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**State of Minnesota**

**Department of Transportation**

**July 1, 2020 – June 30, 2022**

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As requested by Minnesota Statute 3.197, this report costs approximately **\$4,500** to prepare, including staff time, printing, and mailing expenses.

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## Statement of Commitment

### Minnesota Administrative Rules, part 3905.0400, subpart 1, item C

This statement reaffirms that the Minnesota Department of Transportation (hereafter “the agency”) is committed to Minnesota’s statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

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

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

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

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

Commissioner of Transportation: Margaret Anderson Kelliher Digitally signed by Margaret Anderson Kelliher  
Date: 2020.12.07 11:58:26 -06'00'

## Executive Summary

### Minnesota Administrative Rules, part 3905.0400, subpart 1, item A

This Affirmative Action Plan meets the requirements as set forth in statute, in Administrative Rule, and by Minnesota Management and Budget (MMB). The Plan outlines:

- Affirmative Action goals
- Timetables
- 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:

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

(x indicates the job categories and protected groups that have underutilization.)

Job Categories	Female	Racial/Ethnic Minorities	Individuals with Disabilities
Officials & Administrators		x	
Professionals	x		
Technicians		x	
Office/Clerical			
Skilled Craft	x	x	x
Service Maintenance	x	x	x

Information about how to obtain or view a copy of this Plan will be provided to every employee of the agency. MnDOT's intention is to make every employee aware of MnDOT's commitments to affirmative action and equal employment opportunity. The Plan will also be posted on the agency's website and maintained in the Office of Equity & Diversity (OED).

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

Affirmative Action Officer or Designee: Seema Desai Digitally signed by Seema Desai  
Date: 2020.12.08 11:12:26 -06'00'

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

Human Resources Director or Designee: Karin Van Dyck Digitally signed by Karin Van Dyck  
Date: 2020.12.10 16:43:39 -06'00'

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

Commissioner of Transportation: Margaret Anderson Kelliher Digitally signed by Margaret Anderson Kelliher  
Date: 2020.12.07 13:19:48 -06'00'

## Organizational Profile

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The Minnesota Department of Transportation (MnDOT) oversees transportation by all modes including land, water, air, rail, walking and bicycling in the State of Minnesota. The agency is responsible for maintaining the state's trunk highway system (including state highways, U.S. highways, and interstate highways), funding municipal airports and maintaining radio navigation aids, and other activities.

MnDOT managers and supervisors are committed to the employment of a diverse, well qualified, and inclusive workforce. They shall act in accordance with federal and state laws regarding affirmative action and equal employment opportunity in all aspects of employment, including recruiting, hiring, and promoting employees.

**To view a text version of the organization chart, refer to the "Other Relevant Information" section of the Affirmative Action Plan.**

# Individuals Responsible for Directing/Implementing the Affirmative Action Plan

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Minnesota Administrative Rules, part 3905.0400, subpart 1, item B

## A. Commissioner

### Responsibilities:

The Commissioner is responsible for establishing an Affirmative Action Program, including goals, timetables, and compliance with all federal and state laws and regulations. Quarterly, the Commissioner reports the agency's progress in meeting its affirmative action goals and objectives to the Commissioner of MMB. The MMB Commissioner is responsible for reporting all agencies progress to the Governor and the Legislature.

### Duties:

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

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

### Accountability:

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

### Name of Individual(s) Responsible:

Name: Margaret Anderson Kelliher Email: margaret.anderson.kelliher@state.mn.us

Title: Commissioner of Transportation Phone: 651-366-4800

## B. Affirmative Action Officer or Designee

### Responsibilities:

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

### Duties:

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

- Prepare and oversee the Affirmative Action Plan, including development and setting of agency-wide goals. Administer the agency's Plan to agency employees.
- Monitor the compliance and fulfill all affirmative action reporting requirements.
- Disseminate the Affirmative Action Policy to employees in the agency.
- Inform the Commissioner on the progress in affirmative action and equal opportunity and report potential concerns.
- Provide an agency-wide perspective on issues relating to affirmative action and equal opportunity and assist in the identification and development of effective solutions in problem areas related to affirmative action and equal opportunity.
- Identify opportunities for infusing affirmative action and equal opportunity into MnDOT's considerations, policies, and practices.
- Participate in and/or develop strategies to recruit individuals in targeted groups for employment, promotions, and training opportunities.
- Comply with the state-wide and agency anti-discrimination and anti-harassment policies.
- Stay current on changes to equal opportunity and affirmative action laws and interpretation of the laws.
- Provide consultation, technical guidance, and/or training and development of training material to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention, progress on hiring goals, reasonable accommodations, and other opportunities for improvement.
- Serve as MnDOT's liaison with Minnesota Management and Budget's Office of Equal Opportunity and Diversity and enforcement agencies.

### Accountability:

The Affirmative Action Officer is accountable directly to the Chief of Staff and indirectly to the Commissioner on matters pertaining to affirmative action, equal opportunity, and discrimination.

### Name of individual(s) responsible:

Name: Seema Desai

Email: [seema.desai@state.mn.us](mailto:seema.desai@state.mn.us)

Title: Director, Office of Equity & Diversity

Phone: 651-366-4725

## C. Americans with Disabilities Act Coordinator or Designee

### Responsibilities:

The Americans with Disabilities Act (ADA) Coordinator is responsible for the oversight of MnDOT's compliance with the Americans with Disabilities Act Title I – Employment and Title II – Public Services, in accordance with the Americans with Disabilities Act – as amended, the Minnesota Human Rights Act, and Minnesota Executive Order 19-14.

### Duties:

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

- Provide guidance, coordination, and direction to management regarding the Americans with Disabilities Act in the development and implementation of the policy, procedures, practices, and programs to ensure they are accessible and nondiscriminatory.
- Develop training content regarding best practices in recruitment, selection, and retention of individuals with disabilities, provisions of reasonable accommodations for employees and applicants, and other opportunities for improvement; provide consultation and technical guidance to directors, managers, supervisors, and staff as necessary.
- Provide consultation and technical guidance to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention, progress on hiring goals, reasonable accommodations, and other opportunities for improvement.
- Track and facilitate requests for reasonable accommodations for employees and applicants, as well as members of the public accessing MnDOT's services, and report reasonable accommodations data annually to Minnesota Management and Budget.
- Submit reasonable accommodation reimbursement requests under the guidelines of the state-wide accommodation fund.

### Accountability:

The Americans with Disabilities Act (ADA) Coordinator is accountable directly to the Chief of Staff and indirectly to the Commissioner.

### Name of Individual(s) Responsible:

Name: Seema Desai Email: [seema.desai@state.mn.us](mailto:seema.desai@state.mn.us)

Title: Director, Office of Equity & Diversity Phone: 651-366-4725

## D. Human Resources Director or Designee

### Responsibilities:

The Human Resources Director is responsible for ensuring equitable and uniform administration of all Human Resources (HR) policies including taking action to remove barriers to equal employment opportunity with MnDOT.

### Duties:

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

- Provide leadership to human resources staff and others to ensure HR decision-making processes adhere to equal opportunity and affirmative action principles.
- Ensure, to the extent possible, development and utilization of selection criteria that is objective, uniform, and job-related.
- Initiate and report on specific program objectives contained in the Affirmative Action Plan.
- Ensure a pre-hire review process is implemented and that it receives support from directors, managers, and supervisors.
- Include the Affirmative Action Officer or designee in the decision-making process regarding HR actions involving protected group members, including hiring, promotion, disciplinary actions, reallocations, transfer, termination, and department- and division- wide classification studies.
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in position descriptions and annual objectives.
- Assist in recruitment and retention of individuals in protected groups, and notify directors, managers, and supervisors of existing disparities.
- Make available to the Affirmative Action Officer and ADA Coordinator all necessary records and data necessary to perform duties related to equal opportunity and affirmative action.
- Comply with the state-wide and agency anti-discrimination and anti-harassment policies.

### Accountability:

The Human Resources Director is accountable directly to the Assistant Commissioner of the Workforce and Agency Services Division.

### Name of Individual(s) Responsible:

Name: Karin van Dyck Email: [karin.van.dyck@state.mn.us](mailto:karin.van.dyck@state.mn.us)

Title: Director, Office of Human Resources Phone: 651-366-3385

Name: Bonnie Wohlberg Email: [bonnie.wohlberg@state.mn.us](mailto:bonnie.wohlberg@state.mn.us)

Title: Human Resources Staffing Manager Phone: 651-366-3382

## E. Recruitment Coordinator(s)

### Responsibilities:

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

### Duties:

The duties of the Recruitment Coordinator include, but is not limited to, the following:

- Identify high-need recruitment job areas within the agency, with an emphasis on diversifying applicant pools.
- Communicate the strategic recruitment plan to human resources, the executive team, management, and staff.
- Assist the Affirmative Action Officer in conducting periodic audits of recruitment activities to measure the effectiveness of efforts and activities to attaining strategic diversity goals and objectives.
- Maintain relationships with agency executive teams, human resources, and management to ascertain the diversity recruitment needs of the agency.
- Maintain relationships with community stakeholders, colleges and universities, and workforce centers to continue effective diversity recruitment strategies.
- Comply with the state-wide and agency anti-discrimination and anti-harassment policies.

### Accountability:

The Recruitment Coordinators are accountable to the Human Resources Assistant Staffing Manager.

### Name of Individual(s) Responsible:

Name: Lena Garcia Email: [lena.garcia@state.mn.us](mailto:lena.garcia@state.mn.us)

Title: Recruitment Coordinator Phone: 651-366-3405

Name: Ashley Scherek Email: [ashley.scherek@state.mn.us](mailto:ashley.scherek@state.mn.us)

Title: Recruitment Coordinator Phone: 651-366-3387

## F. Senior Managers and Executive Team Leaders

### Responsibilities:

Senior Managers and Executive Team Leaders are responsible for implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with MnDOT's affirmative action programs and policies to ensure fair and equal treatment of all employees and applicants.

### Duties:

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

- Assist the Affirmative Action Officer or designee in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- Communicate MnDOT's affirmative action policy to assigned staff.
- Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan.
- Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis.
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives.
- Provide a respectful and inclusive work environment.
- Refer complaints of discrimination and harassment to the appropriate parties.
- Identify and refer ADA issues to the ADA Coordinator or designee.
- Comply with the state-wide and agency anti-discrimination and anti-harassment policies.

### Accountability:

Senior Managers and Executive Team Leaders are accountable directly to their assigned supervisor and indirectly to the Commissioner of Transportation.

### Name of individual(s) responsible

Name: Seema Desai Email: [seema.desai@state.mn.us](mailto:seema.desai@state.mn.us)

Title: Director, Office of Equity & Diversity Phone: 651-366-4725

## **G. All Employees**

### **Responsibilities:**

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

### **Duties:**

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

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

### **Accountability:**

Employees are accountable directly to their assigned supervisor and indirectly to the Commissioner of Transportation. All employees are responsible for maintaining an environment free from harassment and discrimination and conducting themselves in accordance with the Affirmative Action Plan.

## Communication of the Affirmative Action Plan

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Minnesota Administrative Rules, part 3905.0400, subpart 1, item D and Minnesota Administrative Rules, part 3905.0400, subpart 1, item E

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

### Internal Methods of Communication

- **Internal Memorandum.** Agency leadership or the Affirmative Action Officer will send an internal memo to agency employees each year. 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.
- **Intranet.** The agency's Affirmative Action Plan is available to all employees on the [Office of Equity & Diversity Web Page](#) of MnDOT's internal website at <http://ihub.dot.state.mn.us> or in print to anyone who requests it. The Plan will also be available in alternative formats as requested.
- **Printed copy.** A physical copy of the agency's Affirmative Action Plan is available to employees at the following address:

**Minnesota Department of Transportation  
395 John Ireland Boulevard, MS 205  
St. Paul, MN 55155-1800**

- **Signage.** Nondiscrimination and equal opportunity statements and posters are prominently displayed in areas frequently used by employees.
- **Virtual Meetings.** The Affirmative Action Officer will hold virtual meetings with targeted audiences as an additional channel of communicating the AAP; these meetings will include reviewing the AAP, notification of its whereabouts, and thorough explanations of the contents of the AAP.

### External Methods of Communication

- **Public website.** The agency's Affirmative Action Plan is available on the [Equal Employment Opportunity Web Page](#) of the agency's public website <http://www.dot.state.mn.us>. Printed copies are available to anyone who requests it. The Plan is also available in alternative formats as requested.
- **Equal opportunity employer language.** The agency's website homepage, letterhead, publications, and all job postings include the statement "**The Minnesota Department of Transportation is an equal opportunity employer.**" The agency 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:

**Minnesota Department of Transportation  
395 John Ireland Boulevard, MS 205  
St. Paul, MN 55155-1800**

## Job Category Analysis

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### **Minnesota Administrative Rules 3905.0600 Subp 3.A and Minnesota Administrative Rules 3905.0600 Subp 3.B**

The agency 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.

## Determining Availability

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### **MS 43A.19(b), MS 43A.19(c), Minnesota Administrative Rules 3905.0600 Subp 1, Minnesota Administrative Rules 3905.0600 Subp 2, Minnesota Administrative Rules 3905.0600 Subp 3C, and Minnesota Administrative Rules 3905.0600 Subp 3D**

For purposes of this Affirmative Action Plan, “availability” means an estimated percentage of qualified females, racial/ethnic minorities, or individuals with disabilities in the relevant labor market who are available for positions in each job category at a state agency.

The agency 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 agency 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**).

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**).

## Utilization/Availability Analysis, Establishment of Goals, and Timetables

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### **Minnesota Administrative Rules 3905.0400 Subp 1 Item G, Minnesota Administrative Rules 3905.0600 Subp 3, Minnesota Administrative Rules 3905.0600 Subp 4, Minnesota Administrative Rules 3905.0600 Subp 5, and Minnesota Administrative Rules 3905.0600 Subp 6.**

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, racial/ethnic minorities, 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 agency has determined which job categories are underutilized for females, racial/ethnic minorities, 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 in all aspects of the affirmative action program. Effective hiring goals are strategic, actionable, and measurable efforts the agency is committed to pursuing and implementing in 2020-2022.

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

The agency used the whole person rule to establish a hiring goal. This means when the actual representation percentage of females, racial/ethnic minorities, 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 equals the final availability percentage calculated for females, racial/ethnic minorities, 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 agency will proactively make good faith efforts to recruit external qualified protected groups. The agency 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 the [Corrective Actions and Action-Oriented Programs](#) section of the Affirmative Action Plan.

**Table 2. Hiring Goals by Job Category and Protected Group**

Job Categories	Females Establish Goals?	Females If Yes, Goals for FY 2020-2022	Racial/ Ethnic Minorities Establish Goals?	Racial/ Ethnic Minorities If Yes, Goals for FY 2020-2022	Indiv with Disabl Establish Goals?	Indiv with Disabl If Yes, Goals for FY 2020-2022
Officials/Administrators			Yes	6.70%		
Professionals	Yes	45.30%				
Technicians			Yes	10.65%		
Office/Clerical			Monitor			
Skilled Craft	Yes	2.24%	Yes	11.99%	Yes	5.84%
Service Maintenance	Yes	29.65%	Yes	22.40%	Yes	11.59%

## Progress and Personnel Activity Reports

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### **MS 43A.19 Subd. 1(a)(3) for separations, and Minnesota Administrative Rules 3905.0400 Subp. 1 Item I**

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

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

## Identification of Areas for Further Monitoring

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### **Minnesota Administrative Rules 3905.0400 Subp. 1 Item H and I**

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

### **Workforce Snapshot**

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

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

- "Yes": there is underutilization.
- "Monitor": the agency 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 agency attained the hiring goal(s).

