



State of Minnesota

Metropolitan Council

July 1, 2020 – June 30, 2022 Affirmative Action Plan

Metropolitan Council
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Statement of Commitment

The Metropolitan Council's employment practices and business operations shall reflect a value and respect for the diversity among its employees, customers, and citizens of the Metropolitan region. We are committed to providing a respectful work environment that appreciates and promotes the contributions of all our employees and the communities we serve.

The Metropolitan Council shall provide equal opportunity in all areas of employment; personnel practices (including recruitment or recruitment advertising, hiring, selection for training, upgrading, rates of pay or other forms of compensation, benefits, promotion, transfer, demotion, discipline action, layoff, termination, selection for training/apprenticeships, treatment of employees and other terms, conditions and privileges of employment); and in access to public services, programs, and activities. The Council shall not discriminate or subject to harassment any individual:

- Based on race, color, creed, religion, national origin, sex (including sexual harassment and gender harassment), disability, age, marital or public assistance status, familial status, sexual orientation, gender identity, pregnancy, gender expression, veteran status, genetic information, membership or activity in a human rights commission, or on any other basis prohibited by federal, state or local law; and
- The Council 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 and overcome the present effects of historical employment discrimination against women, people of color, people with disabilities, veterans. The Council's Affirmative Action Plan includes goals and timetables for the hiring of women, people of color and people with disabilities where they are underrepresented on the Council's work force and work to obtain qualified, talented employees, including protected group employees.

Successful achievement of diversity, equal opportunity and affirmative action objectives will benefit the Council through fuller use and development of previously underutilized human resources. The Council is also committed to providing a reasonable accommodation to applicants and employees who need them due to a disability or religious practice absent undue hardship.

The Director of Equal Opportunity serves as the Council's Affirmative Action Officer, reports directly to the Regional Administrator and is responsible for implementation of the Council's diversity, affirmative action and equal opportunity programs, and evaluating the Council's efforts. All Council directors, managers and supervisors share responsibility for implementing these programs and performing their job duties in a manner that promotes equal opportunity for all. The performance of directors, managers and supervisors will be evaluated on the basis of the success of these programs in their work units, in the same way that manager/supervisor performance on other agency and business goals are evaluated.

The Council shall act aggressively to maintain a work atmosphere and provide public services in a manner free of harassment, intimidation, discrimination, sexual harassment, and harassment as prohibited by Federal, State, and the local human rights laws. The Council is committed to providing equal employment opportunities and encourages suggestions as to how it may improve. If an employee or job applicant believes that they have been discriminated against or harassed, employees/applicants have a right to file a complaint with the Director of the Office of Equal Opportunity:

Cyrenthia Jordan

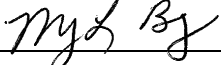
Director of the Office of Equal Opportunity

390 North Robert Street, St. Paul, MN 55101; 651-602-1085 or 560

Sixth Avenue North, Minneapolis, MN 55411; 612- 349-7695.

Retaliation against an individual for bringing an employment or public service discrimination complaint, for cooperating in a complaint inquiry, or otherwise engaging in protected activity is prohibited.

I agree my electronic signature is the legal equivalent of my manual signature on this document. I certify the above information is true and accurate to the best of my understanding.

Mary Bogie, Acting Regional Administrator:  Date Signed: 02/08/2021

Executive Summary

The Metropolitan Council's Affirmative Action Plan meets the requirements as set forth in Minnesota Statute 473.143; and where required, in Administrative Rule. Minnesota Management and Budget (MMB) provides plan approval. The Plan outlines: affirmative action goals, timetables, and reasonable and assertive hiring and retention methods for achieving these goals.

This Affirmative Action review revealed underutilization of the following protected group(s) in the following job categories based on data derived from the seven-county metropolitan area:

Table 1 Workforce Underutilization Analysis of Protected Groups
(x indicates the job categories and protected groups that have underutilization.)

Job Categories	Female	People of Color	Individuals with Disabilities
Officials & Administrators	X	N/A	X
Professionals	X	N/A	X
Technicians	X	N/A	X
Protected Services: Sworn	X	N/A	X
Paraprofessionals	X	N/A	N/A
Office/Clericals	X	N/A	X
Skilled Craft	X	X	X
Service Maintenance	X	N/A	X

This policy and the *Discrimination, Harassment, and Inappropriate Behavior Policy* are posted on METNET, <https://metcmn.sharepoint.com/sites/OfficeOfEqualOpportunity/Complaints/Pages/OEO%20Investigation%20and%20Resolution%20Unit%20Home.aspx> the internal Council website. A copy of the entire Affirmative Action Plan is available from the Council's Office of Equal Opportunity. It is the responsibility of each employee to support the affirmative action program and to apply the principles of equal opportunity and diversity in their day-to-day work.



By checking here, I agree my electronic signature is the legal equivalent of my manual signature on this document.



By checking here, I certify the above information is true and accurate to the best of my understanding.

Cyrenthia Jordan

02/05/21

Cyrenthia Jordan, Affirmative Action Officer: _____ **Date Signed:** _____



By checking here, I agree my electronic signature is the legal equivalent of my manual signature on this document.



By checking here, I certify the above information is true and accurate to the best of my understanding.

Marcy Syman

02/03/21

Marcy Syman, Human Resources Director: _____ **Date Signed:** _____



By checking here, I agree my electronic signature is the legal equivalent of my manual signature on this document.



By checking here, I certify the above information is true and accurate to the best of my understanding.

Mary Bogie, Acting Regional Administrator: *Mary Bogie* _____ **Date Signed:** 02/05/21

Organizational Profile

METROPOLITAN COUNCIL

The Metropolitan Council is the regional planning agency serving the Twin Cities seven-county metropolitan area and providing essential services to the region. The Council works with local communities to provide these critical services:

- operates the region's largest bus system, and collects and treats wastewater,
- engages communities and the public in planning for future growth,
- provides forecasts of the region's population and household growth,
- provides affordable housing opportunities for low- and moderate-income individuals and families,
- provides planning, acquisitions, and funding for a regional system of parks and trails, and
- provides a framework for decisions and implementation for regional systems including aviation, transportation, parks and open space, water quality and water management.

The Council is committed to environmental stewardship, sustainable solutions, and reduced energy use. The Council's *Thrive 2040* outcomes are Stewardship, Prosperity, Equity, Livability, and Sustainability.

GOVERNANCE

The 17-member Metropolitan Council has 16 members who each represent a geographic district and one chair who serves at large. They are all appointed by and serve at the pleasure of the Governor. The State Senate confirms Council member appointments.

MISSION

The mission of the Metropolitan Council is to foster efficient and economic growth for a prosperous metropolitan region.

FINANCE

The Council has an annual operating budget of just over \$1 billion: 70% of spending is for day-to-day operations; 17% is debt service for wastewater and transportation capital projects; and 11% is pass-through grants to other agencies. The Council's source of funding comes from federal, state, and local intergovernmental revenues; property tax levies; transit fare revenue; wastewater treatment service fees; and, Motor Vehicle Sales Tax. The

Council distributes millions in grants to regional park operations, community development projects, suburban transit agency operations, and housing assistance for low-income families.

Website: www.metrocouncil.org

Online newsletter: www.metrocouncil.org/NEWS-EVENTS.aspx

Metro Transit www.metrotransit.org

24-Hour Transit Information 612-373-3333

Metro HRA 651-602-1428

Street Address Metropolitan Council 390 N. Robert Street Saint Paul MN 55101

Phone: 651-602-1000 • TTY: 651-291-0904 • Public

Information: 651-602-1140

E-mail: public.info@metc.state.mn.us

Individuals Responsible for Directing/Implementing the Affirmative Action Plan

A. Regional Administrator

Responsibilities

The Regional Administrator is responsible for providing executive leadership of the Council's diversity, equal opportunity and affirmative action programs, and compliance with all federal and state laws and regulations. The MMB Commissioner is responsible for reporting the Council and each agency's progress to the Governor and the Legislature.

Duties

The duties of the Regional Administrator include, but are not limited to:

- Recommend and submit equal opportunity, affirmative action and human resources policies, and an Affirmative Action Plan to the Council.
- Issue administrative procedures that implement Council affirmative action and equal opportunity policy. Issue a statement affirming the Council's commitment to affirmative action and equal opportunity and ensure the statement is disseminated.
- Ensure that the Council's work atmosphere and delivery of public services are free of discriminatory harassment and inappropriate behavior. Promote and incorporate equal opportunity and diversity and inclusion principles into business plans, strategic plans, and the Council's mission.
- Establish management/supervisory accountability; assess manager performance for engaging in nondiscriminatory employment practices and achieving affirmative action objectives in their work units.
- Authorize hiring in accordance with affirmative action goals and equal employment opportunity principles.
- Ensure organization-wide consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring Regional Administrator authorization; obtain Council approval when board authorization is needed. Take action, if needed, on complaints of discrimination and discriminatory harassment.
- Ensure the Affirmative Action Officer has support and sufficient staff to carry out the Affirmative Action Plan.
- Appoint Director of the Office of Equal Opportunity/Affirmative Action Officer and require the Affirmative Action Officer to report directly to the Regional Administrator. Ensure accountability for the Affirmative Action Plan is in the Affirmative Action Officer's position description.

Accountability

The Regional Administrator is accountable directly to the Metropolitan Council.

Name of individual responsible

Name: Mary Bogie

Title: Acting Regional Administrator

Email: mary.bogie@metc.state.mn.us

Phone: (651) 602-1359

B. Director of the Office of Equal Opportunity/Affirmative Action Officer

Responsibilities

Implement, direct, and manage the Council's diversity, affirmative action and equal opportunity policies and programs.

Duties

The duties of the Affirmative Action Officer include, but are not limited to:

- Develop and implement the Affirmative Action/Equal Opportunity plan, program, and statement.
- Develop and recommend equal employment opportunity and diversity policies, procedures, and trainings. Develop innovative programs to attract and retain protective group members.
- Ensure Council compliance with equal opportunity and affirmative action laws, regulations, and agency policies.
- Review the Council's equal opportunity program, affirmative action plan, and anti-discriminatory policies with all managers and supervisors to ensure understanding.
- Develop strategies, in collaboration with Human Resources and management staff, for the recruitment of women, people of color, individuals with disabilities, and veterans.
- Periodically review, in coordination with Human Resources, employment practices (e.g. hiring, promotions, training) such as the selection criteria used in the staffing process (e.g. minimum qualifications, interview questions and written tests); reasonable accommodation policies, complaint policies, performance evaluations, grievance procedures, and union agreements to ensure a nondiscriminatory process.
- Concur in the hiring and promotion process and be involved in the filling of all vacancies in the Council to the extent necessary to facilitate the attainment of affirmative action goals. This includes reviewing requests for non-affirmative, non-justified hires.
- Investigate and manage the investigation of discrimination complaints and be informed of corrective actions when discrimination complaints are substantiated.
- Facilitate resolution of conflicts relating to diversity, including informal discrimination complaints.
- Design, implement, manage, and monitor internal audit and reporting systems regarding equal opportunity and affirmative action programs and plans to measure program effectiveness and to determine where progress has been made and where further action is needed.
- Assist management in collecting and analyzing employment data, identifying problem areas and setting goals, timetables and programs to achieve these goals.
- Meet with the Regional Administrator to report on organizational and work unit performance related to the agency's affirmative action/equal opportunity goals and contractor/vendor compliance. Also, meet with Executive Management Team members and/or management/supervisory staff to report

on organizational and work unit performance related to the agency's affirmative action/equal opportunity goals and contractor/vendor compliance.

- Consult with and support all levels of management regarding issues and concerns related to diversity.
- Identify, design and provide diversity, affirmative action and equal opportunity training.
- Serve as the agency's ADA Coordinator and coordinate the ADA Title II grievance procedure. Respond to complaints about the employee reasonable accommodation procedure.
- Provide leadership to employee-based diversity committees and sub-committees and task forces, if any.
- Serve as the Council liaison to State, Federal and local governments, regulatory agencies and community organizations that serve women, people of color, persons with disabilities, and veterans.
- Recommend and help implement mechanisms for communicating the Council's Affirmative Action/Equal Opportunity Plan, policies and procedures, and progress reports.
- Audit postings of the equal opportunity and affirmative action statement to ensure compliance information is posted and up to date and that the contact information for the Affirmative Action/Equal Employment Opportunity Officer is published.
- In concert with the Legal Department, disseminate legal updates related to equal opportunity and affirmative action to the agency managers and supervisors to maintain awareness of equal opportunity laws.
- Manage the work of the Office of Equal Opportunity (OEO) staff and provide equal employment opportunity investigative training to investigative staff.
- Designee of Regional Administrator to review and decide appeals of complaint investigations relating to discriminatory reprisal.

