVO (formerly known as RESOURCE) mock interview session

Following are other recruitment vehicles that we are using to increase our applicant pool and hire individuals with disabilities:

TAP Talent Acquisition Portal <https://tapability.org/>

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

AbilityLinks.org

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

EARN Employer Assistance and Resource Network

DHS posts vacancies with (EARN), which is sponsored by the Department of Labor. EARN is a nationwide, cost-free employer referral and technical assistance service that connects employers with

job vacancies to employment service providers who have direct access to job ready individuals with disabilities. DHS will utilize the following sites for sourcing candidates and posting our open positions.

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

Connect700

Connect 700 allows eligible individuals with disabilities the opportunity to demonstrate their ability to perform a specific position for up to 700 hours on the job. DHS continues to advance the Connect700 program by making noncompetitive hires through this program.

Veterans with Disabilities

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

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

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

Recruitment barrier identified for individuals with disabilities in this category:

The agency has focused on attending recruiting events, specifically for individuals with disabilities; however, the agency does not have a current or active pipeline of qualified applicants for this protected group. Developing a pipeline of active candidates will better position the agency to meet the current workforce demands and have a pool of active candidates to contact for current or future openings at the agency.

Future Evaluation:

Each quarter, the agency will assess the number of individuals with disabilities hired at DHS and from what sources, i.e., Connect700, Recruiting Solutions, referrals, etc. After one year, the progress will be assessed and the program objective may be modified.

Past Evaluation:

Objectives were set for this in the last Affirmative Action Plan and progress was made. Utilization of Individuals with Disabilities in the Paraprofessional/Technicians category improved from 4% to 5.9% and within the Service Maintenance category, it improved by 2 percentage points.

Person's Responsible:

- **Lauren Hunter, Director, Diversity, Equity and Inclusion**
- **Zecharias Hailu, Director, Equal Opportunity and Access Division**

Target Dates:

As identified in the Diversity Recruitment and Retention Strategic Plan, action items and strategies are outlined to recruit and retain a more diversity workforce at the agency. This plan was developed in 2016 and is active until January 2019. The three areas assessed in this plan are strategies implemented to increase the diversity of the workforce, retention activities and measurement.

Program Objectives for Non-metro Minorities

The following job categories have been identified as underutilized for Non-metro Minorities.

List job category name	Percent minority employees in category	Percent minorities hired in category	Percent minorities separated in category
Officials and Managers	2.6%	1%	1%
Professionals	6.8%	12%	15%

List job category name	Percent minority employees in category	Percent minorities hired in category	Percent minorities separated in category
Paraprof/Technicians	9.8%	18%	19%
Office/Clerical	6.6%	1%	2%
Skilled Craft	4.9%	1%	1%
Service Maintenance	4.6%	1%	1%

The following corrective action has been planned to eliminate the barriers for minorities in each category.

Recruitment action for minorities in this category:

DHS is committed to proactively recruiting from a diverse and qualified group of applicants, particularly minorities within non-metro locations, to ensure a high-performing workforce. The agency participated in outreach activities, targeting minorities in non-metro locations, including paid diversity job postings, career fairs, internship fairs, conferences and events. These include the following:

Job Advertisements:

Latino Communications Network
 ASPIRA Association
 Association of Hispanic Advertising Agencies
 Hispanic Public Relations Association
 Latin American Management Association
 Latin Business Association
 League of United Latin American Citizens
 Mexican American Unity Council
 National Association of Hispanic Journalists
 National Association of Hispanic Federal Executives
 National Association of Hispanic Public Administrators
 National Association of Puerto Rican/Hispanic Social Workers Inc
 National Coalition of Hispanic Health & Human Services Organization
 National Council La Raza
 Hispanic Employment Program Managers
 National Society of Hispanic Professionals
 National Society of the Hispanic MBA's
 Society for Advancement of Chicanos & Native Americans in Science

League of United Latin American Citizens
Hmong Nurses Association
Minnesota Association of Black Physicians
Nigerian Nurses Association
Philippine Minnesota Medical Association
American Association of Hispanics in Higher Education, Inc.
American Indian Family Center
American Indian OIC
Amherst H. Wilder Foundation
AVIVO Inc.
Blacks in Government-Minneapolis/St. Paul Chapter
Brooklyn Park - Workforce Center DEED
Center for Asian & Pacific Islanders - CAPI USA
Chicano Latino Affairs Council
Coalition of Asian American Leaders
Comunidades Latinas Unidas en Servicio (CLUES)
Confederation of Somali Community in Minnesota
Council for Minnesotans of African Heritage
Council on Asian Pacific Minnesotans
East Side Neighborhood Services NE
Ethiopian Community Development Council, Inc.
Faribault Area Chamber of Commerce
Faribault Diversity Coalition
Fond Du Lac Band of Lake Superior Chippewa - Duluth
India Association of Minnesota
International Institute of Minnesota
Lao Advancement Organization of America
Latino Economic Development Center
Latino Lead
Latinos for Education
MN Association of Black Social Workers
Minnesota Social Services Association
MN Black Chamber of Commerce
National Association of Asian American Professionals, Minnesota Chapter
National Hispanic Education Coalition
Native American Community Development Economic Institute
Network Ethiopia
Network of Indian Professionals-Twin Cities Chapter
Oromo Chamber of Commerce
Oromo Community of Minnesota
Sabathani Community Center
US Veterans Affairs
Vietnamese Social Services of Minnesota

Career and Internship Fairs:

Mankato State Career Fair

MN Private Colleges Diversity Career Fair

HOSA career Event and Job Fair

St. Cloud State Career Fair

Head of the Lakes Job & Internship Fair - Spring 2017

Washington County Workforce Center

Rochester Community and Technical College Dept of Nursing Job Fair

Career Fair at Fond du Lac Tribal and Community College

West Central MN Job Fair

Iron Range Job Fair

South Central College Spring Job Fair

Brainerd Community Job Fair

Career fair - Leech Lake Tribal College

8th Annual Northland Career Fair

Job Fair at Westgate Mall

Spring Job Fair, Grand Forks

FDLTCC Law Enforcement Career Fair

Healthcare On-Site Hiring Event, Blaine

HST Owatonna event

Fall Job Fair Duluth Workforce Center

St. Peter Hiring Event

St. Cloud State Career Day

Redwood Falls HST hiring event

Apprenticeship Summit and Hiring Event, Anoka Workforce Center

Regional Owatonna Job Fair

Anoka Ramsey Job

Owatonna Job Fair

Recruitment barrier identified for minorities in this category:

In the metro area, DHS has underutilization only in three job categories. They are: Official/Managers, Skilled Craft and Service Maintenance job categories. The total number of underutilization for these three job categories is 4. On the contrary, in the non-metro there are underutilization in all job categories. Because of this, the focus would be to make progress in the non-metro area. One of the barriers identified in the non-metro area is the lack of support system for minority communities due to the inexistence of a critical mass population of minorities in those areas.

In the past, limited resources were designated for diversity recruitment for non-metro sites. However, in January 2018, the agency announced a directive to allocate resources to promote non-metro positions to a more diverse audience, which means that every non-metro position requires paid recruitment on diverse source. Requiring paid recruitment for all non-metro positions provide the opportunity for these positions to advertise to a more diverse audience, increasing the likelihood of an underrepresented candidate filling the role.

Future Evaluation:

The following measurements will be evaluated to track successes on a quarterly basis:

- a) Track the number of minorities within each slate for every non metro position.
- b) Track the number of minorities moving throughout the stages of the hiring process, i.e., "Referred to Manager," "Interview," and "Hire" for every non metro position.
- c) Identify where minorities found out about the job (ex: Indeed, diversity job board, etc.).
- d) Implement candidate survey to be sent to all candidates who interview at DHS to evaluate the candidate's hiring experience (is the process fair and equitable, are diverse candidates having the same experience) for non-metro position.
- e) Track where minority candidates are falling off in the hiring process (i.e., 1st interview, 2nd interview, background check, etc.)
- f) Track the number of minority employees receiving promotions and transfers in non-metro sites.

- g) Track retention rates among minorities at non-metro sites.
- h) Determine where the lack of mobility is for minorities at non-metro sites.
- i) Track the number of interview panels that have minority panel members for non-metro positions.
- m) Track the % of minority candidates interviewed by hiring managers for non-metro positions
- n) Track number of minority new hires from referrals (ERGs, friends, family, etc.)
- o) Track the % turnover rate among minority hires within a year for non-metro positions
- p) Track average minority applicant satisfaction rate (from survey listed above) at non-metro sites.
- q) Track average hiring manager satisfaction score (from a survey) after a minority hire from a non-metro position.

After one year, the progress will be assessed against the affirmative action goals and the program objective may be modified.

Past Evaluation:

These objectives were set in the last Affirmative Action Plan and progress was made in each category by increases of the following percentage points: Officials/Managers, 0.2%; Professionals, 2.3%; Paraprofessionals/Technicians, 9.8%; Office/Clerical, 3.4%; Skilled Craft, 4.9%; Service Maintenance, 1.6%.

Person's Responsible:

- Lauren Hunter, Director, Diversity, Equity and Inclusion
- Zecharias Hailu, Director, Equal Opportunity and Access Division

Target Dates:

As identified in the Diversity Recruitment and Retention Strategic Plan, action items and strategies are outlined to recruit and retain a more diversity workforce at the agency. This plan was developed in 2016 and is active until January 2019. The three areas assessed in this plan are strategies implemented to increase the diversity of the workforce, retention activities and measurement.

Program Objectives for Metro Minorities

The following job categories have been identified as underutilized for Metro Minorities.

List job category name	Percent minority employees in category	Percent minorities hired in category	Percent minorities separated in category
Officials and Managers	13.8	3%	3%
Skilled Craft	<10	1%	1%
Service Maintenance	19.6	1%	1%

The following corrective action has been planned to eliminate the barriers for minorities in each category.

Recruitment action for minorities in this category:

DHS is committed to proactively recruiting from a diverse and qualified group of applicants, particularly minorities within non-metro locations, to ensure a high-performing workforce. The agency participated in outreach activities, targeting minorities in the metro, including paid diversity job postings, career fairs, internship fairs, conferences, events and partnerships to further diversify the workforce. These include the following:

Job Fairs and Events:

- LatinoLEAD Quarterly Meeting
- Make It MSP Summit
- African American Leadership Forum
- MSP Mingle
- U of M Career Networking Reception
- Medtronic Diversity Community Leadership Social
- Face to Face Community Event
- Twin Cities Diversity Roundtable
- Advancing Racial Equity Conference
- Equity Works Summit
- MTCT Career Pathways Fair
- Project for Pride and Living World Café Day
- RESOURCE Employer Panel

- Project for Pride and Living Mock Interviews
- National Association of Black Accountants – Salsa Sushi Soul
- Department of Corrections Diversity Symposium
- General Mills PRIDE event
- MNCARRS Quarterly Meeting
- Twin Cities Rise Career Fair
- Veteran’s Career Fair
- Make It MSP Professionals of Color Meeting
- Make It MSP Mingle – US Bank
- Minnesota Twin Diversity Networking event
- State of Minnesota Staff Appreciation events
- STEP-UP End of the Year Celebration
- Diversity Discussion Community Meeting
- Diversity in Practice Career Fair (targeting law students of career)
- State of Minnesota’s Public Sector Administrative Professionals Pathways Program Introduction Day
- Human Rights Symposium
- Blacks in Government Networking event
- Asian Pacific Minnesotans Leadership Awards Dinner
- Twin Cities Diversity Roundtable Meeting: Thrivent Financial
- HR Connection Monthly meeting: Diversity and Inclusion
- Make It Mingle: TCF Bank Stadium
- Edison High School Career Presentation
- Professional and Diversity Job fair of Minneapolis
- Twin Cities Diversity Roundtable Meeting: DEED
- Minneapolis VA Career and Resource Fair
- American Indian OIC Career Fair

- Diversity Job and Internship Fair: St. Cloud University
- Make IT MSP Mingle – Science Museum of Minnesota
- Getting to Equal Forum Symposium
- U of M Career Panel
- U of M Diversity Grad School Networking Event
- Mankato State Career Fair
- STEP- UP Career Event: Speaker Series: Patrick Henry High School
- ConnexMSP Alumni Event
- Mock Interview Session at St Johns/ St Ben's University
- Mock Interview Session at AVIVO
- National Association of Black Accountant Black History Month Event
- U of M Job and Internship Fair
- 2018 African Heritage Day on the Hill
- MN Private Colleges Diversity Career Fair
- St Paul College Business Job Fair
- On campus interviews at U of M
- On campus interviews at University of St. Thomas
- MCTC Healthcare Career Fair
- HOSA career Event and Job Fair
- St. Cloud State Career Fair
- Career and Leadership Diversity Summit: U of M
- Macalester Diversity Job Fair
- Inver Hills College Networking Event

DHS Diversity team participated in the following activities to recruit and retain underrepresented staff

- Participated in the annual Twin Cities PRIDE parade, with representation of 10 DHS employees and Commissioner Piper.

