

STATE OF MINNESOTA

Department of Revenue

Affirmative Action Plan

August 2016 – August 2018

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St. Paul, MN 55146

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State of Minnesota Department of Revenue Affirmative Action Plan

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I. EXECUTIVE SUMMARY

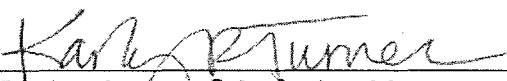
Review revealed underutilization of the following protected groups in the following job categories:

Table 1: UNDERUTILIZATION ANALYSIS OF PROTECTED GROUPS

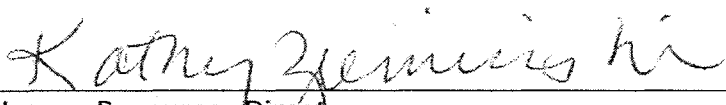
Job Categories	Women	Racial/Ethnic Minorities	Individuals With Disabilities
Officials/Administrators		X	
Professionals			X
Protected Services: Sworn			
Protected Services: Non-sworn			
Office/Clerical			X
Technicians			
Skilled Craft			
Service Maintenance			

Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the agency. Our intention is that every employee is aware of Revenue’s commitments to affirmative action and an equal employment opportunity. The plan will be posted on the agency’s website and maintained in the Equity, Access, and Inclusion Office. Recently, Revenue changed the name of the Affirmative Action Office to the Equity, Access, and Inclusion Office and the title of the Affirmative Action Officer (AAO) to the Equity, Access, and Inclusion Manager (EAIM). All duties required of the AAO are performed by the EAIM as explained throughout.

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



 Equity, Access, & Inclusion Manager 7/28/16
Date Signed



 Human Resources Director 7/28/16
Date Signed



 Commissioner 8/1/16
Date Signed

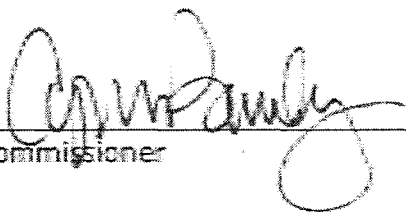
II. STATEMENT OF COMMITMENT

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

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

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, sexual orientation, disability, marital status, status with regard to public assistance, or membership or activity in a local human rights commission.
- This agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. 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

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

Commissioner

Cynthia Bauerly – Commissioner

Responsibilities:

The Commissioner is responsible for the establishment of an Affirmative Action Plan that complies with all federal and state laws, and regulations.

Duties:

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

- Appoint the Equity, Access, and Inclusion Manager or Affirmative Action designee, and include accountability for the administration of the agency's Affirmative Action Plan in his or her position description.
- Take action, if needed, on complaints of discrimination and harassment.
- Ensure the Affirmative Action Plan is effectively communicated to all employees on an annual basis.
- Make decisions and changes in policy, procedures, or accommodations as needed to facilitate effective affirmative action and equal employment opportunity.
- Actively promote equal opportunity employment.
- Require all agency directors, managers, and supervisors to include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.
- To serve or designate a representative as the executive sponsor of the iLEAD Diversity Committee.
- To include in his/her position description that the Commissioner is accountable for the administration of the agency's Affirmative Action Plan.
- To issue a written statement to all employees affirming support of the State of Minnesota's Equal Opportunity Policy and agency's Affirmative Action Program.

Accountability:

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

Affirmative Action Officer or Designee

Karly Turner – Equity, Access, and Inclusion Manager

Responsibilities:

The Equity, Access, and Inclusion Manager or Affirmative Action designee is responsible for implementation of the policies contained in the agency's affirmative action plan, and oversight of the agency's compliance with equal opportunity and affirmative action laws.

Duties:

The duties of the Equity, Access, and Inclusion Manager or Affirmative Action designee shall include, but are not limited to the following:

- Prepare and oversee the Affirmative Action Plan, including development and setting of agency-wide goals.
- Monitor compliance and fulfill all affirmative action reporting requirements.
- Inform the agency's Commissioner or Deputy Commissioner of progress in affirmative action and equal opportunity, and report potential concerns.
- Review the Affirmative Action Plan at least annually and provide updates as appropriate.
- Provide an agency-wide perspective on issues relating to affirmative action and equal opportunity, and assist in the identification and development of effective solutions in problem areas related to affirmative action and equal opportunity.
- Identify opportunities for infusing affirmative action and equal opportunity into the agency's considerations, policies, and practices.
- Participate in and develop strategies to recruit individuals in protected groups for employment, promotion, and training opportunities.
- Maintain contacts with protected class resources for recruitment purposes and hold membership in community organizations to keep abreast of new developments in the area of affirmative action.

- Determine the need for affirmative action and cultural diversity training, and initiate the development of appropriate training programs in coordination with Employee Development Services.
- Monitor employee exit interviews, investigate identified complaints of employment practices within the agency, and determine the impact on protected group members.
- Stay current on changes to equal opportunity and affirmative action laws, and interpretation of the laws.
- Oversee the agency's pre-hire review process.
- Investigate alleged discrimination and harassment complaints, and submit written summaries of these issues, findings, and conclusions to the Deputy Commissioner.
- Provide consultation, technical guidance, and training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention, progress on hiring goals, reasonable accommodations, and other opportunities for improvement.
- Lead and serve as a non-rotating member of the iLEAD Diversity Committee.
- Serve as the agency liaison with Minnesota Management and Budget's Office of Equal Opportunity and Diversity, and enforcement agencies.

Accountability:

The Equity, Access, and Inclusion Manager or Affirmative Action designee is accountable directly to the Deputy Commissioner and indirectly to the Commissioner on matters pertaining to affirmative action and equal opportunity.

Americans with Disabilities Act Coordinator or Designee

Karly Turner – Equity, Access, and Inclusion Manager

Responsibilities:

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

Duties:

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

- Provide guidance, coordination, and direction to agency management with regard to the ADA in the development and implementation of the agency's policy, procedures, practices, and programs to ensure they are accessible and nondiscriminatory.
- Ensure that appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries from department employees and the public regarding compliance with the ADA and other applicable federal and state laws regarding discrimination on the basis of disability.
- Maintain current information regarding state and federal laws and regulations, and best practices concerning the rights of persons with disabilities, and ways of providing reasonable accommodations to persons with disabilities while maintaining department performance standards.
- Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention of individuals with disabilities, provisions of reasonable accommodations for employees and applicants, and other opportunities for improvement. and
- Track and facilitate requests for reasonable accommodations for employees and applicants, as well as members of the public accessing the agency's services, and reports reasonable accommodations annually to Minnesota Management and Budget.

Accountability:

The Americans with Disabilities Act Coordinator reports directly to Deputy Commissioner and indirectly to the Commissioner.

Human Resources Director or Designee

Kathy Zieminski – Director of Human Resource Management

Responsibilities:

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

Duties:

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

- Provide leadership to human resources staff and others to ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles.
- Ensure, to the extent possible, the development and utilization of selection criteria that is objective, uniform, and job-related.

- Ensure, to the extent possible, that interview questions are centered on minimum and/or preferred qualifications as listed in the job posting.
- Initiate and report on specific program objectives contained in the Affirmative Action Plan.
- Ensure pre-hire review process is implemented and receives support from directors, managers, and supervisors.
- Include the Equity, Access, and Inclusion Manager in the decision-making process regarding personnel actions involving protected group members, including hiring, promotion, disciplinary actions, reallocation, transfer, termination, and department and division-wide classification studies.
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in Human Resource Management staff position descriptions and annual objectives.
- Assist in the recruitment and retention of individuals in protected groups, and notify directors, managers, and supervisors of existing disparities.
- Designate a human resources representative to serve as member of the iLEAD Diversity Committee.
- Make available to the Equity, Access, and Inclusion Manager and Americans with Disabilities Act designee all records and data necessary to perform duties related to equal opportunity and affirmative action.

Accountability:

The Human Resources Director is directly accountable to the Assistant Commissioner for Administration/CFO.

Directors, Managers, and Supervisors

Responsibilities:

Directors, managers, and supervisors are responsible for the implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with the agency's affirmative action programs and policies to ensure fair and equal treatment of all employees and applicants.

Duties:

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

- Assist the Equity, Access, and Inclusion Manager in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- Communicate the agency's affirmative action policy to assigned staff.
- Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan.
- Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis.
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives.
- Follow the pre-hire processes when appointing a non-protected class applicant.
- Assist and make recommendations to the Equity, Access, and Inclusion Manager in recruitment activities.
- Discuss and document training needs and career planning goals with each employee during the scheduled performance evaluations.
- Provide a positive and inclusive work environment.
- Ensure that sufficient time is allowed for employees in their unit to participate in iLEAD Diversity Committee meetings and/or spotlight events. and
- To refer complaints of discrimination and harassment to the appropriate parties.