Where the indication of the "Goal Met?" column is:

- "Yes": the agency met the goal established in the prior Affirmative Action Plan.
- "No": the agency 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, there were 15 separations in total. Of those separations, 10 employees separated due to dismissal or non-certification. The dismissal or non-certification percentage is 66.67% (10 divided by 15).
2. The “percentage type<sup>1</sup>” indicates percentages by protected group within a separation type. For example, there were 10 separations by dismissal or non-certification in total. Of those separations, eight were female employees. 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

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### Minnesota Administrative Rules 3905.0400 Subp 1 Item H

The agency’s Affirmative Action Program is designed to implement the provisions of this Affirmative Action Plan and meet requirements found in Minnesota Statutes, section 43A.191 Subdivision 2. These Action-Oriented Programs are carried out throughout this Affirmative Action Plan period.

### Corrective Actions

This section identifies ways the agency 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 following 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
<b>Officials &amp; Administrators</b> <ul style="list-style-type: none"> <li>• The agency has an underutilization for racial/ethnic minorities in this job category.</li> <li>• The low number of hires into this job category each year could potentially impact the parity of this job category.</li> </ul>	<ul style="list-style-type: none"> <li>• While some appointments are outside the review of the monitoring the hiring process, MnDOT has identified and implemented many strategies to increase representation in this area. For example, identifying springboard positions that often fill the Official &amp; Administrator positions and working towards diversifying those feeder positions; this continues to be an ongoing process/practice.</li> </ul>
<b>Professionals</b> <ul style="list-style-type: none"> <li>• The agency has an underutilization for females in this job category.</li> </ul>	<ul style="list-style-type: none"> <li>• The agency has identified numerous strategies in its 5-year DEI Plan to address and increase women in professional job classifications.</li> </ul>
<b>Technicians</b> <ul style="list-style-type: none"> <li>• The agency has an underutilization for racial/ethnic minorities in this job category.</li> <li>• The agency will continue to “monitor” all hires into this job category to allow for future separations within the agency.</li> </ul>	<ul style="list-style-type: none"> <li>• The majority of staffed positions from the agency’s feeder programs fall under this job category, allowing employees to be promoted and/or transferred into positions in other EEO job categories.</li> </ul>
<b>Office/Clerical</b> <ul style="list-style-type: none"> <li>• No underutilization exists in this job category.</li> <li>• The agency will continue to “monitor” all hires into this job category to allow for future separations within the agency.</li> </ul>	<ul style="list-style-type: none"> <li>• Females make up the majority of staffed positions, contributing to the parity of this job category.</li> </ul>
<b>Skilled Craft</b> <ul style="list-style-type: none"> <li>• The agency has an underutilization for females, racial/ethnic minorities, and individuals with disabilities in this job category.</li> <li>• Most positions in the ‘Skilled Craft’ job category are difficult to fill given the specialized knowledge and skills needed to compete for these positions.</li> </ul>	<ul style="list-style-type: none"> <li>• The agency is continuing “Grow Our Own” programs in the skilled craft area for jobs that are difficult to fill and require specialized knowledge and skills. Such a program may allow the agency to invest in individuals seeking employment who have the aptitude, desire, and motivation to do specialized work.</li> <li>• Continue to utilize the State of Minnesota Connect 700 program to increase exposure to state jobs in the disability community.</li> </ul>
<b>Service Maintenance</b> <ul style="list-style-type: none"> <li>• The agency has an underutilization for females, racial/ethnic minorities, and individuals with disabilities in this job category.</li> <li>• The low number of female-qualified applicants resulted in low rate of female hires.</li> </ul>	<ul style="list-style-type: none"> <li>• Continue to work with local vocational schools, DEED, training centers and workforce centers to increase recruitment efforts.</li> <li>• Plan to review hiring process and review requirements for jobs to identify potential barriers that exist in the hiring process.</li> </ul>

## Other Action-Oriented Programs

This section provides an overview of the agency's general efforts and actions to ensure equal employment opportunity. Agencies have reviewed barriers to hiring during the previous plan period and identified recruitment strategies, processes, and training to address underutilization for this plan year.

The Minnesota Department of Transportation is committed to expanding its intercultural competence and diversifying its workforce in order to be:

1. Responsive to and trusted by the communities we serve;
2. Effective in delivering high quality and dependable transportation systems;
3. Competitive for a highly skilled workforce; and
4. Supportive of a work environment where all employees feel valued and contribute their best

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

MnDOT's OED is committed to ensuring a workplace where mutual respect and dignity for all individuals is maintained and promoted. OED will continue to provide services in affirmative hiring and promotion, organizational development, complaint resolution, investigation, mediation, language services, reasonable accommodations, and training. The following describes the continuing areas of focus:

### **Objective #1: MnDOT's Diversity, Equity and Inclusion (DEI) Unified Strategic Work Plan:**

MnDOT's DEI Unified Strategic Work Plan (2018-2022) assists the organization in progressing to the next level of diversity and inclusion resulting in an environment that promotes and encourages a diverse workforce to contribute their full potential towards achieving MnDOT's strategic vision and delivering a high level of service to the public; components have been identified and goals developed in each of the focus areas:

#### **Workforce and Workplace Environment:**

- **Goal 1: Bias is mitigated in all processes.**
  - Ensure bias doesn't negatively interfere with the day-to-day workings of MnDOT
  - Ensure staff are trained in ways to effectively mitigate bias in day-to-day work and culture
  - Ensure bias doesn't impact employee recognition
  - Hold all staff accountable for mitigating bias and contributing to an inclusive environment
- **Goal 2: The diversity of our state is reflected in our workforce at all levels and in all roles throughout the organization.**
  - Achieve diverse pools for all hires
  - Increase representation at management level
  - Set and meet diversity hiring goals
  - Develop diverse talent

- **Goal 3: All employees are able to contribute their best and feel valued.**
  - Retain diverse talent
  - Ensure all employees receive adequate on-boarding and orientation
  - Equip supervisors with skills to effectively supervise a diverse and inclusive workforce
  - Ensure all employees have an opportunity to actively participate in a process that contributes to an inclusive culture
  - Hold all staff accountable for contributing to an inclusive environment
  - Resolve D&I conflicts effectively
  - Ensure all employees feel respected and included
  - Establish feedback mechanism in the organization to better understand, respond to and create strategies for D&I issues or opportunities
- **Goal 4: Systems throughout the organization ensure a diverse, equitable and inclusive environment.**
  - Embed Diversity, Equity, and Inclusion in key strategic plans/processes
  - Ensure processes, procedures and environments are accessible and supportive
  - Develop on-going DEI Communication Plan
  - Provide institutionalized structure to administer and track the Unified DEI Plan
  - Increase visible leadership engagement of management
  - Develop and expand current mentorship program to a sponsorship model (more active mentoring with a strong focus on advocacy)
  - Ensure systems support supplier diversity for internal products and services
- **Goal 5: MnDOT is seen as a leader in DEI within the community.**
  - Be seen as a workplace of choice
  - Take on leadership roles in DEI partnership work
  - Involve MnDOT leaders and the DEI staff in community DEI work

**Evaluation:** MnDOT is in its 2<sup>nd</sup> iteration of a best practice and evidence-based Diversity, Equity, and Inclusion Unified Strategic Work Plan to institutionalize diversity, equity, and inclusion into the organization. The plan years have been expanded from 2 years to 5 years in order to institutionalize the work through structural changes.

## **Objective #2: Student Opportunities:**

MnDOT participates in a number of learning and employment opportunities for college and high school students. Due to the nature of the work at MnDOT, most opportunities are for students in pre-engineering, land surveying, and Civil Engineering programs.

Long standing student recruitment programs at MnDOT include:

- **Phoenix Program** – The Phoenix Internship Program is a partnership with MnDOT and MN Project Lead the Way (PLTW) high schools ([www.pltw.org](http://www.pltw.org)) providing internship opportunities for high school senior students enrolled in STEM (Science, Technology, Engineering and Math) courses. Phoenix serves as a feeder program for the Seeds Program if these interns decide to pursue college.

- **Civil Engineering Internship Program** – The Civil Engineering Internship Program provides summer internships to civil engineering students. The program hires the interns through its partnership with the University of Minnesota’s Center for Transportation Studies (CTS) and through other recruitment methods and are located in various locations throughout the State of Minnesota. These internships allow students to participate in hands-on transportation related experience.
- **Seeds Student Worker Program** – Based on the concept of ‘growing our own’ talent at MnDOT, the Seeds Student Worker Program is a career track program providing student worker job opportunities for racial/ethnic minority students, students with a disability, recently separated veteran students, or economically disadvantaged students. Seeds serves as a feeder program for the Graduate Engineer/Land Surveyor program and many other occupations within MnDOT.

The information below reflects MnDOT’s breakdown of programs:

Phoenix Internship Program	2015	2016	2017	FY2018	FY2019	FY2020*
<b>Total Hire by Cohort (Cohorts by Year)</b>	18	31	33	19	24	0
<b><i>Breakdown by Youth Employer Referral:</i></b>						
Step-Up – Achieve	4	8	10	3	3	0
Right Track	n/a	-	4	3	1	0
Step Up – Explorer: Emerge	3	1	0	0	0	0
PLTW High Schools	11	22	19	14	13	0

**\*Due to COVID-19, the Phoenix Program did not hire any new students for the summer of 2020.**

The following are the total number of students hired in each program by year:

Program	2015	2016	2017	FY2018	FY2019	FY2020
Phoenix Internship Program	18	31	33	19	24	0
Civil Engineering Internship Program	20	15	23	20	17	2
Seeds Student Worker Program	16	24	25	12	32	13
<b>Totals</b>	<b>54</b>	<b>70</b>	<b>81</b>	<b>51</b>	<b>73</b>	<b>15</b>

**Evaluation:** These student opportunities continue to provide academic development and exposure to MnDOT as a potential employer when making secondary education decisions and/or upon completion of a student’s educational goals. MnDOT has partnering relationships with the University of Minnesota, Center for Transportation Studies (CTS), MN State colleges and universities, Minnesota Project Lead the Way (PLTW) schools, STEM education programs, and engineering colleges in the 5-state Midwest area. MnDOT’s student recruitment programs continue to significantly increase MnDOT’s employment of females, racial/ethnic minorities, and individuals with disabilities.

### **Objective #3: Graduate Engineer / Land Surveyor Programs**

The Graduate Engineer and Land Surveyor program is a trainee program designed to recruit and retain new civil engineer and land surveyors while providing comprehensive, professional, on-the-job training and experience.

**Evaluation:** The Graduate Engineer and Land Surveyor programs exist to recruit and retain civil engineers and land surveyors; provide comprehensive, professional, on-the-job training through development and educational programs; and meet the staffing needs of the Minnesota Department of Transportation, while continuing to increase recruitment efforts to more diverse applicant pools.

### **Objective #4: Training Academy Pilot Program (TAPP)**

TAPP is a one-year training program designed to provide individuals with specialized training and skills development in order to become successful at MnDOT. Skills learned include basic hand tools, performing routine scheduled equipment maintenance, performing roadway maintenance, using computers for simple data entry and data transfer, operating maintenance vehicles, and operating mobile and two-way radio systems.

**Evaluation:** Graduates of TAPP will have the training and skills needed to perform road surface and roadside maintenance; opportunities of career advancement will also be available as graduates of the program.

### **Objective #5: Urban Youth Corps Program**

This program, which began in 2018, is a temporary summer program for high school students and/or recent graduates who plan on attending college. The program focuses on highway maintenance work.

**Evaluation:** This program allows students the opportunity to gain on-the-job training and gives students the opportunity to learn about state government career opportunities.

### **Objective #6: Employee Resource Groups (ERGs):**

Employee Resource Groups (ERGs) are groups of employees, often from traditionally underrepresented groups and allies, who meet for the purposes of supporting each other and MnDOT in creating a mutually beneficial relationship between the organization and its employees in the workplace and to aid the organization on four focus areas: Professional Development, Recruitment, Retention, and Community Outreach. An ally is someone who supports a group other than one's own, such as racial/ethnic identity, gender or sexual orientation and works towards respectful equitable relationships in the workplace. ERGs are part of MnDOT's larger goal and commitment to be an inclusive workplace. ERG members and allies have work mobility opportunities, training not available to staff at large, and formalized mentorship. There continue to be nine (9) Employee Resource Groups at MnDOT; **approximately 440 employees** agency-wide whom are involved as ERG members and allies. Below are the current ERG successes at MnDOT:

- **African-American:** AAERG is dedicated to the interests of employees who self-identify as Black, African American, and West Indian of any African descent and allies who have a shared interest.

- **Asian:** The Asian Employee Resource Group serves as an employment and information resource for both internal and external populations of Asian origin and heritage. This ERG aims to promote MnDOT's commitment to diversity and inclusion, its status as a workplace of choice and overall civic engagement in the State of Minnesota.
- **FUEL – “Fully Utilizing Employees without Labeling”:** FUEL seeks to engage all employees in expanding their knowledge about employees and customers living with disabilities. FUEL offers information, education and resources to all employees who live with disabilities themselves or who are allies for those with disabilities. They learn from each other and offer a safe space for discussing and resolving workplace experiences related to having a disability.
- **Indigenous:** The Indigenous Employee Resource Group serves as an employment and informational resource for internal and external populations of Indigenous people that also work to value and promote knowledge, understanding and respect for American Indian culture, history, and ways of life. The goal is to promote authentic and respectful relationships between MnDOT and American Indian tribal members and allies.
- **Latino-American:** The Latino-American ERG was organized to advance MnDOT's diversity and inclusion strategy. This ERG is dedicated to encourage and strengthen MnDOT employees of Latino descent for recruitment, career building, and retention purposes.
- **Q & A - LGBTQA:** The mission of Q&A is to help MnDOT fulfill its strategic vision and mission by providing a safe and respectful work environment for LGBTQ employees. This group promotes MnDOT's commitment to diversity and inclusion and status as a workplace of choice.
- **SPECTRUM – (Autism Awareness):** SPECTRUM's mission is to share knowledge and educate others about Autism. This Employee Resource Group provides resources to help employees and their families.
- **SWAT – Strategic Women Advancing Transportation:** SWAT was formally organized to bring attention to the contributions of all women within MnDOT. They strive to explore whether barriers exist for women at MnDOT and if so, employ positive, proactive ways to effective cultural changes.
- **VERG – Veterans:** The Veterans Employee Resource Group provides support and information to current military members, veterans and their families to encourage and promote MnDOT's support of veterans.

**Evaluation:** Employee Resource Groups continue to be an integral part of MnDOT's workforce by:

- Increasing recruitment efforts to more diverse applicant pools.
- Supporting each other in the workplace and MnDOT. There is a mutual relationship between the organization and the ERGs where the groups share their experiences and knowledge to help MnDOT better understand and manage barriers that exist in the workplace as well as the communities we serve.
- Educating other employees about their communities through lunch and learn events specific to the various cultures.
- Assisting MnDOT in being more inclusive by becoming an ERG member or ally.