Accountability

The Affirmative Action Officer is accountable to the Regional Administrator (Metropolitan Council Chief Executive Officer) for program impacts and for ongoing program activities and direction. The Affirmative Action Officer oversees the administration of ADA Title II, manages diversity and inclusion initiatives, and other equal opportunity related matters. In addition, the Affirmative Action Officer ensures that aggregate data and trends of complaints of illegal discrimination in hiring are provided and shared with the Human Resources Director on a quarterly basis.

Name of individual responsible

Name: Cyrenthia Jordan

Email: Cyrenthia.jordan@metc.state.mn.us

Title: Director, Office of equal Opportunity

Phone: (651) 602-1085

C. Affirmative Action Officer Designee

Responsibilities

Designee is responsible for the implementation of the Council's Affirmative Action Plan. The designee is directly accountable to the Council's Affirmative Action Officer for matters relating to affirmative action.

Duties

The duties of Affirmative Action Designee include, but are not limited to:

- Fulfill all affirmative action reporting requirements by submitting standard reports.
- Ensure dissemination of all relevant affirmative action information to appropriate staff.
- Determine the need for diversity training and recommend training.

- Review policies, procedures, and practices to recommend changes to the Affirmative Action Officer.
- Partner with the Council's recruitment teams at their work locations.
- Comply with Metropolitan Council's anti-discrimination and anti-harassment policies.

Accountability

The Affirmative Action Designee is accountable indirectly to the Regional Administrator on matters pertaining to Affirmative Action and Equal Opportunity.

Name of individual responsible

Name: Ashanti Payne

Email: Ashanti.payne@metc.state.mn.us

Title: Asst. Dir. Office of Equal Opportunity

Phone: (612) 349-7660

D. Human Resources Director/Human Resources Managers

Responsibilities

Develop, recommend and administer a human resources system that is consistent with and promotes diversity, equal opportunity and affirmative action objectives.

The Human Resource (HR) Director is responsible for the removal of barriers to equal employment opportunity with the agency. The HR Director is responsible for assisting managers and supervisors in human resources management activities.

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

Duties

The duties of HR Director include, but are not limited to:

- Develop and recommend Council human resources policies, procedures and programs that integrate diversity, equal opportunity, and affirmative action principles and objectives.
- Administer human resources programs, policies and procedures in accordance with current applicable Federal, State, and local statutes and regulations, and the Council's AAP.
- Advise managers and supervisors to ensure that personnel actions taken are consistent with equal opportunity/affirmative action principles.
- Develop and implement Human Resources Information System. Maintain data for equal employment opportunity and affirmative action reports and audits.
- Advise management staff on appropriate corrective action when discrimination complaints are substantiated through investigations.
- Collaborate with OEO to identify, develop and conduct training relating to diversity issues.
- Receive requests for employee reasonable accommodations in accordance with ADA. Lead work with appropriate personnel to approve or deny requests, or provide alternative accommodations, and maintain records.
- Assist with recruitment and retention of protected class persons and notify managers and supervisors of existing disparities.

Accountability

HR Director and staff are accountable to the Deputy Regional Administrator.

Name of individual responsible

Name: Marcy Syman

Email: marcy.syman@metc.state.mn.us

Title: Director, Human Resources

Phone: (651) 602-1417

E. Americans with Disabilities Act Title I Coordinator

Responsibilities

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

Duties:

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

- Provide guidance, coordination, and direction to Council management on the ADA. The Council develops and implements policies, procedures, and practices to ensure agency employment practices are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to Council management and staff on compliance and best practices for hiring and retaining individuals with disabilities, as well as the provision of reasonable accommodations to employees and job applicants.
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing Council services and report reasonable accommodations annually to MMB.
- Research case law rules and regulation and update HR Directors on evolving ADA issues. Meet bi-annually with ADA Coordinators and provide updates on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering specific ADA training for targeted groups.
- Submit reasonable accommodation reimbursement under the guidelines of the state-wide accommodation fund.
- Provide reasonable accommodations to qualified individuals (as defined by ADA) with known physical or mental disabilities, to enable them to compete in the selection process, perform essential functions of the job, and/or enjoy equal benefits and privileges. The ADA Coordinator, in consultation with the employee and supervisor, and other individuals involved must:
 - Discuss the purpose and essential functions of the job and complete a step-by-step job analysis;
 - Determine the precise job-related limitations;
 - Identify potential accommodations and assess the effectiveness each would have in allowing the employee to perform essential functions of the job; and
 - After discussion and review, select and implement the accommodations that are appropriate for both the employee and the employer using the Reasonable Accommodation Agreement.
- Comply with Metropolitan Council's anti-discrimination and anti-harassment policies.

Accountability:

The ADA Title I Coordinator is accountable to the Human Resources Director.

Name of individual responsible

Name: Deborah Aebi

Title: Senior Manager, HR

Name: Todd Rowley

Title: Director, Talent Mgmt HR

Email: Deborah.aebi@metc.state.mn.us

Phone: (651) 602-1319

Email: Todd.rowley@metc.state.mn.us

Phone: (651) 602-1448

F. Director of the Office of Equal Opportunity/Americans with Disabilities Act Title II Coordinator

Responsibilities

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

Duties:

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

- Provide guidance, coordination, and direction to Council management on the ADA. The Council develops and implements policies, procedures, and practices to ensure agency services and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to the Council's management and staff on compliance and best practices with regards and obligations to members of the public with disabilities, as well as the provision of reasonable modifications for visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing Council services.
- Research case law rules and regulation and update Executive team on evolving ADA issues.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering training for employees assisting ADA modifications for the public.
- Provide reasonable modifications to members of the public (as defined by ADA) with known physical or mental disabilities to ensure equal access and privileges to programming and services. The ADA Title II Coordinator will consult with the member of the public in need of a modification and:
 - Discuss the purpose and essential functions of the reasonable modification.
 - Identify the potential modifications and assess the effectiveness of each request.
 - After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the agency.
 - Document this review and report in the State ADA Annual Report.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability:

The ADA Title II Coordinator is accountable to the Regional Administrator.

Name of individual(s) responsible

Name: Cyrenthia Jordan

Title: Director, Office of Equal Opportunity

Email: Cyrenthia.jordan@metc.state.mn.us

Phone: (651) 602-1085

G. ADA Title II Coordinator Designee

Responsibilities

Designee is responsible for the implementation of the Council’s Americans with Disabilities Act (ADA) Title II responsibilities. The designee is directly responsible to the Council’s ADA Title II Coordinator for matters relating to ADA Title II.

Duties

The duties of ADA Title II Designee include, but are not limited to:

- Fulfill all ADA Title II reporting requirements by submitting standard reports.
- Provide training, technical guidance, and consultation to Council staff on compliance and best practices with regards and obligations to members of the public with disabilities, as well as the provision of reasonable modifications for visitors.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Determine the need for ADA Title II training and recommend training.
- Review policies, procedures, and practices to recommend changes to the ADA Title II Coordinator.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The ADA Title II Designee is accountable indirectly to the Council’s Affirmative Action Officer for matters relating to ADA Title II.

Name of individual responsible

Name: Guthrie Byard

Email: Guthrie.byard@metc.state.mn.us

Title: ADA Title II Administrator

Phone: (612) 349-7762

H. Senior Managers and Supervisory Staff

Responsibilities

Manage work unit in accord with diversity, equal opportunity and affirmative action policies and plan and the agency’s commitment to affirmative action and equal opportunity.

Duties

The duties of executive team leaders, general managers, senior managers, managers, and supervisory staff include, but are not limited to:

- Actively support the Council in developing, implementing and achieving its affirmative action/equal opportunity goals, and encourage employee participation to support the advancement of the equal employment opportunity program.
- As needed, review the qualifications of all unit employees to assure that persons of color, women, people with disabilities and veterans are given full opportunities in all terms and conditions of employment, e.g. transfers, promotion and training.
- Ensure all unit employees have access to career counseling and career development opportunities.
- Take prompt and appropriate action upon learning of an employee’s possible violation of the agency’s Discrimination, Harassment, and Inappropriate Behavior Policy in accordance with agency procedures.
- Cooperate in Discrimination, Harassment, and Inappropriate Behavior investigations or resolutions and take remedial actions as needed to address the behavior identified in the complaint.
- Address conflicts related to diversity issues including initiating and participating in the informal complaint process.

- Partner with HR to facilitate interactive process for workplace adjustments and reasonable accommodations.
- Understand your role in and follow the Council's policy on inclusion of disadvantaged businesses in all purchasing and contracting efforts.
- Actively participate in the Council's periodic audits regarding employment practices to identify and remove barriers obstructing achievement of specified goals and objectives and ensure ADA compliance and display of EEO poster and agency diversity policies and procedures.
- Assist OEO and senior management staff in identifying agency and work unit problem areas, establishing agency and work unit goals and objectives, and maintain and update the personnel database for generating reports required for nondiscrimination program.
- Participate in regular meetings with other managers, supervisors, affinity groups, and employees to assure that the agency's diversity policies and procedures are communicated and being followed.
- Assist OEO Director in developing and implementing equity and diversity training.

Accountability

Senior managers and supervisory staff are accountable directly to Council General Managers, Division Directors, Deputy Regional Administrator, and Regional Administrator.

I. All Employees

Responsibilities

All employees are responsible for conducting themselves in accordance with the Metropolitan Council's policies on equal employment opportunity, affirmative action, discrimination, harassment, inappropriate behavior and respectful workplace. This includes refraining from any actions that would subject any employee to negative treatment on the basis of race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance, membership or activity in a local human rights commission, religion, political opinions, or affiliations. Employees who believe they have been subjected to such discrimination or harassment are encouraged to use the Council's complaint procedure.

Duties:

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

- Exhibit an attitude of respect, courtesy, and cooperation toward colleagues and the public.
- Refrain from any actions that would adversely affect a colleague on the basis of their race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance, membership or activity in a local human rights commission, religion, political opinions, or affiliations.
- Comply with Metropolitan Council's anti-discrimination and anti-harassment policies.
- Apply the principles of equal opportunity and diversity in their day-to-day work and work environment.

Accountability:

Employees are accountable to their designated management/supervisory staff. All employees are responsible for conducting themselves in accordance with the Affirmative Action Plan.

Communication of the Affirmative Action Plan

The Council's Office of Equal Opportunity is responsible communication and dissemination of the Affirmative Action Plan. The following information describes the methods that the Office of Equal Opportunity takes to communicate the Affirmative Action Plan to employees and the general public:

Internal Methods of Communication

- **Internal memorandum.** The Regional Administrator will sign the Policy Statement endorsing the AAP and provide written communications regarding the EEO program and implementation. This message identifies the location of the Affirmative Action Plan and the employee's responsibility to read and understand it. It also indicates the employee's responsibility to support and implement equal opportunity and affirmative action.
- The Director of the Office of Equal Opportunity will provide a copy of the full plan and will meet with the Executive Management Team to discuss the plan and implementation at least semi-annually.
- The Council Division Directors and General Managers will review the plan with their respective senior managers.
- Managers and supervisors will be responsible for providing opportunities for employees to review the plan.
- Managers, supervisors, and employees will receive periodic EEO training which will include how to handle alleged acts of discrimination in the workplace and the complaint process.
- Office of Equal Opportunity will meet with employees and affinity groups to seek input on program implementation.
- Office of Equal Opportunity conducts equal opportunity/affirmative action training for new managers and supervisors after their hire, promotion, or appointment.
- **Intranet.** A copy of the AAP, which includes the Policy Statement, will be posted on the Council's MetNet Office of Equal Opportunity webpage <https://metcmn.sharepoint.com/sites/OfficeOfEqualOpportunity/Pages/Affirmative-Action-.aspx>
- As requested, the Council will make the plan available in alternative formats.
- **Printed copy.** Copies of the AAP will be available to all employees from the Office of Equal Opportunity, their manager, and the Council Library located at 390 N Robert Street, St. Paul, MN 55101.
- **Signage.** The Policy Statement and EEO materials will be posted on bulletin boards, manuals, reports, in breakrooms, in personnel and operations manual, employee handbooks, and in employee orientation materials.