Accountability:

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

All Employees

Responsibilities:

All employees are responsible for conducting themselves in accordance with the agency's equal opportunity and Affirmative Action Plan and policies.

Duties:

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

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

Accountability:

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

iLEAD Committee

Responsibilities:

All members are responsible for furthering diversity and inclusion throughout all levels of the agency.

Duties:

The duties of iLEAD committee members shall include, but are not limited to the following:

- Advocate for diversity, integrate it into daily work activities, and continuously model the values of diversity.
- Communicate diversity events, initiatives, and other related information to employees.
- Advise department leaders about various diversity issues and make recommendations as appropriate.
- Represent co-workers and department leaders to the iLEAD Team and the iLEAD Team to our coworkers and leaders.
- Provide diversity awareness training and education through quarterly Spotlight sessions, a calendar of diversity activities and a bulletin board celebrating the diversity of the department's employee population.
- Act as a diversity resource to employees and department recruiters, and to other state agency diversity groups.

Accountability:

iLEAD committee members are accountable directly to the Equity, Access, and Inclusion Manager and indirectly to the agency's Commissioner.

IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

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

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 Equity, Access, and Inclusion Manager, to all staff on an annual basis.
- The agency's Affirmative Action Plan is available to all employees on the agency's internal Rspace page or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- Information regarding the plan will be included in new employee welcome packets provided by Human Resources on the first day of employment.
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented and accessible to employees and posted to Rspace. Alternate formats of this information are available by contacting the Equity, Access, and Inclusion Manager.

External Methods of Communication

- The agency's Affirmative Action Plan is available on the agency's external website at http://www.revenue.state.mn.us/about_us/Pages/mission.aspx or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- The agency's homepage, letterhead, publications, and all job postings, will include the statement "an equal opportunity employer."
- Recruitment materials and activities will contain information regarding the department's commitment to diversity and inclusion.
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented by and accessible to members of the public. Examples of posters displayed include: Equal Employment Opportunity is the law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.

V. STATEWIDE POLICY PROHIBITING DISCRIMINATION AND HARASSMENT

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

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

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

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

Definitions:

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

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

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

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment.
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decision affecting that individual's employment. or
- That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

It is possible for discriminatory harassment to occur:

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

Employees who experience discrimination or harassment should bring the matter to the attention of the Department of Revenue's Equity, Access, and Inclusion Manager. In fulfilling our obligation to maintain a positive and productive work environment, the Equity, Access, and Inclusion Manager and all employees are expected to address or report any suspected harassment or retaliation.

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

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

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

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

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

Responsibility of Employee:

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

Who May File:

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

Complaint Procedure:

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

How to File a Complaint:

1. Employees and applicants may file a complaint by completing and submitting the "Complaint of Discrimination/Harassment Form" found in Rspace and submitting it to the Equity, Access, and Inclusion Manager. Individuals may also contact the Equity, Access, and Inclusion Manager to receive a copy of the complaint form or obtain assistance in filling out the form. Individuals are encouraged to meet with the Equity, Access, and Inclusion Manager to discuss the complaint prior to submitting a formal complaint as there are times where the issue or issues can be resolved via means other than the official complaint process.

Employees and applicants are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve discrimination or harassment.

Complaint Intake:

1. Once a complaint is received, the Equity, Access, and Inclusion Manager or designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, familial status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age, or if the complaint is of a general personnel concern. If applicable, other options for resolution, such as the workplace mediation, will be offered.
 - If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Equity, Access, and Inclusion Manager or designee will inform the complainant, in writing, within fifteen (15) working days. The complainant is at that time informed of his or her options including, but not limited to, filing a Respectful Workplace complaint, filing a grievance subject to bargaining unit rights, or filing a complaint with the EEOC or MN Department of Human Rights.
 - If the complaint is related to discrimination, the Equity, Access, and Inclusion Manager or designee will investigate the complaint.

Investigation Process and Conclusion

1. The Equity, Access, and Inclusion Manager or designee will investigate the complaint. The time it takes to investigate a complaint varies depending on the circumstances. Investigations will generally be completed within 90 days unless there are extenuating circumstances.
2. At the conclusion of the investigation, the Equity, Access, and Inclusion Manager or designee shall notify the complainant(s) and respondent(s) that the investigation is completed. The complainant will be notified should extenuating circumstances prevent completion of the investigation within ninety (90) days. The Equity, Access, and Inclusion Manager or designee shall then review the findings of the investigation and summarize findings in an investigative report.
 - If there is sufficient evidence to substantiate the complaint, the investigative report will be submitted to management responsible for determining whether or not disciplinary action is required. The complainant and respondent will be notified that the investigation is complete.
 - If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the respondents dismissing the complaint.
3. Disposition of the complaint will be filed with the Commissioner of the Minnesota Management and Budget within thirty (30) days after the final determination.
4. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. After an investigation is complete and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.

5. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but is not limited to, the following types of data:
 - Interviews or written interrogatories with all parties involved in the complaint, i.e., complainants, respondents, and their respective witnesses. Officials having pertinent records or files, etc.
 - All records pertaining to the case i.e., written, recorded, filmed, or in any other form.
6. The Equity, Access, and Inclusion Manager or designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

VII. REASONABLE ACCOMODATION POLICY

The Department of Revenue is committed to the fair and equal employment of individuals with disabilities. Reasonable accommodation is the key to this nondiscrimination policy. While many individuals with disabilities can work without accommodation, other qualified employees and applicants face barriers to employment without the accommodation process. It is the policy of the Department of Revenue to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship.

In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, as amended, accommodations will be provided to qualified individuals with disabilities 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).

This policy applies to all applicants, employees, and employees seeking promotional opportunities.

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. The ADA Coordinator for Revenue is the Equity, Access, and Inclusion Manager.

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).
- There are a limited number of other employees who could perform the function(s).
- 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.
- Has a record or history of such impairment.
- 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.
- Can perform the essential functions of the position with or without reasonable accommodation.

Major Life Activities

Major life activities are functions that are important to the daily lives of most people. Examples 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 department 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.
- Modifications or adjustments to enable a qualified individual with a disability to perform the essential functions of the job.
- 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 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 Revenue 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. Revenue is not required to provide accommodations that would impose an undue hardship on the operation of the agency.

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.
- Any qualified agency employee with a disability who needs a reasonable accommodation to perform the essential functions of the position.

- 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 department 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.

Revenue 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

Revenue applicants or employees may make a reasonable accommodation request to any or all of the following:

- Immediate supervisor or manager in the employee's chain of command.
- Equity, Access, and Inclusion Manager/Designee.
- Agency ADA Coordinator.
- Agency Human Resources Office.
- Any department 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 department that an accommodation is needed.

An initial request for accommodation may be made in any manner: 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.

Revenue's accommodation request form can be found on Rspace. A copy may also be requested from the Equity, Access, and Inclusion Manager by calling 651-556-6042 or via email at karly.turner@state.mn.us.

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 Equity, Access, and Inclusion Manager or designee 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 department must make appropriate arrangements without requiring a request in advance of each occasion.

The interactive process

Communication is a priority and encouraged throughout the entire reasonable accommodation process. The interactive process is a collaborative process between the employee or applicant and the department to explore and identify specific reasonable accommodations. (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.
- 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 Equity, Access, and Inclusion Manager shall be consulted when:

- Issues, conflicts or questions arise in the interactive process.
- 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 decision maker for reasonable accommodation requests for all types of requests outside of the authority of a supervisor or manager. 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.
- 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 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.
 - 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.
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, when an employee is blind. In these cases, the department will not seek further medical documentation. If a requestor's disability and need for reasonable accommodation are not obvious or already known, the ADA Coordinator may require medical information showing that the requestor has a covered disability that requires accommodation. The ADA Coordinator may request medical information in certain other circumstances. For example when:

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

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

Only medical documentation specifically related to the employee's request for accommodation and ability to perform the essential functions of the position will be requested. When medical documentation or information is appropriately requested, an employee must provide it in a timely manner, or the agency may deny the reasonable accommodation request. Revenue does 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 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 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 ADA Coordinator.

The 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. This information may only be shared with individuals who have a need to know for purposes of implementing the accommodation, such as the requestor's supervisor and the ADA Coordinator.

General Information

General summary information about an employee's or applicant's status as an individual with a disability may be collected by the Equity, Access, and Inclusion Manager 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 ADA Coordinator determines that a reasonable accommodation will be provided, the ADA Coordinator will process the request and provide the reasonable accommodation in as short of a timeframe as possible. The time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information.

If an approved accommodation cannot be provided within a reasonable time, the decision maker will inform the requestor of the status of the request within 30 days. If there is a delay in providing the request, temporary measures will be taken where feasible to provide assistance.