- Launched the second annual diversity recruitment campaign on KMOJ radio targeting the African American community. The campaign included 15 sec recruitment spots (30) and an in-person interview conducted by Commissioner Piper June 2016 speaking on jobs at DHS.
- Hired the first Project Search Intern. Project SEARCH provides students with developmental disabilities in their last year of high school eligibility an opportunity to intern and gain real world work experience.
- Launched “Breakfast with Chief of Staff” event, where DHS interns were given the opportunity to have breakfast with Luchelle Stevens to hear more about her career journey and gain practical advice.
- Partnered with Minnesota Management at Budget (MMB) to host a Leadership Networking Breakfast in partnership with the African American Leadership Forum, a community organization whose focus is to improve the economic health of communities through public and private partnerships that create opportunities for underserved communities.
- Assisted in the creation of a recruitment ad for Barraza, an annual black woman’s health conference promoting health equity.
- Hosted two job shadowing participants at DHS in Management Services through the State of Minnesota’s Public Sector Administrative Professionals Pathways Program
- Conducted a mock interview and meet and greet session at Project for Pride and Living (PPL) for program participants to learn about careers at DHS
- Conducted Employer Expectations Panel and Mock Interview session at RESOURCE Inc.
- Hired the second Project Search Intern through the Project Search program working in the Human Resources division.
- Diversity Recruiter participated in the first Young Women’s Initiative Leadership Day, hosted by the Governor’s office, speaking about jobs at DHS.
- Assisted in hiring the first Equity Liaison at DHS
- Assisted in planning the third annual People of Color Career Fair and second annual State of Minnesota Career Fair
- Partnered with Minnesota Management and Budget to host the “Dream Big” Lead-In Event in partnership with American Indian OIC
- Launched the first diversity recruitment survey to gain insights on the candidate experience for underrepresented candidates interested in working at DHS.
- Increased candidate pool of underrepresented candidates from 250 to 500.

- Participated in 6 “tabling” events at the following college campuses: Macalester, MCTC, University of Minnesota, Bethel, St Catherine and St. Thomas to increase visibility and share information about DHS’ internship programs
- Launched month- long Veteran campaign on LinkedIn and Facebook, highlighting veteran employees at DHS.
- Launched the first DHS Internships LinkedIn Showcase page, highlighting internships and student work opportunities
- Participated in the two-day Bush Planning Retreat
- Increased followership on social media from 4,460 to 5,787; diversity related content posted 3 times per week
- Sponsored the Power of WE Luncheon through the Coalition of Asian American Leaders (CAAL)
- Completed Equity Works Leadership Institute (EWLI) and GARE year-long Cohorts
- Diversity Recruiter to serve on the Alcohol and Drug Abuse Division’s Workforce Advisory Committee to plan the 2018 Workforce Forums, with the goal of diversifying the mental health workforce.
- Established the first Diversity and Inclusion Team at DHS that focuses on developing comprehensive recruitment plans and strategies to reach diverse candidates, creating tools to measure effectiveness of these strategies, and managing the integration of diversity in full-cycle recruitment and retention initiatives. Following are the members of the new team:
 - Director of Diversity, Equity and Inclusion – Lauren Hunter
 - Talent Acquisition Coordinator – Samantha Leuang
 - Internship Recruiter- Patricia Meyer
 - Employee Engagement Coordinator – De Anna Conover
- Performed over 200 candidate searches on HBCU (Historically Black Colleges and Universities) Connect and received over 10,000 views and clicks on DHS job postings.
- Launched the first Pipeline Builder diversity campaign in partnership with LinkedIn, garnering interest from over 200 diverse applicants about jobs at DHS as well as capturing contact information for the 200 applicants
- Participated in over 25 “tabling” events at the following college campuses: Macalester, MCTC, University of Minnesota, Bethel, St Catherine , St. Thomas, St Paul College, and MCTC to increase visibility and share information about DHS’ internship programs

- Established workgroup in partnership with MMB and MNDOT to be planning for an enterprise-wide Beyond the Yellow Ribbon Certification
- Served on the first ConnexMSP Cohort that planned and launched the first ConnexMSP Alumni Event, garnering attendance from over 200 student's alumni from STEP- UP, Right Track, Genesis Works, etc.
- Served on the Governor's Council on MLK Event to plan and host the 2018 MLK celebration, garnering widespread participation and media coverage.
- Increased followership on the DHS LinkedIn Internship Showcase page from 25 to 100 followers.
- DHS Diversity and STAT team hosted the first Employer of the Day Workshop Series at the St. Paul Workforce Center, garnering over 35 attendees.
- Conducted mock interview sessions at AVIVO (formerly RESOURCE, Inc.) and HIRED, both nonprofits organizations providing job skills training and employment assistance to vulnerable populations.
- Hosted one student for job shadowing through the MNPathways program from Feb. 26 through Mar. 8
- Increased "Diversity Scoop" Newsletter subscribers and followers from 5,000 to 42,244
- Assisted in planning the following Black Women's ERG events in honor of Black History Month: Panel Discussion with the MN Chapter of NAACP and a "Coming Together" Celebration to increase employee engagement
- Participated in the Project Search Information Night to share more information about the program with perspective students
- Conducted career tips workshops and on-site interview sessions on various college campus during the months of February and March
- Served on the annual National Health Minority Conference planning committee
- Partnered with the Governor's Office and Twin Cities Public Television to plan the first HBCU Networking Event, providing an opportunity to HBCU students and alumni to learn about jobs at the State and hear from a panel of HBCU alumni
- Director of Diversity attended Forensics Leadership team meeting and presented information the new diversity team and strategies being implemented to hire and retain a diverse workforce

- The DHS American Indian/Alaskan Native Employee Resource Group (AI/AN ERG), in partnership with the Minnesota Indian Affairs Council, hosted the “Why Treaties Matter” display and presentation on the sovereign to increase employee engagement.

Partnerships

Forum on Workplace Inclusion Conference:

- DHS Diversity team joined the 2018 planning committee for the largest annual diversity conference in Minneapolis, the Forum on Workplace Inclusion. As a planning committee member, DHS will receive free entrance into the conference (April 2018) and an employer exhibitor booth to promote open positions at the agency to over 100,000 conference attendees.

Statewide MNPathways Program

- DHS is partnering with the Governor’s office on the Statewide MN Pathways program to offer job shadowing and career opportunities for those participating in training and development programs through local community partners, including but not limited to, Project for Pride and Living, HIRED, Twin Cities Rise, etc.

ConnexMSP:

- DHS Diversity Recruiter joined the newly established ConnexMSP 6-month cohort of one dozen employers who are committed to the mission of a collaborative effort and see direct interest in having access to a diverse talent network of student alumni.

ConnexMSP is the result of an effort that launched from the Itasca Project aimed at providing stronger long-term connections among the 40,000+ “diverse alumni” of top local college and career readiness programs like STEP-UP, Right Track, College Possible, Best Prep, etc. In total, this group of program alumni is roughly 90% people of color, the vast majority coming from low-income backgrounds.

The Power of YOU Program

- Power of YOU is a program that provides advocacy and support to underrepresented students in higher education. The Power of YOU program provides students the opportunity to bolster their educational and social development. The goal of the program is to increase retention and graduation rates amongst underrepresented students at the College. The Power of YOU also has partnerships with Metro State and Augsburg that offers discounted tuition for Power of YOU students who continue on to pursue their 4 year degree.

DHS will partner with the Power of YOU by hosting a resume workshop in the Spring 2018 semester, providing mock interviewing, partaking in student networking events, talking to the students about DHS internships and job opportunities, sharing personal career path stories and discussing career paths

available within DHS. It is our goal to have this partnership with the Power of YOU program be mutually beneficial for DHS and MCTC. Through this partnership we hope to increase student applicants for internships and full time job postings along with impacting our diversity initiatives.

Make It MSP

- Make It. MSP is a collective effort of Greater MSP, various makers groups and other involved community members who care about this little part of the world. The goal of Make It. MSP. is to create a destination for people who are considering making the Twin Cities their new home.

Since 2016, DHS' Diversity team has served on the Make It MSP Strategy team, a statewide team made up of 25 individuals representing various industries including the private sector, philanthropy, healthcare, non-profit, higher education and government. The purpose of strategy team is to develop and implement strategies to improve retention rates among professionals of color, the fastest growing population in our workforce. Following are key accomplishments of this team since its inception:

- Conducted 5 focused groups with professionals of color and lunched survey to uncover reasons that professionals of color leave their organizations. 15 employees from DHS participated in the focus groups and a 30% response from State government employees on the survey.
- Make It MSP conducted a breakout session at the DHS Manager's Conference and shared the findings from the focus groups and survey
- Strategy team developed diversity toolkit with resources available for recruit and retain a diverse workforce.

Twin Cities Rise

- Twin Cities Rise assists individuals in poverty on the path to long-term and stable employment. Their work skills training prepares participants with the skills they'll need on the job. And through internship opportunities, job search assistance, and employment placement services, they work with participants to find meaningful employment.

Twin Cities Rise has an active pipeline of candidates for customer service positions from past participants in their training program. Therefore, DHS will partner with Twin Cities Rise to increase the diversity pool for our MNSure customer service rep positions by tapping into Twin Cities Rise's pipeline of diverse applicants for these positions.

Avivo (formally RESOURCE, Inc.)

- Avivo, formerly RESOURCE, serves more than 18,000 individuals each year, helping them achieve recovery, employment, and economic advancement as well as specializing in helping men, women, and families who face complex barriers – poverty, homelessness,

and unemployment, chemical. From July 2017 – present, DHS hosted three mock interview sessions for Avivo participants and an Employer Panel, where members of the diversity recruiting team presented about jobs at DHS and answered questions from participants.

Twin Cities Diversity in Practice

- Diversity in Practice is a nonprofit association comprised of the leading Twin-Cities legal employers with the vision to create a vibrant and inclusive legal community and mission to strengthen the efforts of member organizations to attract, recruit, advance, and retain attorneys of color. Our organization is dedicated in taking a leadership role in advancing diversity by engaging the following values.

HBCU Connect

- HBCU CONNECT, the world's largest organization of Historically Black College & University students and alumni. The organization operates the single largest online access point for employers to connect with over 1 million professional members and a network targeting African American degree holders. This partnership allows DHS to Increase interest and engagement of diverse applicants and generate a pipeline of top-tier, qualified, diverse and interested candidates, interested in DCT career opportunities.