External Methods of Communication

- **Public website.** A copy of the AAP, which includes the Policy Statement, will be posted on the Council's website: <https://metro council.org/About-Us/What-We-Do/Office-of-Equal-Opportunity.aspx> . Printed copies are available to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- **Equal opportunity employer language.** The agency's website homepage, letterhead, publications, and all job postings include the statement "The Metropolitan Council is an equal opportunity employer." The Council will also ensure a representative ratio of diversity is on all marketing materials.
- **Signage.** Nondiscrimination and equal opportunity statements and posters are prominently displayed in common public areas. Examples of posters displayed include: Equal Employment Opportunity is

the law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.

- A physical copy of the Agency's Affirmative Action Plan is available to contractors, vendors, and members of the public at the following address:

390 N Robert Street, St. Paul, MN 55101

Job Category Analysis

The Council conducted a Job Category Analysis to determine the percent of protected group employees in each job category. The job category analysis lists job class titles in each Equal Employment Opportunity (EEO) job category at the agency. A job classification is a group of one or more positions with similar duties and responsibilities. These classifications help clarify positions within the class so the same schedules of pay can be applied with equity to all positions in the class that fall under the same, or substantially the same, employment conditions. The Job Category Analysis used in this Plan is consistent with the template provided by Minnesota Management and Budget (MMB) and Plans submitted by other agencies.

Determining Availability

For purposes of this Affirmative Action Plan, "availability" means an estimated percentage of qualified females, people of colorⁱ, or individuals with disabilities in the relevant labor market who are available for positions in each job category at an agency.

The Council used the United States Census Bureau's 2014-2018 American Community Survey, which is the most current statistical information available at the time of developing this Affirmative Action Plan.

The Council used the American Community Survey statistical data for external availability and feeder job statistics of employees for internal availability. For affirmative action purposes, "feeder job" means staffed positions within the agency that can be promoted and/or transferred into/within EEO job categories (refer to Appendix D. Feeder Jobs for details).

These external and internal factors are weighted according to the agency's past hiring patterns and/or future recruitment focus to obtain the final availability (Refer to Appendix D. Feeder Jobs and Appendix E. Determining Availability for details).

Utilization/Availability Analysis, Establishment of Goals, and Timetables

Utilization is an analysis of affirmative action and equal opportunity employment data used to assess the available workforce for a given state. As explained in the previous section, “availability” means an estimated percentage of qualified females, people of color, or individuals with disabilities in the relevant labor market who are available for positions in each job category at a state agency.

Through the utilization and availability analysis, the Council has determined which job categories are underutilized for females, people of color, and individuals with disabilities in the agency and has set hiring goals for the next two years. Hiring goals are objective and used for making good faith efforts for all aspects of the affirmative action program. Effective hiring goals are strategic, actionable, and measurable efforts the Council is committed to pursuing and implementing in 2020-2022.

The goals are not quotas, nor do they require protected group status-based hiring preferences. They are aspirational goals so that the Council makes good faith efforts to remove barriers to equal employment opportunity.

The Council used the whole person rule to establish a hiring goal. This means when the actual representation percentage of females, people of color, or individuals with disabilities is less than reasonably would be expected given the workforce participation in the labor market area, and that difference is at least one whole person (more than 1), then a goal is established for that job category.

When a hiring goal for a job category is established, a percentage goal equal to the final availability percentage is calculated for females, people of color, and individuals with disabilities in that job category.

In **Table 2. Hiring Goals by Job Category and Protected Group**, if a protected group in a job category shows “Monitor,” the Council will proactively make good faith efforts to recruit external qualified protected groups. The Council will also train and retain employees in the job category to help prevent underutilization due to an employee move or attrition.

Refer to Appendix F. Utilization-Goals for details for underutilization and hiring goals.

Table 2. Hiring Goals by Job Category and Protected Group is a summary of hiring goals by job category and protected group. The actions the agency will take to address these hiring goals will be described in [Corrective Actions and Action-Oriented Programs](#) section.

Table 2. Hiring Goals by Job Category and Protected Group

Job Categories	Females Establish Goals?	Females If Yes, Goals for FY 2020-2022	People of Color Establish Goals?	People of Color If Yes, Goals for FY 2020-2022	Individuals with Disabilities Establish Goals?	Individuals with Disabilities If Yes, Goals for FY 2020-2022
Officials/Administrators	Yes	38.14%	N/A	N/A	Yes	5.03%
Professionals	Yes	52.47%	N/A	N/A	Yes	6.48%

Job Categories	Females Establish Goals?	Females If Yes, Goals for FY 2020-2022	People of Color Establish Goals?	People of Color If Yes, Goals for FY 2020-2022	Individuals with Disabilities Establish Goals?	Individuals with Disabilities If Yes, Goals for FY 2020-2022
Technicians	Yes	54.68%	N/A	N/A	Yes	6.89%
Protective Services: Sworn	Yes	24.15%	N/A	N/A	Yes	6.54%
Para-Professionals	Yes	77.77%	Monitor	N/A	Monitor	N/A
Office/Clerical	Yes	58.61%	N/A	N/A	Yes	6.60%
Skilled Craft	Yes	15.21%	Yes	31.18%	Yes	6.22%
Service Maintenance	Yes	39.63%	N/A	N/A	Yes	6.89%

Progress and Personnel Activity Reports

The progress report examines hiring goals established in the prior Affirmative Action Plan. As a part of the Council's monitoring practices, the Council evaluated if it met the hiring goals established in the prior Affirmative Action Plan (refer to **Appendix A. Progress Report**)

Separation results were evaluated to identify potential action areas to establish retention strategies for the 2020-2022 plan year (refer to **Appendix B. Separation Analysis**).

Identification of Areas for Further Monitoring

Monitoring personnel activity helps the Council monitor progress in meeting hiring goals. Data from the previous plan period can help indicate when changes to program efforts are appropriate.

Workforce Snapshot

In **Appendix F. the Utilization Goals worksheet** indicates if a job category by protected group is underutilized.

Area(s) in the Council's workforce that require further monitoring appear in the "Establish Goals?" column as:

- “Yes”: there is underutilization.
- “Monitor”: The Council needs to monitor the job it may be underutilized where employee movement occurs.

[Corrective Actions and Action-Oriented Programs](#) will be followed to address the identified placement goal(s).

Personnel Activities

Progress Reports

Appendix A. Progress Report includes only job categories that have hiring goal(s) established in the prior Affirmative Action Plan and it evaluates if the Council attained the hiring goal(s).

Where the indication of the “Goal Met?” column is:

- “Yes”: the Council met the goal established in the prior Affirmative Action Plan.
- “No”: the Council did not attain the goal established in the prior Affirmative Action Plan.
- “No Hire/Prom”: there were no opportunities in the prior Affirmative Action Plan period.

[Corrective Actions and Action-Oriented Programs](#) will be followed to address the identified area(s) to monitor/focus.

Separations

Appendix B. Separation Analysis shows the results by separation type and the protected group during the prior Affirmative Action Plan period. The separation percentages were derived within the separation type by protected group to identify impact on protected group members. There are two examinations in this worksheet:

1. The total percentage indicates the percentage by separation type. For example, if there were 15 separations in total and of those separations, 10 employees separated due to dismissal or non-certification, then the dismissal or non-certification percentage is 66.67% (10 divided by 15).
2. The “percentage type¹” indicates percentages by protected group within a separation type. For example, if there were 10 separations by dismissal or non-certification in total and of those separations, eight were female employees, then the female dismissal or non-certification separation is 80.00% (8 divided by 10).

[Corrective Actions and Action-Oriented Programs](#) will be followed to address the identified area(s) to monitor/focus.

Corrective Actions and Action-Oriented Programs

The Metropolitan Council’s Affirmative Action Program is designed to implement the provisions of this Affirmative Action Plan and meet requirements found in Minnesota Statutes, section 473.143. These Action-Oriented Programs are carried out throughout this Affirmative Action Plan period.

Corrective Actions

This section identifies ways the Council will eliminate barriers, provide corrective actions, and make good faith efforts toward the affirmative action goals for underutilized protected groups (broken down by specific job categories).

The agency developed the below action-oriented programs specific to the job category/protected group(s) identified in the [“Identification of Areas for Further Monitoring”](#) section supported by the [“Utilization/Availability Analysis, Establishment of Statement of Goals, and Timetable”](#) and [“Personnel Activities”](#) sections.

Table 3. Areas of Further Monitoring and Corrective Actions

Areas for Further Monitoring	Corrective Actions
Officials/Managers <ul style="list-style-type: none"> • <i>Females are underutilized.</i> • <i>Individuals with disabilities are underutilized.</i> • <i>Lower promotional rate into this job category for females and individuals with disabilities, which contributes to the underutilization for these protected groups.</i> 	<ul style="list-style-type: none"> • <i>By December 31, 2020, partner with women and individuals with disabilities community organizations to establish relationships to develop talent pipelines to positions in this job category. Evaluate the success of these activities at the end of this plan year.</i> • <i>By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills.</i> • <i>By June 30, 2021, develop an awareness or training strategy for females and individuals with disabilities in the officials/managers job category to prepare for promotional opportunities.</i>
Professionals <ul style="list-style-type: none"> • <i>Females are underutilized.</i> • <i>Individuals with disabilities are underutilized.</i> 	<ul style="list-style-type: none"> • <i>By December 30, 2020 review agency exit survey data and conduct an analysis. Develop a plan to address any significant issues.</i> • <i>By December 30, 2020 refine and implement the framework and guidelines for Council-wide Employee Resource Groups.</i> • <i>By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills.</i> • <i>By June 30, 2021, provide workshops on career ladders and enhance Mentoring Works program to mentor and support career development.</i>
Technicians <ul style="list-style-type: none"> • <i>Females are underutilized.</i> • <i>Individuals with disabilities are underutilized.</i> 	<ul style="list-style-type: none"> • <i>By December 30, 2020, partner with women and individuals with disabilities community organizations and trade associations to establish relationships to develop talent pipelines to positions in this job category. Evaluate the success of these activities at the end of this plan year.</i> • <i>By December 30, 2020 refine and implement the framework and guidelines for Council-wide Employee Resource Groups.</i> • <i>By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills.</i>

Areas for Further Monitoring	Corrective Actions
<p>Protective Services: Sworn</p> <ul style="list-style-type: none"> • Females are underutilized. • Individuals with disabilities are underutilized. 	<ul style="list-style-type: none"> • By December 31, 2020, partner with women and individuals with disabilities community organizations to establish relationships to develop talent pipelines to positions in this job category. Evaluate the success of these activities at the end of this plan year. • By February 28, 2021 establish a process and encourage current protected group employees to provide referrals from their respective communities. • By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills. • By April 30, 2021 adopt a policy and program that supports hiring of people with disabilities.
<p>Para-Professionals</p> <ul style="list-style-type: none"> • Females are underutilized. • The Council needs to “monitor” people of color because underutilization may occur by some employee movement. • The Council needs to “monitor” individuals with disabilities because underutilization may occur by some employee movement. 	<ul style="list-style-type: none"> • By November 30, 2020 strengthen targeted recruitment by focusing on diversity specific recruitment sites, focus referral relationships, to support HR in outreach and recruitment efforts. • By December 30, 2020 refine and implement the framework and guidelines for Council-wide Employee Resource Groups. • By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills. • By June 30, 2021, provide workshops on career ladders and enhance Mentoring Works program to mentor and support career development.
<p>Administrative Support</p> <ul style="list-style-type: none"> • Females are underutilized. • Individuals with disabilities are underutilized. 	<ul style="list-style-type: none"> • By December 30, 2020 refine and implement the framework and guidelines for Council-wide Employee Resource Groups. • By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills. • By June 30, 2021, provide workshops on career ladders and enhance Mentoring Works program to mentor and support career development.

Areas for Further Monitoring	Corrective Actions
Skilled Craft <ul style="list-style-type: none"> • Females are underutilized. • People of color are underutilized. • Individuals with disabilities are underutilized. 	<ul style="list-style-type: none"> • By December 30, 2020 partner with community organizations, trade, associations, and training organizations that provide diverse candidates for current Council skilled craft training programs. • By December 30, 2020 refine and implement the framework and guidelines for Council-wide Employee Resource Groups. • By December 30, 2020 review agency exit survey data for protected groups and conduct an analysis. Develop a plan to address any significant issues. • By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills.
Service Maintenance <ul style="list-style-type: none"> • Females are underutilized. • Individuals with disabilities are underutilized. • Low number of female qualified applicants resulted in low rate of female hires. • Data shows people of color professionals disproportionately leave voluntarily by resignation. 	<p><i>This job category consists of entry-level physical jobs.</i></p> <ul style="list-style-type: none"> • By October 31, 2020, contact local vocational schools, women trade associations, Department of Employment and Economic Development (DEED), and training centers to increase recruitment efforts. • By December 30, 2020 and ongoing, plan to review job descriptions, especially minimum qualifications, to identify any words/descriptions that screen out females. • By December 30, 2020 review agency exit survey data for people of color and conduct an analysis. Develop a plan to address any significant issues. • By February 28, 2021 develop and implement manager and supervisor training to help managers increase their inclusion and equity-related leadership skills.