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

Funding for reasonable accommodations

In general, reasonable accommodations are paid for by the division in which the employee requesting the accommodation works. Reasonable accommodations for applicants will be paid according to Financial Management procedures.

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 on the agency.

The 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 that 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 ADA Coordinator 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 the next 60 days.

Denial of requests for reasonable accommodation

The ADA Coordinator must be contacted for assistance and guidance before denying any request for reasonable accommodation. The agency may deny a request for reasonable accommodation in the following cases:

- The individual is not a qualified individual with a disability. (For a definition, see page 18.)

- The reasonable accommodation being requested 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 by the ADA Coordinator.
- No reasonable accommodation, including reassignment to a vacant position, will enable the employee to perform all the essential functions of the job.

The agency must provide an explanation for denial to the requestor in writing. The explanation should be written in plain language and clearly state the specific reasons for denial. If the decision-maker has denied a specific requested accommodation but has offered a different accommodation, the letter should explain why the requested accommodation is being denied, and why 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. The ADA Coordinator will determine undue hardship on a case-by-case basis. 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 Minnesota Management & Budget.

Determining direct threat

The determination that an individual poses a “direct threat,” that 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 direct threat means there is significant risk of substantial harm to the health or safety of the individual or others.)

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
- Imminence of the potential harm

Appeals process in the event of denial

When a request for reasonable accommodation is denied, the agency must inform the requestor why it was denied. All agencies must designate a process for review when an applicant or employee chooses to appeal the denial of a reasonable accommodation request. At Revenue:

1. The Deputy Commissioner is informed of the appeal.
2. The accommodation request, process, and decision are sent for review by the State ADA Coordinator.
3. The ADA Coordinator informs 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 to MMB. This report is due by September 1 and must include the number and types of accommodations requested, approved, and denied, along with 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. (See 29 C.F.R. 1602.14.)

VIII. EMERGENCY EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

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

The current Department of Revenue weather and emergency evacuation plans are available in Rspace at: <http://workspaces/Emergency/Employee%20Emergency%20Information/Emergency%20Plan.pdf>

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

Directors, managers, and supervisors should review with staff the emergency evacuation procedures and what to do if additional assistance is needed. All staff should be informed that any individuals with disabilities should notify the agency contact(s) below of the type of assistance they may need.

Kyle Jenner, Minnesota Revenue Physical Security, 651-556-6211, kyle.jenner@state.mn.us
Kelly Sullivan, Physical Security Analyst & Emergency Manager, 651-556-6664,
Kelly.sullivan@state.mn.us

The process for discussing and implementing evacuation procedures for employees with disabilities is:

1. Managers and Supervisors will meet individually with employees with known physical disabilities (mobility or sensory) – including those with a temporary disability – to discuss emergency and evacuation procedures.
2. Managers and supervisors will address issues related to emergency procedures for individuals with physical disabilities by ensuring that employees have the opportunity to inform the agency of any special needs they may have. They will ensure the selection of Assistants and consult with persons with physical disabilities to determine appropriate emergency procedure.
3. Managers and Supervisors should assign two Assistants to each individual with physical disabilities to ensure that, in an emergency, the employee will be able to comply with the instructions given by the Stassen Building Emergency Director, Building Emergency Staff, or Capitol Security Staff.
4. Managers and supervisors will instruct persons with physical disabilities and their Assistants to move to the main elevator lobby stairwell in the case of fire and wait for emergency personnel. They will also instruct persons with physical disabilities to move into the stairwell and wait for emergency personnel if they feel threatened at any time during a fire alarm.
5. In the event of an emergency, the floor warden will confirm the location of employees with physical disabilities and report their location to the Stassen Building Emergency Director, Emergency Staff, or Capitol Security staff.
6. During evacuations, if safe, Assistants will find the employee they are assigned to help, evacuate him/her to the evacuation area or main elevator lobby, and wait for the emergency personnel. If at any time the assistant or the employee feels threatened, they will move into the stairwell. One Assistant should stay with the employee. The second Assistant should evacuate and report the location of the employees with disabilities and Assistants to the Stassen Building Emergency Director located in the main lobby, or to the Building Emergency Staff at the exit doors or ramp.
7. During relocations, employees with disabilities should move to the nearest relocation area. If safe, Assistants will find the employee requiring assistance and help them to the relocation area. Assistants should not try to return to their work area if danger is imminent.

Evacuation Options

Individuals with disabilities have four basic evacuation options:

- **Horizontal evacuation:** Use building exits to the outside ground level or going into unaffected wings of multi-building complexes.
- **Stairway evacuation:** Use 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. Dial 911 immediately and report their location to emergency services, who will relay that information to on-site responders.

This 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:** Go to an identified area of rescue assistance for individuals with disabilities and wait for emergency responders. At Revenue, the areas of rescue assistance are the stairwells.

Evacuation Procedures for Individuals with Mobility, Hearing, or Visual Disabilities

Individuals with disabilities should follow the following procedures:

- **Mobility disabilities** (individuals who use wheelchairs or other personal mobility devices): Individuals using wheelchairs should be accompanied to an area of rescue assistance by an employee. A floor warden or emergency staff member will respond to each of the elevator lobby areas of rescue assistance every time a building evacuation is initiated to identify the individuals in these areas and notify the Building Emergency Director how many individuals need assistance to safely evacuate.
- **Mobility disabilities** (individuals who do not use wheelchairs): Individuals with mobility disabilities, who can walk independently, may be able to use 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 in the stairwell until emergency responders arrive to assist them.
- **Hearing disabilities:** The agency's buildings are equipped with fire alarm horns and strobe lights to notify people of the need to evacuate. The strobe lights will alert individuals who are deaf or hard of hearing.
- **Visual disabilities:** The agency's buildings are equipped with fire alarm horns and strobe lights to notify people of the need to evacuate. The horns will alert individuals who are blind or have visual disabilities; they may not be familiar with the evacuation route and need assistance in evacuating. Their Assistant should offer to help and, if accepted, guide them through the evacuation route.

Severe Weather Relocation Options

Individuals with disabilities or who are in need of assistance during a relocation have two options based on their location in their building:

- **Horizontal relocation:** If located on the ground or basement floor, seek shelter in one of the severe weather shelter areas are located throughout each floor.
- **Shelter in Place:** Seek shelter in an interior hallway or conference room and remain there until the all clear given.

IX. GOALS AND TIMETABLES

The Department of Revenue analyzed its workforce and determined which job categories are underutilized for women, minorities, and individuals with disabilities within the agency. The agency has set hiring goals for the next two years. The results and hiring goals are detailed in Table 2. Summaries of the agency’s progress in employing women, minorities, and individuals are included after the table.

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

Job Categories	Underutilization – Number of Individuals *			Hiring Goals – 2016-18		
	Women	Racial/Ethnic Minorities	Individuals w/ Disabilities	Women	Racial/Ethnic Minorities	Individuals w/ Disabilities
Officials/Administrators	- 2	1	- 1	0	1	0
Professionals	- 8	- 6	10	0	0	5
Protected Services – Sworn						
Protected Services – Non-sworn	N/A	N/A	N/A	N/A	N/A	N/A
Office/Clerical	- 39	- 16	1	0	0	1
Technicians	- 3	- 1	-1	0	0	0
Skilled Craft	N/A	N/A	N/A	N/A	N/A	N/A
Service Maintenance	N/A	N/A	N/A	N/A	N/A	N/A

* Positive numbers indicate categories which are underutilized; negative numbers indicate categories which are not.

Availability

The recruitment area for Professional, Office/Clerical, and Technician job categories is the Minneapolis-St. Paul metropolitan area because that is where most Revenue employees work. The recruitment area for Officials/Administrators is statewide. A two-factor analysis was used to identify agency goals in each category.

Women

The number of women employed at Revenue has improved or stayed the same in all job categories. No hiring goals were set as there is no underutilization. Women hold positions at every level throughout Revenue and the agency is consistent in its efforts to recruit, retain, and promote women.

Minorities

The number of minorities employed at Revenue has improved in the Professionals and Office/Clerical job categories. It stayed the same in the Technicians category.

Revenue met its 2014-2016 hiring goal in the Officials/Administrators job category and the number of minorities in the job category improved overall. The hiring goal in the Officials and Administrators category is equal to the number underutilized. The hiring goal was not decreased due to the feasibility of the goal.

The number of employees in the Officials/Administrators category is small and there is not much movement within the job category. When positions do become available, Revenue will continue to post these positions externally and widely in effort to recruit a diverse pool of applicants. Revenue will also continue its focus on developing leadership within the agency to ensure our internal applicant pool remains diverse.

Individuals with Disabilities

The number of individuals with disabilities employed at Revenue has improved in all job categories. The agency met its hiring goals in all job categories for the 2014-2016 plan.