LinkedIn Pipeline Builder

- Pipeline Builder is a platform that will allow DHS to build a diverse talent pipeline by reaching and engaging candidates with rich messaging about our diversity efforts here at DHS and open job opportunities. Pipeline Builder will allows us to reach, attract, and engage diverse talent in the following three way:

National Association for Alcoholism and Drug Abuse Counselors

- The NAADAC Minority Fellowship Program works to increase the number of culturally-competent Master's Level addiction counselors available to serve underserved populations, including minority and LGBT populations, and transition age youth (ages 16-25) by providing tuition stipends of up to \$15,000, training, professional guidance, and mentoring to students enrolled either in an addictions counseling Master's program or a Master's program with a concentration in addictions counseling from an accredited institution. Fellowship students are recruited nationwide from historically black colleges and universities (HBCU's) and other NAADAC affiliate schools. Fellows obtain licensing credentials through the fellowship program and they commit to serving minority populations for 6 months to a year after the fellowship. This partnership allows DHS to source and recruit fellowship students for our open LADC positions.

AmeriCorps

- DHS is partnership with the AmeriCorps program to ensure AmeriCorps are aware of employment opportunities at DHS this might exist after they have completed their year/s of service.

Internship Programs

DHS Diversity team manages the coordination of the following internship programs:

- Executive Pathways: The focus of the internship program is to provide opportunities for students to explore a career in public service with DHS. DHS will be hosting twelve (up from 6 in previous years) Executive Pathways Interns in the summer of 2018.
- Star of the North Fellowship: This program is a paid, full time one year fellowship for graduate level and law school students that offers meaningful work-readiness training, on-the-job experience, and career exploration opportunities so they are prepared to thrive in our workforce. Star of the North Fellowship is committed to helping individuals gain distinctive professional experiences. Star of the North positions must include opportunities to engage directly in facilitating and leading small scale projects, work directly with multidisciplinary teams at the sponsoring agency and across the state, and exposure to a broad network of state agencies and partnered organizations
- Urban Scholars: This is a twelve week (summer) paid internship that includes formal leadership and professional development training. Scholars spend four days a week working on meaningful projects and work assignments alongside organizational leaders. One day a week, Scholars come together as a cohort to learn and practice skills in leadership, professional development, small groups, and public speaking.
- Step Up to Achieve: This is the City of Minneapolis' summer program that serves youth ages 16-21 who are seeking challenging opportunities by training and placing young people in professional positions. The goal is to offer a variety of career-readiness opportunities that help interns connect their interest with post-secondary education and career planning.
- Right Track: This is the City of Saint Paul's summer career development initiative for youth providing motivated, low-income teenagers with work-readiness training and professional internship placements with St. Paul employers.
- University of Minnesota's Office for Business & Community Economic Development: This internship program is sponsored by the University of Minnesota's Office for Business & Community Economic Development, offering experiential learning opportunities for University of Minnesota graduate and professional students. These projects attempt to solve an operational business need of the organization or address a health disparity in the community. Each project is matched with one or two students who will each contribute 60 to 80 HOURS to the project work. DHS partner with this program by hosting two student interns from February - May 2018.

Recruitment barrier identified for minorities in this category:

The agency has focused on recruitment activities like job fairs and networking events for minority students to either intern over the summer or spend a year as a fellow through the Star of the North Fellowship program. However, less focus and attention has been given to converting these students from interns to full-time employees. Placing a higher focus on converting minority students to full-time employees will be key in the agency's recruitment initiative to build a more diverse workforce, reflective of the people it serves, as it will increase the number of minority being hired into the agency. As a result of this underutilization, in October 2018, the agency created a full-time Internship Coordinator position, who manages both the recruitment of minority students and the process of converting them to full-time employees.

Future Evaluation:

The following measurements will be evaluated to track successes on a quarterly basis:

- a) Track the number of diverse candidates within each slate for every position.
- b) Track the number of diverse candidates moving throughout the stages of the hiring process, i.e., "Referred to Manager," "Interview," and "Hire."
- c) Identify where each diverse candidate found out about the job (ex: Indeed, diversity job board, etc.).
- d) Implement candidate survey to be sent to all candidates who interview at DHS to evaluate the candidate's hiring experience (is the process fair and equitable, are diverse candidates having the same experience?)
- e) Track where diverse candidates are falling off in the hiring process (i.e., 1st interview, 2nd interview, background check, etc.)
- f) Track the number of diverse employees receiving promotions and transfers.
- g) Track retention rates among those with disabilities, minorities, veterans, and women.
- h) Determine where the lack of mobility is among diverse groups.
- i) Measure number of new initiatives implemented by employee resource groups.
- j) Track engagement of the Diversity Recruiters Group through quarterly surveys.
- k) Track the number of employees in the student hiring programs (executive pathways, etc.) retained at DHS after the program ends.
- l) Track the number of interview panels that have diverse panel members.

- m) Track the % of diverse candidates interviewed by hiring managers.
- n) Track number of new hires from referrals (ERGs, friends, family, etc.)
- o) Track the % turnover rate among diversity hires within a year. Based on results, develop mentoring program for the underrepresented group with the highest turnover and pair new employees from this group with an agency mentor.
- p) Track average diversity applicant satisfaction rate (from survey listed above).
- q) Track average hiring manager satisfaction score (from a survey) after a diverse hire.

After one year, the progress will be assessed against the affirmative action goals and the program objective may be modified.

Past Evaluation:

This objective was set in the last Affirmative Action Plan with respect to Service Maintenance but not with respect to Officials/Managers and Skilled Craft. Progress was made in Officials/Managers category with an increase of 2.3 percentage points and in the Service Maintenance category by 8.1 percent point increase. However, in the Skilled Craft category, there was decrease of 1 percentage point.

Person's Responsible:

- **Lauren Hunter, Director, Diversity, Equity and Inclusion.**
- **Zecharias Hailu, Director, Equal Opportunity and Access Division [Name position responsible]**

Target Dates:

As identified in the Diversity Recruitment and Retention Strategic Plan, action items and strategies are outlined to recruit and retain a more diversity workforce at the agency. This plan was developed in 2016 and is active until January 2019. The three areas assessed in this plan are strategies implemented to increase the diversity of the workforce, retention activities and measurement.

Methods of Auditing, Evaluating, and Reporting Program Success

Pre-Employment Review Procedure/Monitoring the Hiring Process

The MN Department of Human Services 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 Affirmative Action Officer in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure that equal opportunity and affirmative action is carried out. Directors, managers, and supervisors will be asked to document their hiring decisions and equal opportunity professionals will review for bias.

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

When candidates are invited to participate in the selection process, employees scheduling the selection process will describe the process format to the candidate (*e.g.*, interview process, testing process). All candidates will be provided information regarding the procedure to request reasonable accommodations if necessary to allow candidates with disabilities equal opportunity to participate in the selection process. For example, describe if interview questions are offered ahead of time or what technology may be used during a test. This allows for an individual with a disability to determine if they may need a reasonable accommodation in advance of the selection process.

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

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 large-scale layoffs to determine their effect on the agency's affirmative action goals and timetables.

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

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 (submitted to MMB 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 on a monthly basis;
- Analyzes terminations by job category to determine if there is disparate impact biennially;
- Analyzes compensation program to determine if there are patterns of discrimination;
- Reviews the accessibility of online systems and websites, and ensures that reasonable accommodations can be easily requested; and
- Discusses progress with agency leadership on a periodic basis and makes recommendations for improvement.

Appendix

I. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436

OVERVIEW

Objective

To create a work environment free from harassment and discrimination based on protected class.

Policy Statement

Any form of harassment or discrimination based on protected class is strictly prohibited. Individuals who believe they have been subject to harassment/discrimination based on protected class or retaliation as described in this policy, are encouraged to file a report with an appropriate authority, as set forth in Section II of this policy.

Any form of retaliation directed against an individual who opposes or reports protected class harassment/discrimination, or who participates in any investigation concerning protected class harassment/discrimination, is strictly prohibited and will not be tolerated.

Violations of this policy by State employees will be subject to discipline, up to and including discharge. Violations of this policy by third parties will be subject to appropriate action.

For issues related to sexual harassment, please refer to HR/LR Policy #1329: Sexual Harassment Prohibited. For issues not related to sexual harassment or harassment or discrimination based on protected class, please see HR/LR Policy #1432 Respectful Workplace.

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies and the classified employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Terms

Complainant: An individual who reports protected class harassment, discrimination, or retaliation.

Third party: Individuals who are not State employees, but who have business interactions with State employees, including, but not limited to:

- Applicants for State employment
- Vendors
- Contractors

- Volunteers
- Customers
- Business partners
- Unpaid interns
- Other individuals with whom State employees interact in the course of employees' work for the State, such as advocates, lobbyists, and representatives of individuals or entities with business with any branch of Minnesota state government

Protected class harassment or harassment based on protected class: Unwelcome conduct or communication that is based on actual or perceived membership in a protected class, including stereotypes of protected classes, that has a negative effect or is likely to have a negative effect on the complainant and/or on the workplace or public service environment.

Protected class: Protected classes under this policy are as follows:

- Race
- Color
- Creed
- Religion
- National origin
- Sex* (includes pregnancy and pregnancy-related conditions)
- Marital status
- Familial status
- Receipt of public assistance
- Membership or activity in a local human rights commission
- Disability
- Age
- Sexual orientation
- Gender identity
- Gender expression
- For employees, genetic information

*See HR/LR Policy #1329 Sexual Harassment Prohibited for specific information on harassment based on unwelcome conduct or communication of a sexual nature.

Age: The prohibition against harassment and discrimination based on age prohibits such conduct based on a person's age if the person is over the age of 18.

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

Familial status: The condition of one or more minors living with their parent(s) or legal guardian, or the designee of the parent(s) or guardian with the written permission of the parent(s) or guardian. This

also protects those who are pregnant or those who are in the process of securing legal custody of a minor from being harassed or discriminated against on that basis.

Disability: A physical, sensory, or mental impairment which materially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment.

Genetic information: Includes information about an individual's or their family members' genetic tests, 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 their family member, and the genetic information of a fetus carried by an individual or a pregnant family member, and the genetic information of any embryo legally held by the individual or their family member using an assisted reproductive technology.

Public service environment: A location where public service is being provided.

Membership or activity in a local human rights commission: Participation in an agency of a city, county, or group of counties that has the purpose of dealing with discrimination on the basis of race, color, creed, religion, national origin, sex, age, disability, marital status, status with regard to public assistance, sexual orientation, or familial status, as defined by Minn. Stat. § 363A.03, subd. 23.

General Standards and Expectations

Prohibition of Protected Class Harassment and Discrimination

Harassment of or discrimination against any employee or third party based on protected class in the workplace or public service environment, or which affects the workplace or public service environment, is strictly prohibited. Harassment of or discrimination against an individual because of their relationship or association with members of a protected class is also strictly prohibited.

Protected class harassment/discrimination may take different forms including verbal, nonverbal, or physical conduct or communication. Conduct based on protected class may violate this policy even if it is not intended to be harassing. Protected class harassment/discrimination under this policy includes, but is not limited to, the following behavior when it is based on actual or perceived membership in a protected class, including stereotypes of protected classes:

- Offensive jokes, slurs, derogatory remarks, epithets, name-calling, ridicule or mockery, insults or put-downs
- Display or use of offensive objects, drawings, pictures, or gestures
- Physical assaults or threats
- Inappropriate touching of body, clothing, or personal property
- Following, stalking, intimidation
- Malicious interference with work performance
- Implicit or explicit preferential treatment or promises of preferential treatment for submitting to the conduct or communication

- Implicit or explicit negative treatment or threats of negative treatment for refusing to submit to the conduct or communication
- Discriminatory conduct based on an individual's actual or perceived protected class that segregates, separates, limits or restricts the individual from employment opportunities, including, but not limited to, hiring, promotion, compensation, disciplinary action, assignment of job duties, benefits or privileges of employment

Employee and Third Party Responsibilities and Complaint Procedure

Harassment or discrimination based on protected class will not be tolerated. All employees and third parties are expected to comply with this policy.