## Objective #7: 700-Hour Program

The Connect 700 program is an enterprise-wide program that allows individuals with certain disabilities the opportunity to perform work on the job to demonstrate their qualifications in a pre-probationary status. The benefits of Connect 700 are as follows:

- Improve MnDOT's workforce representation of people with disabilities.
- Reduce the unemployment and underemployment rates of people with disabilities in Minnesota.
- Provides hiring managers access to an underutilized talent pool.
- Accelerates the hiring process for both hiring managers and job seekers.
- Gives managers a longer timeframe to assess candidates and make better informed hiring decisions.
- On-the-job demonstration programs traditionally have lower turnover rates.

**Evaluation:** Since the Connect 700 Program was rolled out enterprise-wide in October 2016, below are the successes at MnDOT:

<b>Connect 700 Placements:</b>	<b>22</b>
○ Current Connect 700 Participants:	4
○ Permanent Hires:	13
○ Continue Permanent Employment at MnDOT:	9

## Objective #8: Language Services

MnDOT remains committed to providing the following language services, both internally and externally statewide:

- **Foreign Language Interpreting/Translating**  
As Minnesota's population becomes more diverse, the need for quality interpretation and/or translation in many languages continues to grow.
- **Sign Language Interpreting**  
MnDOT is dedicated to providing quality communication services for the hearing impaired. The State of Minnesota contracts with American Sign Language Interpreting Services (ASLIS), working together to provide certified interpreters who are ethical and professional, allowing us to meet the communication preferences of hearing impaired persons (deaf and/or hard of hearing), both internally and externally.
- **Accent Modification**  
Speech and language training can help address communication challenges that arise when employees with different accents try to communicate with each other or with the public.
- **Language Line**  
MnDOT utilizes Language Line Solutions for over-the-phone interpreting; this service provides MnDOT with on-demand quick access to highly qualified foreign language interpreters in more than 200 languages, to communicate with the Limited English Proficient (LEP) communities we serve. Providing language services helps build customer satisfaction, comply with applicable laws and regulations, increase productivity, reduce costs, and maximize budgets and revenue.

**Evaluation:** This objective was included in past Affirmative Action Plans and will remain an objective as MnDOT continues to provide services to those with particular communication needs.

### **Objective #9: Policy Review & Updates**

MnDOT's Office of Equity & Diversity is responsible for reviewing and updating policies related to Affirmative Action and Equal Employment Opportunity. MnDOT adopted and enforces MMB's Discrimination policy.

In January of 2018, MnDOT adopted the enterprise [Sexual Harassment Prohibited Policy \(pdf\)](#) and tailored it to include specific agency processing information. Immediately following the adoption of the new policy, MnDOT trained supervisors, managers, and lead workers of the new policy and its requirements in 2018. Additional training is currently underway and will be delivered every 2 years.

The Affirmative Action Officer also reviews and provides feedback for other relevant policies as they are updated.

MnDOT's Reasonable Accommodation policy will be reviewed for updates in the 2020-2022 Plan years.

**Evaluation:** MnDOT did not update its Discrimination policy as expected in the 2016-2018 Plan years and instead adopted the enterprise [Harassment and Discrimination Prohibited Policy \(pdf\)](#). The enterprise policy is currently being tailored for announcement to the agency in 2021.

### **Barriers**

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

Below are barriers that may prevent the agency from implementing strategies/actions or good faith efforts to meet the hiring goals:

- Due to the COVID-19 pandemic outbreak, there is a limited anticipated number of open positions in this plan year.
- Limited outreach due to unanticipated budget deficiencies; this will limit our outreach and effectiveness of recruitment efforts.
- Reluctance of employees to self-identify, including individuals with disabilities; this will affect the representation of employees in protected groups. MnDOT will continue to reach out to employees annually to encourage them to self-identify their demographical information, resulting in increasing the demographics of the workforce.

### **Recruitment and Processes**

The agency takes the following actions to improve recruitment and increase the number of qualified females, racial/ethnic minorities, and individuals with disabilities in the applicant pool:

MnDOT conducts general recruitment in addition to recruitment for our specialty programs.

### General Recruitment:

MnDOT OHR provides general recruiting services for the agency's open positions in order to advance our goal to recruit, develop and retain a highly qualified diverse workforce. These services include developing individual recruitment plans with hiring managers and supervisors; providing robust recruiting efforts through event participation, recruitment technology, and social media outreach; and providing specialized services to candidates such as referral assistance, candidate tracking, resume writing, and interview training.

More detail on the MnDOT recruitment programs mentioned in this document can be found on the MnDOT's website at <http://www.dot.state.mn.us/careers/index.html>.

### Specialty Program Recruitment:

The Career Pathway Programs budget is used to fund attendance at career fairs, recruitment and promotional materials, supplies for the Career Pathway Programs to operate, and funding for training and developmental opportunities for the Career Pathway Programs staff and employees in the programs. The budget below is for the operation of the Career Pathway Programs work and does not include the Career Pathway Programs individual budgets.

**Table 4. Recruitment Programs Operating Budget/Fiscal Year**

Item	Cost
Promotional materials	\$5,000
Cost of In State Career Fairs/Events	\$5,000
Cost of Out State Career Fairs/Events (virtual career fair fees only, no travel due to COVID-19)	\$3,000
<b>Total</b>	<b>\$13,000</b>

Below are various recruitment methods or strategies utilized by MnDOT's Career Pathway Programs and the recruitment unit during the past year and plans for the upcoming plan years [2020-2022]:

### Advertising Sources:

Graystone Advertising is the contract advertiser for State of Minnesota agencies. MnDOT has placed employment ads for vacancies that are difficult to fill. Graystone places ads in local publications as well as diversity publications based on the classification and/or location of a vacancy. Advertising is utilized more in the MnDOT District offices than in the Twin Cities metropolitan area. We have also utilized billboard advertising in the districts as well as diverse communities in the metro area. We also use radio advertising on KMOJ and district radio stations. Our outstate offices have also conducted targeted advertising and participated in recruitment with tribal liaisons and Tribal Employment Rights Offices (TERO) in their geographic area.

MnDOT uses social media and online recruiting as a cost-effective advertising resource. Vacancy announcements are placed on MnDOT's Facebook page, the Seeds Facebook page, MnDOT's Twitter page, MnDOT's LinkedIn page, the State of Minnesota LinkedIn page, as well as LinkedIn job slots. Online recruiting is being used to source candidates by placing vacancy announcements on job boards such as Indeed.com, Minnesotajobs.com, Minnesota Works.com, The National Diversity Network, and on specific college and university school career websites. Both

social media and online recruiting have been used to reach a larger demographic of diverse candidates and has been effective to recruit passive, experienced job seekers; in addition, MnDOT also uses school and Association advertising.

### **Job Fairs:**

MnDOT's Recruitment Unit is heavily involved in participating in job and career fairs. Listed below are events that were attended by recruitment representatives in FY '19 and FY '20.

- Anoka County Career Fair
- Anoka County Virtual Career Fair
- Black Business Expo and Career Fair
- Blaine CareerForce Center
- Brainerd Career Fair
- Brooklyn Park CareerForce Center
- Burnsville CareerForce Center
- CLUES Career Fair
- CLUES Virtual Career Fair
- Community Connections Conference
- Community Open House and Job Fair
- Construction Hiring Event
- Cottage Grove CareerForce Center
- Disability Career Fair @ U of M
- DCTC Heavy Truck Tech Career Fair
- Duluth CareerForce Center
- Eagan Career Fair
- Engineering Day at the Science Museum
- Engineer Virtual Career Fair
- Forest Lake CareerForce Center
- HC Transportation Career Fair
- Hennepin County Job Development Fair
- Hiring our Heroes
- HTC Transportation Career Fair
- Job & Resource Fair
- Job Development Career Fair
- Latino Economic Development Center Job Fair
- Marshall JobsHQ Career Fair
- Military Skilled Trades Online Career Fair
- Minneapolis Veterans Job Fair
- MMB State Fair Booth
- MnDOT White Earth Career Day
- MN Crossroads Career Event
- MN APA Conference
- Northland Career Fair
- North Minneapolis CareerForce Center
- North St. Paul CareerForce Center
- People of Color Career Fairs
- Public Sector Hiring Event
- Red Wing Area Job Fair
- Rochester Construction Career Fair
- Rochester Post Bulletin Job Fair
- Scott County CareerForce Center
- Second Chance Job Fair
- South Minneapolis CareerForce Center
- St. Cloud CareerForce Center
- St. Paul CareerForce Center
- State of MN Career Fair
- Summit Academy OIC 2018 Summer Fair
- SWE Career Fair and Conference
- Union Job and Resource Fair
- Veterans Career Fair, Bloomington
- West St. Paul CareerForce Center
- West Central MN Job Fair
- WE MN Virtual Career Fair
- White Earth Reservation Career Fair
- Winona Career Fair
- Woodbury CareerForce Center

### **Colleges and University Recruitment Events:**

MnDOT attends college, university, and high school career and internship events on a regular basis. Some college events are selected based on the institution's diversity demographics or the specialization of studies, such as Civil Engineering. We attend high school events in partnership with AchieveMPLS and we attend the events at Project

Lead the Way (PLTW). We typically attend events at out-of-state universities in our neighboring states of Wisconsin, Iowa, North Dakota, and South Dakota that have an engineering focus. In FY21, MnDOT plans to continue attending colleges and universities that rank top in the country for civil engineering students such as University of Illinois-Champaign-Urbana, University of California, Berkeley and Michigan Tech. These schools not only are ranked top in the nation for civil engineering graduates, but they are also culturally diverse. MnDOT district offices also participate in events at colleges in their regions.

Below are events that were attended by recruitment program representatives in FY '19 and FY '20:

- Anoka Ramsey Community College Job Fair
- Anoka Tech Career Fair
- American Society of Civil Engineers Career Fair, Minneapolis
- Bemidji State University Career Fair
- Center for Transportation Studies Career Fair, Minneapolis
- Century College Career Fair
- CSE UMN Career Fair, Minneapolis
- Dakota County Technical College Civil Engineer Career Fair
- Dakota County Technical College Heavy Truck Tech Career Fair
- Dakota County Technical College Industry & Trades Career Fair
- Dunwoody College Career Fair, Spring and Fall
- Dunwoody Construction Career Fair
- E- Fest Engineering, Computer Science & Science Career Fair, Duluth
- Hennepin Technical College Construction Career Fair
- Humphrey School Career Engagement Fair
- Inver Hills Community College Career Fair
- Iowa State Engineering Career Fair, Iowa
- Johnson High School Career Fair, St. Paul
- Latino Economic Development Center Job Fair
- Macalester College Recruiting Fair
- Mankato State Engineering Career & Internship Fair
- MCTC Job Bank Expo, Minneapolis
- Metro State's Diversity Networking & Job Fair
- Michigan Tech Fall Career Fair
- Minnesota Private Colleges Jobs and Internship Fair, Minneapolis
- Minnesota State University Career and Internship Expo, Mankato
- MnSCU Job and Internship Fair, Brooklyn Park
- North Dakota State University, North Dakota
- North Hennepin Community College Job Fair, Brooklyn Park
- Right Track Youth Job Fair, St. Paul
- Riverland Community College Career Fair Day
- Rochester Community and Technical College
- Society of Women Engineers Career and Networking Expo, Minneapolis
- South Central College Job Fair
- South Dakota State University Engineering Fair, South Dakota
- South High School Career Fair, Minneapolis
- Southwest High School Career Fair, Minneapolis

- Southwest Minnesota State University
- St. Cloud State University Science and Engineering Internship and Job Fair, St. Cloud
- St. Cloud Technical & Community College Job Fair
- St. Paul College Job Fair, St. Paul
- St. Paul College STEM Career Fair
- St. Paul College Transportation Career Fair
- STEM Expo, Minneapolis Convention Center, Minneapolis
- University of Wisconsin River Falls Career Fair, River Falls
- University of Minnesota Business and STEM Career Fair, Minneapolis
- University of Minnesota Civil Engineering Fair, Duluth
- University of Minnesota College of Liberal Arts Internship Fair, Minneapolis
- University of Minnesota Carlson
- University of Minnesota Crookston Virtual Career Fair
- University of Minnesota GIS Career Fair
- University of Minnesota Science and Engineering Career Fair, Minneapolis
- University of Minnesota Government & Nonprofit Job & Internship Fair, Minneapolis
- University of Minnesota Job and Internship Fair
- University of Wisconsin Madison Civil Engineering Career Fair, Wisconsin
- White Earth Community College, Mahanomen

### **Recruitment for Individuals with Disabilities:**

MnDOT works closely with staff of the Minnesota Department of Employment and Economic Development (DEED), Vocational Rehabilitation Services, to identify and place students with disabilities in student worker positions in the Seeds Student Worker Program. Through this relationship with DEED, we have also placed job candidates with disabilities in other jobs in MnDOT.

MnDOT also utilizes the Connect 700 program. Connect 700 is an alternative path to gainful employment for individuals with disabilities that may experience barriers in competitive hiring processes. The Connect 700 program allows individuals with disabilities the opportunity to perform work on the job to demonstrate their qualifications in pre-probationary status. This pre-probationary program allows hiring managers up to 700 hours to assess a candidate's ability to perform work on the job with or without accommodations.

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

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

### **Relationship Building and Outreach:**

MnDOT has participated in many efforts to extend our department's support and outreach to diverse communities throughout the state.

AchieveMpls is a non-profit organization which partners with the Minneapolis Public Schools. MnDOT's OHR Recruitment Staff participate throughout the school year in AchieveMpls high school career fairs that included Minneapolis South, Patrick Henry, and Washburn schools.

AchieveMpls has a summer youth employment program, Step-Up, which connects talented youth with employers to provide 10 weeks of paid summer employment. Step-Up Achieve also collaborates with Minneapolis EMERGE to fill positions that we call Summer Only Phoenix Interns (SOPi). The mission of EMERGE, through the investment in people, develops human capital by connecting economically disadvantaged individuals with summer employment opportunities.

MnDOT also partners with Right Track St. Paul. Right Track is an organization that connects the City of St. Paul, St. Paul Public Schools, and local businesses together to provide employment opportunities for St. Paul youth. OHR Recruitment Staff have been working with Right Track to employ St. Paul youth in the Phoenix internship program.