Revenue set the hiring goal at 50% of the underutilization in the Professionals category in order to set a feasible goal in alignment with our projected hiring. If the hiring goal is met prior to the end of the plan years, the agency will adjust the hiring goal to match the underutilization. The hiring goal in the Office/Clerical category is equal to the number underutilized.

During the last plan year, Revenue's efforts in recruiting persons with disabilities was extensive and included job fairs, advertising positions with agencies who work with persons with disabilities, and providing accommodations to applicants. Revenue will continue these efforts.

X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

In pursuing the Revenue's commitment to affirmative action, Revenue will take the following actions during 2016-2018:

Objective #1: The Equity, Access, and Inclusion Manager will make every effort to maintain current information of EEOC guidelines, new policies, procedures and trends within the field in order to effectively implement Affirmative Action at the Minnesota Department of Revenue.

Action Steps

- Regularly visit the EEOC, DOJ, DOHR, and other related websites to research policy changes.
- Regularly attend meetings of ACCESS (Alliance for Cooperation and Collaboration in Employment and State Service, formerly Affirmative Action Coordinators).
- Review training materials – about discrimination, harassment, sexual harassment, affirmative action, and the Americans with Disabilities Act – to ensure accuracy and compliance with current law.
- Develop a relationship with Minnesota Management & Budget to facilitate interactions and support with any questions or concerns pertaining to the above topics.
- Provide training and self-evaluation on discrimination, harassment, ADA, and recruitment/retention efforts to all Division Directors, Managers, and Supervisors.
- Identify development needs and appropriate training opportunities for all staff in coordination with management such as dealing with conflict and employment law issue identification.
- Partner with other state agencies to develop a network of resources for affirmative action issues.
- Consult with hiring supervisors regarding how to achieve affirmative action goals and reduce missed opportunities.
- Consult with Human Resources staff to insure that a Self-Declaration Form is sent to all candidates not required to complete a standard state application.

Evaluation

This is an ongoing objective, continued from the 2014-2016 plan. This objective is consistently met as it is part of the Equity, Access, and Inclusion Manager job description. The Equity, Access, and Inclusion Manager is a member of several professional diversity associations and attends conferences related to equal opportunity employment several times per year in addition to self-directed continuing education.

Objective #2: Minnesota Department of Revenue will continue to hire affirmatively and the Equity, Access, and Inclusion Manager will monitor the pre-hire review process

Action Steps

- The Equity, Access, and Inclusion Manager will maintain and provide information pertaining to disparities upon request of the Senior Management Team.

- All hires in which a disparity exists, HRM/AAO will conduct a pre-hire review prior to the final hiring decision.
- Revenue's goal is to have zero missed opportunities.

Evaluation

This is an ongoing objective, continued from the 2014-2016 plan. It is the policy of the Department of Revenue to conduct pre-hire reviews for each hire prior to offering the position to the desired candidate. Hiring Process forms are completed for all positions in which underutilization exists.

Objective #3: The Equity, Access, and Inclusion Manager will educate all hiring personnel regarding their equal employment opportunity responsibilities.

Action Steps

- Develop and/or update curriculum to train hiring personnel about AAO responsibilities related to Revenue's Affirmative Action Plan and equal opportunity employment procedures.
- Develop or update educational materials outlining the hiring process for vacancies in which a disparity exists directly addressing the role of the hiring personnel.
- Develop or update educational materials specifically addressing the hiring manager's role in implementing the Affirmative Action Plan and specific supervisory responsibilities that contribute to the retention of protected group members.
- Inform all hiring personnel of external training pertaining to Affirmative Action/Equal Employment Opportunity, the Americans with Disabilities Act and discrimination/harassment.
- AAO will attend division management meetings and provide training related to AAO responsibilities and ADA accommodation guidelines.
- Review data with divisions twice yearly to discuss progress and determine division needs in regards to hiring and affirmative action.

Evaluation

This is an on-going objective, continued from the 2012-2014 plan, and has been met consistently. Training materials are consistently updated and new hiring managers are trained within a reasonable amount of time from their start date.

Objective #4: Enhance the appreciation and recognition of diversity at the Minnesota Department of Revenue by offering a wide variety of programs and presentations which feature diversity related topics.

Action Steps

- Designate a budget for programs and presentations.
- The Equity, Access, and Inclusion Manager and iLEAD diversity team research possible speakers, performers, and trainers in diversity.

- Invite speakers, performers, and trainers to the Department of Revenue.

Evaluation

This is an ongoing objective, continued from the 2014-2016 plan, and has been met consistently. The iLEAD team hosts quarterly spotlight events focusing on diversity related topics and multiple brown bag events each year for all employees. Cultural competency and related training for supervisors and managers is researched and implemented when needed.

Objective #5: Maximize employment opportunities at Minnesota Department of Revenue for Protected Group members.

Action Steps

- Advertise in publications and other media serving protected group members when job openings become available
- Utilize the state’s Executive Recruiter
- Partner with other state agencies to attend recruitment events tailored towards Protected Group members.
- Post jobs externally whenever possible.

Evaluation

This is an ongoing objective, continued from the 2014-2016 plan, and has been met consistently. Revenue has consistently increased its attendance at job fairs targeting diverse communities. When external hiring occurs, resources target job fairs and job websites that attract a diverse pool of applicants.

Objective #6: Increase the number of persons with disabilities employed by Minnesota Department of Revenue.

Action Steps

- Increase and enhance our current efforts with the Vocational Rehabilitation program and its customers.
- Attend recruitment events specifically designed for job seekers with disabilities
- Continue to provide training to supervisors regarding working with employees with disabilities and accommodations.

Evaluation

This is a new objective within the Affirmative Action Plan, but not a new goal for the agency. Revenue has been working to increase the number of employees with disabilities by targeted recruiting efforts

and internal evaluation and training. The Equity, Access, and Inclusion Manager will work with Human Resources and Vocational Rehabilitation Services (VRS) to enhance our work with VRS.

Objective #7: Increase inclusion at Minnesota Department of Revenue through the “I Am Revenue” Inclusion Campaign.

Action Steps

- Provide in-depth training to supervisors and employees regarding topics covered during the 2016 campaign, such as unconscious bias, cultural competency, and document accessibility.

Evaluation

This is a new objective within the Affirmative Action Plan, but not a new goal for the agency. In the 2014-2016 Plan, Revenue set a goal of launching an “Accessibility Matters” campaign. Due to resources and agency needs, the goal was incorporated on a smaller scale into a year-long campaign focusing on inclusion in which a different aspect of inclusion was featured each month. Accessibility was featured for two of the months.

As of July 2016, one-third of Revenue employees voluntarily participated in the Inclusion campaign by visiting the website or attending training. The goal for 2016-2018 is to expand upon the successes of the Inclusion campaign by offering more in-depth training and opportunities for promoting inclusion and to increase the number of employees participating.

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

Pre-Employment Review Procedure/Monitoring the Hiring Process

The Equity, Access, and Inclusion Manager and HRM staff will advise hiring managers and supervisors of protected class disparities when opportunities for new hires and promotional opportunities become available.

The Pre-Employment Review

1. The hiring supervisor completes and submits a personnel requisition and a position description for the vacancy to be filled to their Human Resource Consultant in the Human Resources Management Division.
2. If a disparity exists, the Equity, Access, and Inclusion Manager and/or the Human Resource staff works closely with the hiring supervisor in an effort to eliminate the disparity according to the following procedures:
 - a. All position descriptions shall contain job related criteria (knowledge, skills, and abilities) that are required to perform the essential functions of the identified tasks.
 - b. Job related minimum qualifications (and preferred qualifications) must be clearly defined and documented on the vacancy announcement.
 - c. HRM, with input from the hiring supervisor, determines if an external recruitment effort is appropriate.
 - d. If an external recruitment effort is appropriate, efforts will include resources that have contacts with protected class candidates.

Pre-interview

1. Prior to the commencement of the interview process, the hiring supervisor shall submit a list of uniform job related interview questions to the Equity, Access, and Inclusion Manager. The Equity, Access, and Inclusion Manager shall review and approve all interview questions to determine:
 - Will the answers to these questions, if used in making the selection, have a disparate effect in screening out protected groups of people?
 - Do the questions judge only an applicant's competence or qualification for the job in question?
 - Is the question culturally neutral?
 - Are the questions within the legal parameters of the Equal Employment Opportunity guidelines?