Other Action-Oriented Programs

This section provides an overview of the Council's enterprise-wide efforts and actions to ensure equal employment opportunity. This plan supports the Council's policy of providing a work atmosphere and delivering public services in a manner that is inclusive and free of discrimination, harassment and inappropriate behavior. The Council's ability to fulfill its mission hinges on the competency, motivation and commitment of staff who work in the organization to achieve equitable outcomes. As a service organization, our people drive all functions of the organization.

All Council staff must be equipped with educational and training credentials, experience, personal skills, and values to work in their assigned capacity so cooperation, creativity, and the opportunity to contribute are enhanced. As an organization, the Council respects everyone's ability to contribute. By creating a culture with respect for those with whom we work and interact, where learning is reinforced and values shared, we believe that feelings of personal and professional fulfillment and job security are enhanced.

The Council has reviewed barriers to hiring during the previous plan period and identified recruitment strategies, selection processes, and training to address underutilization for this plan year.

Barriers

The agency has constraints to address underutilization and areas for monitoring identified in the previous section.

- Impacts of COVID-19 has forced a reduction of services relative to rail and bus operations and caused further budgetary constraints.
- COVID-19 has limited the Council's ability to conduct direct recruitment activities.
- Limited number of anticipated hires which is largely based on budget limitations for rail and bus operations.
- Limited number of positions and opportunities to hire in the paraprofessional category.
- Reluctance of individuals to self-identify that they have a disability. This reluctance is based on many different factors.
- Employee awareness of access and process to participate in learning and development opportunities varies.
- Census data limitation of regional availability in the workforce.

Recruitment Strategies

The Office of Human Resources coordinates all recruitment efforts. HR Talent Acquisition Specialists work with hiring managers throughout the recruitment process. The Council believes that competent, qualified staff, who reflect a strong work ethic and desire to contribute to our mission, are critical to our success. Recruitment efforts are implemented both internally (through job transfer and promotion), as well as, externally (through the hiring of staff new to the organization).

These efforts are carried out in accordance with Council administrative policies, procedures, and workforce equity goals.

An affirmative, proactive recruitment strategy will be developed for each externally recruited job opening and increase the number of qualified females, people of color, and individuals with disabilities in the applicant pool:

OUTREACH

In 2019, the Council attended 49 job fairs and tabling events, including 12 events with a focus on diverse or veteran populations and reached about 1234 job seekers. In 2020, HR has participated in in-person and virtual job fairs and tabling events having reached 860 job seekers to-date.

Since March of 2020 the Metropolitan Council's Talent Management has explored and participated in external Career Fairs. Prior to Covid-19 the Council participated in various in person career fairs. As the landscape for reaching out to a wide diverse population changes the Council's Talent Management department has taken intentional steps to adapt and adopt our recruitment and outreach through virtual careers and informational sessions. These virtual fairs are in partnership with professional associations community organizations and diverse organizations that focus their work with communities of color. HR department has committed to participating and exploring 12 additional virtual career fairs through the end of October 2020. The HR Job fair Committee comprised of HR Talent Management and Workforce Development meets bi-weekly to review discuss opportunities, invitations and recommendations on virtual career fairs for recruitment and outreach efforts.

OEO staff, HR staff, and other Council program staff will continue to partner in representing the Council at community and cultural events for visibility and awareness of Council programs and services and

employment opportunities. Managers and program staff will encourage staff that have not had exposure to these communities to accompany them to these events.

OEO and HR will work collaboratively to engage community-based organizations and other recruitment sources capable of referring protected group applicants by providing technical assistance and resources that will assist case managers and employment advocates understand and navigate the Council's employment processes. OEO and HR will develop and coordinate virtual recruitment activities that intentionally target underutilized protected groups.

OEO staff, HR staff, and Council managers and supervisors may also engage in other affirmative recruitment strategies at the local, regional, or national level to attract candidates from under-represented, protected groups. The Council will continue to strengthen and conduct recruitment and awareness efforts for a vibrant organizational workforce that reflects the communities we serve.

ADVERTISING

HR Department will work with Communications and Information Services to periodically review and our web page in listing our career opportunities and promoting the Council as an employer of choice.

Job openings will include the job title, brief job description, essential qualifications, starting salary or salary range, application deadline, and instructions on how to apply. All job openings include the statements, *"We are committed to supporting a diverse workforce that reflects the communities we serve."*; and, *"The Metropolitan Council is an Equal Opportunity Employer of People of Color, Females, Protected Veterans, and Individuals with Disabilities."* HR will review and refine inclusionary language in the job postings.

HR will maintain a list of recruitment sources capable of referring protected group applicants. When a job opening is announced a notice will be posted to those recruitment sources that have been identified as providing the most qualified and diverse applicant pool by HR. Job openings will be advertised in media with large audiences among protected classes. Notices of job openings will be posted for the appropriate number of days per labor contract to encourage employees to apply for positions for which they meet the essential qualifications. All job postings are also listed on the Council's website. The Council utilizes MMB's state recruitment officer for advertisement and recruitment assistance for leadership level positions.

The Council sends postings to DEED's CareerForce Centers for driving, maintenance, mechanical and trades positions. HR also presents at various center sites for information about hiring veteran groups. The CareerForce Centers hold in-house Employer of the Day events, that we attend.

In addition to posting all specific job openings in the major Twin Cities and area diversity job boards, the Council will invest additional resources to include advertisements with local, regional and national organizations, for targeted recruitment to expand the applicant pool of qualified, underutilized, protected groups. The efforts for the Council will complement the internal development of opportunities for employees.

INTERNSHIPS

The Council shall act intentionally to recruit and employ students through internships, Urban Scholars, and high school programs (ex. Right Track, Step Up) who are women, people of color, and persons with disabilities

into Council internships to provide protected group students the opportunity to gain skills that will help qualify them for possible future employment with the Council. Each internship opportunity will have a minimum of three components of: 1) core subject matter experience; 2) professional and personal development; and 3) constructive evaluation for career growth.

WORKFORCE DEVELOPMENT

The Metropolitan Council's Workforce Development Department (WFD) provides programming solutions designed to create pathways into select Council positions. Programming efforts are concentrated on Metropolitan Council job classifications that do not currently have representative gender and ethnic diversity. WFD develops tailored programming that result in an increase of diverse hires and workforce. These efforts create structured pathways for individuals to obtain required skills or credentials. For instance, a classification such as vehicle mechanics may have a limited pool of external credentialed diverse applicants. WFD develops multi-year pathways that provide on the job learning and academic pursuits. For positions that have not historically attracted females, such as Commercial Driver License positions, WFD provides preparatory training and support to increase success rates.

RECRUITMENT SOURCE EFFECTIVENESS

The Office of Equal Opportunity will meet with the Office of Human Resources on a semi-annual basis to review and analyze the effectiveness of the recruitment source list.

HR will evaluate data about candidate referral sources and assess the number of applicants referred and the number of applicants hired.

The OEO, HR and the hiring manager will jointly develop a unique proactive recruitment strategy for specific jobs for which attracting protected group candidates has been unsuccessful. HR, OEO, and the hiring manager will determine the need for this more extensive advertisement on a case-by-case basis.

Retention

The Council is committed to the retention of all employees, including members of the following protected class groups: women, people of color, and individuals with disabilities. The Council will affirmatively ensure equal employment opportunity by retaining a diverse workforce of talented and qualified employees, with emphasis on under-represented individuals. To be successful, the responsibility of retention efforts lies with all employees. The Council's retention strategy is a multi-faceted approach, guided by management, Human Resources, and OEO.

INTERNAL

The Council has ongoing efforts for retention of employees. HR has a Career Center for Council employees to meet with an HR Career Advisor whose role is to support staff to: learn about jobs, set career goals, explore different jobs and career goals at the Council, gather tips for how to apply, understand the recruiting process and potential barriers, practice interviews, explore leadership skills, and connect with other professionals.

HR in partnership with the Council's Environmental Services Division hosted an internal informational session for a Managerial position. This was different from the external career fair as the focus in this session was internal for the Council's employees. This session was geared toward promoting and supporting our Council's

diverse employee base. The Council will duplicate these efforts council-wide to increase visibility and awareness of opportunities for employees.

TRAINING

Training is open to all employees. Employees can take on-line courses on or off site. HR's Learning Organizational Development (LOD) staff members serve as internal consultants in creating customized solutions for a wide variety of business challenges. LOD believes people learn in all kinds of ways and provide support for on-the-job learning and self-directed learning as well as classroom instruction. Some of the training delivery methods used to engage a wide variety of learning styles include:

- Job aids;
- Structured on-the-job training;
- Web-based training; and
- Instructor-led, classroom training.

LOD's open-enrollment calendar of events includes:

Management and Leadership Development

Provides core courses and create a variety of learning opportunities that help build managerial and leadership skill and effectiveness.

Professional Skill Development

Provides a broad base of development opportunities for all employees to:

- Maintain professional skills and build new competencies that support organization goals
- Build computer expertise and support computer upgrades through varied learning options

Diversity Management Training

LEADERSHIP FORUM

A mandatory training designed to assist our managers and supervisors to build their management skills, increase their inclusion and equity-related leadership skills to work more effectively with diverse employees and communities. The Leadership Forum is transitioning to an annual training.

Objective:

1. Transition managers and supervisors from being reactive to proactive;
2. Refresh policies and procedures with managers and supervisors;
3. Open discussion on topics such as racism, ableism, and equity;
4. To ensure the Council is hiring, retaining and promoting employees as prescribed in our state and federal AA Plans.

LOD and the Office of Equal Opportunity develop the curriculum and use knowledgeable internal staff as well as external presenters to deliver the content and conduct support services in developing an action plan to embed learning. Executive division leaders designate staff to engage in a subsequent workshop for collaborative planning to activate action items within workplans for organizational impact and outcomes.

Additionally, the council will conduct the following training related activities designed to promote the retention of females, people of color, and individuals with disabilities and build a culture where all employees feel welcome and empowered to contribute their best:

- *Implement Racial Equity Training to grow understanding, acceptance, and inclusion of employees of various backgrounds.*
- *Develop and implement Digital Accessibility Training to grow understanding, skills and ability in providing access to all individuals.*
- *Announce training opportunities to all employees.*
- *Provide unconscious bias training to all employees.*
- *Ensure all new hires receive inclusive workplace e-learning training.*

Proactively, the Council will take the following actions to improve retention of females, people of color, and individuals with disabilities:

- Evaluate and access the selection process for promotion and transfer opportunities.
- HR will conduct virtual webinars for employees to receive information and ask questions about the areas of Recruitment and Selection, Promotion, Training and Development Opportunities, and Employee Retention.
- Conduct exit interviews, analyze the data, and address identified concerns.
- Create an inclusive workplace by providing frequent training and modeling appropriate workplace behavior.
- Require racial equity and equity training curriculum for hiring managers and key decision makers in all employment processes (recruitment, employment, promotion, layoffs, termination and training opportunities).
- Encourage all new hires to receive applicable trainings for their career development.
- Provide professional development plans and communicate to employees' leadership ladder/succession planning.
- Refine, implement, promote and encourage employee participation in Employee Resource Groups.

Persons Responsible:

- **Director, Office of Equal Opportunity**
- **Director, Human Resources**

Methods of Auditing, Evaluating, and Reporting Program Success

Pre-Employment Review Procedure

SELECTION PROCESS

The hiring process begins when the hiring manager initiates a business case form for approval of a personnel requisition for a job opening. All applicants for employment must complete an application through NeoGov. The application provides information required to evaluate the potential match in skills and work history. An application secures authorization to check references, an applicant's background, and credentials. Employees who meet minimum qualifications and pass prescribed tests, where applicable, and who compete

for promotion and transfer opportunities are interviewed. OEO will review the applicant pool and recruitment plan, if any, prior to release of the pool to the hiring manager.