Community partners that MnDOT partners with include:

- Access Ability Incorporated
- Adult Basic Education
- African Economic Development Solutions
- African Immigrant Community Services
- Albert Lea Chamber of Commerce
- Alliance of Chicano, Hispana Latino Americans (ACHLA)
- American Indian Family Center
- American Indian Family Services
- American Indian OIC
- American Legion Posts in MN
- ARC SE Region 10
- Bhutanese Community Organization
- CAPI
- CareerForce Counselors
- Central Campesino – Owatonna
- Chicano Latino Affairs Council
- Comunidades Latinas Unidas En Servicio (CLUES)
- Council on Asian Pacific Minnesotans
- Council on Islamic Relations in Minnesota
- DEED Construction Program Coordinators
- DEED Veteran Employment Services
- Diversity Act
- East Side Neighborhood Services
- Educational Opportunity Center – TRIO
- Emerge Community Development
- Goodwill Easter Seals Minnesota
- Greater Minnesota Tribal Employment Rights Office Representatives
- Greater Rochester NAACP
- Hennepin County
- HIRED
- Hmong American Partnership
- Hmong Resource Fair Planning Committee
- Hope 4 Youth
- Hubert H. Humphrey Job corps Center
- Indian Affairs Council
- Intercultural Mutual Assistance Association (IMAA)
- International Institute of Minnesota
- Jewish Family and Children's Service
- Job Connect
- Karen Organization of Minnesota
- Lao Center of Minnesota
- Latino Economic Development Center
- Lifetrack
- Little Earth of United Tribes
- Lutheran Social Services
- Marshall Area Chamber of Commerce
- Merrick Community Center
- Merrick Community Services
- Minneapolis Urban League
- Minnesota African Heritage Council

- Minnesota African Women’s Association
- Minnesota Assistance Council for Veterans – Southern Zone
- Minnesota Council on Asian-Pacific MNs
- Minnesota Council on Disability
- Minnesota Council on Latino Affairs
- Minnesota Indian Affairs Council
- Minnesota Libraries
- Minnesota Merit Center
- Minnesota Tradeswomen
- Minnesota West
- Minnesota Women’s Consortium
- Motivation Education & Training, Inc.
- Next – Developing Networks, Advancing Careers
- Olmsted County Veteran Services
- Opportunities Partners
- Other MN State Agencies
- Prairie Island Indian Community
- Ramsey County
- Resource Employment Action Center
- Rochester Community Education
- Somali Community Resettlement Services
- Summit Academy OIC
- Takoda Institute of Higher Ed
- Twin Cities R!se
- United Way of Olmsted County
- United Way of Southwest Minnesota
- US Department of Veterans Affairs
- Vietnamese Social Services
- Vocational Rehab Services
- Western Community Action
- Workforce Development, Inc. – SE MN
- YMCA
- YWCA

MnDOT has also participated in the following community events where recruitment materials were shared:

- CDL Overview Sessions
- Community Connections Conference
- CSE Hmong New Year Celebration
- Dodge County Fair
- Franklin Avenue Open Streets
- Freeborn County Fair
- Hmong Day at the State Fair
- Hmong Resource Fair
- Ice Cream and Peanut Butter Jam
- Kingfield Farmers Market
- Lexington Summer Nights
- Lexington/Hamlin Ice Cream Social
- Mac Grove Fest
- Mac-Grove Fest
- MACV Home for the Holidays
- Minneapolis Urban League Family Day
- Minnesota State Fair
- MN Towards Zero Death Conferences
- MnDOT Open Houses
- Mower County Fair
- National Afternoon Out
- National Night Out – Marshall & Minneapolis
- National Night Out Peace Sanctuary
- Nicollet Avenue Open Streets
- Olmstead County Fair
- Open Streets Lyndale
- Rice County Fair
- Right of Way Workshops
- Safe Summer Nights
- Somali Independence Day
- Statewide Stand Down for Veterans Events
- Steele Park Community Event
- STEM Day at the State Fair
- Survey Tech Workshop
- Transportation Conference
- Veterans Summit
- Whittier Farmers Market

## Internships:

- a. **College Students:** MnDOT partners with the University of Minnesota, Center for Transportation Studies to provide summer student worker opportunities to Civil Engineering students. As a result of cooperative efforts with the Center for Transportation Studies, we have provided summer student worker positions for 60 interns from (FY '17 – FY '19) and hired 2 interns for FY '20. This is a smaller number of hires due to the COVID-19 Pandemic and State of MN Limited Hiring Freeze.

Based on the concept of 'growing our own' talent at MnDOT, the Seeds Student Worker Program is a career track program providing student worker job opportunities for minority students, students with a disability, and/or economically disadvantaged students. Seeds serves as a feeder program for the Graduate Engineer/Land Surveyor program. However, students are placed in many areas and classifications. The program has a 63% placement rate of Seeds graduates into full time MnDOT positions for FY '20 due to the impact of the COVID-19 Pandemic and State of MN Limited Hiring Freeze. The program currently has 24 students working year-round.

- b. **High School Students – Science, Technology, Engineering and Math (STEM):** The Phoenix Internship Program is an intern program at MnDOT that partners with MN Project Lead the Way schools ([www.pltw.org](http://www.pltw.org)). The Phoenix Program provides internship opportunities for high school students enrolled in STEM (Science, Technology, Engineering and Math) courses.

The primary focus of the program is to attract pre-engineering students. Phoenix serves as a feeder program for the Seeds Program and other student worker positions if an intern decides to pursue college in Minnesota. Due to the COVID-19 Pandemic and State of MN Limited Hiring Freeze there are no new students in the Phoenix Program for cohort 2020.

## Employee Resource Groups:

MnDOT also leverages its Employee Resource Groups (ERGs) in agency recruitment efforts. In the past year, ERGs have assisted in the following recruitment activities to help diversify our workforce:

- Cinco de Mayo
- Clues Fiesta Latina
- Dragon Boat Festival and Race
- Golden Valley Pride Event
- Hmong Resource Fair
- Rondo Days
- Selby Avenue Jazz Festival
- Twin Cities Pride Festival

The agency will take the following actions to the continued recruitment of females, racial/ethnic minorities, and individuals with disabilities:

- Continue to place advertisements of job opportunities through [the State of MN Career site](https://mn.gov/mmb/careers/search-for-jobs/) (<https://mn.gov/mmb/careers/search-for-jobs/>).
- Continue to consider female, racial/ethnic minorities, and individuals with disability applicants for all positions for which they qualify.
- Continue to participate in virtual job fairs that are successful to obtain qualified protected group applicants.
- Continue to establish relationships with ethnic and disability communities throughout the State of Minnesota.
- Advertise the Connect 700 program to attract qualified individuals with disabilities by providing a link to MMB's web site.
- Continue to use the EEO tag line on all job postings and advertisements.
- Continue to publish recruitment materials and media depicting individuals representing protected groups.
- Review/evaluate job postings to eliminate non-inclusive language.
- Develop pipeline for entry-level jobs across job categories by using Statewide internship opportunities like Right Track, Step Up, Urban Scholar, and Star of the North Fellows.

## Retention

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

### Person(s) Responsible for Agency Retention Programs/Activities

Name & Title	Contact Information
Seema Desai, Equity and Diversity Office Director & Affirmative Action Officer	(651) 366-4725
Karin van Dyck, Human Resources Office Director	(651) 366-3385

MnDOT continues to support the following retention program in efforts of developing and retaining our diverse talent:

- **MnDOT's Retaining our Workforce (MnROW)** – The MnROW program is the next step in MnDOT's workforce development pipeline of success. The purpose of the program is to support MnDOT's efforts to develop and retain our diverse talent. When students graduate from the Seeds program, they are provided the opportunity to work full-time up to one year to increase their skills and knowledge, making them qualified to compete for permanent positions within MnDOT as well as other State agencies or other external opportunities.

MnDOT will continue to analyze and review separation data for disparate impact on protected group employees. This will include reviewing non-certification trends, layoff trends, resignation trends, and disciplinary actions. The appendix includes a separation report broken down by EEO4 job category.

The agency will take the following actions to improve retention of females, racial/ethnic minorities, and individuals with disabilities:

- Ensure an inclusive work environment and equal opportunities for all employees; provide frequent training and model appropriate workplace behavior.
- Encourage all new hires to receive applicable trainings for their career development.
- Encourage use of the agency's mentor-mentee program.
- Conduct exit interviews, analyze the data, and address identified concerns.
- Develop and communicate to employees' leadership ladder/succession planning.

## Training

The agency will provide the following training strategies and actions to provide employment opportunities to employees and improve retention of females, racial/ethnic minorities, and individuals with disabilities:

- Provide cross-training programs to develop employee's skills and competencies.
- Offer Leadership Development Program (LDP) individually customized and flexible to meet each participant's development goals.
- Provide quality on-boarding orientation.
- Announce training opportunities to all employees.
- Broadly announce all promotion and transfer opportunities.
- Provide unconscious bias training to all employees.
- Ensure all new hires receive inclusive workplace e-learning training.
- Support, communicate and create equity for participation in ERG Rotation job mobility for ERG members and allies, leadership opportunities, cultural competency baseline for all district/office employees, including the development and upkeep of Individual Development Plans for interested employees.

## Person(s) Responsible for Training

Name & Title	Contact Information
Gina Kundan, Equity and Diversity Deputy Director	(651) 366-4723
Seema Desai, Equity and Diversity Office Director & Affirmative Action Officer	(651) 366-4725

## **Methods of Auditing, Evaluating, and Reporting Program Success**

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### **Pre-Employment Review Procedure/Monitoring the Hiring Process**

The rules governing statewide affirmative action programs require that methods of auditing, evaluating, and reporting program success be established. This includes the establishment of the pre-employment review process for all hiring decisions in EEO4 job categories of which a disparity exists.

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

All hires must be justified. If the Office of Equity & Diversity (OED) determines that a hire is not justified, The Affirmative Action Officer (AAO) will work with the management team to determine appropriate steps. The agency will report the number of affirmative hires, non-affirmative hires, and any other relevant data to Minnesota Management and Budget on a quarterly basis.

When candidates are offered interviews, employees scheduling interviews will describe the interview format to the candidate so that an applicant with a disability is able to determine whether they may need to request a reasonable accommodation in advance of the interview, allowing them equal opportunity to participate in the interview process.

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

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

Determination of Position(s): Per contracts, the Commissioner's Staff determines the position(s) in the class or class option, if one exists, and employment condition and work location which is to be eliminated. This information is then delegated to MnDOT's Labor Relations Manager and HR designees to exercise layoff options to the affected employees which are subject to contractual language.

MnDOT's Affirmative Action Officer, in conjunction with the Human Resources Office, shall be responsible for reviewing all pending layoffs to determine the effect on MnDOT's affirmative action goals and timetables.

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

## Other Methods of Program Evaluation

MnDOT submits the following compliance reports to Minnesota Management and Budget as part of the efforts to evaluate the affirmative action program:

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

MnDOT also evaluates the Affirmative Action Plan in the following ways:

- Monitors progress toward stated goals by job category;
- Analyzes employment activity (hires, promotions, mobility opportunities, and terminations) by job category to determine if there is adverse impact;
- Analyzes compensation program to determine if there are patterns of discrimination;
- Reviews the accessibility of online systems, websites, and ensures that reasonable accommodations can be easily requested; and
- Discuss progress with MnDOT leadership on a periodic basis and makes recommendations for improvement.

## Policies, Procedures, and Notice

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### A. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436 (Issued 6/12/2019)

#### Overview

#### Objective

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

#### Policy Statement

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

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

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

*Sexual harassment is specifically addressed by HR/LR Policy #1329 Sexual Harassment Prohibited.*

#### Scope

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

#### Definitions and Terms

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

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

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

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

**Protected Class:** Protected classes under this policy are as follows:

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

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

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

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

**Familial Status:** The condition of one or more minors living with their parent(s) or legal guardian, or the designee of the parent(s) or guardian with the written permission of the parent(s) or guardian. This also protects those who are pregnant or those who are in the process of securing legal custody of a minor from being harassed or discriminated against on that basis.

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

**Genetic Information:** Includes information about an individual's or their family members' genetic tests, family medical history, an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or their family member, and the genetic information of a fetus carried by an individual or a pregnant family member, and the genetic information of any embryo legally held by the individual or their family member using an assisted reproductive technology.

**Public Service Environment:** A location where public service is being provided.

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

## Exclusions

N/A

## Statutory References

M.S. Ch. 43A

M.S. Ch. 363A

## General Standards and Expectations

### Prohibition of Protected Class Harassment and Discrimination

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

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

- Offensive jokes, slurs, derogatory remarks, epithets, name-calling, ridicule or mockery, insults or put-downs
- Display or use of offensive objects, drawings, pictures, or gestures
- Physical assaults or threats
- Inappropriate touching of body, clothing, or personal property
- Following, stalking, intimidation
- Malicious interference with work performance
- Implicit or explicit preferential treatment or promises of preferential treatment for submitting to the conduct or communication
- Implicit or explicit negative treatment or threats of negative treatment for refusing to submit to the conduct or communication
- Discriminatory conduct based on an individual's actual or perceived protected class that segregates, separates, limits or restricts the individual from employment opportunities, including, but not limited to, hiring, promotion, compensation, disciplinary action, assignment of job duties, benefits or privileges of employment

## **I. Employee and Third-Party Responsibilities and Complaint Procedure**

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

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

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

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

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

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

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

## **II. Manager/Supervisory Responsibility**

Managers and supervisors must:

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

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

### **III. Human Resources Responsibilities**

Agency human resources must:

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

### **IV. Affirmative Action Officer or Designees Responsibilities**

Agency Affirmative Action Officer/designee must:

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

### **Investigation and Discipline**

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

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

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

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

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

### **Non-Retaliation**

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

## Responsibilities

### Agency Responsibility

Agencies are responsible for the following:

1. Adopting this policy as the agency HR policy.
2. Disseminating this policy to agency employees through a method whereby receipt can be verified.
3. Posting this policy in a manner that can be accessed by all employees and third parties.
4. Including this policy in their Affirmative Action Plan.
5. Implementing this policy, which includes:
  - a. Implementing an educational program
  - b. Developing and implementing a procedure for reporting complaints
  - c. Communicating the complaint procedure to employees
  - d. Developing and implementing a procedure under which reports will be addressed promptly.
6. Enforcing this policy.
7. Reporting annually dispositions of reports of protected class harassment or discrimination using the Affirmative Action Report.

### MMB Responsibility

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

### Forms and Supplements

Acknowledgment Form (below) – This form may be used to verify receipt by agency employees.

#### Acknowledgement

I acknowledge that I have received and read the policy, HR/LR Policy #1436, Harassment and Discrimination Prohibited, including the policy's complaint procedure. I understand that harassment and discrimination based on protected class, and retaliation, are strictly prohibited. I understand that if I engage in conduct in violation of the policy toward any State employee, or any "third party" as defined by the policy, I will be subject to disciplinary action, up to and including discharge. I understand that if I believe that I have been subjected to harassing, discriminatory or retaliatory conduct as defined by the policy by any State employee, or by any "third party" as defined by the policy, I am encouraged to report that behavior. I understand that I can make a report to any of my agency's managers or supervisors, the agency's affirmative action officer, the agency's human resources office, or agency management, up to and including the agency head. I understand that if my report concerns an agency head, I may contact Minnesota Management and Budget.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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

## **B. Statewide Sexual Harassment Prohibited Policy Statewide HR/LR Policy #1329: Sexual Harassment Prohibited (Revised 6/12/2019)**

### **Objective**

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

### **Policy Statement**

Sexual harassment in any form is strictly prohibited. Individuals who believe they have been subject to sexual harassment as described in this policy are encouraged to file a report with an appropriate authority, as set forth in Section II of this policy.

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

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

### **Scope**

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

### **Definitions and Key Terms**

#### **Complainant**

An individual who complains about sexual harassment or retaliation.