2. Hiring supervisors will ensure that each candidate is asked the same structured interview questions. Leeway is allowed for follow-up questions of clarity.
3. HR, in concert with the hiring supervisor, will review the resumes to determine which candidates meet the minimum qualifications as defined in the vacancy announcement. Candidates who meet the minimum qualifications will constitute the final eligible list of candidates to be considered in this pre-hire process.
4. If the number of candidates on the eligible list (as defined in 4 above) is large and needs to be more narrowly defined to come up with a "reasonable" number to interview, the hiring supervisor may further rank the candidates based upon the required and preferred qualifications as defined in the vacancy announcement.
5. When hiring via Revenue-hosted job fairs and in large numbers, the percentage of protected class group members in the applicant pool who met the minimum qualifications will be reflected in the final interview applicant pool to the greatest extent possible. For example, if minority applicants who meet the minimum qualifications make up 20% of the eligible applicant pool, the percentage of minorities in the interview pool should be 20% as well. However, the primary consideration in determining the interview pool will be the required and preferred qualifications required of the position to be filled.

Post-interview

1. The interview team will compare the qualifications of candidates based on available evidence (interview scores, test scores, writing samples, etc.) and the requirements of the job. Only in the final selection process will the affirmative action goals and current disparities be considered.
2. If the hiring team wishes to select a non-protected class group candidate where there is a disparity, the hiring supervisor shall provide the Equity, Access, and Inclusion Manager with a written justification of hire outlining the reasons, with sufficient specificity, why the preferred candidate is substantially more qualified than the protected class group candidate(s). The Equity, Access, and Inclusion Manager shall review the justification, and, if needed the job posting, job description, applicant interview scores and notes, and applicant resumes, to determine whether or not the hire is justified. Until that review is complete no offer of employment can be made to any candidate.

If it is concluded that the reasons for the non-selection do not demonstrate the preferred candidate is substantially more qualified, and the Equity, Access, and Inclusion Manager is unable to resolve the matter with the supervisor, the Equity, Access, and Inclusion Manager will arrange an appointment for the Supervisor to meet with the Commissioner to explain the

reasons for the selection. The decision of the Commissioner is final. If a Manager or Supervisor fails to follow these parameters prior to making the job offer, he/she will be held accountable.

3. Supervisors and managers are not to disclose information about the candidate's protected group status. The protected group status of an individual is identified as private data in accordance with the Minnesota Government Data Practices Act which governs the collection and disclosure of all government data, including personnel data. Minnesota Statutes 13.43, subd. 2.
4. HRM will keep documentation on the selection process for all appointments for at least four (4) years. The Equity, Access, and Inclusion Manager will keep data on every appointment where there is a disparity to explain the justification for the hiring decision.
5. Hiring supervisors will maintain documentation on the selection process including the identification of job related qualifications, the ranking of resumes to determine who met minimum qualifications, and who was invited to interview, as well as interview notes and documentation for at least one year.

Pre-Review Procedure for Layoff Decisions

1. The Equity, Access, and Inclusion Manager, in conjunction with Revenue's human resources office, shall be responsible for reviewing all pending layoffs to determine their effect on the agency's affirmative action goals and timetables. The Human Resources Director shall inform the Equity, Access, and Inclusion Manager of pending layoffs where ADA affects a layoffee bumping eligibility.
2. 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

1. Temporary unclassified positions are posted when possible and affirmative action hiring goals are considered during the hiring process.
2. Revenue reviews the accessibility of online systems and websites, and ensures that reasonable accommodations can be easily requested.
3. Revenue discusses progress with agency leadership on a periodic basis and makes recommendations for improvement.
4. Periodic review of reasonable accommodation requests to determine patterns and improvements needed at the Department of Revenue.

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

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

XII. RECRUITMENT PLAN

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

Recruitment costs incurred during the 2014-2016 plan year total: \$10,936.24.

Below are various recruitment methods or strategies utilized by the agency during the past year.

Advertising Sources

Revenue posted job announcements to free internet job boards, at different professional associations' websites, colleges and universities, the State of Minnesota job posting website, the Department of Revenue website, and to paid internet job boards.

In FY 2015, the majority of our job postings were on the latter two State websites only. However, during FY 2016, jobs were consistently posted to a wide variety of sources. It is expected that advertising efforts will continue during the 2016-2018 plan years due to a continued emphasis on external recruitment and recruitment of protected class candidates. To ensure a diverse pool of job candidates, all vacancies will be posted as open competitive for all qualified job seekers, with the following exceptions:

1. Postings for "posting and bidding" positions in accordance with the provisions of the AFSCME, MAPE, and MMA union contracts or promotional postings in accordance to AFSCME seniority provisions.
2. Non-managerial postings for positions that are in the promotional classification series (for example: Revenue Tax Specialist, Revenue Collection Officer – Intermediate, Senior, or Principal) and minimally require knowledge and experience within the series in order to advance to higher level positions.
3. Non-managerial postings for positions that minimally require qualifications that non-state employees would not be reasonably expected to meet, and the cost of reviewing volumes of applications clearly outweighs the potential benefit of an open and competitive external

posting. (For example, an MA4 Gentax coordinator position that requires extensive knowledge of Gentax.)

Job and Community Fairs

Department of Revenue Job Fairs

The Department hosted 7 job fairs during the 2014-2016 Plan years, resulting in 1,379 applicants and 127 external hires. These job fairs are held in order to fill vacant entry level positions, both seasonal and year-round. Revenue job fairs are advertised through a variety of resources including, but not limited to, workforce centers, college job boards, technical schools, minnesotaworks.org, nonprofit organizations, the Department of Revenue website and the State of Minnesota website. Due to such extensive advertisement, the applicant pool is diverse. Of five Revenue hosted job fairs, 44% of the applicant pool were minorities and persons with disabilities. The need to fill entry level positions is continuous. Therefore, the Department anticipates a similar or greater number of hires will result from Revenue hosted job fairs in the upcoming plan years.

Community Job Fairs

The Department attended 6 community job fairs in the 2014-2016 Plan years.

The Department attended DEED Veteran's job fair in July 2015 and the Get Jobs Job Fair in March 2016. The Equity, Access, and Inclusion Manager attended the Minnesota State Council on Disability's The ADA at 25: Minnesota Moving Forward Career Fair in October 2015 and three (3) Achieve Minneapolis Career Fairs.

College and University Recruitment Events

Revenue did not attend any college or university recruitment events during the 2014-2016 Plan years. Attendance at college and university recruitment events have not historically resulted in a sufficient number of or diverse pool of job applicants. Going forward, Revenue will consider college and university job fairs specifically targeting diverse applicants, such as the St. Cloud Diversity Job and Intern Fair.

Recruitment for Individuals with Disabilities

In addition to internal job fairs, the Department of Revenue works in partnership with VRS at the Minnesota Department of Employment and Economic Development to coordinate and post entry level positions to potential candidates with disabilities. The Department of Revenue also participated in the Get Jobs employment fair and the Veterans Career Fair hosted by DEED. These job fairs were open to all potential applicants, including applicants with disabilities. The Department also attended the Minnesota State Council on Disability's The ADA at 25: Minnesota Moving Forward Career Fair, which was designed solely for persons with disabilities. In addition to recruitment via job fairs, the Department will continue to the following successful strategies:

1. Review of job postings for physical and sensory requirements and follow the Guidelines for Inclusive Job Postings.

Our agency will review all job postings for physical and sensory requirements and determine if the qualifications for the position are job-related and consistent with business necessity. Additionally, our agency will edit language pertaining to physical and sensory requirements and change this language to reflect more inclusive language for job qualifications.

2. Self-Identification

At the time of application and once a year, our agency will communicate to our employees that we collect summary data related to the number of individuals who have applied for positions and who are in our workforce. We will inform employees that we collect this summary data to make determinations about where we need to improve in terms of recruitment, selection, or retention of individuals with disabilities.

3. Supported Worker

When our agency posts a position, we will review the position for tasks that can be completed by a supported worker. We will work with DEED - VRS or the MMB State ADA Coordinator to assist us in our efforts.

4. 700-Hour Program

Where possible, our agency will utilize the 700-hour program which allows our agency to hire an individual with a disability and provide them training. At the end of this period, our agency can hire the individual.

5. Accessibility Matters Campaign

Our agency will distribute marketing material and resources to our staff to remind them to create accessible electronic documents and systems, so that employees with disabilities coming into the workforce can contribute to the workforce and will be able to access similar information and resources as other employees.

6. Reasonable Accommodation

We will prominently display on our career site that we will provide reasonable accommodation to qualified individuals with a disability who apply for our positions where needed. Once hired, we will educate employees and supervisors and managers on accommodating employees in the workplace.

7. Strategic Partnerships

Our agency will build strategic partnerships with VRS, State Services for the Blind (“SSB”), and other state agency partners to conduct job evaluations and to assist in recruitment or referral of candidates to open positions. Our agency will work to inform VRS or SSB when a position is posted or, if possible, prior to a posting about the positions. Additionally, positions posted externally will be posted for at least 21 days to ensure equal opportunity to apply for the position.