The hiring manager will conduct a Subject Matter Expert (SME) review of the applicants. When an extremely high number of applicants apply for a job opening where a single or relatively few positions are to be filled, the HR Department will establish an interview cutoff score based on objective criteria.

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

The interview process results in a recommendation for hire. HR and hiring managers document hiring decisions and OEO reviews documentation for bias. OEO concurs all hires in job categories that indicate an affirmative action need. If the need is not met, OEO requests justification for the missed opportunity. After concurrence, reference checks, medical clearance, salary determination, orientation schedule, and start date must be finalized. HR representatives will communicate this information to the applicant. The HR Department will also notify those applicants who did not receive an interview opportunity and those who were interviewed but not hired of their status. This notification will include an invitation to continue expressing an interest in employment opportunities with the Council and an expression of appreciation for already having done so.

All applicants may contact the HR's Career Advisor with questions about their application status and may request a meeting, upon notice of non-selection, to review their individual application/candidate determination.

Schedule for Review of Job Requirements: The Human Resources staff will regularly review all physical and mental job requirements to ensure that these requirements do not tend to screen out qualified individuals with disabilities. Staff will determine whether these requirements are job-related and are consistent with business necessity and the safe performance of the job and will remove any physical or mental requirements that do not meet these criteria. Any job descriptions or requirements changed after review will be available in an updated class specification available to hiring and supervising managers on the Council's NeoGov site.

Pre-Employment Medical Examination: If the Council requires medical examinations or inquiries as a part of our selection process, all exams or inquiries will be conducted after a conditional offer of employment. Only job-related medical examinations and inquiries will be conducted, and the results of these examinations or inquiries will not be used to screen out qualified individuals with disabilities. Information obtained in response to such inquiries or examinations will be kept confidential except that: (a) Office of Equal Opportunity, Occupational Health, and officials of state or federal agencies investigating compliance will be informed if they request such information; and (b) supervisors and managers may be informed regarding restrictions on the work or duties of individuals with disabilities and regarding accommodations.

ACCOMMODATIONS TO PHYSICAL AND MENTAL LIMITATIONS OF EMPLOYEES

The Council will make reasonable accommodations and workplace adjustments to the physical and mental limitations of an employee or applicant unless such an accommodation or adjustment would impose an undue hardship on the conduct of the business of the Council.

The Council will take the following actions to improve the selection process that will provide opportunity to remedy underutilization of females, people of color, and individuals with disabilities:

- The Council will evaluate its selection process to determine if its requirements unnecessarily screen out a disproportionate number of females, people of color, or individuals with disabilities.
- Office of Equal Opportunity will review the applicant pool before release of applicants to the hiring manager. Office of Equal Opportunity will receive confirmation from HR that personnel identified for the interview panel have received training.
- Personnel involved in the recruitment, screening, selection, promotion, disciplinary and related processes will be trained to ensure that there is a commitment to equal opportunity, inclusion, and the affirmative action program and its implementation.
- The Council will monitor the Hiring Process to include every hire and track the number of females, people of color, and individuals with disabilities in each stage of the selection process.
- Directors, managers, and supervisors will work closely with Human Resources in reviewing the requirements for an open position, posting the position, and interviewing and selection to ensure that equal opportunity and affirmative action are carried out.
- Directors, managers, and supervisors must document their hiring decisions and equal opportunity professionals will review for bias in the concur to hire process.

Persons Responsible:

- Director, Human Resources
- Director, Office of Equal Opportunity

Pre-Review Procedure for Layoff Decisions

Adverse impact analyses are conducted to ensure that females, people of color, and individuals with disabilities do not leave the Council at rates substantially dissimilar to those of men, non-persons of color, and employees without disabilities.

If it is determined that there is a disparate impact on protected groups, the Council 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 Council will determine if other alternatives are available to minimize the disparate impact on protected groups.

Other Methods of Program Evaluation

The Director of Equal Opportunity will meet with the Metropolitan Council's Executive Management Team semi-annually and with the Regional Administrator at least semi-annually to review progress made toward meeting our affirmative action goals as well as identifying any problem areas that require additional agency attention. The Director of Equal Opportunity will have monthly check-ins with the Regional Administrator to discuss discrimination complaints and results. In addition, the Office of Equal Opportunity communicates with management regarding hiring goals. The Office of Equal Opportunity reviews with Human Resources the hiring and selection practices and any adverse impact, including but not limited to promotions, disparate impact related to granting service credits, pay equity, and review of new job postings.

Data and information will be collected and maintained for periodic evaluation of the results of the Affirmative Action/Equal Opportunity Plan. The data will be used for internal and external reports on the agency's progress.

SEPERATIONS

To advance the utilization of employees the Council will analyze and review separation data for disparate impact on protected group employees. This includes reviewing voluntary terminations, involuntary terminations, retirements, deaths and layoffs. The appendix will include a separation report broken down by job category. The date range for Council separations for this report is 7/1/2018 – 6/30/2020.

WOMEN

Women represented approximately 25.3% of the Council's workforce. There was a total of 1177 separations during the reporting period. Women accounted for 31.6% of all separations (includes retirement). This is higher than the total workforce representation.

PEOPLE OF COLOR

People of Color represented approximately 35.4% of the Council's workforce. There was a total of 1177 separations during the reporting period. People of color accounted for 42.1% of all separations. This is higher than the total workforce representation.

INDIVIDUALS WITH DISABILITES

Individuals with disabilities represent approximately 2.4% of the Council's workforce. There was a total of 1177 separations during the reporting period. Individuals with disabilities accounted for 2.0% of all separations.

The Council will also evaluate the Affirmative Action Plan in the following ways:

Responsibility	Report	Timing
OEO	Federal EEO-4: Provide comprehensive break-down of the Council's workforce composition and salary.	Biennial
OEO	Utilization Report: Provides complete breakdown of the Council employees by federal job Category, job classification, and protected group status. Data is tallied and summarized.	Quarterly
OEO HR	Affirmative Action Scorecard/Dashboard: <ul style="list-style-type: none">• Provide demographics of hires on jobs with affirmative action needs. Provide enterprise-wide percent of goals met and missed.• Statistical analysis on the percentage of women and people of color employees for all Council Divisions, Departments, and Units.• Disciplinary Actions - Provide statistical data on suspensions, demotions, and other disciplinary actions.• Transfer and Promotion - Provide statistical data on transfers and promotions.• Termination - Provide statistical data on termination.	Quarterly
HR	Applicant Flow: Statistical count of applicants by race, sex and disability.	Monthly

HR	Interview Report: Provide statistical data on people of color, females, and individuals with disabilities interviewed for hire or promotion.	Quarterly
OEO	Complaint Monitoring: Provide statistical data on number and nature of protected class internal complaints, as well as, external charges filed with enforcement agencies.	Quarterly
HR	Union Contracts: Provide update on union contracts up for negotiation.	Annual
HR	Engagement survey of agency workforce to determine employee experience with workforce culture, policies, and practices.	Annual
OEO HR Communications	Review the accessibility of online systems and websites; and ensure that reasonable accommodations for employment, programs and services can be easily requested.	Annual
OEO Metro Transit	Receive customer complaints on protected class basis and report total of race, color, and national origin concerns on the Title VI Plan update.	Quarterly

Policies, Procedures, and Notice

A. POLICY – AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY

POLICY

Affirmative Action and Equal Opportunity Policy

OEO 2-1

Category: Office of Equal Opportunity
Business Unit Responsible: RA: Office of Equal Opportunity
Policy Owner: Director of Equal Opportunity
Policy Contact: Cyrenthia Jordan, Director of Equal Opportunity
Synopsis: The Council will not discriminate against any job applicant, employee, Council member, Commission member, Council Advisory Board member, Council Task Force member, contractor, vendor, business partner, volunteer, or customer.

POLICY

The Council’s employment practices, and business operations will reflect a value and respect for the diversity among its employees and customers and the residents of the Twin Cities metropolitan area. The Council will provide a respectful work environment that appreciates and promotes the contributions of all employees.

The Council will provide equal opportunity in all areas of employment including recruitment, selection, compensation, benefits, promotion, transfer, training, and other terms, conditions and privileges of employment. The Council will not discriminate when making determinations as to demotion, disciplinary action, layoff, or termination.

SCOPE

- To articulate the Council’s commitment to valuing diversity, providing equal access to public services, promoting equal opportunity in employment, and making efforts to correct historic under representation of women, people of color, people with disabilities, and veterans within its work force.
- To identify the protected classes covered by federal, state, and local law against employment and public service discrimination.
- To identify the protected classes for which the Council’s employment-related affirmative action steps will be implemented.
- To ensure these goals will be met by evaluating the progress of managers and supervisors.

PURPOSE OF POLICY

The Council will not discriminate against any job applicant, employee, Council member, Commission member, Council Advisory Board member, Council Task Force member, contractor, vendor, business partner, volunteer, or customer. Any of these individuals has a right to file a discrimination complaint with the Office of Equal Opportunity.

The Council will actively promote equal opportunity in employment, and, in an effort to correct historic underrepresentation of women, people of color, people with disabilities, and veterans within its work force, will implement specific affirmative action steps.

The Council will provide equal opportunity in access to public services and will not discriminate in its provision of public services against any individual on the basis of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status.

Retaliation against an individual for bringing an employment or public service discrimination complaint or for cooperating in a complaint inquiry or investigation is prohibited.

BACKGROUND AND REASON FOR POLICY

The Council is dedicated to utilizing the diverse skills and insights of its employees and the public to further its organizational goals of providing equal opportunity in employment and public services.

Providing equal opportunity as outlined in this policy is required by state and federal law.

DEFINITIONS

Affirmative Action: Affirmative Action is an active effort to promote equal opportunity in employment and to correct the historic underrepresentation of certain groups in its work force.

CONFIDENTIALITY

During the complaint process, the confidentiality of the information and data received are protected by the [Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13.](#)

ACCOUNTABILITY

The Director of the Office of Equal Opportunity is responsible for enforcing this policy.

All Council employees are expected to conduct themselves in accord with the spirit and requirements of this policy.

RESOURCES

Related Policies

- *OEO 4-1 Discrimination, Harassment and Inappropriate Behavior Policy*
- *OEO 3-1 Accessibility Policy*

Related Procedures

- *OEO 4-1a Discrimination Complaint Investigation Procedure*
- *HR 5-1a Code of Ethics Procedure*
- *HR 5-1b Respectful Workplace Procedure*

Minnesota Statutes

- *Minnesota Government Data Practices Act, Chapter [13](#)*

HISTORY

Version 5 – Template Update

10/12/2020 - Updated content into new template.

Version 4 – Approval Date

03/16/2018

Version 3 – Approval Date

03/14/2018

Version 2 – Approval Date

12/19/2017

Version 1 – Approval Date

09/11/1998

Last Reviewed Date

03/16/2018

Next Content Review Date

08/07/2021

Former Reference

4-2

Version

5

B. POLICY – DISCRIMINATION, HARASSMENT AND INAPPROPRIATE BEHAVIOR

POLICY

Discrimination, Harassment and Inappropriate Behavior Policy

OEO 4-1

Category: Office of Equal Opportunity
Business Unit Responsible: RA: Office of Equal Opportunity
Policy Owner: Director of Equal Opportunity
Policy Contact: Cyrenthia Jordan, Director of Equal Opportunity
Synopsis: Establishes that the Council will provide a work atmosphere and deliver public services in a manner that is free of discrimination, harassment, and inappropriate behavior. Defines terms related to discrimination and different types of harassment.

POLICY

It is the policy of the Council to provide a work atmosphere and deliver public services in a manner that is free of discrimination, harassment, and inappropriate behavior.

Discrimination, harassment, or inappropriate behavior in all Council-related events based on the protected classes of race, color, creed, religion, national origin, sex, marital or public assistance status, sexual orientation (which includes gender identity), genetic information, disability, age, or membership or activity in a local human rights commission will not be tolerated.

Discrimination, harassment, or inappropriate behavior in the provision of public services on the basis of a protected class will not be tolerated.

Job applicants, employees, Council members, Commission members, Council Advisory committees or advisory board members, Council Task Force members, contractors, vendors, business partners, volunteers, and customers are prohibited from discriminating, harassing, or exhibiting inappropriate behavior towards others in the performance of Council-related business or while on Council property.

Retaliation against an individual who reports a suspected incident of discrimination, harassment, or inappropriate behavior or who cooperates in an inquiry or investigation is prohibited. Any person who is found to have violated this provision of the policy will be subject to corrective action up to and including discharge.