#### **Public service environment**

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

#### **Sexual harassment**

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

#### **Third party**

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

- Applicants for State employment
- Vendors
- Contractors
- Volunteers
- Customers
- Business Partners
- Unpaid Interns

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

## **Exclusions**

N/A

## **Statutory References**

42 U.S.C. § 2000e, et al.

M.S. Ch. 363A

M.S. Ch. 43A

## **General Standards and Expectations**

### **I. Prohibition of Sexual Harassment**

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

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

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

### **II. Employee and Third Party Responsibilities and Complaint Procedure**

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

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

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

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

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

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

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

### **III. Manager/Supervisor Responsibility**

Managers and Supervisors must:

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

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

### **IV. Human Resources Responsibilities**

Agency human resources must:

1. Model appropriate behavior
2. Distribute the sexual harassment policy to all employees, through a method whereby receipt can be verified
3. Treat all complaints of sexual harassment seriously
4. Comply with the agency's complaint and investigation procedures and/or their Affirmative Action Plan

## **V. Affirmative Action Officer or Designee Responsibilities**

Agency Affirmative Action Officer/designee must:

- Model appropriate behavior
- Treat all complaints of sexual harassment seriously
- Comply with the agency's complaint and investigation procedures
- Keep the agency apprised of changes and developments in the law and policy

## **VI. Investigation and Discipline**

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

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

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

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

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

## **VII. Non-Retaliation**

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

## **Responsibilities**

Agencies are responsible for:

- Adopting this policy.
- Disseminating this policy to agency employees through a method whereby receipt can be verified.
- Posting this policy in a manner that can be accessed by all employees and third parties.
- Including this policy in their Affirmative Action Plan.
- Implementing this policy, which includes:
  - Implementing an educational program

- Developing and implementing a procedure for reporting complaints
- Communicating the complaint procedure to employees
- Developing and implementing a procedure under which reports will be addressed promptly
- Enforcing this policy.
- Reporting annually dispositions of reports of sexual harassment using the Affirmative Action Report.

#### **MMB is responsible for:**

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

#### **Forms and Supplements**

Acknowledgment Form (below) – This form may be used to verify receipt by agency employees.

#### **Acknowledgement**

I acknowledge that I have received and read the policy, HR/LR Policy #1329, Sexual Harassment Prohibited, including the policy's complaint procedure.

I understand that sexual harassment and retaliation are strictly prohibited. I understand that if I engage in conduct in violation of the policy toward any State employee, or any "third party" as defined by the policy, I will be subject to disciplinary action, up to and including discharge.

I understand that if I believe that I have been subjected to sexually harassing or retaliatory conduct as defined by the policy by any State employee, or by any "third party" as defined by the policy, I am encouraged to report that behavior. I understand that I can make a report to any of my agency's managers or supervisors, the agency's affirmative action officer, the agency's human resources office, or agency management, up to and including the agency head. I understand that if my report concerns an agency head, I may contact Minnesota Management and Budget.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

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

## **C. Minnesota Department of Transportation Complaint Procedure for Processing Complaints Under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy:**

The agency has established the following complaint procedure to be used by all individuals alleging harassment, discrimination, or retaliation in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. Coercion, retaliation, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

### **Responsibility of Employees:**

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

### **Who May File:**

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

### **Complaint Procedure:**

The internal complaint procedure provides a method for resolving complaints involving alleged violations of MnDOT's policy prohibiting discrimination and harassment. Employees are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint or who has participated in an investigation is prohibited. Employees may contact MnDOT's Office of Equity & Diversity (OED) at 651/366-4725 for more information.

### **Filing Procedures:**

1. Employees may make complaints verbally or in writing. Employees are encouraged to file a complaint within a reasonable period of time after becoming aware that a situation may involve discrimination.
2. The Affirmative Action Officer or designee determines if the complaint falls under the purview of the Office of Equity & Diversity; i.e., the complainant is alleging discrimination on the basis of race, color, national origin, creed, religion, age, disability, sex, gender, sexual orientation, genetic information, familial status, marital status, status with regard to public assistance, or membership/activity in a local human rights commission; or if the complaint is of a general personnel concern. The Affirmative Action Officer or designee will assess the allegation(s) and determine the appropriate course of action.

The Affirmative Action Officer or designee may also consider options other than investigation for resolution, such as workplace mediation or facilitated conversations.

- If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer or designee will inform the complainant in a timely manner and refer them to the appropriate office.

- If the complaint is related to discrimination, the Affirmative Action Officer or designee will contact all parties named as respondents and outline the basic facts of the complaint in a timely manner.
3. The Affirmative Action Officer or designee shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer or designee shall review the findings of the investigation and notify the complainants and respondents that the investigation is completed.
    - If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
    - If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the responders dismissing the complaint.
  4. A written answer will be provided to the parties within sixty (60) days after the complaint is filed. The complainants will be notified should extenuating circumstances prevent completion of an investigation within sixty (60) days.
  5. Disposition of complaints must be filed with MMB within 30 days of the date of determination.
  6. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complaints and responders. After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.
  7. An investigation may include, but is not limited to, the following types of data:
    - Interviews or written interrogatories with all parties involved in the complaint (i.e., complainants, responders, and their respective witnesses; officials having pertinent records or files, etc.);
    - All records pertaining to the case (i.e., written, recorded, filmed, or in any other form); and
    - Research and review of pertinent cases, statutes, policies, guidance and regulations.
  8. The Affirmative Action Officer or designee shall maintain records of all employee discrimination investigations and any pertinent information or data for seven (7) years after a case is closed. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes.

## D. Minnesota Department of Transportation Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form

### Part I – Contact Information *(Print all items legibly)*

Name:		Telephone:
Mailing Address:		
City:	State:	Zip Code

### Part II – Basis of the Discrimination

I was discriminated against based on my... *(please check all that apply)*

☐ Race/Color/National Origin      ☐ Sex/Sexual Orientation      ☐ Creed  
☐ Age      ☐ Religion      ☐ Marital Status  
☐ Disability      ☐ Income Status      ☐ Genetic Info  
☐ Other *(please explain)* \_\_\_\_\_

### Part III – Information of Allegedly Offending Individual(s) *(Please provide information to the best of your knowledge)*

Company Name (under which alleged discrimination occurred):		Telephone:
Company Mailing Address:		
City:	State:	Zip Code

Name(s) of Individual(s) who Allegedly Discriminated:	Job Title:
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**Part IV – Tell Us What Happened** *(In your own words please explain what happened. Be thorough and include all dates and relevant details involved in the incident. If needed, you may attach additional sheet(s) to the back.)*

**Part V – What is your Desired Outcome?** *(Briefly, please explain how you would like this matter to be resolved.)*

**Part VI – Verification**

**IN SIGNING THIS COMPLAINT I VERIFY THAT, TO THE BEST OF MY KNOWLEDGE, EVERYTHING I HAVE STATED IN THIS FORM IS ACCURATE AND TRUE.**

Complainant's Signature \_\_\_\_\_ Date \_\_\_\_\_

MnDOT's discrimination complaint form is also available as an online fillable form that can be found by clicking on the following link: [Discrimination Complaint Form](#).

## E. Statewide ADA Reasonable Accommodation Policy Statewide HR/LR Policy #1433: ADA Reasonable Accommodation Policy

### Objective

The goals of this policy are:

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

### Policy Statement

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

- A qualified applicant with a disability needs an accommodation to have an equal opportunity to compete for a job;
- A qualified employee with a disability needs an accommodation to perform the essential functions of the employee's job; and
- A qualified employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., trainings, office sponsored events).

### Scope

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

### Definitions

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

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

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

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

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

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

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

**Individual with a Disability** - An individual who:

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

**Qualified Individual with a Disability** - An individual who:

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

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

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

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

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

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

- Modifications or adjustments may include, but are not limited to:
  - Providing materials in alternative formats like large print or Braille;
  - Providing assistive technology, including information technology and communications equipment, or specially designed furniture;
  - Modifying work schedules or supervisory methods;
  - Granting breaks or providing leave;
  - Altering how or when job duties are performed;
  - Removing and/or substituting a marginal function;
  - Moving to a different office space;
  - Providing telework;
  - Making changes in workplace policies;
  - Providing a reader or other staff assistant to enable employees to perform their job functions, where a reasonable accommodation cannot be provided by current staff;
  - Removing an architectural barrier, including reconfiguring work spaces;
  - Providing accessible parking;
  - Providing a sign language interpreter; or
  - Providing a reassignment to a vacant position.

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

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

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

## Exclusions

N/A

## Statutory References

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

## General Standards and Expectations

## Individuals Who May Request a Reasonable Accommodation Include:

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

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

## How to Request a Reasonable Accommodation

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

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

## Timing of the Request

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

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

## Form of the request

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

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

The individual requesting an accommodation does not have to use any special words and does not have to mention the ADA or use the phrase "reasonable accommodation" or "disability."

Oral requests must be documented in writing to ensure efficient processing of requests.

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

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

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

### **The interactive process entails**

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

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

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

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

The agency ADA Coordinator shall be consulted when:

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

### **Agency responsibilities for processing the request**

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

#### **Commissioner**

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

#### **ADA Coordinator**

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

#### **Supervisors and Managers**

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

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

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

### **Analysis for processing requests**

Before approving or denying a request for accommodation, the agency decision maker with assistance from the agency ADA Coordinator will:

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

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

### **Obtaining medical documentation in connection with a request for reasonable accommodation**

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

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

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

[Information](#) before sending the Letter to, or otherwise communicating with, the medical provider. The employee may choose not to sign the Authorization. However, if the employee chooses not to sign the Authorization, it is the employee's responsibility to ensure that the agency receives the requested medical information.

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

## Confidentiality requirements

### Medical Information

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

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

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

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

### Accommodation Information

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

### General Information

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

### **Approval of requests for reasonable accommodation**

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

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

### **Funding for reasonable accommodations**

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

### **Procedures for reassignment as a reasonable accommodation**

Reassignment to a vacant position is an accommodation that must be considered if there are no effective reasonable accommodations that would enable the employee to perform the essential functions of his/her current job, or if all other reasonable accommodations would impose an undue hardship.

The agency ADA Coordinator will work with agency Human Resources staff and the requestor to identify appropriate vacant positions within the agency for which the employee may be qualified and can perform the essential functions of the vacant position, with or without reasonable accommodation. Vacant positions which are equivalent to the employee's current job in terms of pay, status, and other relevant factors will be considered first. If there are none, the agency will consider vacant lower level positions for which the individual is qualified. The EEOC recommends that the agency consider positions that are currently vacant or will be coming open within at least the next 60 days.

### **Denial of requests for reasonable accommodation**

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

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

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

### **Consideration of Undue Hardship**

An interactive process must occur prior to the agency making a determination of undue hardship. Determination of undue hardship is made on a case-by-case basis and only after consultation with the agency's ADA Coordinator.

In determining whether granting a reasonable accommodation will cause an undue hardship, the agency considers factors such as the nature and cost of the accommodation in relationship to the size and resources of the agency and the impact the accommodation will have on the operations of the agency.

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

### **Determining Direct Threat**

The determination that an individual poses a “direct threat,” (i.e., a significant risk of substantial harm to the health or safety of the individual or others) which cannot be eliminated or reduced by a reasonable accommodation, must be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job with or without reasonable accommodation. A determination that an individual poses a direct threat cannot be based on fears, misconceptions, or stereotypes about the individual's disability. Instead, the agency must make a reasonable medical judgment, relying on the most current medical knowledge and the best available objective evidence.

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

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

### **Appeals Process in the Event of Denial**

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

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

### **Information Tracking and Records Retention**

Agencies must track reasonable accommodations requested and report once a year by September 1st to MMB the number and types of accommodations requested, approved, denied and other relevant information.

Agencies must retain reasonable accommodation documentation according to the agency's document retention schedule, but in all cases for at least one year from the date the record is made or the personnel action involved is taken, whichever occurs later. 29 C.F.R. § 1602.14.

### **Responsibilities**

Agencies are responsible for the request:

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

### MMB is responsible for:

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

### FORMS

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

### REFERENCES

- [U.S. Equal Employment Opportunity Commission](#), *Enforcement Guidance*
- Pre-employment Disability-Related Questions and Medical Examinations at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995).
- Workers' Compensation and the ADA at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996).
- The Americans with Disabilities Act and Psychiatric Disabilities at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997).
- Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (October 17, 2002), (clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodation and undue hardship).
- Disability-Related Inquiries and Medical Examinations of Employees (explains when it is permissible for employers to make disability-related inquiries or require medical examinations of employees).
- Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 at 6-9, 8 FEP Manual (BNA) 4055:7371.

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

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

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

[Executive Order 19-15, Providing for Increased Participation of Individuals with Disabilities in State Employment](#), directs agencies to make efforts to hire more individuals with disabilities and report on progress.

### Contacts

Equal Opportunity Office at Minnesota Management and Budget via [ADA.MMB@state.mn.us](mailto:ADA.MMB@state.mn.us).

## F. Minnesota Department of Transportation Employee/Applicant Request for ADA Reasonable Accommodation Form

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

<b>Employee/Applicant Name:</b>	<b>Job Title:</b>
<b>Work Location:</b>	<b>Phone Number:</b>

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

### Questions to clarify accommodation requested.

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

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

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

### Information Pertaining to Medical Documentation

In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee has a disability covered by the ADA and to assist in identifying an effective accommodation.

The ADA Coordinator or designee in each agency is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the medical provider follows through on requests for medical information.

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

Employee/Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## G. 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 Minnesota Department of Transportation will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

**Employment:** The Minnesota Department of Transportation does not discriminate on the basis of 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 Minnesota Department of Transportation 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 Minnesota Department of Transportation 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 Minnesota Department of Transportation 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 the Minnesota Department of Transportation 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 Minnesota Department of Transportation, should contact **Ken Rodgers, Disability Programs Coordinator, 651/366-4718**, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Minnesota Department of Transportation 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 Minnesota Department of Transportation is not accessible to persons with disabilities should be directed to Ken Rodgers, Disability Programs Coordinator, [ken.rodgers@state.mn.us](mailto:ken.rodgers@state.mn.us).

The Minnesota Department of Transportation 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.

## **H. Minnesota Department of Transportation 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 on the basis of disability in the provision of services, activities, programs, or benefits by the Minnesota Department of Transportation. 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.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

**Seema Desai**

**Director, Office of Equity & Diversity**

**MnDOT ADA Coordinator**

**395 John Ireland Blvd.**

**Mail Stop 205**

**St Paul, MN 55155**

Within 15 calendar days after receipt of the complaint, **Seema Desai or her designee** will meet or communicate with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting or communication, **Seema Desai or her designee** will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the Minnesota Department of Transportation and offer options for substantive resolution of the complaint.

If the response by **Seema Desai or her designee** does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Agency Commissioner or his/her designee.

Within 15 calendar days after receipt of the appeal, the Agency Commissioner or his/her designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Agency Commissioner or his/her designee will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **Seema Desai or her designee**, appeals to the Agency Commissioner or his/her designee, and responses from these two offices will be retained by the Minnesota Department of Transportation for at least three years.

# I. Americans with Disabilities Act ("ADA") Title II (non-employee) Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form

A fillable form is available at <https://mn.gov/mmb-stat/equal-opportunity/ada/ada-accommodation-request-form-title-ii.pdf>.