Employees and third parties are strongly encouraged to report all incidents of protected class harassment or discrimination, whether the individual is the recipient of the behavior, an observer, or is otherwise aware of the behavior. Individuals are encouraged to report incidents as soon as possible after the incident occurs. Individuals may report to any of the following:

1. Any of the agency's managers or supervisors
2. The agency's affirmative action officer
3. The agency's human resources office
4. Agency management, up to and including the agency head

If the report concerns an agency head, the complainant may contact Minnesota Management and Budget, Enterprise Human Resources, Office of Equal Opportunity, Diversity, and Inclusion.

To ensure the prompt and thorough investigation of a report, the complainant may be asked to provide information in writing, which may include, but is not limited to:

1. The name, department, and position of the person(s) allegedly causing the harassment/discrimination
2. A description of the incident(s), including the date(s), location(s), and the identity of any witnesses
3. The name(s) of other individuals who may have been subject to similar harassment/discrimination
4. What, if any, steps have been taken to stop the harassment/discrimination
5. Any other information the complainant believes to be relevant

Individuals are encouraged to use the agency's internal complaint procedure, but may also choose to file a complaint externally with the Equal Employment Opportunity Commission (EEOC), the Minnesota Department of Human Rights (MDHR), or other legal channels.

Manager/Supervisory Responsibility

Managers and supervisors must:

1. Model appropriate behavior

2. Treat all reports of protected class harassment/discrimination seriously
3. Appropriately respond to a report or problem when they receive a report of protected class harassment/discrimination, or when they are otherwise aware a problem exists
4. Immediately report all allegations or incidents of protected class harassment/discrimination to human resources or the agency Affirmative Action Officer
5. Comply with their agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan

Human Resources Responsibilities

Agency human resources must:

1. Model appropriate behavior
2. Distribute the Harassment and Discrimination Prohibited Policy to all employees, through a method whereby receipt can be verified
3. Treat all reports of protected class harassment/discrimination seriously
4. Comply with the agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan

Affirmative Action Officer or Designees Responsibilities

Agency Affirmative Action Officer/designee must:

1. Model appropriate behavior
2. Treat all reports of protected class harassment/discrimination seriously
3. Comply with the agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan
4. Keep the agency apprised of changes and developments in the law and policy

Investigation and Discipline

State agencies will take seriously all reports of protected class harassment/discrimination or retaliation, and will take prompt and appropriate action. When conducting an investigation, supervisors, human resources, and Affirmative Action Officers must follow their agency's investigation procedures.

State agencies will take prompt and appropriate corrective action when there is a violation of this policy.

Employees who are found to have engaged in conduct in violation of this policy will be subject to disciplinary action, up to and including discharge.

Third parties who are found to have engaged in conduct in violation of this policy will be subject to appropriate action. Appropriate action for policy violations by third parties will depend on the facts and circumstances, including the relationship between the third party and the agency. Agencies may

contact MMB Enterprise Human Resources, Office of Equal Opportunity, Diversity, and Inclusion for assistance in determining appropriate action for third parties. MMB may refer agencies to the appropriate resources, which may include, for example, the Department of Administration with respect to policy violations by vendors or contractors.

Employees who knowingly file a false report of protected class harassment/discrimination or retaliation will be subject to disciplinary action, up to and including discharge.

Non-Retaliation

Retaliation against any person who opposes protected class harassment/discrimination, who reports protected class harassment/discrimination, or who participates in an investigation of such reports, is strictly prohibited. Retaliation also includes conduct or communication designed to prevent a person from opposing or reporting protected class harassment/discrimination or participating in an investigation. Retaliation will not be tolerated. Any employee who is found to have engaged in retaliation in violation of this policy will be subject to discipline, up to and including discharge. Third parties who are found to have engaged in retaliation in violation of this policy will be subject to appropriate action.

II. Complaint Procedure for Processing Complaints

Under this heading: “Complaint Procedure for Processing Complaints under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy” the Minnesota Department of Human Services (DHS) is committed to ensuring that investigations are conducted in a fair, impartial, thorough, and thoughtful manner in compliance with all applicable collective bargaining agreements and state and federal laws. Investigations should obtain facts in an objective, fair, thoroughly documented, and timely manner.

Intake Stage

All complaints that have been initiated by completing the Discrimination/Harassment Complaint Form come to the OEPD Equal Opportunity and Access Director for assignment. (See Appendix A) The investigator, in consultation with the Director, must determine whether the complaint is based on unlawful discrimination or general harassment. If the complaint is based on general harassment, the investigator prepares a memo and refers the file immediately to the appropriate director of human resources for further action and notice must be given to the Complainant of the transfer (See Appendix B). When HR simply forwards a complaint to OEPD Equal Opportunity and Access for an opinion on who has jurisdiction and has not so notified the complainant, OEPD Equal Opportunity and Access does not notify the complainant when HR retains jurisdiction. **PLEASE NOTE** for purposes of brevity that the appendices referenced in this complaint process are not included in this document. They may be obtained by contacting dhs.Equalopportunity@state.mn.us.

All complaints of harassment and or discrimination must be logged into the DIGITS and Access complaint databases which can be found at this location: EOShare/Employment Investigation/Complaints&Charges/2012 Complaint Database.

OEPD Equal Opportunity and Access under normal circumstances does not accept complaints of general harassment for investigations. However, under the following limited situations, general harassment complaints may be investigated by OEPD Equal Opportunity and Access: (1) in a mixed case situation, i.e., where general harassment constitutes only one ground of the complaint, and the other grounds of the complaint are based on protected classification; (2) where a conflict of interest exists for Human Resource to conduct the investigation, and (3) under some other special circumstances when the Director finds that it is to the best interest of DHS for OEPD Equal Opportunity and Access to conduct the investigation.

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

Investigations of Internal Complaints

1. Opening an Investigation

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

2. Preparing for the Investigation

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

Step 1. Review the Complaint Procedure Manual & DHS Policy

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

Step 2. Review the Complaint

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

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

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

Step 4. Create a case file

- Label a file folder as follows:

Complainant's Last Name, First Name, File Number (from the database).

- Staple an Investigation Tracking and Routing Form (See Appendix G) on the inside of file folder cover.

3. **Collect Supporting Data**

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

4. **Conducting Interviews**

Step 1. Interviewing Complainant

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

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

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

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

Step 2. Update the Investigative Plan

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

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

Step 3. Interviewing Witnesses

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

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

The general list of questions should include the following:

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

Step 4. Interviewing the Respondent

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

Employees represented by the Middle Management Association (MMA) by contract must be informed of the "principal allegations being investigated and, if known, the alleged time and place of occurrence prior to questioning." To comply with this provision, EOAD e-mails the specific allegations to MMA representative on the day of the interview.

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

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

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

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

5. Investigation Results

a. Preparing the Investigation Report

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

b. Preparing the Investigation Summary

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

c. Closing notifications

Once you receive approval from the Director, and at least two days prior to notifying the parties, send the full report and findings of the investigation to HR for their review. If you do not hear back from HR, send the notice to all parties and a summary of the report to the supervisors. (See Appendices S-T). Copies of the notices should be sent to the division director, direct supervisor of respondent and the EOAD Director and the appropriate HR Representative. The full Investigation Report may be provided to certain parties upon request and after approval by the EOAD Director.

6. File Closings

Once an unsubstantiated investigation has been completed and the results forwarded to the Respondent's supervisor the file can be closed. Substantiated investigations should not be closed until the investigator has verified that management has taken appropriate action in response to the substantiated matter. The file will remain closed unless there is a grievance or outside law suit. Included in the file should be the following:

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

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

The investigator should update the DIGITS and Access databases with the closing information and report it within 30 days of closure to MMB at the following web site:

<https://mn.gov/mmb/employee-relations/equal-opportunity/equal-opportunity/internal-complaint-disposition.jsp>

7. Timeliness

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

EOAD will notify MMB about the disposition of the complaint within 30 days of final determination.

8. Follow up

Quarterly, EOAD meets with HR to review what actions HR has taken on the investigations that have been substantiated.

Responding to External Discrimination Charges

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

Service for any EEOC or MDHR charge or subpoena may be accepted by the signature of either Zecharias Hailu or Rich Nymoen.

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

Once a charge has been received, EOAD will take the following immediate actions:

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

Once assigned, the EOAD staff will take the following actions to prepare the position statement on behalf of DHS:

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

- Conduct interviews with DHS staff to obtain additional information, as necessary;
- Prepare DHS' written position statement in response to the charge and compile all requested data for submission to AG, using any applicable verbiage from the "Division, office description" folder found in the Employment Investigation Library on the EOAD SharePoint page. If no applicable description is in the folder, place one there after drafting it.
- Submit position statement and requested data to AG.

After EOAD has submitted the position statement and requested documents to the AG, the AG will review and finalize the position statement:

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

When a charging agency sends DHS a closing notice for a charge, the assigned investigator will update the Access database appropriately and notify the DHS Legal Department, the appropriate HR Director and the Charging Party's supervisor that the charge has been dismissed pending the expiration of the right-to-sue period.

Civil Lawsuit Process

Lawsuits are handled directly by the attorney assigned by the Office of the Attorney General (AG). DHS will work with the AG's office with tasks such as preparing responses, responding to depositions, answering requests for documents, compiling data, etc. EOAD is the contact for all employment related lawsuits initiated against DHS that deal with protected status and discrimination. The Human Resource office is the contact for all other employment law cases including but not limited to those involving whistleblower, general harassment, contract issues and others.

All civil cases served upon DHS through our office that involve protected status or discrimination must be logged into the complaint database and forwarded immediately to the AG's office. A copy of the complaint should also be maintained in our office for reference.

Data Practices

- Internal investigations of employee misconduct are confidential.

- Labor unions may have access to investigative data in some situations. Seek the assistance of Human Resources Consultants when a labor union has requested access to investigative data.
- Generally, while investigations are being conducted, subjects of investigative data may **not** have access to the information.
- When the investigation becomes finalized, only substantiated investigations which result in discipline become public record
- For External Charge Response Exhibits:
 - Records about the Charging Party **are** permissible exhibits, Examples:
 - a. Disciplinary documents for the Charging Party
 - b. Investigation report on the Charging Party
 - c. Performance evaluations for the Charging Party Grievance documents from the Charging Party
 - Complaint forms from the Charging Party Records about anyone other than the Charging Party **are not** permissible exhibits. Examples:
 - a. Disciplinary documents for employees other than the Charging Party
 - b. Investigation report on employees other than the Charging Party
 - c. Performance evaluations for employees other than the Charging Party
 - d. Grievance documents from employees other than the Charging Party Complaint forms from employees other than the Charging Party

Record Retention

- Retain active investigation files indefinitely.
- For investigations that have reached final disposition, retain for 6 years from the disposition date.
- Human Rights Charges - Retain 4 years from date of final disposition of the charge.
- EEOC Charges - Retain 2 years from date of final disposition of the charge.

For additional record retention issues, consult MMB's [Record Retention Schedule](#) and DHS Human Resource's [Record Retention Schedule](#).

III. Employment Discrimination/Harassment Complaint Form

**THE DEPARTMENT OF HUMAN SERVICES
CENTRAL OFFICE**

DISCRIMINATION/HARASSMENT COMPLAINT FORM



DHS-7862-ENG-Discir
mination Harassment

IV. Statewide HR/LR Policy #1329: Sexual Harassment Prohibited

Objective

To create a work environment free from sexual harassment of any kind.

Policy Statement

Sexual harassment in any form is strictly prohibited. Individuals who believe they have been subject to sexual harassment are encouraged to file a complaint with an appropriate authority. Any form of retaliation directed against an individual who complains about sexual harassment or who participates in any investigation concerning sexual harassment is strictly prohibited and will not be tolerated. Violations of this policy by State employees will be subject to discipline, up to and including discharge. Violations of this policy by third parties will be subject to appropriate action.

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies and the classified employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Key Terms

Complainant

An individual who complains about sexual harassment or retaliation.