PURPOSE OF POLICY

To ensure all forms of discrimination, harassment, and inappropriate behavior will not be tolerated.

To encourage employees to report discrimination, harassment, and inappropriate behavior to management or the Office of Equal Opportunity (“OEO”) staff.

BACKGROUND AND REASONS FOR POLICY

To educate Council employees about what constitutes discrimination, harassment, inappropriate behavior, and retaliation, recognizing that prevention is the best tool for safeguarding the workplace from discrimination, harassment, inappropriate behavior, and retaliation.

To identify the protected classes covered by federal, state, or local law against discrimination and harassment in employment and public services.

DEFINITIONS

Discrimination: Discrimination is the practice of treating a person or group unfairly or denying rights based on a protected class that would otherwise be granted.

Protected Class: Protected Class is a group of people who share a characteristic that qualifies for protection from discrimination. There are 13 protected classes recognized in the State of Minnesota: race, color, creed, religion, national origin, sex, marital status, public assistance status, sexual orientation (which includes gender identity), genetic information, disability, age, or membership or activity in a local human rights commission.

Discriminatory harassment: Discriminatory harassment is verbal or physical conduct or communication that shows hostility, disrespect, or disfavor toward an individual or group based on a protected class or Council policy. Discriminatory harassment involves actions or comments that are unwelcomed and may include one of the following:

1. Submission to such conduct or communication, whether explicit or implicit, is made a term or condition of employment or access to public services; or
2. Submission to or rejection of such conduct or communication by an individual is used as a basis for decisions affecting that individual’s employment or access to public services; or
3. Such conduct or communication has the purpose or effect of:
 - a. Creating an intimidating, hostile, or offensive work environment or atmosphere in which public services are provided; or
 - b. Substantially interfering with an individual’s work performance or use of public services; or
 - c. Otherwise adversely affecting employment opportunities or access to public services

Inappropriate behavior: Inappropriate behavior is conduct or communication based on a protected class that is hostile, derogatory, offensive or exploitive, but may not be so severe or pervasive as to constitute harassment.

Retaliation: Retaliation includes any adverse action taken against an employee for filing a complaint or supporting another employee's complaint under Council policy and/or federal and state law.

Types of Discriminatory Harassment

Sexual harassment: Sexual harassment includes the following unwelcomed behavior: sexually motivated physical contacts, sexually motivated verbal or written statements, physical and verbal sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature. The victim as well as the harasser may be of any gender. The victim does not have to be of the opposite sex.

Gender-based harassment: Gender-based harassment includes verbal or physical conduct or communication that is hostile, derogatory, offensive or exploitive, but not of a sexual nature, relating to the gender of another individual or group.

Sexual orientation harassment: Sexual orientation harassment includes hostile, demeaning, offensive or exploitive verbal or physical conduct or communication relating to the sexual or gender identity of an individual or group.

Racial harassment: Racial harassment includes hostile, offensive, degrading or exploitive verbal or physical conduct or communication relating to the race or color of an individual or group.

National origin harassment: National origin harassment includes hostile, offensive, degrading or exploitive verbal or physical conduct or communication relating to the national origin of an individual or group.

Age harassment: Age harassment includes insulting, intimidating or demeaning verbal or physical conduct or communication relating to the age of an individual or group. It includes negative characterizations or stereotypes of an individual or group based on age.

Religious harassment: Religious harassment includes antagonistic or denigrating verbal or physical conduct or communication relating to the religious beliefs or affiliation of an individual or group. It includes applying unwelcomed, undue pressure on others to subscribe to a particular religious belief or to join a particular religious group.

Examples

The following behavior and communication may constitute discrimination, harassment, or inappropriate behavior when directed toward any member of a protected class. These examples

should not be construed as an all-inclusive list of discrimination, harassment, or inappropriate behavior.

Physical

- Threatened, actual, or attempted assault
- Touching, kissing, or grabbing
- Coerced physical contact or attempts to engage in such contact
- Intentional brushing against someone's body
- Blocking a person's path

Verbal

- Sexual propositions and catcalling
- Offensive jokes about traits related to a protected class
- Sexually suggestive, insulting, or vulgar comments
- Derogatory characterizations of a person's or group's ability based on a protected class
- Comments or inquiries about a person's sexual behavior
- Explicit or implicit promises of preferential treatment for submitting to or tolerating harassment or offensive behavior

Non-verbal

- Sexually suggestive or insulting sounds or gestures
 - Leering and staring
 - Displaying or bringing into the workplace derogatory, intimidating or sexually suggestive material or items.
-

ACCOUNTABILITY

The Office of Equal Opportunity is responsible for enforcing this policy.

All Council officials and employees will be held accountable for treating one another and their customers and clients with courtesy, dignity, and respect and for complying with this policy. Any employee found, through an inquiry or investigation, to have engaged in discrimination, harassment, inappropriate behavior, or retaliation while in the performance of their job, while on Council property, or while conducting Council business, shall be subject to corrective action up to and including discharge.

Council members must immediately notify the Chair, Regional Administrator, or Deputy Regional Administrator upon learning of possible discrimination, harassment, inappropriate behavior, or retaliation.

Managers and supervisors are responsible for creating a non-discriminatory work environment and will be held accountable for taking prompt and appropriate action when aware of possible discrimination, harassment, inappropriate behavior, or retaliation. Managers and supervisors must notify their directors, managers, and the Office of Equal Opportunity of such behavior. Failure to do so may result in corrective action up to and including discharge.

An employee who believes that he or she has been subjected to or witnessed discrimination, harassment, inappropriate behavior, or retaliation is encouraged to notify a supervisor or a manager and the Office of Equal Opportunity.

PROCEDURES

- *OEO 4-1a Discrimination Complaint Investigation Procedure*

RESOURCES

Related Policies:

- *OEO 2-1 Affirmative Action and Equal Opportunity Policy*
- *HR 2-1 Disability Management and Reasonable Accommodation Policy*
- *OEO 3-1 Accessibility Policy*

Related Procedures

- *HR 5-1b Respectful Workplace Procedure*

Other Resources

- *Ethics Point – report a complaint*

HISTORY

Version 5 – Template Update

10/12/2020 - Updated content into new template.

Version 4 – Approval Date

03/16/2018

Version 3 – Approval Date

12/19/2017

Version 2 – Approval Date

01/12/2005

Version 1 – Approval Date

09/11/1998

Last Reviewed Date

03/16/2018

Next Content Review Date

08/07/2021

Former Reference

4-2-1

Version

5

C. PROCEDURE – DISCRIMINATION COMPLAINT INVESTIGATION

PROCEDURE

Discrimination Complaint Investigation Procedure

OEO 4-1a

Category: Office of Equal Opportunity
Business Unit Responsible: RA: Office of Equal Opportunity
Procedure Owner: Director of Equal Opportunity
Procedure Contact: Cyrenthia Jordan, Director of Equal Opportunity
Synopsis: Establishes a discrimination complaint process and guidelines for investigations.

GOVERNING POLICY

- [OEO 4-1 Discrimination, Harassment and Inappropriate Behavior Policy](#)

PROCEDURE

Scope

Complaints must be filed within one year of the alleged discriminatory event and will be investigated in accordance with this procedure.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies such as the Department of Human Rights, the U.S. Equal Employment Opportunity Commission, U.S. Department of Transportation, the Federal Transit Administration or the Environmental Protection Agency. Such complaints include but are not limited to:

- Complaints of employment discrimination, including discriminatory harassment, hiring, discipline, training, etc.
- Complaints of discrimination in the delivery of Council public services.
- [Americans with Disabilities Act](#) “grievances” alleging noncompliance with or discrimination prohibited by Title I and II of the Act.
- Discrimination in the award of Council procurements and contracts.
- Customer complaints against Council employees where there is an allegation of discrimination or discriminatory harassment based on an Equal Employment Opportunity (EEO) protected characteristic.

Exceptions

The following complaints will not be investigated under this procedure:

- Service restrictions placed on Metro Mobility riders or denials of Metro Mobility rider eligibility certification. These are appealed through the Metro Mobility Appeals Panel Procedures.
- Customer complaints against Metro Transit employees. These complaints are handled under Metro Transit's Commendation and Complaint Process.
- Complaints by Section 8 rent assistance recipients alleging discrimination by a property owner or manager. These complaints are made with Metro HRA.
- Disputes as a result of an employment action in which an arbitrator has ruled pursuant to a grievance procedure of a collective bargaining or the Non-Represented Plan.

Guidelines

Management/supervisory staff must take prompt and appropriate action, as described below, when they learn of possible discriminatory actions, discriminatory harassment, or inappropriate behavior.

- Immediately report allegations of conduct that is severe, repeated or broad in scope to the Office of Equal Opportunity.
- Inquire into and address less serious behavior, such as an isolated offensive joke or comment, posted or circulated material, or unwanted nonsexual touch. Managers and supervisors must complete the Inappropriate Behavior Report form and submit it to the Office of Equal Opportunity within seven (7) days of receiving the report of behavior. Management staff may request the assistance of the Diversity Office in dispatching these responsibilities.

Employees (including interns) and job applicants are encouraged to use informal mechanisms that can be accessed through the Office of Equal Opportunity or Human Resources offices or management/supervisory staff, to attempt to resolve discrimination issues before filing a complaint under this procedure.

Once a formal complaint is filed every effort will be made to obtain early resolution at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Director of Equal Opportunity may be utilized for resolution, at any stage of the process. The Director will make every effort to pursue a resolution of the complaint.

A formal complaint must be filed with the Director of Equal Opportunity within one year of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements:

- Formal complaints shall be in writing, fax, email, or received by telephone. Faxed, email and telephone allegations will be reduced to writing and provided to the complainant for confirmation or revision before processing and signed by the complainant(s).
- Include the date of the alleged act of discrimination (date when the complainant became aware of the alleged discrimination: or the dates on which that conduct was discontinued or the latest instance of the conduct).
- Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained of incident. The allegations(s) of the complaint must involve a covered basis such as race, color national origin, Creed, religion, sex, marital status, public assistance status, sexual orientation, disability, age or membership or activity in a local human rights commission.

- Complaint forms can be found on the [*Office of Equal Opportunity intranet site*](#).

Investigations will be conducted in a discreet and impartial manner, and the results will be communicated in accordance with the [*Minnesota Government Data Practices Act*](#) Data Practices Notice will be given to each person interviewed during a complaint investigation.

Management/supervisory personnel are required to cooperate in investigations as part of their job duties.

The Regional Administrator, a Council division director or general manager, or the director of Public Safety may designate a complaint investigation for compulsory cooperation by nonsupervisory personnel. In the absence of such a designation, nonsupervisory employee participation will be voluntary.

Complainants, witnesses or respondents represented by a bargaining unit may bring a union representative with them to an investigative interview.

The Council's final investigative report and a copy of the complaint will be forwarded to the appropriate management staff for review within 90 calendar days of the receipt of the signed complaint document by the Office of Equal Opportunity. Should an investigation exceed 90 days, the investigator will notify the complainant and the respondent of the delay and an estimated completion date.

The Council will notify the parties involved in the complaint of its final decision.

Any employee found to have acted in a discriminatory manner may be disciplined up to and including discharge. A manager or supervisor who fails to take prompt and appropriate action upon learning of discriminatory harassment or inappropriate behavior may be disciplined, up to and including discharge.

If the complainant is not satisfied with the results of the investigation of the alleged discrimination and practices, the complainant will be advised of the right to appeal to the appropriate State or Federal Agency.

RESOURCES

Related Policies

- *OEO 2-1 Affirmative Action and Equal Opportunity Policy*
- *OEO 3-1 Accessibility Policy*

Statutory Resources

- Americans with Disabilities Act (ADA) of 1990 and ADA Amendments Act of 2008
- *Minnesota Government Data Practices Act*

Internal resources

- *Investigations Resolutions Unit (MetNet)*
- *Collective Bargaining Agreements*

Forms

- *EthicsPoint* – Report a Complaint
 - *Inappropriate Behavior Report form*
 - *Discrimination complaint*
-

HISTORY

Version 4 – Template Update

10/12/2020 - Updated content into new template.