<p><b>mn MINNESOTA</b></p> <p>____ (Agency) <b>Americans with Disabilities Act ("ADA") Title II (non-employee) Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form</b></p> <p>The _____ (Agency) is committed to complying with the Americans with Disabilities Act ("ADA") and the Minnesota Human Rights Act ("MHRA"). The ADA Coordinator/Designee will review each request on an individualized, case-by-case, basis to determine whether an accommodation or modification can be made. Please do NOT send copies of medical records. The Agency is not authorized to have medical records and is not qualified to interpret medical records.</p> <p><b>General Information</b> Date of Request: _____</p> <p><b>Person needing accommodation/modification</b> Name: _____ Address: _____ Email: _____ Phone: _____</p> <p><b>Person making request (if different from person needing accommodation/modification)</b> Name: _____ Email: _____ Phone: _____ Relationship to person needing accommodation/modification: _____</p> <p><b>Accommodation Information</b> Date accommodation/modification is needed: _____ Address and/or room of accommodation/modification: _____ Type of accommodation/modification requested (please be specific): _____ How would you like to be notified of the status of your request? <input type="radio"/> Phone <input type="radio"/> Email <input type="radio"/> Writing <input type="radio"/> Other (specify): _____ If someone else has completed this form on your behalf and you want that person to be notified of the status of your request, please initial here: _____</p> <p><small>Updated 08/21/2019</small></p>	<p>All requests for accommodation/modification will be evaluated individually and a response to your request will be provided within one week of receipt.</p> <p><input type="checkbox"/> Check this box to sign this request form electronically: By checking this box, I agree my electronic signature is the legal equivalent of my signature.</p> <p>Signature of Requestor _____ Date _____</p> <p style="text-align: center;"><b>OFFICE USE ONLY</b> <b>RESPONSE TO REQUEST FOR ACCOMMODATION/MODIFICATION</b></p> <p>Date request received: _____</p> <p>The request for accommodation/modification is GRANTED. Below is a description of the accommodation/modification: _____ The request for accommodation/modification is DENIED because: <input type="checkbox"/> The requester does not meet the essential eligibility requirements or qualifications for the program, service, or activity, without regard to disability. <input type="checkbox"/> The requested accommodation/modification would impose an undue burden on the agency; and/or <input type="checkbox"/> The requested accommodation/modification would fundamentally alter the nature of the service, program, or activity.</p> <p>Requester notified on: (date) _____ via: _____</p> <p>Additional notes: _____ ADA Coordinator: Name _____ Signature _____ Date _____</p> <p><small>Updated 08/21/2019</small></p>
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## **J. Evacuation Procedure for Individuals with Disabilities or Otherwise in Need of Assistance**

### **MnDOT Central Office (St. Paul, MN):**

Emergency Floor Monitors are assigned to each floor of Central Office to assist in the coordination of the building evacuation. These individuals are trained for appropriate response to ensure that employees with mobility-related disabilities have assistance to relocate to a smoke-free or safe area in an emergency.

Each mobility-impaired building occupant will move to an elevator lobby with fire doors closed. If the elevator lobby is smoky, move to a smoke-free area accompanied by an attendant. One attendant should remain with the mobility-impaired person. Once employees have effectively vacated the stairwells, occupants with a mobility disability should relocate to stairwell landings for better fire protection and access by emergency personnel. Unless a life-threatening situation exists, the person with a mobility disability and their attendant will not attempt to move down the stairs without the assistance of emergency response personnel.

Weather emergency shelter is within corridor areas when the fire doors are closed. Security emergency shelter is the opposite of weather emergency shelter, that is, shelter on the work area side of the fire doors.

Floor plans, emergency floor monitors, and emergency phone numbers can be found by clicking on the following link: <http://ihub/co/emergency1.html>.

Individual incident command staff and resource contacts will be maintained by each district and reviewed annually so information is current and accurate. When identifying contacts for the primary individuals to fill these positions, districts will also identify first and second alternate staff members to fill the roles as needed.

If additional assistance is needed in an emergency, please contact any of the following individuals to request the type of assistance you may need:

Central Office	Phone	E-mail Address
Todd Haglin, Statewide Emergency Management & Safety Manager	651/366-3079 (desk) 651/775-3661 (cell)	<a href="mailto:todd.haglin@state.mn.us">todd.haglin@state.mn.us</a>
Keith Juliar, Statewide Safety Director	651/366-3039 (desk) 612/219-4559 (cell)	<a href="mailto:keith.juliar@state.mn.us">keith.juliar@state.mn.us</a>
Ben Bloom, Safety Administrator	651/366-3363 (desk) 651/200-8391 (cell)	<a href="mailto:benjamin.bloom@state.mn.us">benjamin.bloom@state.mn.us</a>
Outstate	Phone	E-mail Address
D1 (Duluth/Virginia) – Steve Pecharich	218/725-2776 (desk) 218/390-2146 (cell)	<a href="mailto:steve.pecharich@state.mn.us">steve.pecharich@state.mn.us</a>
D2 (Bemidji/Crookston) – Cole Weber	218/755-6566 (desk) 218/766-6731 (cell)	<a href="mailto:cole.weber@state.mn.us">cole.weber@state.mn.us</a>
D3 (Baxter/St. Cloud) – Lisa Dumont	218/828-5713 (desk) 320/493-2466 (cell)	<a href="mailto:lisa.dumont@state.mn.us">lisa.dumont@state.mn.us</a>
D4 (Detroit Lakes/Morris) – Johnny Haverland	218/846-3637 (desk) 218/849-6105 (cell)	<a href="mailto:johnny.haverland@state.mn.us">johnny.haverland@state.mn.us</a>
D6 (Rochester/Owatonna) – Troy Hollasch	507/286-7615 (desk) 507/273-2059 (cell)	<a href="mailto:troy.hollasch@state.mn.us">troy.hollasch@state.mn.us</a>
D7 (Mankato/Windom) – Rebecca Albrecht	507/304-6126 (desk) 507/381-5710 (cell)	<a href="mailto:rebecca.l.albrecht@state.mn.us">rebecca.l.albrecht@state.mn.us</a>
D8 (Willmar/Marshall/Hutchinson) – Mark Pierskalla	320/214-6381 (desk) 320/894-7412 (cell)	<a href="mailto:mark.pierskalla@state.mn.us">mark.pierskalla@state.mn.us</a>
Metro – Julie Libonate, Safety Supervisor	651/234-7427 (desk) 651/775-2231 (cell)	<a href="mailto:julie.libonate@state.mn.us">julie.libonate@state.mn.us</a>

### **Evacuation Options:**

Individuals with disabilities have four basic evacuation options:

- **Horizontal Evacuation:** Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
- **Stairway Evacuation:** Using steps to reach ground level exits from building;
- **Shelter in Place:** Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire resistant door. If the individual requiring special assistance remains in place, they should dial 9-1-1 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds; and/or

- **Areas of Rescue Assistance:** Identified areas that can be used as a means of egress for individuals with disabilities. These areas, located on floors above or below the building's exists, can be used by individuals with disabilities until rescue can be facilitated by emergency responders; and/or

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

Individuals with disabilities should adhere to the following procedures:

- **Mobility Disabilities (individuals who use wheelchairs or other personal mobility devices - "PMDs"):** Individuals using wheelchairs should be accompanied to an area of rescue assistance by an employee or shelter in place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify the individuals in these areas and notify emergency responders how many individuals need assistance to safely evacuate.
- **Mobility Disabilities (individuals who do not use wheelchairs):** Individuals with mobility-related disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue assistance until emergency responders arrive to assist them.
- **Hearing Disabilities:** MnDOT's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for individuals who are deaf and/or hard-of-hearing. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.
- **Visual Disabilities:** MnDOT's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The horns will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from their common traveled route, individuals with visual disabilities may need, and should be offered assistance, in exiting through the evacuation route.

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

Individuals in need of assistance during an evacuation have three evacuation options based on their location in their building:

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

A copy of MnDOT's weather and emergency evacuation plans in the respective locations can be found by clicking on the following links:

Location	Links to Weather and Emergency Evacuation Plans
Central Office	<a href="http://ihub/co/emergency1.html">http://ihub/co/emergency1.html</a>
District 1 (Duluth/Virginia)	<a href="http://ihub/d1/safety/index.html">http://ihub/d1/safety/index.html</a>
District 2 (Bemidji/Crookston)	<a href="http://ihub/d2/safety/safety.html">http://ihub/d2/safety/safety.html</a>
District 3 (Baxter/St. Cloud)	<a href="http://ihub/d3/safety.html">http://ihub/d3/safety.html</a>
District 4 (Detroit Lakes/Morris)	<a href="http://ihub/d4/pdfs/emergencyplan.pdf">http://ihub/d4/pdfs/emergencyplan.pdf</a>
District 6 (Rochester)	<b>Main Floor:</b> <a href="http://ihub/d6/departments/safety/pdf's/rochester-main-floor.doc">http://ihub/d6/departments/safety/pdf's/rochester-main-floor.doc</a> <b>Basement:</b> <a href="http://ihub/d6/departments/safety/pdf's/rochester-basement.doc">http://ihub/d6/departments/safety/pdf's/rochester-basement.doc</a> <b>Maintenance:</b> <a href="http://ihub/d6/departments/safety/pdf's/rochester-maintenance-evacuation-map-.pdf">http://ihub/d6/departments/safety/pdf's/rochester-maintenance-evacuation-map-.pdf</a>
District 6 (Owatonna)	<b>Main Floor:</b> <a href="http://ihub/d6/departments/safety/pdf's/owatonna-main-floor.pdf">http://ihub/d6/departments/safety/pdf's/owatonna-main-floor.pdf</a>
District 7 (Mankato/Window)	<a href="http://ihub/d7/safety/docs/emergencyactionplan_mankato_window.pdf">http://ihub/d7/safety/docs/emergencyactionplan_mankato_window.pdf</a>
District 8 (Willmar/Hutchinson/Marshall)	<a href="http://ihub.dot.state.mn.us/d8/safety/emergencyplans/index.html">http://ihub.dot.state.mn.us/d8/safety/emergencyplans/index.html</a>
Metro District/RTMC	<b>Emergency Response Plan:</b> <a href="http://ihub/metro/hr/safety/safety_emergplan.pdf">http://ihub/metro/hr/safety/safety_emergplan.pdf</a> <b>Emergency Actions:</b> <a href="http://ihub/metro/hr/safety/emerg_emp_actions.pdf">http://ihub/metro/hr/safety/emerg_emp_actions.pdf</a> <b>Emergency Response Process Chart:</b> <a href="http://ihub/metro/hr/safety/emerg_response_process.pdf">http://ihub/metro/hr/safety/emerg_response_process.pdf</a>

## Other Relevant Information

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### A. MnDOT's Organizational Chart (text version)

**Commissioner** – Margaret Anderson Kelliher

**Deputy Commissioner & Chief Administrative Officer** – Kim Collins

- **Chief Financial Officer** – Kristi Schroedl
  - **Finance** – Robin Sylvester
- **Assistant Commissioner Workforce and Agency Services** – Janet Cherney  
Assistant Workforce and Agency Services Division Director – Cori Calhoun
  - **Administration** – Suzie Thayer
  - **Human Resources** – Karin van Dyck
  - **Audit** – Heidi Henry
- **Government Affairs** – Eric Rudeen
- **Tribal Affairs** – Levi Brown

**Deputy Commissioner & Chief Engineer** – Nancy Daubenberger

- **Assistant Commissioner Modal Planning & Program Management** – Tim Henkel  
Assistant Modal Planning & Program Management Division Director – Jean Wallace
  - **Transportation System Management** – Ed Idzorek
  - **Transit and Active Transportation** – Tori Nill
  - **Freight & Commercial Vehicle Operations (F&CVO)** – Bill Gardner
  - **Aeronautics** – Cassandra Isackson
  - **Research & Innovation** – Katie Walker
- **Assistant Commissioner State Aid** – Kristine Elwood
  - **State Aid** – Chris Kufner
  - **Statewide Radio Communications** – Tim Lee
- **Assistant Commissioner Engineering Services** – Mark Gieseke  
Assistant Engineering Services Division Director – Vacant
  - **Bridge** – Kevin Western
  - **Project Management (PM) & Technical Support** – Tom Styrbicki
  - **Construction & Innovative Contracting (OCIC)** – Tom Ravn
  - **Environmental Stewardship** – Marni Karnowski
  - **Land Management** – Joe Pignato
  - **Materials & Road Research** – Glenn Engstrom
- **Assistant Commissioner Operations** – Jay Hietpas  
Assistant Engineering Services Division Director – Chris Roy
  - **District 1** – Duane Hill
  - **District 2** – JT Anderson
  - **District 3** – Mike Ginnaty
  - **District 4** – Shiloh Wahl
  - **Metro District** – Michael Barnes
  - **District 6** – Mark Schoenfelder
  - **District 7** – Greg Ous
  - **District 8** – Jon Huseby
  - **Traffic Engineering** – Brian Sorenson
  - **Maintenance** – Steven Lund
  - **CAV-X** – Kristin White
- **Assistant Commissioner Sustainability** – Tim Sexton
  - **Sustainability & Public Health**

**Chief of Staff** – Sara Severs

- **Communications and Public Engagement** – Jake Loesch
- **Civil Rights** – Sean Skibbie (Interim) (**Also reports directly to Commissioner**)
- **Equity & Diversity** – Seema Desai (**Also reports directly to Commissioner**)
- **Planning & Management** – Vacant

**Chief Counsel** – Craig Gustafson

- **Chief Counsel Office**

## Appendix - Worksheets

### A. Progress Toward Goals Report

Data Range Dates: July 1, 2018 through June 30, 2020

Females (Promotion includes both promoted into and within the job category.)						
Job Category	Prior AAP Total Females %	Prior AAP Goals Females %	Females Hired %	Female Promoted %	Actual Females Placement (%)	Females Goal Met?
Officials/Administrators	34.25%	6.45%	57.14%	34.72%	38.37%	Yes
Professionals	39.56%	22.04%	42.03%	45.19%	43.78%	Yes
Technicians	15.18%	14.96%	28.65%	9.09%	21.22%	Yes
Office/Clerical	85.71%	30.86%	79.31%	78.38%	78.95%	Yes
Skilled Craft	0.43%	16.00%	0.00%	4.17%	1.52%	No
Service Maintenance	8.94%	12.10%	13.43%	8.73%	12.23%	Yes

Racial/Ethnic Minorities (Promotion includes both promoted into and within the job category.)						
Job Category	Prior AAP Total Minorities %	Prior AAP Goals Minorities %	Minorities Hired %	Minorities Promoted %	Actual Minorities Placement (%)	Minorities Goal Met?
Officials/Administrators	3.31%	1.00%	7.14%	5.56%	5.81%	Yes
Professionals	8.06%	45.45%	14.13%	18.37%	16.48%	No
Technicians	5.97%	21.74%	19.10%	6.93%	14.47%	No
Office/Clerical	2.12%	12.50%	29.31%	18.92%	25.26%	Yes
Skilled Craft	3.83%	77.78%	4.76%	12.50%	7.58%	No
Service Maintenance	9.74%	18.71%	14.38%	13.89%	14.26%	No

**Individuals with Disabilities** (Promotion includes both promoted into and within the job category.)

<b>Job Category</b>	<b>Prior AAP Total Indiv with Disabl %</b>	<b>Prior AAP Goals Indiv with Disabl %</b>	<b>Indiv with Disabl Hired %</b>	<b>Indiv with Disabl Promoted %</b>	<b>Actual Indiv with Disabl Placement (%)</b>	<b>Indiv with Disabl Goal Met?</b>
<b>Officials/Administrators</b>	4.97%	33.33%	0.00%	5.56%	5.56%	No
<b>Professionals</b>	5.64%	19.48%	4.71%	3.79%	4.20%	No
<b>Technicians</b>	3.83%	74.58%	3.18%	3.03%	3.13%	No
<b>Office/Clerical</b>	9.52%	55.56%	18.97%	8.11%	14.74%	No
<b>Skilled Craft</b>	1.28%	4.33%	2.38%	4.17%	3.03%	No
<b>Service Maintenance</b>	4.56%	40.00%	4.88%	5.56%	5.06%	No