Public service environment

A location that is not the workplace where public service is being provided.

Sexual harassment

Unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal, written, or physical conduct or communication of a sexual nature.

Third party

Individuals who are not State employees but who have business interactions with State employees, including, but not limited to:

- Applicants for State employment
- Vendors
- Contractors

- Volunteers
- Customers
- Business Partners

Exclusions

N/A

Statutory References

42 U.S.C. § 2000e, et al.
M.S. Ch. 363A
M.S. Ch. 43A
Minn. Rule 3905.0500

GENERAL STANDARDS AND EXPECTATIONS

Prohibition of Sexual Harassment

Sexual harassment of any employee or third party in the workplace or public service environment, or which affects the workplace or public service environment, is strictly prohibited.

Sexual harassment under this policy is any conduct or communication of a sexual nature which is unwelcome. The victim, as well as the harasser, can be of any gender. The victim does not have to be of the opposite sex as the harasser. Sexual harassment includes, but is not limited to:

- Unwelcome sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, degrading sexual remarks, threats;
- Unwelcome sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;
- Unwelcome physical contact, such as rape, sexual assault, molestation, or attempts to commit these assaults; unwelcome touching, pinching, or brushing of or by the body;
- Preferential treatment or promises of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit an individual to submit to sexual activity for compensation or reward;
- Negative treatment or threats of negative treatment for refusing to submit to sexual conduct;
- Subjecting, or threatening to subject, an individual to unwelcome sexual attention or conduct.

Employee and Third Party Responsibilities and Complaint Procedure

Sexual harassment will not be tolerated. All employees and third parties are expected to comply with this policy.

Employees and third parties are encouraged to report all incidents of sexual harassment. Individuals are encouraged to report incidents of sexual harassment as soon as possible after the incident occurs. Individuals may make a complaint of sexual harassment with:

- An agency supervisor;
- The agency's affirmative action officer;
- An agency's human resource office;
- Agency management, up to and including the commissioner.

If the complaint concerns an agency head, the complainant may contact Minnesota Management & Budget, Enterprise Human Resources, Office of Equal Opportunity, Diversity, and Inclusion.

To ensure the prompt and thorough investigation of a complaint of sexual harassment, the complainant may be asked to provide information in writing, which may include, but is not limited to:

- The name, department, and position of the person(s) allegedly causing the harassment;
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses;
- The name(s) of other individuals who may have been subject to similar harassment;
- What, if any, steps have been taken to stop the harassment;
- Any other information the complainant believes to be relevant.

Individuals are encouraged to use the agency's internal complaint procedure, but may also choose to file a complaint externally with the Equal Employment Opportunity Commission (EEOC) and/or the Minnesota Department of Human Rights (MDHR) or other legal channels.

Supervisor Responsibility

Supervisors are responsible for the following:

- Modeling appropriate behavior;
- Treating all complaints of sexual harassment seriously, regardless of the individuals or behaviors involved;
- When a complaint of sexual harassment has been made to the supervisor, or when the supervisor is otherwise aware that a problem exists, the supervisor must appropriately respond to the complaint or problem;
- Immediately report all allegations or incidents of sexual harassment to human resources or the agency Affirmative Action Officer so that prompt and appropriate action can be taken;
- Complying with their agency's complaint and investigation procedures and/or their Affirmative Action Plan to ensure prompt and appropriate action in response to complaints of sexual harassment.

Supervisors who knowingly participate in, allow, or tolerate sexual harassment or retaliation are in violation of this policy and are subject to discipline, up to and including discharge.

Human Resources Responsibilities

Agency human resources offices are responsible for the following:

- Modeling appropriate behavior;
- Distributing the sexual harassment policy to all employees, through a method whereby receipt can be verified;
- Treating all complaints of sexual harassment seriously, regardless of the individual(s) or behaviors involved;
- Complying with the agency's complaint and investigation procedures and/or their Affirmative Action Plan to ensure prompt and appropriate action in response to complaints of sexual harassment.

Affirmative Action Officer or Designee Responsibilities

Agency Affirmative Action Officer/designee is responsible for the following:

- Modeling appropriate behavior;
- Treating all complaints of sexual harassment seriously, regardless of the individual(s) or behaviors involved;
- Complying with the agency's complaint and investigation procedures to ensure the prompt and appropriate action in response to complaints of sexual harassment;
- Keeping the agency apprised of changes and developments in the law.

Investigation and Discipline

All complaints of sexual harassment will be taken seriously, and prompt and appropriate action taken. When conducting an investigation, supervisors, human resources, and Affirmative Action Officers must follow their agency's investigation procedures. For a sample investigation procedure, please review the documents available on the [MMB Equal Opportunity, Diversity, and Inclusion website](#), including:

- Agency AAP Planning Guide
- For agencies with more than 25 employees
- For agencies with 25 or fewer employees

Timely and appropriate corrective action will be taken when there is a violation of this policy. Employees who are found to have engaged in sexual harassment in violation of this policy will be subject to disciplinary action, up to and including discharge.

Third parties who are found to have engaged in sexual harassment in violation of this policy will be subject to appropriate action. Appropriate action for policy violations by third parties will depend on the facts and circumstances, including the relationship between the third party and the agency. Agencies may contact MMB Enterprise Human Resources, Office of Equal Opportunity, Diversity, and Inclusion for assistance in determining appropriate action for third parties. MMB may refer agencies to the appropriate resources, which may include, for example, the Department of Administration with respect to policy violations by vendors or contractors.

Employees who knowingly file a false complaint of sexual harassment will be subject to disciplinary action, up to and including discharge.

Non-Retaliation

Retaliation against any person who reports sexual harassment or participates in an investigation of such reports is strictly prohibited. Retaliation will not be tolerated. Any employee who is found to have engaged in retaliation in violation of this policy will be subject to discipline, up to and including discharge. Third parties who are found to have engaged in retaliation in violation of this policy will be subject to appropriate action.

RESPONSIBILITIES

Agencies are responsible for:

- Adopting this policy.
- Disseminating this policy to agency employees through a method whereby receipt can be verified.
- Posting this policy in a manner that can be accessed by third parties.
- Including this policy in their Affirmative Action Plan.
- Implementing this policy, including developing:
 - An educational program;
 - A process for reporting complaints; and
 - A procedure under which complaints will be addressed promptly.
 - Enforcing this policy.

MMB is responsible for:

- Ensuring that state agencies carry out their responsibilities under this policy and updating this policy as necessary.

FORMS AND SUPPLEMENTS

See acknowledgement form, below, which can be used to verify receipt by agency employees.

Acknowledgement

I acknowledge that I have received and read the policy, Sexual Harassment Prohibited, and accompanying complaint procedure. I understand that sexual harassment and retaliation are strictly prohibited. I understand that if I engage in conduct in violation of the policy toward any State employee, applicant for employment, vendor, contractor, volunteer, customer, or business partner, I will be subject to disciplinary action, up to and including discharge.

I understand that if I believe that I have been subjected to sexually harassing or retaliatory conduct as defined by this policy by any State employee, applicant for employment, vendor, contractor, volunteer, customer or business partner, I am encouraged to report that behavior. I understand that I can make a report to agency managers/supervisors, agency human resources, or agency management, up to and including the commissioner. I understand that if my complaint concerns an agency head, I may contact Minnesota Management & Budget.

Signed: _____ Date: _____

Employee Name: _____

V. Statewide Policy #1433: ADA Reasonable Accommodation Policy

Objective

The goals of this policy are:

- To ensure compliance with all applicable state and federal laws;
- To establish a written and readily accessible procedure regarding reasonable accommodation, including providing notice of this policy on all job announcements;
- To provide guidance and resources about reasonable accommodations;
- To provide a respectful interactive process to explore reasonable accommodations; and
- To provide a timely and thorough review process for requests for reasonable accommodation.

Policy Statement

State agencies must comply with all state and federal laws that prohibit discrimination against qualified individuals with disabilities in all employment practices. All state agencies 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 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).

Scope

This policy applies to all employees of the Executive Branch and classified employees in the Office of Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement System, and Teachers' Retirement System.

Definitions

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

Americans with Disabilities Act (ADA) Coordinator- Each agency is required to appoint an ADA coordinator or designee, depending on agency size, to direct and coordinate agency compliance with Title I of the ADA.

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.

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.

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.

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.

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.

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.

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](#).

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;
- Providing a sign language interpreter; or
- Providing a reassignment to a vacant position.

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.

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.

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 agency. A state agency is not required to provide accommodations that would impose an undue hardship on the operation of the agency.

Exclusions

N/A

Statutory References

- [Rehabilitation Act of 1973, Title 29 USC 701](#)
- [Americans with Disabilities Act \(1990\)](#)
- [29 C.F.R. 1630, Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act](#)

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 agency 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 agency 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 agency 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 agency 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;
- Agency Affirmative Action Officer/Designee;
- Agency ADA Coordinator;
- Agency Human Resources Office;
- Any agency 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 agency 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 agency 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.

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

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 agency 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 agency must 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 agency 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 agency. An individual may request that the agency ADA Coordinator, a union representative, or support person be present.

The agency ADA Coordinator shall be consulted when:

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

Agency 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 appropriate decision maker. At the same time, the recipient will notify the requestor who the decision maker is.

Commissioner

The commissioner of the agency or agency head has the ultimate responsibility to ensure compliance with the ADA and this policy and appoint an ADA Coordinator.

ADA Coordinator

The agency ADA Coordinator is the agency's decision maker for reasonable accommodation requests for all types of requests outside of the supervisors' and managers' authority. The agency ADA Coordinator will work with the supervisor and manager, and where necessary, with agency Human Resources, to implement the approved reasonable accommodation.

Supervisors and Managers

Agencies have the authority to designate the level of management approval needed for reasonable accommodation requests for low-cost purchases. For example:

Requests for standard office equipment that is needed as a reasonable accommodation and adaptive items costing less than \$100. [Agencies can adjust the dollar amount based on their needs]; and

Requests for a change in a condition of employment such as modified duties, or a change in schedule, or the location and size of an employee's workspace. [Agencies can choose to delegate specific requests to supervisors or managers or require these types of requests to work through the agency ADA Coordinator].

Analysis for processing requests

Before approving or denying a request for accommodation, the agency decision maker with assistance from the agency 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 agency; and
5. Determine whether the reasonable accommodation will impose an undue hardship on the agency's operations.

An employee's accommodation preference is always seriously considered, but the agency 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 agency will not seek further medical documentation. If a requestor's disability and/or need for reasonable accommodation are not obvious or already known, the agency ADA Coordinator may require medical information showing that the requestor has a covered disability that requires accommodation. The agency 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 agency ADA Coordinator must make the request and use the [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#). The agency ADA Coordinator must also obtain the requestor's completed and signed [Authorization for Release of Medical Information](#) before sending the Letter to, or otherwise communicating with, the medical provider. The employee may choose not to sign the Authorization. However, if the employee chooses not to sign the Authorization, it is the employee's responsibility to ensure that the agency receives the requested 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 agency may deny the reasonable accommodation request. Agencies must not request medical records; medical records are not appropriate documentation and cannot be accepted.

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 agency ADA Coordinator, if appropriate.

Confidentiality requirements

Medical Information

Medical information obtained in connection with the reasonable accommodation process must be kept confidential. All medical information obtained in connection with such requests must 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 must be stored so that access is limited to only the agency ADA Coordinator. Physical copies of such medical information must 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 should only be reviewed by the agency ADA Coordinator.

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

- Supervisors, managers or agency 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 should 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 agency 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 agency 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 agency equal opportunity officials to maintain records and evaluate and report on the agency'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 agency 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 should be documented for record keeping purposes and the records maintained by the agency ADA Coordinator.

Funding for reasonable accommodations

The agency must specify how the agency will pay for reasonable accommodations.