Version 3 – Approval Date

05/01/2008

Version 2 – Approval Date

09/15/2000

Version 1 – Approval Date

09/15/2000

Last Reviewed Date

09/15/2000

Next Content Review Date

08/07/2021

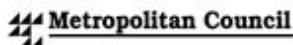
Former Reference

4-2-1a

Version

4

D. INTERNAL DISCRIMINATION COMPLAINT FORM



Internal Discrimination Complaint

Complainant

Name: _____

Address: _____

City: _____ State: _____ Zip code: _____

Home phone: _____ Best time to call: _____

Work phone: _____ Best time to call: _____

Person discriminated against (if someone other than complainant)

Name: _____

Address: _____

City: _____ State: _____ Zip code: _____

Home phone: _____ Best time to call: _____

Work phone: _____ Best time to call: _____

Which of the following best describes the reason you believe the discrimination took place?

<input type="radio"/> Race/Color (specify: _____)	<input type="checkbox"/> National origin (specify: _____)
<input type="radio"/> Sex	<input type="checkbox"/> Religion
<input type="radio"/> Age	<input type="checkbox"/> Disability
<input type="radio"/> Other: _____	

On what date(s) did the alleged discrimination take place? _____

Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court? Check all that apply.

<input type="checkbox"/> Federal agency	<input type="checkbox"/> Federal court	
<input type="checkbox"/> State agency	<input type="checkbox"/> State court	<input type="checkbox"/> Local agency

Contact person at the agency/court where the complaint was filed:

Name: _____

Address: _____

City: _____ State: _____ Zip code: _____

Phone: _____

Please explain as briefly and clearly as possible what happened and how you believe you were discriminated against. Who was involved? How do you feel you were treated differently than others? Why do you believe these events occurred?

Please use additional sheets if necessary and attach a copy of written material pertaining to your case.

List names and contact information of persons who may have knowledge of the alleged discrimination.

	Address	Phone

How can this issue(s) be resolved to your satisfaction?

If an advisor will be assisting you in the complaint process, please provide his/her name and contact information.

Name: _____

Name of business: _____ Position/Title: _____

Address: _____

Phone: _____



This Discrimination Complaint form or your written complaint statement must be signed and dated in order to address your allegation(s). Additionally, this office will need your consent to disclose your name, if necessary, in the course of our inquiry. The Discrimination Complaint Consent/Release form is attached for your convenience. If you are filing a complaint of discrimination on behalf of another person, our office will also need this person's consent to disclose his/her name. You may attach any written materials or other information you think relevant to your complaint.

I certify that to the best of my knowledge the information I have provided is accurate and the events and circumstances are as I have described them. As a complainant, I also understand that if I indicated an advisor assisted me to complete this form, my signature below authorizes the named individual to receive copies of relevant correspondence regarding the complaint and to accompany me during the investigation.

Complainant signature _____ Date _____

Attachments: ☐ Yes ☐ No

Return to:

Metropolitan Council
Office of Diversity and Equal Opportunity
390 North Robert Street North
St. Paul, MN 55101

E. POLICY- DISABILITY MANAGEMENT AND REASONABLE ACCOMODATION

POLICY

Disability Management and Reasonable Accommodation Policy

HR 2-1

Category: Human Resources
Business Unit Responsible: RA: Human Resources
Policy Owner: Director of Human Resources
Policy Contact: Deborah Aebi, Senior Manager HR, Data Operations and Occupational Health
Synopsis: Ensure equal opportunity in all employment practices to qualified individuals with disabilities, provide for reasonable accommodation, and prohibit discrimination.

POLICY

The Metropolitan Council complies with all state and federal laws that prohibit discrimination against qualified individuals with disabilities in all employment practices. The Council and its divisions will provide reasonable accommodation to qualified employees and applicants with disabilities, unless doing so will cause an undue hardship to the organization. Reasonable accommodations will be provided to an employee with a disability who requests an accommodation to perform the essential functions of their position so they may have equal access to the benefits and privileges of their employment. Reasonable accommodations are provided to a job applicant with a disability who requests an accommodation during the recruitment and selection process.

PURPOSE AND SCOPE

This policy and related procedures ensure compliance with all federal, state, and local laws, establishes a written and readily accessible procedure regarding reasonable accommodations to all employees and job applicants, provides guidance and resources about reasonable accommodations, outlines an interactive dialogue process to engage employees, explore reasonable accommodations, and establishes a timely and thorough review process for requests for reasonable accommodation. The policy ensures equal opportunity in the recruitment and selection process and outlines the Council’s commitment to helping qualified individuals with a disability perform the essential functions of a job and receive equal benefits and privileges of employment. Equal employment opportunity, inclusion and access are necessary to the Council’s ability to meet the needs of the region.

IMPLEMENTATION & ACCOUNTABILITY

The Director of Human Resources is responsible for enforcing this policy. The Director of Human Resources will review denied reasonable accommodations via an appeal process provided for in the Disability Management Procedure.

All Council employees are expected to conduct themselves in accordance with the spirit and requirements of this policy.

PROCEDURES

- *HR 2-1a Disability Management – Reasonable Accommodation*
-

DEFINITIONS

Applicant: A person who expresses interest in employment by completing an application.

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

Disability Management Conference: Employees who are unable to perform the essential functions of their position because of a physical or mental impairment are required to communicate with their manager and the Occupational Health staff (in HR) at established intervals during a Disability Management Conference. This conference is an interactive process, which may include discussing the employee's eligibility under the FMLA and exploring reasonable accommodations that would enable the employee to return to work. If the employee is on a leave of absence, the parties will discuss the employee's planned date of return, and the employee's need, if any, for continued reasonable accommodation. The employee is generally required to produce updated medical information regarding their functional limitations and requested accommodation at each conference.

Essential functions: A function can be essential if the job exists solely for the purpose of performing the function, if a limited number of other employees could perform the functions, or the functions are specialized and the individual is hired based on their ability to perform such functions. Essential functions are determined by Human Resources.

Fitness for duty: An evaluation by a designated medical provider that may be required for employees returning from a medical leave of absence to assess the employee's ability to resume work and perform the essential functions of a job.

Interactive process: The communication process between an employee who has requested an accommodation and the employee's supervisor or manager, Occupational Health, and the Human Resources Business Partner (when applicable), to clarify the nature of the disability and the employee's functional limitations in order to identify whether an effective reasonable accommodation exists which would enable the employee to perform the essential functions of their job. To be interactive, all sides must communicate and exchange information. The employer must provide the job description and essential functions of the job, and the employee must provide information from the employee's health care provider to establish that the employee has a disability, requiring a reasonable accommodation in order to perform the essential functions of the employee's job. Engaging in the interactive process does not require the Council to grant the specific, preferred accommodation the employee requests.

Qualified individual with a disability: An individual who satisfies the requisite skill, experience, education, and other job-related requirements of the job that the individual holds or desires and can perform the essential functions of the job with or without a reasonable accommodation.

Leave and accommodation management officer: The designated leave and accommodation management officer will work with Occupational Health, managers in the division, and the Office of Equal Opportunity (OEO) (when applicable) to ensure full consideration of options for reasonable accommodation.

Major life activities: Can include both activities and bodily functions. Activities include but are not limited to the following: actions required to care for oneself, manual tasks, sight (vision), hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. Bodily functions include but are not limited to the following: functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Medical disqualification: An employee may be deemed medically disqualified and terminated from employment in accordance with established procedures, bargaining unit contract provisions, and applicable federal, state and local law when an employee is unable to perform the essential functions of their job, with or without reasonable accommodation. The medical disqualification process may be initiated at any time the Council determines, after engaging in the Disability Management Conference process, that there is no reasonable accommodation which would enable the employee to return to work. The medical disqualification process will be initiated no later than 240 calendar days (approximately 8 months) after the employee commences a leave of absence or is otherwise unable to perform the essential functions of their position, although extensions to leave will be evaluated on a case-by-case basis as a possible further reasonable accommodation.

Medical documentation: Information from the employee's or applicant's health care or rehabilitation provider sufficient to enable the Council to determine whether an individual has a qualified disability and whether a reasonable accommodation would enable the individual to perform the essential functions of the position. The Council may ask clarifying questions of the medical provider to identify an effective, reasonable accommodation. The medical provider must be licensed to administer medical care in their jurisdiction.

Reasonable accommodation: An adjustment to or alteration of the work environment that enables a qualified individual with a disability to apply for a position, perform essential job duties, or receive equal benefits and privileges of employment as are received by similarly situated employees without disabilities. Reasonable accommodations may include modifications to a job application process, modification of a work method or work schedule, reassignment to a vacant position for which the employee is qualified, or physical or environmental adjustments to a workspace.

Undue hardship: When a specific accommodation request would create significant difficulty, resources, or expense, be unduly extensive, substantial or disruptive, or fundamentally alter the nature or operation of the position or the department. Undue hardship is determined on a case-by-case basis considering factors that include the nature and cost of the request and the impact of the request on the operations of the Council. The Council is not required to provide accommodations that would impose an undue hardship on the operation of the agency.

ROLES & RESPONSIBILITIES

Role	Responsibilities
Employees	Employees are responsible for requesting a reasonable accommodation, participating in the interactive process, including scheduled Disability Management Conferences, and promptly responding to requests for information from Occupational Health.
Division Leaders	Division leaders are responsible for ensuring their managers and employees comply with this policy, including providing resources to manager and supervisors to fully implement a reasonable accommodation.
Managers, Supervisors	Managers and supervisors are responsible for contacting and working with an Occupational Health representative and Human Resources business partner when they first receive notice that an employee has difficulty performing their job, when an employee presents work restrictions, or requests a reasonable accommodation to perform their job duties.
Office of Equal Opportunity	<p>Office of Equal Opportunity staff will be consulted when no reasonable accommodation can be identified, when a requested accommodation is deemed either unreasonable or deemed to create an undue business hardship for the Council, and prior to a medical disqualification.</p> <p>The Office of Equal Opportunity independently investigates disability-related complaints.</p>
Leave and Accommodation Management Officer	<p>The designated leave and accommodation management officer is the Council's decision-maker for employment-related reasonable accommodation requests. The officer will be consulted when issues, conflicts or questions arise in the interactive process, prior to denying a request for accommodation because of undue hardship, or because the request is deemed unreasonable, and prior to the medical disqualification of an employee.</p> <p>The designated leave and accommodation management officer will consult with the Office of Equal Opportunity staff prior to denying a requested accommodation because it is not reasonable or creates an undue hardship, and prior to any employee medical disqualification.</p> <p>The leave and accommodation management officer is a designee of the Human Resources department and is appointed by the Director of Human Resources.</p>
Human Resources	Talent Management representatives are responsible to notify an Occupational Health representative when an applicant with a disability needs an accommodation during the recruitment and selection process or requests assistance in the recruiting, selection or onboarding process.

Human Resources	The Occupational Health representative will work with the employee with a disability, the manager/supervisor, and when necessary, the Division Director, to identify whether a reasonable accommodation exists and to ensure the agreed upon reasonable accommodation is effective.
Human Resources	The Occupational Health representative is responsible for leading the disability management process when an employee is unable to perform the essential job duties of their position with or without reasonable accommodation.
Human Resources	The Occupational Health staff engages with occupational physicians and/or treating physicians regarding the employee's medical needs.
Human Resources	The Human Resources business partner supports managers in the event additional coaching, training, or other corrective measures are needed outside of the interactive process.
Human Resources	The Occupational Health representative will assist an applicant with a disability requiring a reasonable accommodation to participate in the recruitment and selection process.

RESOURCES

Related Procedures:

- *HR 4-1e Family Medical Leave Act Procedure*
- *HR 4-1c Leaves of Absence Procedure*

Statutory Resources

- [*Americans with Disabilities Act \(ADA\) of 1990 and ADA Amendments Act \(ADAAA\) of 2008*](#)
 - [*Section 508 Amendment to the Rehabilitation Act of 1973*](#)
 - [*Minnesota Data Practices Act*](#)
 - 29 CFR 1630
-

HISTORY

Version 6 – Approval Date ([***Business Item 2020-241***](#))

10/20/2020 – Identifies that the medical disqualification process may be initiated at any time after engaging in the Disability Management Conference process where there is no reasonable accommodation which would enable the employee to return to work. Updated definitions, responsibilities, interactive process steps and escalation/appeal processes.

Version 5 – Template Update

10/12/2020 - Updated content into new template.

Version 4 – Approval Date

05/08/2019 - Updated definitions, responsibilities, interactive process steps and escalation process.

Version 3 Approval Date

02/04/2015 – Replaced Reasonable Accommodation and Workplace Adjustments Policy (4-2-2) and Disability Management Policy (4-10). Also, made sure policy focuses on keeping employees at work to comply with the ADA and ADAAA. Made Human Resources the department primarily responsible for Disability Management.