## B. Separation Analysis

Data Range Dates: July 1, 2018 through June 30, 2020

Note: <sup>1</sup> The percentages by protected group within a separation type

Total Separations		*(Minority = Racial/Ethnic Minorities)		
Separation Type	Total %	Female % within each Sep Type <sup>1</sup>	*Minority % within each Sep Type <sup>1</sup>	Indiv with Disabl % within each Sep Type <sup>1</sup>
Dismissal or Non-Certification	100.00%	11.54%	17.31%	5.77%
Resignation	100.00%	27.22%	18.34%	3.85%
Retirement	100.00%	23.76%	4.70%	7.73%
Death	100.00%	17.65%	0.00%	5.88%
Lay-off	0.00%	0.00%	0.00%	0.00%
**Termination without Rights	100.00%	19.60%	17.83%	4.21%
<b>Total Separations</b>	<b>100.00%</b>	<b>21.77%</b>	<b>14.89%</b>	<b>4.96%</b>

Officials/Administrators				
Separation Type	Total %	Female % within each Sep Type <sup>1</sup>	*Minority % within each Sep Type <sup>1</sup>	Indiv with Disabl % within each Sep Type <sup>1</sup>
Dismissal or Non-Certification	0.00%	0.00%	0.00%	0.00%
Resignation	18.60%	25.00%	12.50%	0.00%
Retirement	76.74%	30.30%	9.09%	15.15%
Death	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%
**Termination without Rights	4.65%	0.00%	0.00%	0.00%
<b>Total Separations</b>	<b>100.00%</b>	<b>27.91%</b>	<b>9.30%</b>	<b>11.63%</b>

Professionals				
Separation Type	Total %	Female % within each Sep Type <sup>1</sup>	*Minority % within each Sep Type <sup>1</sup>	Indiv with Disabl % within each Sep Type <sup>1</sup>
Dismissal or Non-Certification	1.55%	25.00%	25.00%	25.00%
Resignation	44.96%	45.69%	20.69%	3.45%
Retirement	37.21%	42.71%	3.13%	11.46%
Death	0.78%	50.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%
**Termination without Rights	15.50%	32.50%	17.50%	7.50%
<b>Total Separations</b>	<b>100.00%</b>	<b>42.25%</b>	<b>13.57%</b>	<b>7.36%</b>

Technicians				
Separation Type	Total %	Female % within each Sep Type <sup>1</sup>	*Minority % within each Sep Type <sup>1</sup>	Indiv with Disabl % within each Sep Type <sup>1</sup>
Dismissal or Non-Certification	1.48%	14.29%	14.29%	0.00%
Resignation	12.50%	11.86%	5.08%	1.69%
Retirement	22.25%	18.10%	4.76%	5.71%
Death	1.27%	16.67%	0.00%	16.67%
Lay-off	0.00%	0.00%	0.00%	0.00%
**Termination without Rights	62.50%	24.75%	21.69%	3.05%
<b>Total Separations</b>	<b>100.00%</b>	<b>21.40%</b>	<b>15.47%</b>	<b>3.60%</b>

Office/Clerical				
Separation Type	Total %	Female % within each Sep Type <sup>1</sup>	*Minority % within each Sep Type <sup>1</sup>	Indiv with Disabl % within each Sep Type <sup>1</sup>
Dismissal or Non-Certification	5.06%	75.00%	25.00%	0.00%
Resignation	25.32%	60.00%	25.00%	5.00%
Retirement	20.25%	81.25%	6.25%	6.25%
Death	1.27%	100.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%
**Termination without Rights	48.10%	55.26%	31.58%	13.16%
<b>Total Separations</b>	<b>100.00%</b>	<b>63.29%</b>	<b>24.05%</b>	<b>8.86%</b>

Skilled Craft				
Separation Type	Total %	Female % within each Sep Type <sup>1</sup>	*Minority % within each Sep Type <sup>1</sup>	Indiv with Disabl % within each Sep Type <sup>1</sup>
Dismissal or Non-Certification	6.67%	0.00%	0.00%	0.00%
Resignation	36.67%	0.00%	0.00%	0.00%
Retirement	53.33%	0.00%	12.50%	0.00%
Death	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%
**Termination without Rights	3.33%	0.00%	0.00%	0.00%
<b>Total Separations</b>	<b>100.00%</b>	<b>0.00%</b>	<b>6.67%</b>	<b>0.00%</b>

Service Maintenance				
Separation Type	Total %	Female % within each Sep Type <sup>1</sup>	*Minority % within each Sep Type <sup>1</sup>	Indiv with Disabl % within each Sep Type <sup>1</sup>
Dismissal or Non-Certification	6.67%	0.00%	0.00%	0.00%
Resignation	36.67%	0.00%	0.00%	0.00%
Retirement	53.33%	0.00%	12.50%	0.00%
Death	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%
**Termination without Rights	3.33%	0.00%	0.00%	0.00%
<b>Total Separations</b>	<b>100.00%</b>	<b>0.00%</b>	<b>6.67%</b>	<b>0.00%</b>

**NOTE: The numbers in the separation tables above reflect those of all employment conditions, both unlimited and limited.**

\*\*The 'Terminations without Rights' type of separation includes limited separations (i.e. temporary snow and ice, emergency appointments, and student workers.). Many of these employees return and separate multiple times in a Plan year depending on the type of separation and employment condition; in addition, many are hired permanently.

## C. Job Category Analysis – Listing of Job Titles

Data as of July 16, 2020

Officials/Administrators			
Job Code	Job Title		
003221	Admin Svcs Dir		
002918	Asst Commr Transportation		
008391	Civil Rights Director		
003925	Commissioner-Transportation		
008099	Deputy Commr Transportation		
008224	Dir Governmental Relations CI		
008434	Dir Governmental Relations Unc		
002701	Electronic Commun Asst Director		
001582	Engineer Administrative Mgt		
002896	Engineer Princ Admin Transp		
000635	Engineer Senior Administrative		
008879	Exec Aide		
002691	Financial Mgt Director		
002879	Fiscal & Admin Serv Manager		
002147	Human Resources Director 2		
003045	Human Resources Director 3		
000501	Human Resources Director 5		
003642	Land Surveyor Admin - Mgmt		
003330	Land Surveyor Senior Admin		
008606	Senior Admin Officer		
003639	State Prog Admin Manager		
003719	State Prog Admin Manager Prin		
003679	State Prog Admin Manager Sr		
002338	Transp Asst Div Dir		
001694	Transp Audit Director		
003311	Transp Chief Admin Officer		
003073	Transp Division Engineer		
000937	Transp Environmental Svcs Dir		
001957	Transp Finance Mgmt Director		
001583	Transp Finance Mgr		
008342	Transp Gov & Comm Rel Dir		
003435	Transp Off CPPM Director		
003708	Transp Operations Manager		
001679	Transp Planning Dir		
003033	Transp Prog Director		
003315	Transp Prog Financial/Plng Dir		
002996	Transp Support Svcs Director		
Total	Females 39.15%	Racial/Ethnic Minorities 4.76%	Indiv w/Disabl 7.41%

Professionals	
Job Code	Job Title
000003	Accounting Director
000004	Accounting Officer
000979	Accounting Officer Inter
002390	Accounting Officer Principal
000633	Accounting Officer Senior
002094	Accounting Supervisor
002095	Accounting Supervisor Inter
001500	Accounting Supervisor Princ
002143	Accounting Supervisor Senior
001447	Affirmative Action Off 1
001448	Affirmative Action Off 2
001449	Affirmative Action Off 3
003171	Agency Policy Specialist
000029	Architect 2
002389	Architectural Supervisor
000095	Attorney 1
000097	Attorney 3
000102	Auditor
000978	Auditor Intermediate
001067	Auditor Principal
002277	Auditor Principal Supervisor
000636	Auditor Senior
002278	Auditor Senior Supervisor
001396	Aviation Representative
000138	Business Manager 1
000140	Buyer 1
000141	Buyer 2
001477	Chemist 2
000640	Chemist Supervisor 1
000407	Chemistry Laboratory Director
003234	Contract Specialist – Const
001824	Economic Policy Analyst
000285	Engineer 1 Graduate
000919	Engineer 2 Graduate
000995	Engineer Administrative
000997	Engineer Princ
000994	Engineer Senior
001303	Grants Specialist
002241	Grants Specialist Coordinator
000652	Human Resources Consultant 1
003882	Human Resources Consultant 2

Professionals (continued)	
Job Code	Job Title
000500	Human Resources Director 1
000498	Human Resources Specialist 1
001423	Human Resources Specialist 2
003017	Human Resources Specialist 3
002368	Human Resources Supervisor 2
003726	Human Resources Supervisor 3
000499	Human Resources Supervisor 4
000955	Hydrologist 1
000958	Hydrologist 2
000959	Hydrologist 3
001697	Hydrologist 4
001438	Industrial Hygienist 3
001314	Information Officer 1
000647	Information Officer 2
000577	Information Officer 3
001315	Information Officer 4
002483	Labor Relations Consultant 2
001401	Land Surveyor In Training
001933	Land Surveyor Principal
001402	Land Surveyor Senior
003301	Landscape Architect Princ Supv
002642	Landscape Architect Registered
003526	Landscape Architect Senior
000418	Landscape Design Specialist
000650	Library/Info Res Serv Prog Dir
001393	Library/Info Res Serv Spec Sr
000006	Management Analyst 1
001528	Management Analyst 2
000893	Management Analyst 3
000634	Management Analyst 4
003730	Management Analyst Staff Spec
002114	Management Analyst Supv 3
002977	NR Forestry Program Coord
002932	NR Prog Coordinator
003743	NR Spec Sr Eco Svcs
000776	Physical Plant Director
001730	Pilot
001731	Pilot Chief
000511	Planner
002376	Planner Intermediate
000510	Planner Principal State

Professionals (continued)	
Job Code	Job Title
002601	Planner Principal Transp
000518	Planner Senior Trans
000812	Planning Dir State
000522	Planning Dir Transportation
003668	Planning Program Coord Transp
000585	Radio Engineer 2
000852	Real Estate Associate
001378	Real Estate Representative
000617	Real Estate Representative Sr
003563	Real Estate Specialist
000618	Real Estate Specialist Supv
002858	Realty Supervisor
000892	Research Analysis Spec
000659	Research Analysis Spec Sr
000604	Research Analyst
002251	Research Analyst Intermediate
002254	Research Analyst Supervisor Sr
000607	Research Scientist 1
000609	Research Scientist 3
001399	Safety & Health Officer 1
002687	Safety Administrator
003604	State Prog Admin
003608	State Prog Admin Coordinator
003609	State Prog Admin Director
003605	State Prog Admin Intermediate
003607	State Prog Admin Prin
003606	State Prog Admin Sr
003690	State Prog Admin Supervisor
003689	State Prog Admin Supervisor Sr
003712	State Prog Admin Supv Prin
003670	Traffic Mgmt Sys Integrator Spec
008584	Trainee-Graduate Engineer
008896	Trainee-Graduate Land Srvyr
001409	Training & Development Spec 1
001410	Training & Development Spec 2
000996	Training & Development Spec 3
001977	Training & Development Supv 2
003589	Transp Acquisition Specialist
003601	Transp Prog Spec (Hazard Mtls)

Professionals (continued)			
Job Code	Job Title		
003703	Transp Prog Specialist 1		
003442	Transp Prog Specialist 2		
003441	Transp Prog Specialist 3		
003700	Transp Prog Specialist 4		
003699	Transp Prog Supervisor		
003648	Transp Prog Supervisor Sr		
003649	Transp Prog Team Leader		
<b>Total</b>	<b>Females 40.35%</b>	<b>Racial/Ethnic Minorities 14.20%</b>	<b>Indiv w/Disabl 6.10%</b>

Technicians	
Job Code	Job Title
000774	Accounting Technician
000031	Architectural Drafting Tech 2
000032	Architectural Drafting Tech 3
001959	Automotive Parts Technician
003834	Electronic Maintenance Supv
000270	Electronic Systems Specialist
000938	Electronic Technician Senior
000556	Engineering Specialist
003909	Engineering Specialist Princ
002606	Engineering Specialist Senior
000753	Graphic Arts Specialist
000881	Human Resources Technician 1
001486	Human Resources Technician 2
000584	Radio Engineer 1
000588	Radio Maintenance Supervisor
001428	Radio Technician 2
000587	Radio Technician 3
003883	Radio Tower Technician Senior
003167	Real Estate Aide
003709	State Prog Admin Tech Spec
003128	Structural Fabrication Insp
008598	Student Worker Para Prof
008599	Student Worker Para Prof Sr
003669	Traffic Mgmt Sys Integrator
003395	Traffic Mgmt Sys Integrator Sr

Technicians (continued)			
003874	Transp Communications Operator		
003676	Transp Generalist Senior		
003848	Transp Materials Technician		
003727	Transp Photogrammetric Tech Sp		
003677	Transp Specialist		
<b>Total</b>	<b>Females 14.95%</b>	<b>Racial/Ethnic Minorities 8.26%</b>	<b>Indiv w/Disabl 4.59%</b>

Office/Clerical			
Job Code	Job Title		
000001	Account Clerk		
000632	Account Clerk Senior		
002372	Admin Secretary Supv		
003632	Central Svcs Admin Spec Inter		
003633	Central Svcs Admin Spec Senior		
002104	Clerk Typist 4 Supervisor		
003635	Customer Svcs Specialist		
003636	Customer Svcs Specialist Int		
003638	Customer Svcs Specialist Princ		
003637	Customer Svcs Specialist Sr		
003511	Electronic Publishing Coord		
000293	Exec 2		
003627	Office & Admin Specialist		
003628	Office & Admin Specialist Int		
003630	Office & Admin Specialist Prin		
003629	Office & Admin Specialist Sr		
002192	Office Services Supervisor 2		
002118	Office Services Supervisor 3		
000294	Office Specialist		
003626	Student Worker Clerical		
003276	Transp Materials Supv		
<b>Total</b>	<b>Females 83.62%</b>	<b>Racial/Ethnic Minorities 15.82%</b>	<b>Indiv w/Disabl 12.43%</b>

Skilled Craft			
Job Code	Job Title		
002214	Building Maintenance Coord		
000131	Building Maintenance Foreman		
002270	Building Maintenance Lead Wrkr		
000132	Building Maintenance Supv		
000135	Building Utilities Mechanic		
000146	Carpenter		
000266	Electrician		
002108	Electrician Lead		
003452	Electrician Master Record		
000267	Electrician Supervisor		
000104	Heavy Equip Field Mech		
000927	Heavy Equip Mechanic		
000358	Highway Signal Technician		
000440	Machinery Repair Worker		
000525	Plant Mntc Engineer		
003453	Plumber Master In Charge		
001019	Refrigeration Mechanic		
000761	Welder		
<b>Total</b>	<b>Females 0.42%</b>	<b>Racial/Ethnic Minorities 5.00%</b>	<b>Indiv w/Disabl 3.75%</b>

Service Maintenance	
Job Code	Job Title
000109	Automobile Service Attendant
002238	Building Svcs Lead
001725	General Maintenance Wrkr
001357	General Repair Worker
000344	Heavy Equip Srvc Attendant
001561	Highway Helper
003232	Highway Helper Sr
003233	Highway Helper Supv
003402	Laborer General
000414	Laborer Trades & Equipment
000415	Offset Press Operator Senior
001040	Plant Mntc Engineer Helper
000526	Reprographic Specialist
003281	Student Worker Custodial/Maint