Procedures for reassignment as a reasonable accommodation

Reassignment to a vacant position is an accommodation that must be considered 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 agency ADA Coordinator will work with agency Human Resources staff and the requestor to identify appropriate vacant positions within the agency 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 agency will consider vacant lower level positions for which the individual is qualified. The EEOC recommends that the agency consider positions that are currently vacant or will be coming open within at least the next 60 days.

Denial of requests for reasonable accommodation

The agency ADA Coordinator must be contacted for assistance and guidance prior to denying any request for reasonable accommodation. The agency 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 agency 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 must be provided to the requestor in writing. The explanation should be written in plain language and clearly state the specific reasons for denial. Where the decision maker has denied a specific requested accommodation, but has offered a different accommodation in its place, the decision letter should 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 must occur prior to the agency making a determination of undue hardship. Determination of undue hardship is made on a case-by-case basis and only after consultation with the agency's ADA Coordinator. In determining whether granting a reasonable accommodation will cause an undue hardship, the agency considers factors such as the nature and cost of the accommodation in relationship to the size and resources of the agency and the impact the accommodation will have on the operations of the agency.

Agencies may deny reasonable accommodations based upon an undue hardship. Prior to denying reasonable accommodation requests due to lack of financial resources, the agency 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, must 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. A determination that an individual poses a direct threat cannot be based on fears, misconceptions, or stereotypes about the individual's disability. Instead, the agency must make a reasonable medical judgment, 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

In addition to providing the requestor with the reasons for denial of a request for reasonable accommodation, agencies must designate a process for review when an applicant or employee chooses to appeal the denial of a reasonable accommodation request. This process:

- Must include review by an agency official;
- May include review by the State ADA Coordinator; and/or
- Must inform the requestor of the statutory right to file a charge with the Equal Employment Opportunity Commission or the Minnesota Department of Human Rights.

Information tracking and records retention

Agencies must 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.

Agencies must retain reasonable accommodation documentation according to the agency'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.

RESPONSIBILITIES

Agencies are responsible for the request:

- Adoption and implementation of this policy and development of reasonable accommodation procedures consistent with the guidance in this document.

MMB is responsible for:

- Provide advice and assistance to state agencies and maintain this policy.

Please review the following forms:

- [Employee/Applicant Request for ADA Reasonable Accommodation](#)
- [Authorization of Release of Medical Information for ADA Reasonable Accommodations](#)
- [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#)

REFERENCES

- [U.S. Equal Employment Opportunity Commission](#), *Enforcement Guidance*
- Pre-employment Disability-Related Questions and Medical Examinations at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995).

- Workers' Compensation and the ADA at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996).
- The Americans with Disabilities Act and Psychiatric Disabilities at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997).
- Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (October 17, 2002), (clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodation and undue hardship).
- Disability-Related Inquiries and Medical Examinations of Employees (explains when it is permissible for employers to make disability-related inquiries or require medical examinations of employees).
- Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 at 6-9, 8 FEP Manual (BNA) 4055:7371.

The [Genetic Information Nondiscrimination Act \(GINA\) of 2008](#) and [M.S. 181.974](#) prohibit employers from using genetic information when making decisions regarding employment.

[Minnesota Human Rights Act \(MHRA\)](#) prohibits employers from treating people differently in employment because of their race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance, age, sexual orientation, or local human rights commission activity. The MHRA requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, except when such accommodation would cause undue hardship or where the individual poses a direct threat to the health or safety of the individual or others. The MHRA prohibits requesting or requiring information about an individual's disability prior to a conditional offer of employment.

The [Family and Medical Leave Act](#) is a federal law requiring covered employers to provide eligible employees twelve weeks of job-protected, unpaid leave for qualified medical and family reasons.

[Executive Order 14-14, Providing for Increased Participation of Individuals with Disabilities in State Employment](#), directs agencies to make efforts to hire more individuals with disabilities and report on progress.

CONTACTS

Equal Opportunity Office at Minnesota Management and Budget via ADA.MMB@state.mn.us

Request for Reasonable Accommodation Form:

Link to the Statewide Reasonable Accommodation form:

<https://mn.gov/mmb-stat/equal-opportunity/ada/accommodation-request-form.pdf>

State of Minnesota – Department of Human Services

Employee/Applicant Reasonable Accommodation Request Form

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

Employee/Applicant Name:	Employee ID Number:
Position Title:	Division or Domain:
Work Phone Number:	Work email:
Building Name or Work Location:	Work Station Number:
Union Name:	Union Local:
Supervisor’s Name:	Supervisor’s Telephone:

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

1. Briefly describe the condition requiring accommodation:

2. What job function are you having difficulty performing?
3. What, if any, application process or job benefit is difficult for you to access? *(Please leave blank if not applicable)*
4. Briefly describe the specific accommodation you are requesting.
5. How will the requested accommodation assist you in: (1) performing the essential functions of your job, (2) using the job application process, or (3) taking advantage of a benefit or privilege offered to DHS employees?
6. Add any comment you feel may be helpful in processing your request.

Information Pertaining to Medical Documentation: In reviewing your request for reasonable accommodation, the DHS ADA Coordinator or designee may ask you to provide medical documentation. This documentation may be needed to determine if you have a disability covered by the ADA, and to help identify an effective accommodation. If medical documentation is needed, the DHS ADA Coordinator or designee will give you forms for your medical provider to complete. These forms must be returned to the ADA Coordinator or designee. It is your responsibility to make sure that your medical provider completes and returns these forms.

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

Employee/Applicant Signature: _____

Date: _____

VI. Evacuation Procedure for Individuals with Disabilities

The Department of Human Services' facilities all have Emergency Operations Plans (EOPs) in place. Since each facility is different in size, scope, occupancy, location and risks, they all have individual plans in place to address the specific needs of their sites.

A copy of the agency's weather and emergency evacuation plans can be found at:

http://infolink.dhs.int.state.mn.us/InfoLink/Agencywide_Activities/Allhazardsplanning/ID_060537?ssSourceNodeId=159&ssSourceSiteId=InfoLink

NOTIFICATIONS:

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

BUILDING SPECIFIC NOTIFICATIONS:

- InformaCast messages utilizing *voice over internet protocol* or 'VoIP' telephones can be generated for Central Office locations.
- The InformaCast system is also available at the Central Office location in Brainerd and some DCT facilities, which have Central Office installed VoIP phones. Alerts, however, are not generated by Management Services Division for those locations; there the alerts are locally generated.

- Building PA systems can also be utilized by DHS Management Services staff for central office locations managed by them. At other locations, the landlord operates the building wide PA system, and staff with hearing, visual, and/or mobility limitations will be assisted by staff who do not have such limitations.
- Due to the size, scope, occupancy, and location of Direct Care and Treatment facilities, the sites utilize a variety of systems to notify staff and patients of emergencies: PA systems, alarms, radios, phones, individual notifications, weather radios, and city/county sirens.

EVACUATION OPTIONS:

1. Individuals with disabilities have four basic evacuation options:
 - **Horizontal evacuation:** Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
 - **Stairway evacuation:** Using steps to reach ground level exits from building;
 - **Shelter in place:** Unless danger is imminent, 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 (such as elevator lobbies in multistory sprinkled buildings) that can be used as a means of egress for individuals with disabilities. These areas, located on floors above or below the building's exits, can be used by individuals with disabilities until rescue can be facilitated by emergency responders;
2. Evacuation Procedures for Individuals with Mobility, Hearing, or Visual Disabilities:
 - **Mobility disabilities (individuals who use wheelchairs or other personal mobility devices ("PMDs")):** Individuals using wheelchairs are 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 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 an evacuation have three evacuation options based on their location in their building or type of facility:

- **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 (away from windows) and remaining there until the all clear is used.

PROCESS FOR BUILDING EVACUATIONS:

The floor wardens identify those needing assistance in their work areas and if needed, assign someone to assist them. During an emergency, the floor wardens direct all of those needing assistance (and their assistants) to the elevator lobby. The fire departments are told that these locations are where we direct those needing assistance. Local fire departments have participated in our drills and know those areas. Floor wardens then notify the incident commander or any fire fighter of the number and location of those needing assistance. Nearby evacuation location sites are identified in each plan.

PROCESS FOR SHELTERING IN PLACE:

The floor wardens identify those needing assistance in their work areas and if needed, assign someone to assist them. For severe weather, floor wardens direct all of those needing assistance either to lower levels or to interior areas, away from windows.

TRAINING:

Annually we offer training to those needing assistance during an emergency and all floor wardens.

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 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 contact(s) below to request the type of assistance they may need.

CONTACTS FOR ASSISTANCE:

Preparing for emergency: Contact Safety Administrators, Michelle Lakso at 651-431-3011, Michelle.Lakso@state.mn.us; or Sandea O'Bryant at 651-431-4572, Sandea.OBryant@state.mn.us

During emergency: Contact DHS Security at 651-431- 3000 or call 911 and share location information.

VII. Utilization Analysis Tables

Non-metro Minorities

Job Categories	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Number Underutilized	Improved Not Improved Same	Difference In Plans
Officials and Managers	1	3	Improved	2
Professionals	20	90	Improved	70
Para-professional/ Tech	13	113	Improved	100
Office/Clerical	2	12	Improved	10
Skilled Craft	1	3	Improved	2
Service Maintenance	6	10	Improved	4
Totals	43	273	Improved	230

Metro Minorities

Job Categories	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Number Underutilized	Improved Not Improved Same	Difference In Plans
Officials and Managers	1	0	Not Improved	1
Professionals	0	9	Improved	9
Para-professional/ Tech	0	9	Improved	9
Office/Clerical	0	0	Same	
Skilled Craft	1	0	Not Improved	1
Service Maintenance	2	6	Improved	4
Totals	4	24	Improved	20

Individuals with Disabilities

Job Categories	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Number Underutilized	Improved Not Improved Same	Difference In Plans
Officials and Managers	0	0	Same	
Professionals	0	0	Same	
Para-professional/ Tech	23	16	Not Improved	7
Office/Clerical	0	7	Improved	7
Skilled Craft	0	0	Same	
Service Maintenance	1	5	Improved	4
Totals	24	28	Improved	4

Women

Job Categories	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Number Underutilized	Improved Not Improved Same	Difference In Plans
Officials and Managers	0	1	Improved	1
Professionals	0	0	Same	
Para- professional/ Tech	0	0	Same	
Office/Clerical	0	0	Same	
Skilled Craft	1	1	Same	
Service Maintenance	0	0	Same	
Totals	1	2	Improved	1

VIII. Other Relevant Information

DHS Diversity Recruitment and Retention Framework

This plan has been created to serve as a blueprint for DHS in diversifying the agency's workforce by implementing strategic recruiting and retention strategies and leveraging the skills and talents of current agency employees. The ultimate goal is to position DHS as an "Employer of Choice" among various diverse communities. As such, it provides innovative strategies designed to enhance the inclusiveness of our work environments and further broaden the reach of our recruitment efforts.

Diversifying the workforce at DHS is not just the job of the Diversity Recruiter; instead, every employee at DHS has accountability for this endeavor. The support and participation of everyone at DHS, including executive leadership, managers, supervisors, and employees, are critical for successful implementation of this plan. Responsibility for achieving the goals set forth in this plan resides with all of us. However, a great deal of the execution will come at the grass roots level, by the Diversity Recruiter.

Goals, Strategies and Actions

The following three goals have been identified as absolutely necessary to diversify the agency and retain a workforce that is reflective of minorities, women, individuals with disabilities and veterans. These three goals are:

Workforce Diversity: Proactively recruit from a diverse, qualified group of potential applicants to secure a high-performing workforce at DHS drawn from all segments of society.

Retention: Increase retention rates among underrepresented staff at DHS by cultivating a culture that encourages inclusion, acceptance, collaboration, flexibility, and fairness, ultimately enabling individuals to contribute to their full potential.