8. Self-Analysis

Our agency will conduct periodic self-checks to determine if our systems or documents are accessible, language in our job postings is inclusive, and reasonable accommodations have been provided and staff have been trained on how to provide reasonable accommodations.

9. Reporting

Our agency will conduct a quarterly analysis of the number of individuals with disabilities who have applied for positions and the number of individuals with disabilities hired.

Relationship Building and Outreach

The Department of Revenue met the majority of our 2014-2016 affirmative action plan relationship-building and outreach goals. Human Resources staff actively collaborated with the statewide recruiter to ensure job postings reached diverse applicants and communities and continued to work in partnership with the Rehabilitation Program at the Minnesota Department of Employment and Economic Development to coordinate and post positions to potential candidates with disabilities. The Equity, Access, and Inclusion Manager attended events and meetings held by the Minnesota State Council on Disability, Minnesota Community Advisors on Recruitment & Retention Solutions, and Twin Cities Diversity Roundtable. In 2016-2018, Revenue will:

- Continue to collaborate with the statewide recruiter to ensure job postings reach diverse applicants and communities.
- Continue to attend events and meetings held by the Minnesota State Council on Disability and aim to attend at least one event or meeting per year held by the Council on Asian Pacific Minnesotans, Minnesota Council on Latino Affairs, Council for Minnesotans of African Heritage, and the Indian Affairs Council.
- Continue to attend Minnesota Community Advisors on Recruitment & Retention Solutions meetings to network with local nonprofit agencies aimed at providing gainful employment for persons with disabilities.
- Continue to attend Twin Cities Diversity Roundtable meetings in order to network with other organizations committed to equal employment opportunity.
- Continue to work in partnership with VRS and SSB to coordinate and post positions to potential candidates with disabilities
- Actively seek out new relationship building and outreach opportunities within the community.
- Work with internal and external experts and consultants to ensure Revenue is up to date on best practices relating to best practices in relationship building with communities of color.

Internships

During the 2014-2016 Plan years, the Department of Revenue hired sixteen (16) Right Track students, two (2) Urban Scholars, and one (1) Star of the North Fellow. The Department of Revenue will continue to offer the same opportunities during the 2016-2018 plan years.

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

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

Additional Recruitment Activities

Other methods of recruitment included: referrals made by current Department of Revenue employees and positions posted for all employees via Business Notices on our Rspace site.

XIII. RETENTION PLAN

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

Individual(s) Responsible for the Agency’s Retention Program/Activities

Karly Turner, Equity, Access, & Inclusion Manager, 651-556-6042, Karly.turner@state.mn.us

Kathy Zieminski, Director of Human Resource Management, 651-556-6660, Kathy.zieminski@state.mn.us

The Equity, Access, and Inclusion Manager and Human Resources Division are responsible for coordinating and supervising the recruitment and retention activities for the Department of Revenue.

The Equity, Access, and Inclusion Manager and Human Resources Division will:

- Provide training on discrimination, harassment, ADA, and recruitment/retention efforts to all Division Directors, Managers, and Supervisors.
- Identify development needs and appropriate training opportunities for all staff in coordination with management such as dealing with conflict and employment law issues.
- Partner with other state agencies to develop a network of resources for affirmative action issues.

Separation and Retention Analysis by Protected Groups

Minority Employees

Representation	2014-2016 Plan	2012-2014 Plan
Workforce	14.78%	13%
Hires	31% (66)	22.3% (80)
Promotions	19% (36)	13.7% (37)
Reallocations	19% (2)	12.4% (20)
Rate of Separation	17.39% (40)	14.5% (37)

Retention Analysis: According to the retention data, the percentage of minorities hired increased 8.7%. The proportion of minorities promoted increased 5.3%. Reallocation numbers increased as well, from 12.4% of all reallocations to 19% of all allocations, for an increase of 6.6%. This data shows overall improvement in retention of minority employees.

Separation Analysis: The overall rate of separation of minorities was 17%. This is an increase from the 2012-2014 data in which the overall rate of separation for minority employees was 14.5%. The overall rate of separation of minorities is slightly higher than their workforce representation which indicates that minorities are leaving at a rate slightly higher than the rate of hire. Dismissals or non-certifications remained in line with, or lower than, the proportion of minorities in the agency. However, the percentage of minorities separating by resignation is higher than their proportion relative to their total Revenue workforce representation. Additional analysis is needed and will focus on, but is not limited to, exit survey information and employee engagement data. Additionally, Revenue will hire an outside consultant to analyze this workforce trend and suggest possible causes and solutions. While separation and retention data may indicate additional analysis is required, it is of note that underutilization numbers show that minority employees are not underutilized across the agency. Underutilization exists only in the Officials and Administrators category at this time. For the majority of the 2012-2014 plan years, there was no minority underutilization in that same category.

Types of Separation	Total Number	Total Number of Minorities	Percentage of Minorities
Dismissal or Non-Certification	9	1	11.11%
Resignations	136	28	20.59%
Enhanced Separation	0		0.00%
Retirement	81	10	12.35%
Deaths	4	1	25.00%
Lay-off	0		0.00%
Termination without Rights	0		0.00%
Total Separations	230	40	17.39%

Women

Representation	2014-2016 Plan	2012-2014 Plan
Workforce	60%	60%
Hires	55% (125)	52.5% (188)
Promotions	59% (111)	56.7% (153)
Reallocations	55% (71)	54% (87)
Rate of Separation	58.26% (134)	49.4% (129)

Retention Analysis: According to the retention data, the percentage of women hired increased by 2.5%. The proportion of women promoted increased 2.3% and reallocation numbers increased by 1%. This data shows overall improvement in retention of women employees.

Separation Analysis: The overall rate of separation of women was 58.26%. This is an increase from the 2012-2014 data in which the overall rate of separation for women was 49.4%. The overall rate of separation of women is slightly lower than their workforce representation which indicates that women are leaving at the same rate as they are hired. Resignations and dismissals or non-certifications remained in line with, or lower than, the proportion of persons with disabilities in the agency.

Types of Separation	Total Number	Total Number of Women	Percentage of Women
Dismissal or Non-Certification	9	2	22.22%
Resignations	136	78	57.35%
Enhanced Separation	0		0.00%
Retirement	81	52	64.20%
Deaths	4	2	50.00%
Lay-off	0		0.00%
Termination without Rights	0		0.00%
Total Separations	230	134	58.26%

Employees with Disabilities

Representation	2014-2016 Plan	2012-2014 Plan
Workforce	6.33%	4.8%
Hires	10% (23)	3% (5)
Promotions	3.7% (7)	1% (4)
Reallocations	1.5% (2)	2% (3)
Rate of Separation	8.26% (19)	7.28% (19)

Retention Analysis: According to the retention data, the percentage of persons with disabilities hired increased by 5%. The proportion of persons with disabilities promoted stayed the same and reallocation numbers increased by 0.5%. The data suggests that gains were made in the hiring of persons with disabilities, but that upward movement within the agency is static. Revenue will hire an outside consultant to analyze this workforce trend and suggest possible causes and solutions.

Separation Analysis: The overall rate of separation of employees with disabilities was 8.26%. This is an increase from the 2012-2014 data in which the overall rate of separation of persons with disabilities was 7.28%. The overall rate of separation of employees with disabilities is greater than their total Revenue workforce representation (6.33%). This indicates that employees with disabilities are leaving at a rate slightly higher than the rate of hire. Resignations remained in line with the proportion of persons with disabilities in the agency, however the percentage of employees with disabilities separating by dismissal or non-certification is higher than their proportion relative to their total Revenue workforce representation.

Types of Separation	Total Number	Total Number of Individual w/Disabilities	Percentage of Individuals w/Disabilities
Dismissal or Non-Certification	9	1	11.11%
Resignations	136	8	5.88%
Enhanced Separation	0		0.00%
Retirement	81	10	12.35%
Deaths	4	0	0.00%
Lay-off	0		0.00%
Termination without Rights	0		0.00%
Total Separations	230	19	8.26%

Additional Information

It should be noted that during the 2014-2016 Plan years, Revenue closed several of its metro-area offices. Some employees who were nearing or at retirement opted to resign. At the time of the office closures, the Wisconsin Department of Revenue was hiring in an office located near the relocated Revenue office and employees from the relocated offices took positions with the Wisconsin Department of Revenue rather than relocate. This may have had an impact on our resignation numbers in all three protected class categories.

Methods of Retention of Protected Groups

The Department of Revenue has applied the following retention efforts and will continue to do so:

- Promoting an inclusive, positive, non-hostile, open environment to assist the Department with the recruitment and retention of valuable employees and qualified members of underutilized groups. The leadership role of the Commissioner, all Division Directors, Managers, and Supervisors supporting a positive working environment assisted and promoted the retention of employees of protected class status and influenced the attitude toward the diverse workforce.