Version 2 Approval Date

07/25/2006

Version 1 – Approval Date

12/17/1998

Last Reviewed Date

10/20/2020

Next Content Review Date

10/20/2021

Former Reference #

4-2-2

Version

6

F. POLICY – ACCESSIBILTY POLICY

POLICY

Accessibility Policy

OEO 3-1

Category: Office of Equal Opportunity
Business Unit Responsible: RA: Office of Equal Opportunity
Policy Owner: Director, Office of Equal Opportunity
Policy Contact: Guthrie Byard, ADA & Title VI Administrator

Synopsis: The Accessibility Policy identifies the federal and state laws and standards that require Metropolitan Council programs and services be accessible and not discriminate based on disability.

POLICY

It is the policy of the Metropolitan Council to provide people equal access to its services, technologies, communications, and facilities in accordance with state and federal laws and standards.

Metropolitan Council definition of Accessibility

An accessible Metropolitan Council is one that is inclusive of and learns from people with all types of abilities. The Council is committed to creating accessible environments throughout its buildings, services, communications, policies, procedures, and practices.

PURPOSE & SCOPE

The purpose of this policy and its supporting procedures is to ensure that Metropolitan Council staff, vendors, and contractors are aware of both their legal responsibilities under federal and state laws and standards to develop and maintain accessible services, technologies, communications, and facilities for employees and the public.

The Metropolitan Council acknowledges its obligation to comply with several federal and state laws and standards governing accessibility, including:

[Americans with Disabilities Act \(ADA\) of 1990 and ADA Amendments Act of 2008 Section 508 Amendment to the Rehabilitation Act of 1973](#)

[Architectural Barriers Act of 1968](#)

[2015 Minnesota Accessibility Code](#)

[2010 ADA Design Standards](#)

[State of Minnesota Accessibility and Usability of Information Technology Standard Federal Transit Administration \(FTA\) Circular 4710.1](#)

[ADA Standards for Transportation Facilities](#)

[Minnesota Human Rights Act](#)

IMPLEMENTATION & ACCOUNTABILITY

The Office of Equal Opportunity (OEO) is responsible for oversight of the Metropolitan Council's ADA compliance and accessibility efforts. All Metropolitan Council divisions, and the departments within, are responsible for complying with this policy and supporting procedures with technical assistance of OEO, as necessary. Contact OEO with any questions or concerns about the implementation or accountabilities required by this policy.

This policy will guide the creation and implementation of division-specific ADA and accessibility procedures related to division and department's work accountabilities.

PROCEDURES

- [*OEO 3-1a Development of Accessible Website and Applications Procedure and Applications Procedure*](#)
-

RESOURCES

Related Policies

- *OEO 1-1 Equity Policy*
- *OEO 2-1 Affirmative Action and Equal Opportunity Policy*
- *OEO 4-1 Discrimination, Harassment and Inappropriate Behavior or Policy*
- *HR 2-1 Disability Management and Reasonable Accommodation Policy*
- *PIC 2-2 Accountability to the Public Policy*
- *PIC 2-3 Education and Outreach Policy*
- *HR 7-1 Talent Recruitment and Selection Policy*
- *TECH 2-1 Information Security Policy Security Policy*

Related Procedures

- *PIC 2-2b Public Hearings Procedure*
 - *PIC 1-1h Using Plain Language in Council Communications Procedure*
-

HISTORY

Version 4 – Template Update

10/12/2020 - Updated content into new template.

Version 3 – Approval Date (Business Item [218-2020](#))

09/09/2020 – The amended policy specifies Metropolitan Council’s requirements under Title II of the ADA and provides a definition of accessibility. Additionally, the updated policy expands the list of relevant federal and state laws and guidelines and clarifies expectations for divisions and departments in ensuring ADA compliance and adherence to accessibility guidelines through creation of additional program and service-specific accessibility procedures.

Version 2 – Approval Date

07/23/2018 04/29/2016

Version 1 – Approval Date

04/29/2016 04/29/2016

Last Reviewed Date

09/09/2020 09/09/2020

Next Content Review Date

08/07/2021

Former Reference #

1-6

Version

4

G. REQUEST FOR REASONABLE ACCOMMODATION FORM



Employee Request for Accommodation

Employee:	Employee ID #:
Job title:	Department:
Division:	Date of Request:

This information will be used by the Occupational Health Unit of Human Resources to determine whether any reasonable accommodations can be made. The provision of this information is voluntary; however, I understand if I refuse to provide it, my employer may refuse to provide reasonable accommodations.

1. Please describe the physical, mental, or cognitive impairment(s) that limit your ability to do your job.

2. How does it affect your ability to perform your job?

3. Type of accommodation you are requesting:

- ☐ Making facilities readily accessible
- ☐ Job restructuring
- ☐ Part-time or modified work schedule
- ☐ Modification to a rule, policy or practice
- ☐ Modification of equipment or devices
- ☐ Qualified reader or interpreter
- ☐ Acquisition of equipment or devices
- ☐ Other (specify):

Please describe in detail the accommodation you are requesting:

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

5. Additional comments:

Signature of Employee: _____ Date: _____

H. Notice Under the Americans with Disabilities Act

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the Metropolitan Council will not discriminate against qualified individuals with disabilities based on disability in its services, programs, or activities.

Employment: The Metropolitan Council does not discriminate based on disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The Metropolitan Council will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the Council's programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The Metropolitan Council will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in Council offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of The Metropolitan Council, should contact the Office of Equal Opportunity – Cyrenthia Jordan, Metropolitan Council ADA Coordinator: Cyrenthia.jordan@metc.state.mn.us , (651) 602-1085 as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Metropolitan Council to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the Metropolitan Council is not accessible to persons with disabilities should be directed to Cyrenthia Jordan, Metropolitan Council ADA Coordinator: Cyrenthia.jordan@metc.state.mn.us , (651) 602-1085.

The Metropolitan Council will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

I. Metropolitan Council Grievance Procedure Under Title II of the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination based on disability in the provision of services, activities, programs, or benefits by the Metropolitan Council. The Statewide ADA Reasonable Accommodation policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

Please submit your grievance by filling out the grievance form located here:

[https://metro council.org/About-Us/What-We-Do/Office-of-Equal-](https://metro council.org/About-Us/What-We-Do/Office-of-Equal-Opportunity/Accessibility/Grievance-Procedure.aspx)

[Opportunity/Accessibility/Grievance-Procedure.aspx](https://metro council.org/About-Us/What-We-Do/Office-of-Equal-Opportunity/Accessibility/Grievance-Procedure.aspx) or in writing. All written grievances should be mailed to:

Cyrenthia Jordan

Metropolitan Council ADA Coordinator/Director, Office of Equal Opportunity

Office of Equal Opportunity

560 6th Ave North

Minneapolis, MN 55411

The relevant department(s) will be notified of the grievance and will work with the complainant to resolve the issue. A response will be shared with the complainant and will explain the position of the Met Council and offer options for substantive resolution of the complaint. If the response by the Met Council does not satisfactorily resolve the issue, the complainant may appeal the decision. The Met Council will meet with the complainant to discuss the complaint and possible resolutions before responding with a final resolution.

J. Evacuation Procedure for Individuals with Disabilities or Otherwise in Need of Assistance

If you are an evacuation monitor who is helping an individual with a disability out of the building, support that person until they get to the muster area, and orient them and inquire about their needs once there.

Mobility disabilities (individuals not using wheelchairs):

- Individuals with mobility disabilities, who can walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to stay in stairwell landing until emergency responders arrive to assist them. Two people, including an evacuation monitor, shall support that individual, one in getting to the shelter in place location and the other person alerting Group Count Leads to their location.

Mobility disabilities (individuals who use wheelchairs or other personal mobility devices ("PMDs")):

- Individuals using wheelchairs above ground level should request use of *evacuation chairs with support by evacuation monitors. Persons may also shelter in place in the stairwell if danger is not imminent. Two evacuation monitors shall support this individual, one to stay with them and the other to notify their Group Count Lead.

Carry Techniques:

1. One-person Carry Technique (The Cradle Lift) • The Cradle Lift is the preferred carry method when the person to be carried has little or no arm strength. It is safer if the person being carried weighs less than the carrier.

2. Two-person Carry Technique (The Swing Carry or Chair Carry) • To use this technique: a. Carry partners stand on opposite sides of the individual. b. Wrap individual's closest arm around one carry partner's shoulder. c. Grasp carry partner's forearm behind the individual in the small of the back. d. Reach under the individual's knees to grasp the wrist of carry partner's other hand. e. Both carry partners should then lean in close to the individual and lift on the count of three. f. Continue pressing into the individual being carried for additional support in the carry.

Hearing disabilities:

- The building is equipped throughout with fire alarm horns and strobes. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations by their floor's evacuation monitors.

*currently we have evacuation chairs on the 5th and 4th floor stairwells in all 3 stairwells

Communication suggestions:

- Basic American Sign Language; turn lights on/off to alert and guide those with hearing disabilities.

Visual disabilities:

- The building is equipped throughout with fire alarm horn and strobes. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, individuals with visual disabilities may need assistance from their floor's evacuation monitor.

Communication suggestions:

- Communicate nature of emergency and location, offer arm for assistance, communicate actions, orient and inquire about needs once at muster area.

A copy of the Council's weather and emergency evacuation plans can be found on the council's METNET site under facilities and Emergency & Safety Information at:

<https://metcmn.sharepoint.com/sites/Finance/Facilities/SitePages/Central%20Office%20Emergency%20and%20Safety.aspx>

Directors, managers, and supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance may be needed, and individuals with disabilities should contact the Council's Safety Committee contact(s) below to request the type of assistance they may need.

Name: _____ **Paula Crane**

Title: _____ **HR Office Coordinator**

Email: _____ **Paula.crane@metc.state.mn.us**

Phone: _____ **(651) 602-1542**

Name: _____ **Lisa Belland**

Title: _____ **Project Lead, Business continuity**

Email: _____ **Lisa.belland@metc.state.mn.us**

Phone: _____ **(651) 602-1605**

Appendix

Refer to the AAP Appendix 2020-2022.

Definitions of Terms Used in This Affirmative Action Plan

Applicant: "Applicant" means a person who has satisfied the minimum requirements for application established by the commissioner of management and budget (M.S. 473.143).

Availability: an estimated percentage of qualified females, racial/minorities, or individuals with disabilities in the relevant labor market who are available for positions in a given job category at a state agency. The final availability is determined by considering two factors: the statistics from the outside labor market and the internal state agency workforce for the Affirmative Action Plan year.

Feeder job: staffed positions within the agency that can be promoted and/or transferred into other EEO job categories.

Hiring goal: a numerical objective designed to correct an identified deficiency in the utilization of protected group members. For example, the professional job category has identified underutilization and the availability is 30%, the goal (or hiring goal) for females in the job category is for 30% of the new hires/rehires and promotions for that Affirmative Action Plan year would be females. Goals/hiring goals should never be implemented as quotas, nor should they be used as criteria in decision-making regarding qualifications.

Job category: a group of jobs that are linked by a common purpose and skill set (or sometimes certificates/educational degrees) and are grounded on the job categories identified by the U.S. Equal Employment Opportunity Commission (EEOC).

Labor market area: a geographic area in which an agency is seeking a worker in a particular goal unit and where there is an available supply of workers employed or seeking jobs in that goal unit.

Missed Opportunities: This term is used as part of the Council's Monitoring the Hiring Process. Hiring Managers complete a form to monitor appointments when there is an underutilization of protected group members.

Protected groups: females, persons with disabilities, and members of the following minorities: Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native ([M.S. 43A.02, subd. 33](#)).

People of Color: Persons defined as "minorities" pursuant to [M.S. 43A.02, subd. 33](#).

Snapshot: one particular point in time. A snapshot of a workforce is taken at one particular point in time as the basis for Affirmative Action Plan analyses because the workforce numbers are always fluctuating.

Supported Work Program: The state legislature established the program in 1987 to expand employment opportunities for people with significant disabilities. but has been expanded to include individuals who experience other significant disabilities, including, but not limited to, head injury, mental illness, and deaf blindness. Under the program, a supported worker must require ongoing support and may share a single position with up to two other supported work employees.

Underutilization: the representation of females, racial/ethnic minorities, or individuals with disabilities in a specific job category is less than reasonably would be expected given from workforce participation in the labor market area.

ⁱ The term “minorities” has been replaced with “people of color” throughout this Plan to reflect current terminology.