Measurement: Develop and implement effective measurement structures and strategies to equip the agency to determine whether or not diversity recruitment and retention efforts are successful. This includes charging all DHS leaders across the agency to be accountable, measure results, and refine approaches on the basis of such data; thus institutionalizing a diverse and inclusive culture.

In support of these goals, the following eight agency-wide strategies have been identified for initial focus and attention as it relates to diversity recruitment and retention at DHS. In the following pages, each of these strategies as well as a number of possible action items will be further discussed.

Strategies to Successfully Implement Diversity Recruiting & Retention

Goal 1: Diverse Workforce

Strategies:

- Implement Strategic and Targeted Diversity Hiring Initiatives
- Implement Hiring Initiatives for Underrepresented Students, including High School, College and Post Graduate Students
- Utilize Social Media to Re-brand DHS
- Enhance Visibility in the Communities DHS Serves
- Diversity Recruitment through Partnerships

Goal 2: Retention

Strategies:

- Develop “Diversity Friendly” Culture
- Engage and Partner with Employee Resource Groups (ERGs) to Boost Recruiting Efforts
- Participation in the Statewide Make.IT.MSP Strategy Team

Goal 3: Measurement

Strategies:

- Implement Diversity Recruitment and Retention Measurements to Sustain Efforts

GOAL 1: WORKFORCE DIVERSITY

DHS shall proactively recruit from a diverse, qualified group of potential applicants to secure a diverse, high-performing workforce drawn from segments of the following communities: minorities, individuals with disabilities, women and veterans.

Strategy 1:1: Implement strategic hiring initiatives and participate in recruitment activities for the following underrepresented groups: minorities, individuals with disabilities, women and veterans to further advance diversity hiring:

➤ Action Items:

- a) Develop strategic partnerships with local affinity organizations, professional associations, and educational institutions to build a diverse pool of applicants and perform recruitment outreach.
- b) Launch annual diversity recruitment campaign on KMOJ radio targeting the African American community. The campaign includes 15 sec recruitment spots (30) and an in-person interview conducted by Commissioner Piper.
- c) Partner with Governor's office to host individuals from Project for Pride and Living (PPL) and HIRED through the MNPathways Program for two weeks of job shadowing, with the long-term goal of converting participants into full-time hires
- d) Partner with Northwest Indian OIC for the Minnesota Job Skills training Program, will recruit and train 48 low-income residents for highly targeted health care occupations. The partnership with Northwest Indiana OIC will be to place trainee participants into full time positions at DHS after they have complete the training.
- e) Sponsor the 27th annual Forum on Workplace Inclusion Career Fair.
- f) Speak twice a month to program participants at community based job training programs (i.e., Twin Cities Rise, RESOURCE and JFCS) about career opportunities at DHS; applying for jobs, resume writing tips, etc.

- g) Go beyond traditional recruiting efforts and seek opportunities to recruit at religious centers, local gathering spots and events that draw people from these targeted disparate groups.
- h) Continue to leverage DHS and MMB diversity email lists for advertising positions at DHS.
- i) Partner with the MN Chapter of Black Psychologist to increase diversity for psychologist at DHS.
- j) Launch Sourcing Campaign for Veterans via Indeed
 - a) Indeed has a resume search functions with over 100K resumes. The company offers the ability to contact any veteran candidate for free via this function. The sourcing campaign will include ongoing sourcing of veteran candidates on Indeed for positions that have continuous recruitment, i.e., Human Service Technicians and Customer Service Reps.
- k) Sponsor 2-3 virtual career fairs per year for underrepresented minority groups (National Black MBA, Getting hired, Veteran Recruiting, Ability Links etc.).
- l) Participate in the annual Twin Cities PRIDE parade, with representation of 10 DHS employees and Commissioner Piper.
- m) Launch the second annual diversity recruitment campaign on KMOJ radio targeting the African American community. The campaign included 15 sec recruitment spots (30) and an in-person interview conducted by Commissioner Piper June 2016 speaking on jobs at DHS.
- n) Hire Project Search Intern. Project SEARCH provides students with developmental disabilities in their last year of high school eligibility an opportunity to intern and gain real world work experience.
- o) Launch “Breakfast with Chief of Staff” event, where DHS interns were given the opportunity to have breakfast with Luchelle Stevens to hear more about her career journey and gain practical advice.
- p) Partner with Minnesota Management at Budget (MMB) to host a Leadership Networking Breakfast in partnership with the African American Leadership Forum, a community organization whose focus is to improve the economic health of communities through public and private partnerships that create opportunities for underserved communities.
- q) Assist in the creation of a recruitment ad for Barraza, an annual black woman’s health conference promoting health equity.
- r) Host job shadowing participants at DHS in Management Services through the State of Minnesota’s MN Pathways Program, launched in 2016 by the Governor’s Office.

- s) Conduct a mock interview and meet and greet session at Project for Pride and Living (PPL) for program participants to learn about careers at DHS
- t) Conduct Employer Expectations Panel and Mock Interview session at RESOURCE Inc.
- u) Assist in hiring the Equity Liaisons across various administrations at DHS
- v) In collaboration with MMB, assist in planning the third annual People of Color Career Fair and second annual State of Minnesota Career Fair
- w) Partner with Minnesota Management and Budget to host the “Dream Big” Lead-In Event in partnership with American Indian OIC
- x) Launch the first diversity recruitment survey to gain insights on the candidate experience for underrepresented candidates interested in working at DHS.
- y) Increase candidate pool of underrepresented candidates from 250 to 500.
- z) Launch month-long Veteran campaign on LinkedIn and Facebook, highlighting veteran employees at DHS.

Strategy 1:2: Implement recruitment initiatives targeted at students, with the ultimate goal of positioning DHS as an “Employer of Choice” among this group and converting students from interns to full-time hires:

➤ Action Items:

- a) Become an Employer Sponsor of Jobs for America’s Graduates (JAG) program

Jobs for America’s Graduates is a new program in Minnesota that launched last year. This state-based program is committed to preventing high school dropouts among young people of color through innovative initiatives. There are 300 students in the program across 16 public schools in Minneapolis. 95% of the students are from diverse backgrounds.

As an employee sponsor, DHS will provide the following:

 - 1. Monthly guest speakers from DHS
 - 2. Internship opportunities to JAG students
 - 3. Mentor opportunities for DHS and JAG students
 - 4. Job shadowing at DHS
 - 5. Tours for students at DHS
 - 6. Resume writing workshops
 - 7. Interviews for JAG students that apply for entry level positions at DHS and meet minimum qualifications
- b) Enhance DHS’ participation in the following programs: STEP UP, Right Track, Urban Scholars and Star of the North. This includes sponsoring at least 6-12 interns from each program annually and participating as a guest speaker in the annual career fairs at local high schools, sponsored by AchieveMpls.

- c) Attend job fairs and events geared toward high school and college students
 - a. i.e., HOSA, 5th Annual STEM & Career Exploration (Minneapolis Public School).
- d) Diversify the candidate pool for DHS' student hiring programs (Executive Pathways and Star of the North Fellowship) by establishing relationships with career development officers at Historically Black Colleges and Universities (HBCUs) and Hispanic-Serving Institutions (HSIs). This will be done by reaching out directly to make an introduction as the diversity recruiter; sending DHS career opportunities to career development officers; monthly check-ins to request alumni recommendations; and networking by visiting at least two HBCU or HSI campuses per year.
- e) Develop "Showcase Pages" on Linked In for the Executive Pathways and Star of the North internship and fellowship programs to highlight the program's diversity; showcase the unique skills and innovations that stem from having a wide range of nationalities and backgrounds among DHS; and enable former interns to share their experiences and connect with potential students/interns.
- f) Develop and implement Alma Mater Recruitment Initiative where DHS employees refer diverse candidates from their alma mater for positions at the agency. Those with the most referrals will be featured on DHS today in the Employee Spotlight section.
- g) Serve on the Alcohol and Drug Abuse Division's Workforce Advisory Committee to plan the 2018 Student Workforce Forums, with the goal of diversifying the mental health workforce.
- h) Conduct career tips workshops and on-site interview sessions on various college campus three times a year.

Strategy 1:3: Utilize social media to brand DHS as a "Diversity Champion:"

➤ Action Items:

- a) Create an editorial calendar that includes key dates and diverse holidays, and use this calendar for at least three diversity related social media postings per week via Linked In, Facebook, & Twitter.
- b) Include the following on the DHS recruitment website, social media pages and print material: diversity mission statement; diversity images, demographic stats on the diversity of the agency's workforce, testimonials and videos interviewing minority employees from all levels, diversity awards/public recognition of D&I efforts.

- c) Create DHS Diversity Recruitment Video:
Include key leaders at DHS, ERG members, and “diversity champions” across the agency highlighting the importance of Diversity and Inclusion, strategic initiatives, etc. This video will be used for targeted diversity recruitment efforts. Ex: Dollar General- <https://youtu.be/VS96-J2cqfc>
- d) Build and brand the DHS Company page on Indeed to include pictures of diverse faces and diversify recruitment video:
While some diverse candidates visit niche diverse sites, the majority simply go to the where the most jobs are posted. It is important that DHS has a strong brand and presence on the largest job search site.
- e) Increased “Diversity Scoop” Newsletter subscribers and followers from 5,000 to 42,244
- f) Launch month- long Veteran campaign on LinkedIn and Facebook, highlighting veteran employees at DHS.

Strategy 1:4: Increase visibility in the community through participation in community network affiliations:

➤ Action Items:

- a) Serve on Executive Leadership team of the Twin Cities Diversity and Inclusion Roundtable and leverage this group to advertise career opportunities at DHS.
 - 1) Twin Cities Diversity Roundtable (TCDR) is an informal networking group in Minneapolis made up of 100 diversity practitioners from a variety of Twin Cities companies. The group meets six times per year to network and share best practices as it relates to diversity recruitment, retention, and inclusion.
 - 2) Diversity Discussion Group meets the second Friday of the month to discuss and share diversity-related topics and resources as well as network with others who are interested in this important topic.
- b) Expand community presence by building relationships with the following diverse organizations. This includes scheduling an initial meet and greet with each organization’s leader; timely follow-up after the meeting; monthly email check-ins with leaders; and quarterly face to face touchbase meetings.
 - 1) Everybody IN
 - 2) Latino Lead
 - 3) African American Leadership Forum
 - 4) MN Urban League
 - 5) NAACP
 - 6) Ramsey County (Anti-Racism Campaign)
 - 7) Lifetrack
 - 8) Coalition of Asian American Leaders

- 9) Congressman Ellison's Office (Erin May- Community Representative)
- 10) Ka Joog (largest Somali organization)

c) Join the RESOURCE Business Partner Advisory Council

RESOURCE is an organization committed to empowering underrepresented individuals (minority, veterans, and those with disabilities) to achieve greater personal, social and economic success through employment services and training programs. The RESOURCE Business Partner Advisory Council is made up of over 70 local companies and there is one person from each company that serves on the Business Partner Advisory Council. This person contributes time, talent, expertise and other resources, to help RESOURCE participants begin and maintain a meaningful career path.

d) Share and encourage the participation of diversity events with hiring leaders and department managers, as having leaders & managers participate in community events can build relationships and make connections to targeted groups, while enhancing DHS' image as an attractive employer.

e) Expand volunteer efforts in the community by hosting at least two agency community service days per year with community based organizations (United Negro College Fund, United Way, Goodwill, Feed My Starving Children, Meals on Wheels, Habitat for Humanity, etc.).

f) Develop activities and events for agency employees during National Volunteer Week (April), and encourage employees to give back to their communities by volunteering.

g) Meet monthly with Antonia Wilcoxon, Community Relations Director, to stay current on initiatives and partnership opportunities with the Cultural Ethnic Communities Leadership Council and Community (CECLC).

h) Expand participation in community diversity events, i.e., Human Rights Symposium, Overcoming Racism Conference, Rondo Days, Juneteenth Celebration, etc.