- Building a culture that supports a collaborative approach to resolving issues.
- Encouraging and creating opportunities for the involvement of employees of protected class status on committees or in decision-making groups based on their interests and strengths.
- Recognizing employees for their efforts through achievement awards and other events to recognize individuals who have performed admirably or become leaders in their field.
- Supporting continuing education through tuition reimbursement, training, and transparency to encourage protected class employees to apply and achieve growth. This openness will demonstrate that diversity is welcome in all levels of the Department.
- Leveraging the iLEAD diversity committee in the promotion of a diverse and inclusive work environment through employer sponsored education events, brown bag events and other activities.
- Analyzing employee satisfaction and exit surveys and taking steps to improve the work environment based on employee feedback.
- Offering soft perks like telecommuting, flex schedules and the ability to work from locations other than the physical location of the employee's supervisor when business needs will continue to be met.

In addition, the Equity, Access, and Inclusion Manager will continue to implement the following retention efforts:

- Meet with Division directors individually to discuss division-specific recruitment and retention of protected class individuals.
- Develop cultural competency training to be led by iLEAD team members within their units/divisions.
- Update the Affirmative Action intranet page to include accessible information regarding affirmative action, equal opportunity employment and disability accommodations.

APPENDIX

Complaint of Discrimination/Harassment Form

COMPLAINT OF HARASSMENT/DISCRIMINATION

Please Read Before Completion of Form

Any complaint of harassment/discrimination is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. This information is being collected for the purpose of determining whether harassment/discrimination has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Equity, Access, and Inclusion Manager or designee, the complainant, the respondent, and appropriate personnel.

COMPLAINANT (YOU)		
Name	Job Title	
Work Address	Agency	Telephone ()
City, State, Zip Code	Division	Supervisor

RESPONDENT (PERSON WHO HARASSED/DISCRIMINATED AGAINST YOU)		
Name	Job Title	
Work Address	Agency	Telephone ()
City, State, Zip Code	Division	Supervisor

THE COMPLAINT

Basis of Complaint ("X" all that apply):

- Race Color Disability Sexual Orientation
 Sex Creed Marital Status Status with Regard to Public Assistance
 Age Religion National Origin Membership or Activity in a Local Human Rights Commission
 Familial Status

Date most recent act of harassment/discrimination took place (date/location)

If you filed this complaint with another agency, give the name of that agency:

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

INFORMATION ON WITNESSES WHO CAN SUPPORT YOUR CASE

Name	Agency/Division	Work Telephone
1.		()
2.		()
3.		()
4.		()

Additional witnesses may be listed in on a separate sheet attached to this form.

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



Employee/Applicant Request for ADA Reasonable Accommodation Form

**State of Minnesota – Department of Revenue
Employee Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form**

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

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

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

A. Questions to clarify accommodation requested.

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

YES NO

- a. If yes, please explain.

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

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

Information Pertaining to Medical Documentation: In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee has a disability covered by the ADA and to assist in identifying an effective accommodation. The ADA Coordinator or designee in each agency is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the medical provider follows through on requests for medical information.

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

Employee/Applicant Signature: _____

Date: _____

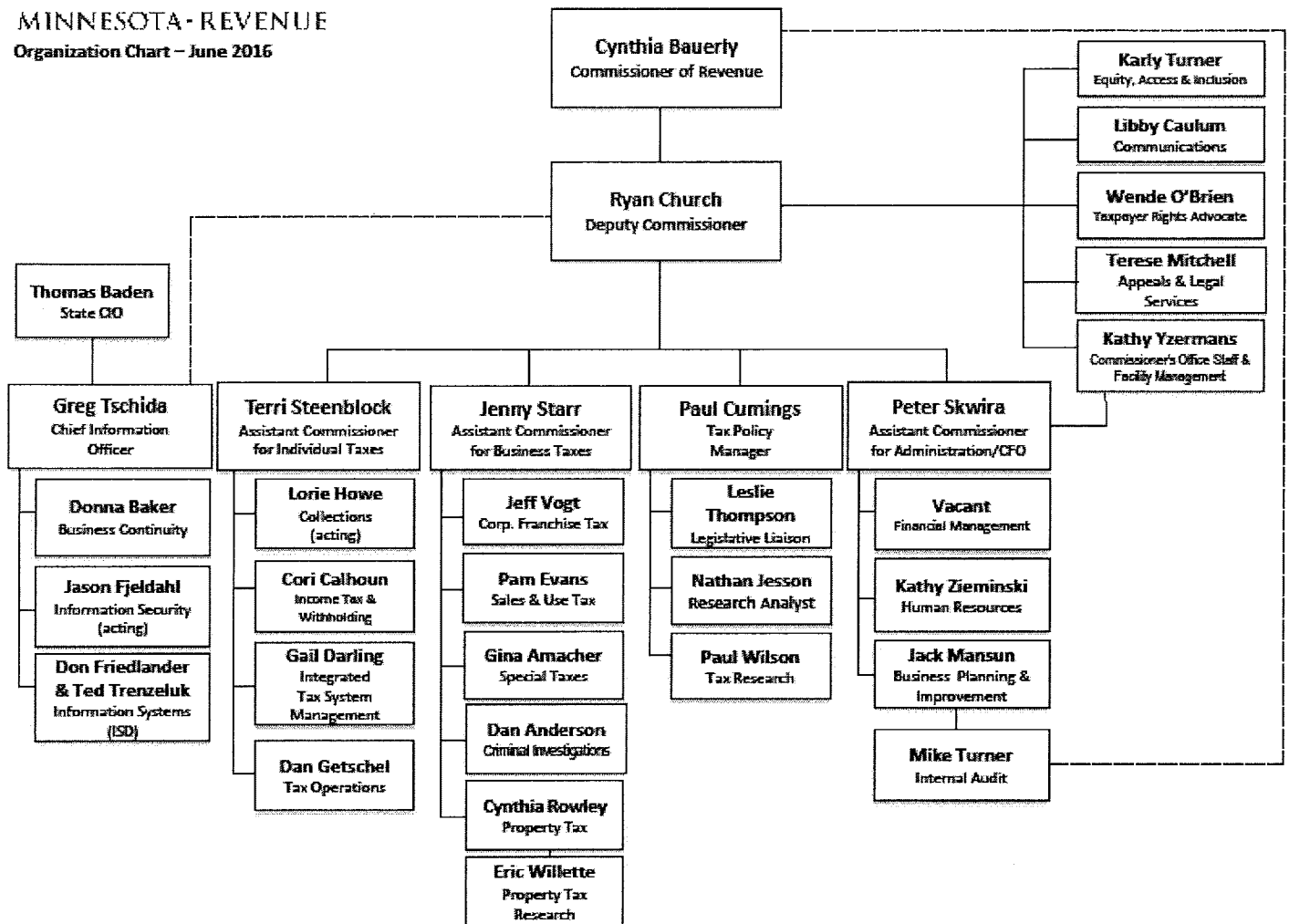
Agency Profile and Organizational Chart

The Minnesota Department of Revenue manages the state's revenue system and administers state tax laws. Our mission is to work together to fund Minnesota's future. Our vision is that everyone reports, pays, and receives the right amount: no more, no less. Our core values are: integrity, respect, excellence, and accountability.

Revenue manages 31 state taxes, collecting over \$21 billion annually. This money funds education, property tax relief, highways and transit, health care, social services, local government services, economic development incentives for businesses and workers, parks, correctional facilities, and other state programs.

On average, the Revenue employs 1,350 employees. The Equity, Access, and Inclusion Manager/ADA Coordinator is physically located within the Commissioner's suite and reports directly to the Deputy Commissioner, and indirectly to the Commissioner.