Strategy 1:5: Diversity Recruitment through Partnerships:

➤ Action Items:

a) Partner with the following organizations to further expand diverse hiring:

- *Forum on Workplace Inclusion Conference:*
 - DHS Diversity team joined the 2018 planning committee for the largest annual diversity conference in Minneapolis, the Forum on Workplace Inclusion. As a planning committee member, DHS will receive free entrance into the conference (April 2018) and an employer exhibitor booth to promote open positions at the agency to over 100,000 conference attendees.

- *MNPathways Program*

- DHS is partnering with the Governor's office on the Statewide MN Pathways program to offer job shadowing and career opportunities for those participating in training and development programs through local community partners, including but not limited to, Project for Pride and Living, HIRED, Twin Cities Rise, etc.

- *ConnexMSP:*

- DHS Diversity Recruiter joined the newly established ConnexMSP 6-month cohort of one dozen employers who are committed to the mission of a collaborative effort and see direct interest in having access to a diverse talent network of student alumni.

ConnexMSP is the result of an effort that launched from the Itasca Project aimed at providing stronger long-term connections among the 40,000+ "diverse alumni" of top local college and career readiness programs like STEP-UP, Right Track, College Possible, Best Prep, etc. In total, this group of program alumni is roughly 90% people of color, the vast majority coming from low-income backgrounds.

- *The Power of YOU Program*

- Power of YOU is a program that provides advocacy and support to underrepresented students in higher education. The Power of YOU program provides students the opportunity to bolster their educational and social development. The goal of the program is to increase retention and graduation rates amongst underrepresented students at the College. The Power of YOU also has partnerships with Metro State and Augsburg that offers discounted tuition for Power of YOU students who continue on to pursue their 4 year degree.

DHS will partner with the Power of YOU by hosting a resume workshop in the Spring 2018 semester, providing mock interviewing, partaking in student networking events, talking to the students about DHS internships and job opportunities, sharing personal career path stories and discussing career paths available within DHS. It is our goal to have this partnership with the Power of YOU program be mutually beneficial for DHS and MCTC. Through this partnership we hope to increase student applicants for internships and full time job postings along with impacting our diversity initiatives.

- *Make It MSP*

- Make It. MSP is a collective effort of Greater MSP, various makers groups and other involved community members who care about this little part of the world. The goal of Make It. MSP. is to create a destination for people who are considering making the Twin Cities their new home. Since 2016, DHS' Diversity team has served on the Make It MSP Strategy team, a statewide team made up of 25 individuals representing various industries including the private sector, philanthropy, healthcare, non-profit, higher education and government. The purpose of strategy team is to develop and implement strategies to improve retention rates among professionals of color, the fastest growing population in our workforce. Following are key accomplishments of this team since its inception:

- Conducted 5 focused groups with professionals of color and lunch survey to uncover reasons that professionals of color leave their organizations. 15 employees from DHS participated in the focus groups and a 30% response from State government employees on the survey.
- Make It MSP conducted a breakout session at the DHS Manager's Conference and shared the findings from the focus groups and survey

- Strategy team developed diversity toolkit with resources available for recruit and retain a diverse workforce.
- *Twin Cities Rise*
 - Twin Cities Rise assists individuals in poverty on the path to long-term and stable employment. Their work skills training prepares participants with the skills they'll need on the job. And through internship opportunities, job search assistance, and employment placement services, they work with participants to find meaningful employment.
Twin Cities Rise has an active pipeline of candidates for customer service positions from past participants in their training program. Therefore, DHS will partner with Twin Cities Rise to increase the diversity pool for our MNSure customer service rep positions by tapping into Twin Cities Rise's pipeline of diverse applicants for these positions.
- *Avivo (formerly RESOURCE, Inc.)*
 - Avivo, formerly RESOURCE, serves more than 18,000 individuals each year, helping them achieve recovery, employment, and economic advancement as well as specializing in helping men, women, and families who face complex barriers – poverty, homelessness, and unemployment, chemical. From July 2017 – present, DHS hosted three mock interview sessions for Avivo participants and an Employer Panel, where members of the diversity recruiting team presented about jobs at DHS and answered questions from participants.
- *Twin Cities Diversity in Practice*
 - Diversity in Practice is a nonprofit association comprised of the leading Twin-Cities legal employers with the vision to create a vibrant and inclusive legal community and mission to strengthen the efforts of member organizations to attract, recruit, advance, and retain attorneys of color. Our organization is dedicated in taking a leadership role in advancing diversity by engaging the following values.
- *HBCU Connect*
 - HBCU CONNECT, the world's largest organization of Historically Black College & University students and alumni. The organization operates the single largest online access point for employers to connect with over 1 million professional members and a network targeting African American degree holders. This partnership allows DHS to increase interest and engagement of diverse applicants and generate a pipeline of top-tier, qualified, diverse and interested candidates, interested in DCT career opportunities.
- *LinkedIn Pipeline Builder*
 - Pipeline Builder is a platform that will allow DHS to build a diverse talent pipeline by reaching and engaging candidates with rich messaging about our diversity efforts here at DHS and open job opportunities. Pipeline Builder will allow us to reach, attract, and engage diverse talent in the following three ways:

- *National Association for Alcoholism and Drug Abuse Counselors*
 - The NAADAC Minority Fellowship Program works to increase the number of culturally-competent Master's Level addiction counselors available to serve underserved populations, including minority and LGBT populations, and transition age youth (ages 16-25) by providing tuition stipends of up to \$15,000, training, professional guidance, and mentoring to students enrolled either in an addictions counseling Master's program or a Master's program with a concentration in addictions counseling from an accredited institution. Fellowship students are recruited nationwide from historically black colleges and universities (HBCU's) and other NAADAC affiliate schools. Fellows obtain licensing credentials through the fellowship program and they commit to serving minority populations for 6 months to a year after the fellowship. This partnership allows DHS to source and recruit fellowship students for our open LADC positions.
- *AmeriCorps*
 - DHS is partnership with the AmeriCorps program to ensure AmeriCorps are aware of employment opportunities at DHS this might exist after they have completed their year/s of service.

GOAL 2: RETENTION

DHS shall increase retention rates among diverse staff by cultivating a work environment that encourages inclusion, acceptance, inclusivity, collaboration, flexibility, and fairness, ultimately enabling individuals to contribute to their full potential.

Strategy 1:1: Create and implement a “diversity-friendly” (supportive, welcoming, inclusive and engaged) work environment across the agency, which includes the following elements (visual image below):

➤ Action Items:

- a) Develop hiring manager interview guide to ensure inclusive selection process.
- b) Onboarding checklist for hiring managers (30-60 days prior to employee's start and 30-60 days after employee starts).
- c) Reinforce “diversity- friendly” culture during new employee orientation.
- d) Ensure leaders are practicing inclusive behavior by adding diverse hiring accountability on performance reviews for all leaders across the agency.
- e) Incorporate a diversity and inclusion curricula for all leaders during leadership orientation for new leaders.
- f) Implement exit surveys for all diverse employees leaving the agency.

Strategy 1:2: Collaborate with Employee Resource Groups (ERG's) to assist with recruitment and retention efforts of underrepresented staff:

➤ Action Items:

- a) Assist in the creation and implementation Employee Resources Groups (ERG) agency-wide.
- b) Participate in ERG meetings and events to reinforce DHS' commitment to diversity hiring and to encourage members to provide referrals and contacts for career opportunities.
- c) Stay in constant contact with ERG leaders to understand current priorities, initiatives and up to date about events and other partnership opportunities.
- d) Seek out community events, job fairs, mentoring and volunteer opportunities that ERG's might have an interest in and share with the ERG leaders.
- e) Solicit candidate referrals from ERG members on an ongoing basis.
- f) Assist in personal development opportunities for ERG members
- g) Provide training to ERG members on how to successfully complete annual performance reviews
- h) Inform ERG leaders of agency employment opportunities and encourage them to share with ERG members and their respective networks.
- i) Collaborate with ERG leaders to coordinate diversity-focused events.

Strategy 1:3: Participation in the statewide retention effort focused on retaining professionals of color, led by the St. Paul Chamber of Commerce:

➤ Action Items:

Background: Through extensive research, the Chamber of Commerce found the following:

- MSP leads the nation's top 25 metros at overall retention of professionals, but ranks just #14 of 25 at retaining professionals of color, the fastest growing populations in our workforce
- Young professionals of color indicate through surveys that they are less likely to be living in MSP in 3-5 years
- 85% of employers surveyed are willing to collaborate on new approaches to retain and attract professionals of color

As a result, **2016 Make It. MSP. Strategy Team**, was developed to identify ways to increase the retention among young professionals of color, encouraging them to stay in Minnesota and at their

respective companies. The Diversity Recruiter will serve as a member of this 30 person strategy team. Following are the team logistics:

TEAM LOGISTICS

- **Phase One** - the Strategy Team will meet three times to design a process that provides the region with the insight needed – from professionals of color – to develop and implement strategy to improve the region’s retention rate.
- **Phase Two** - the team will help convene regional focus groups on issues and opportunities retaining professionals of color. Second, the team will distribute a large-scale regional survey using themes identified through focus groups. Third, the team will analyze the insights gathered during that process.
 - Additionally, a small working group of Make It. MSP. investors and professional affinity group leaders will meet regularly during Phase One to do the heavy lifting required to execute the aforementioned process, including:
 - **Focus group logistics** – Work with facilitator(s) to source and screen candidates for participation
 - **Survey development** – Work with statistician(s) to develop and distribute the regional survey
 - **Social events** – Work to plan opportunities to engage a broader network

The findings from this strategy team will be brought back to DHS for review and implementation of recommended retention strategies.

GOAL 3: MEASUREMENT

DHS shall develop and implement sustainable and effective metrics to measure success and determine whether or not diversity recruitment and retention efforts are working. This includes charging all DHS leaders across the agency to be accountable for diversity hiring, measure results, and refine approaches on the basis of such data; thus institutionalizing a diverse, inclusive and engaged culture.

Strategy 1:1: Implement effective measurements to monitor diversity recruitment and retention efforts:

➤ Action Items:

- a) Track the number of diverse candidates within each slate for every position.
- b) Track the number of diverse candidates moving throughout the stages of the hiring process, i.e., “Referred to Manager,” “Interview,” and “Hire.”
- c) Identify where each diverse candidate found out about the job (ex: Indeed, diversity job board, etc.).

- d) Implement candidate survey to be sent to all candidates who interview at DHS to evaluate the candidate's hiring experience (is the process fair and equitable, are diverse candidates having the same experience?)
- e) Track where diverse candidates are falling off in the hiring process (i.e., 1st interview, 2nd interview, background check, etc.)
- f) Track the number of diverse employees receiving promotions and transfers.
- g) Track retention rates among those with disabilities, minorities, veterans, and women.
- h) Determine where the lack of mobility is among diverse groups.
- i) Measure number of new initiatives implemented by employee resource groups.
- j) Track engagement of the Diversity Recruiters Group through quarterly surveys.
- k) Track the number of employees in the student hiring programs (executive pathways, etc.) retained at DHS after the program ends.
- l) Track the number of interview panels that have diverse panel members.
- m) Track the % of diverse candidates interviewed by hiring managers.
- n) Track number of new hires from referrals (ERGs, friends, family, etc.)
- o) Track the % turnover rate among diversity hires within a year. Based on results, develop mentoring program for the underrepresented group with the highest turnover and pair new employees from this group with an agency mentor.
- p) Track average diversity applicant satisfaction rate (from survey listed above).
- q) Track average hiring manager satisfaction score (from a survey) after a diverse hire.
- r) Track average job performance rating of diversity hires after one year.

Conclusion

This Diversity Recruitment and Retention Plan provides suggestions and tools to build an increasingly diverse workforce, representative of the communities we serve. It also provides implementation strategies for retaining underrepresented staff. By formally integrating diverse and inclusive values and practices into existing processes, the diversity recruitment and retention plan enables progress and results to be measured agency-wide.