MINNESOTA - REVENUE
 Organization Chart - June 2016



Underutilization Analysis Worksheets

WOMEN									
Job Categories	Total Employees in Job Group	Total Number of Women in Group	% of Women in the Group	Availability %	Availability Number	AAP 2016-2018 Number Underutilized	AAP 2014-2016 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	33	19	57.58%	52.00%	17	-2	0	Improved	-2
Professionals	1089	600	55.10%	54.35%	592	-8	-9	Same	-1
Protective Services: Sworn									
Protective Services: Non-sworn									
Office/Clerical	196	156	79.59%	59.63%	117	-39	-11	Improved	-28
Technicians	89	54	60.67%	57.00%	51	-3	-15	Same	12
Skilled Craft									
Service Maintenance									
Totals	1407	829	58.92%						
MINORITIES									
Job Categories	Total Employees in Job Group	Total Number of Minorities in Group	% of Minorities in the Group	Availability %	Availability Number	AAP 2016-2018 Number Underutilized	AAP 2014-2016 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	33	<10	XX	11.05%	4	1	0	Not Improved	1
Professionals	1089	145	13.31%	12.75%	139	-6	1	Improved	-5
Protective Services: Sworn									
Protective Services: Non-sworn									
Office/Clerical	196	46	23.47%	15.18%	30	-16	-5	Improved	-9
Technicians	89	14	15.73%	15.02%	13	-1	-2	Same	<10
Skilled Craft									
Service Maintenance									
Totals	1407	205	14.78%						
INDIVIDUALS WITH DISABILITIES									
Job Categories	Total Employees in Job Group	Total Number of Individ./ with Disabilities in Group	% of Individ. w/ Disabilities in the Group	Availability %	Availability Number	AAP 2016-2018 Number Underutilized	AAP 2014-2016 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	33	<10	XX	7.00%	2	-1	0	Improved	-1
Professionals	1089	66	6.06%	7.00%	76	10	14	Improved	4
Protective Services: Sworn									
Protective Services: Non-sworn									
Office/Clerical	196	13	6.63%	7.00%	14	1	2	Improved	1
Technicians	89	<10	XX	7.00%	6	-1	1	Improved	-1
Skilled Craft									
Service Maintenance									
Totals	1407	79	6.33%						

Department of Revenue

TWO-FACTOR AVAILABILITY ANALYSIS

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

Job Category: Officials & Administrators

A	ASSIGNED WEIGHT (%)
Internal Availability	50.00%
External Availability	50.00%
Total Assigned Weight (must equal 100%)	100.00%

		WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES			
		Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics		
Internal Availability	B	55.00%	27.50%	D	13.00%	6.50%	F	6.00%	3.00%
External Availability	C	47.95%	23.98%	E	9.10%	4.55%	G	7.00%	3.50%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
51.48%	11.05%	6.50%

J	SOURCE OF INITIAL STATISTICS
Internal Availability	Professionals Category
External Availability	Statewide Labor Force Availability (Officials Administrators 50%, Professionals 50%)

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

Department of Revenue

TWO-FACTOR AVAILABILITY ANALYSIS

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

Job Category: Professionals

A		ASSIGNED WEIGHT (%)
Internal Availability		50.00%
External Availability		50.00%
Total Assigned Weight (must equal 100%)		100.00%

		WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES			
		Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics		
Internal Availability	B	55.00%	27.50%	D	13.00%	6.50%	F	6.00%	3.00%
External Availability	C	53.70%	26.85%	E	12.50%	6.25%	G	7.00%	3.50%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
54.35%	12.75%	6.50%

J		SOURCE OF INITIAL STATISTICS
Internal Availability		Professionals 100%
External Availability		MSP Metropolitan (Professionals 100%)

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

Department of Revenue

TWO-FACTOR AVAILABILITY ANALYSIS

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

Job Category: **Office & Clerical**

A	ASSIGNED WEIGHT (%)
Internal Availability	25.00%
External Availability	75.00%
Total Assigned Weight (must equal 100%)	100.00%

		WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES			
		Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics		
Internal Availability	B	70.50%	17.63%	D	19.60%	4.90%	F	6.50%	1.63%
External Availability	C	56.00%	42.00%	E	13.70%	10.28%	G	7.00%	5.25%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
59.63%	15.18%	6.88%

J	SOURCE OF INITIAL STATISTICS
Internal Availability	Office Clerical 50%, Technicians 50%
External Availability	MSP Metro Area (Clerical 50%, Technicians 50%)

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

Department of Revenue

TWO-FACTOR AVAILABILITY ANALYSIS

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

Job Category: **Technicians**

A		ASSIGNED WEIGHT (%)
Internal Availability		60.00%
External Availability		40.00%
Total Assigned Weight (must equal 100%)		100.00%

		WOMEN	
		Initial Statistics (%)	Weighted Statistics
Internal Availability	B	61.00%	36.60%
External Availability	C	51.00%	20.40%

		MINORITIES	
		Initial Statistics (%)	Weighted Statistics
	D	15.70%	9.42%
	E	14.00%	5.60%

		INDIVIDUALS WITH DISABILITIES	
		Initial Statistics (%)	Weighted Statistics
	F	7.00%	4.20%
	G	7.00%	2.80%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
57.00%	15.02%	7.00%

J		SOURCE OF INITIAL STATISTICS
Internal Availability		Technicians
External Availability		MSP Metro Area (Technicians 100%)

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

Separation Analysis by Protected Groups Worksheets

Department of Revenue

SEPARATION ANALYSIS

Worksheet for conducting separation analysis of protected group members as total separations and in each job category.

TOTAL SEPARATIONS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	9	3.91%	2	22.22%	1	11.11%	1	11.11%
Resignations	136	59.13%	78	57.35%	28	20.59%	8	5.88%
Enhanced Separation	0	0.00%		0.00%		0.00%		0.00%
Retirement	81	35.22%	52	64.20%	10	12.35%	10	12.35%
Deaths	4	1.74%	2	50.00%	1	25.00%	0	0.00%
Lay-off	0	0.00%		0.00%		0.00%		0.00%
Termination without Rights	0	0.00%		0.00%		0.00%		0.00%
Total Separations	230	100.00%	134	58.26%	40	17.39%	19	8.26%

OFFICIALS/ADMINISTRATORS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification		0.00%		0.00%		0.00%		0.00%
Resignations	1	14.29%	1	100.00%	1	100.00%		0.00%
Enhanced Separation		0.00%		0.00%		0.00%		0.00%
Retirement	6	85.71%	2	33.33%		0.00%	1	16.67%
Deaths		0.00%		0.00%		0.00%		0.00%
Lay-off		0.00%		0.00%		0.00%		0.00%
Termination without Rights		0.00%		0.00%		0.00%		0.00%
Total Separations	7	100.00%	3	42.86%	1	14.29%	1	14.29%

PROFESSIONALS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	6	3.11%	1	16.67%	1	16.67%	1	16.67%
Resignations	126	65.28%	72	57.14%	23	18.25%	8	6.35%
Enhanced Separation	0	0.00%		0.00%		0.00%		0.00%
Retirement	57	29.53%	34	59.65%	7	12.28%	6	10.53%
Deaths	4	2.07%	2	50.00%	1	25.00%		0.00%
Lay-off	0	0.00%		0.00%		0.00%		0.00%
Termination without Rights	0	0.00%		0.00%		0.00%		0.00%
Total Separations	193	100.00%	109	56.48%	32	16.58%	15	7.77%

OFFICE/CLERICAL								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	0	0.00%		0.00%		0.00%		0.00%
Resignations	2	13.33%	<10	XX	0	0.00%	0	0.00%
Enhanced Separation	0	0.00%		0.00%		0.00%		0.00%
Retirement	13	86.67%	12	92.31%	<10	XX	0	0.00%
Deaths	0	0.00%		0.00%		0.00%		0.00%
Lay-off	0	0.00%		0.00%		0.00%		0.00%
Termination without Rights	0	0.00%		0.00%		0.00%		0.00%
Total Separations	15	100.00%	XX	XX	XX	XX	0	0.00%

TECHNICIANS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	3	20.00%	<10	XX	0	0.00%	0	0.00%
Resignations	7	46.67%	<10	XX	<10	XX	0	0.00%
Enhanced Separation		0.00%		0.00%		0.00%		0.00%
Retirement	5	33.33%	<10	XX	<10	XX	<10	XX
Deaths		0.00%		0.00%		0.00%		0.00%
Lay-off		0.00%		0.00%		0.00%		0.00%
Termination without Rights		0.00%		0.00%		0.00%		0.00%
Total Separations	15	100.00%	XX	XX	XX	XX	XX	XX

Other Relevant Agency Information, Policies, or Documents

MINNESOTA - REVENUE

MISSION
Working together to fund Minnesota's future

VISION
Everyone reports, pays, and receives the right amount: no more, no less.

VALUES
Our core values are the foundation of the high standards of performance and behavior.

Integrity We are honest and ethical because trust is the foundation of our reputation and relationships.	Respect We embrace diversity and respect everyone inside and outside of our agency.	Excellence We expect and reward innovation, flexibility, accuracy, timeliness, and collaboration.	Accountability We ensure the fair and efficient administration of Minnesota's revenue system.
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STRATEGIES

1. Provide customers with information, education, and services.
2. Create operational efficiencies and leverage technology to secure customer information, and to meet customer and employee needs.
3. Enforce the tax laws by identifying and addressing patterns of non-compliance.
4. Listen to our customers, identify and develop improvements to the revenue system.
5. Foster a productive, innovative, and healthy work environment that provides opportunities for growth and development.

August 2014

employee needs.

August 2014