Service Maintenance (continued)			
Job Code	Job Title		
003684	Transp Associate		
003685	Transp Generalist		
003816	Transp Operations Supv 1		
003817	Transp Operations Supv 2		
003818	Transp Operations Supv 3		
003819	Transp Operations Supv 4		
Total	Females 8.67%	Racial/Ethnic Minorities 10.62%	Indiv w/Disabl 5.34%

## D. Feeder Jobs and Feeder Group Analysis

Data as of July 16, 2020

Officials/Administrators		
Job Code	Job Title	EEO4 Job Category
003221	Admin Svcs Dir	Officials/Administrators
002918	Asst Commr Transportation	Officials/Administrators
008391	Civil Rights Director	Officials/Administrators
008099	Deputy Commr Transportation	Officials/Administrators
008224	Dir Governmental Relations - CI	Officials/Administrators
008434	Dir Governmental Relations - Unc	Officials/Administrators
002701	Electronic Commun Asst Director	Officials/Administrators
001582	Engineer Administrative Mgt	Officials/Administrators
000635	Engineer Senior Administrative	Officials/Administrators
002896	Engineer Princ Admin Transp	Officials/Administrators
002691	Financial Mgt Director	Officials/Administrators
002879	Fiscal & Admin Serv Manager	Officials/Administrators
002147	Human Resources Director 2	Officials/Administrators
003045	Human Resources Director 3	Officials/Administrators
000501	Human Resources Director 5	Officials/Administrators
003642	Land Surveyor Admin - Mgmt	Officials/Administrators
003330	Land Surveyor Senior Admin	Officials/Administrators
008606	Senior Admin Officer	Officials/Administrators
003639	State Prog Admin Manager	Officials/Administrators
003719	State Prog Admin Manager Prin	Officials/Administrators
003679	State Prog Admin Manager Sr	Officials/Administrators
002338	Transp Asst Div Dir	Officials/Administrators
001694	Transp Audit Director	Officials/Administrators
003311	Transp Chief Admin Officer	Officials/Administrators
003073	Transp Division Engineer	Officials/Administrators
000937	Transp Environmental Svcs Dir	Officials/Administrators
001957	Transp Finance Mgmt Director	Officials/Administrators
001583	Transp Finance Mgr	Officials/Administrators
008342	Transp Gov and Comm Rel Dir	Officials/Administrators
003435	Transp Off CPPM Director	Officials/Administrators
003708	Transp Operations Manager	Officials/Administrators
001679	Transp Planning Dir	Officials/Administrators
003033	Transp Prog Director	Officials/Administrators
003315	Transp Prog Financial/Plng Dir	Officials/Administrators
002996	Transp Support Svcs Director	Officials/Administrators
000003	Accounting Director	Professionals
000097	Attorney 3	Professionals
002277	Auditor Principal Supervisor	Professionals
000138	Business Manager 1	Professionals
000995	Engineer Administrative	Professionals

Officials/Administrators (continued)			
Job Code	Job Title		EEO4 Job Category
000500	Human Resources Director 1		Professionals
000499	Human Resources Supervisor 4		Professionals
001315	Information Officer 4		Professionals
000650	Library/Info Res Serv Prog Dir		Professionals
002114	Management Analyst Supv 3		Professionals
000776	Physical Plant Director		Professionals
000522	Planning Dir Transportation		Professionals
003690	State Prog Admin Supervisor		Professionals
003689	State Prog Admin Supervisor Sr		Professionals
003712	State Prog Admin Supervisor Prin		Professionals
001977	Training & Development Supv 2		Professionals
003648	Transp Prog Supervisor Sr		Professionals
<b>Total</b>	<b>Females 37.43%</b>	<b>Racial/Ethnic Minorities 6.15%</b>	<b>Indiv w/Disabl 5.87%</b>

Professionals			
Job Code	Job Title		EEO4 Job Category
000003	Accounting Director		Professionals
000004	Accounting Officer		Professionals
000979	Accounting Officer Int		Professionals
002390	Accounting Officer Principal		Professionals
000633	Accounting Officer Senior		Professionals
002094	Accounting Supervisor		Professionals
002095	Accounting Supervisor Int		Professionals
001500	Accounting Supervisor Princ		Professionals
002143	Accounting Supervisor Senior		Professionals
001447	Affirmative Action Off 1		Professionals
001448	Affirmative Action Off 2		Professionals
001449	Affirmative Action Off 3		Professionals
000029	Architect 2		Professionals
000095	Attorney 1		Professionals
000102	Auditor		Professionals
000978	Auditor Intermediate		Professionals
001067	Auditor Principal		Professionals
002277	Auditor Principal Supervisor		Professionals
000636	Auditor Senior		Professionals
002278	Auditor Senior Supervisor		Professionals
001396	Aviation Representative		Professionals

Professionals (continued)		
Job Code	Job Title	EEO4 Job Category
000138	Business Manager 1	Professionals
000140	Buyer 1	Professionals
000141	Buyer 2	Professionals
001477	Chemist 2	Professionals
000640	Chemistry Supervisor 1	Professionals
000285	Engineer 1 Graduate	Professionals
000919	Engineer 2 Graduate	Professionals
000995	Engineer Administrative	Professionals
000997	Engineer Princ	Professionals
000994	Engineer Senior	Professionals
001303	Grants Specialist	Professionals
000652	Human Resources Consultant 1	Professionals
003882	Human Resources Consultant 2	Professionals
000498	Human Resources Specialist 1	Professionals
001423	Human Resources Specialist 2	Professionals
003017	Human Resources Specialist 3	Professionals
002368	Human Resources Supervisor 2	Professionals
003726	Human Resources Supervisor 3	Professionals
000499	Human Resources Supervisor 4	Professionals
000955	Hydrologist 1	Professionals
000958	Hydrologist 2	Professionals
000959	Hydrologist 3	Professionals
001314	Information Officer 1	Professionals
000647	Information Officer 2	Professionals
000577	Information Officer 3	Professionals
002483	Labor Relations Consultant 2	Professionals
002642	Landscape Architect Registered	Professionals
003526	Landscape Architect Senior	Professionals
000418	Landscape Design Specialist	Professionals
001401	Land Surveyor in Training	Professionals
001933	Land Surveyor Principal	Professionals
001402	Land Surveyor Senior	Professionals
000650	Library/Info Res Serv Prog Dir	Professionals
001393	Library/Info Res Serv Spec Sr	Professionals
000006	Management Analyst 1	Professionals
001528	Management Analyst 2	Professionals
000893	Management Analyst 3	Professionals
000634	Management Analyst 4	Professionals
003730	Management Analyst Staff Spec	Professionals
002114	Management Analyst Supv 3	Professionals

Professionals (continued)		
Job Code	Job Title	EEO4 Job Category
002977	NR Forestry Prog Coord	Professionals
002932	NR Prog Coordinator	Professionals
003743	NR Spec Sr Eco Svcs	Professionals
000776	Physical Plant Director	Professionals
001730	Pilot	Professionals
000511	Planner	Professionals
002376	Planner Intermediate	Professionals
000510	Planner Principal State	Professionals
002601	Planner Principal Transp	Professionals
000518	Planner Senior Trans	Professionals
000812	Planner Dir State	Professionals
003668	Planning Program Coord Transp	Professionals
000852	Real Estate Associate	Professionals
001378	Real Estate Representative	Professionals
000617	Real Estate Representative Sr	Professionals
003563	Real Estate Specialist	Professionals
000618	Real Estate Specialist Supv	Professionals
002858	Realty Supervisor	Professionals
000892	Research Analysis Spec	Professionals
000659	Research Analysis Spec Sr	Professionals
000604	Research Analyst	Professionals
002251	Research Analyst Intermediate	Professionals
002254	Research Analyst Supervisor Sr	Professionals
000607	Rsearch Scientist 1	Professionals
000609	Research Scientist 3	Professionals
001399	Safety & Health Officer 1	Professionals
002687	Safety Administrator	Professionals
003604	State Prog Admin	Professionals
003608	State Prog Admin Coordinator	Professionals
003609	State Prog Admin Director	Professionals
003605	State Prog Admin Intermediate	Professionals
003607	State Prog Admin Prin	Professionals
003606	State Prog Admin Sr	Professionals
003690	State Prog Admin Supervisor	Professionals
003689	State Prog Admin Supervisor Sr	Professionals
003712	State Prog Admin Supervisor Prin	Professionals
008584	Trainee-Graduate Engineer	Professionals
008896	Trainee-Graduate Land Srvyr	Professionals
001409	Training & Development Spec 1	Professionals
001410	Training & Development Spec 2	Professionals

Professionals (continued)		
Job Code	Job Title	EEO4 Job Category
000996	Training & Development Spec 3	Professionals
001977	Training & Development Supv 2	Professionals
003589	Transp Acquisition Specialist	Professionals
003601	Transp Prog Spec (Hazard Mtls)	Professionals
003703	Transp Prog Specialist 1	Professionals
003442	Transp Prog Specialist 2	Professionals
003441	Transp Prog Specialist 3	Professionals
003700	Transp Prog Specialist 4	Professionals
003699	Transp Prog Supervisor	Professionals
003648	Transp Prog Supervisor Sr	Professionals
003649	Transp Prog Team Leader	Professionals
000774	Accounting Technician	Technicians
000031	Architectural Drafting Tech 2	Technicians
000032	Architectural Drafting Tech 3	Technicians
000556	Engineering Specialist	Technicians
003909	Engineering Specialist Princ	Technicians
002606	Engineering Specialist Senior	Technicians
000881	Human Resources Technician 1	Technicians
001486	Human Resources Technician 2	Technicians
000584	Radio Engineer 1	Technicians
000588	Radio Maintenance Supervisor	Technicians
001428	Radio Technician 2	Technicians
000587	Radio Technician 3	Technicians
003883	Radio Tower Technician Senior	Technicians
003167	Real Estate Aide	Technicians
003709	State Prog Admin Tech Spec	Technicians
008598	Student Worker Para Prof	Technicians
008599	Student Worker Para Prof Sr	Technicians
003395	Traffic Mgmt Sys Integrator Sr	Technicians
000632	Account Clerk Senior	Office/Clerical
002372	Admin Secretary Supv	Office/Clerical
002104	Clerk Typist 4 Supervisor	Office/Clerical
003638	Customer Svcs Specialist Princ	Office/Clerical
003637	Customer Svcs Specialist Sr	Office/Clerical
000293	Exec 2	Office/Clerical
003630	Office & Admin Specialist Prin	Office/Clerical
003629	Office & Admin Specialist Sr	Office/Clerical
002192	Office Services Supervisor 2	Office/Clerical
002118	Office Services Supervisor 3	Office/Clerical
003276	Transp Materials Supv	Office/Clerical

Professionals (continued)			
Job Code	Job Title		EEO4 Job Category
000131	Building Maintenance Foreman		Skilled Craft
002270	Building Maintenance Lead Wrkr		Skilled Craft
000132	Building Maintenance Supv		Skilled Craft
000135	Building Utilities Mechanic		Skilled Craft
003819	Transp Operations Supv 4		Service Maintenance
<b>Total</b>	<b>Females 36.70%</b>	<b>Racial/Ethnic Minorities 12.98%</b>	<b>Indiv w/Disabl 5.99%</b>

Technicians			
Job Code	Job Title		EEO4 Job Category
000031	Architectural Drafting Tech 2		Technicians
000270	Electronic Systems Specialist		Technicians
000938	Electronic Technician Senior		Technicians
000556	Engineering Specialist		Technicians
002606	Engineering Specialist Senior		Technicians
000881	Human Resources Technician 1		Technicians
001428	Radio Technician 2		Technicians
000587	Radio Technician 3		Technicians
003883	Radio Tower Technician Senior		Technicians
003669	Traffic Mgmt Sys Integrator		Technicians
003676	Transp Generalist Senior		Technicians
003677	Transp Specialist		Technicians
000001	Account Clerk		Office/Clerical
000632	Account Clerk Senior		Office/Clerical
000109	Automobile Service Attendant		Service Maintenance
000526	Reprographic Specialist		Service Maintenance
003685	Transp Generalist		Service Maintenance
<b>Total</b>	<b>Females 10.23%</b>	<b>Racial/Ethnic Minorities 8.45%</b>	<b>Indiv w/Disabl 4.63%</b>

Office/Clerical			
Job Code	Job Title		EEO4 Job Category
000001	Account Clerk		Office/Clerical
000632	Account Clerk Senior		Office/Clerical
002372	Admin Secretary Supv		Office/Clerical
003632	Central Svcs Admin Spec Inter		Office/Clerical
003633	Central Svcs Admin Spec Senior		Office/Clerical
002104	Clerk Typist 4 Supervisor		Office/Clerical

Office/Clerical (continued)			
Job Code	Job Title		EEO4 Job Category
003635	Customer Svcs Specialist		Office/Clerical
003636	Customer Svcs Specialist Int		Office/Clerical
003638	Customer Svcs Specialist Princ		Office/Clerical
003637	Customer Svcs Specialist Sr		Office/Clerical
000293	Exec 2		Office/Clerical
003627	Office & Admin Specialist		Office/Clerical
003628	Office & Admin Specialist Int		Office/Clerical
003630	Office & Admin Specialist Prin		Office/Clerical
003629	Office & Admin Specialist Sr		Office/Clerical
002192	Office Services Supervisor 2		Office/Clerical
000294	Office Specialist		Office/Clerical
003626	Student Worker Clerical		Office/Clerical
<b>Total</b>	<b>Females 88.96%</b>	<b>Racial/Ethnic Minorities 16.56%</b>	<b>Indiv w/Disabl 12.88%</b>

Skilled Craft			
Job Code	Job Title		EEO4 Job Category
002214	Building Maintenance Coord		Skilled Craft
002270	Building Maintenance Lead Wrkr		Skilled Craft
000135	Building Utilities Mechanic		Skilled Craft
000266	Electrician		Skilled Craft
002108	Electrician Lead		Skilled Craft
003452	Electrician Master Record		Skilled Craft
000927	Heavy Equipment Mechanic		Skilled Craft
002238	Building Svcs Lead		Service Maintenance
001357	General Repair Worker		Service Maintenance
000344	Heavy Equip Svc Attendant		Service Maintenance
000414	Laborer Trades & Equipment		Service Maintenance
001040	Plant Mntc Engineer Helper		Service Maintenance
<b>Total</b>	<b>Females 0.54%</b>	<b>Racial/Ethnic Minorities 8.06%</b>	<b>Indiv w/Disabl 5.91%</b>

Service Maintenance			
Job Code	Job Title		EEO4 Job Category
000109	Automobile Service Attendant		Service Maintenance
002238	Building Svcs Lead		Service Maintenance
001725	General Maintenance Wrkr		Service Maintenance
001357	General Repair Worker		Service Maintenance
000344	Heavy Equip Srvs Attendant		Service Maintenance
001561	Highway Helper		Service Maintenance
003232	Highway Helper Sr		Service Maintenance
003402	Laborer General		Service Maintenance
003281	Student Worker Custodial/Maint		Service Maintenance
003684	Transp Associate		Service Maintenance
003685	Transp Generalist		Service Maintenance
003816	Transp Operations Supv 1		Service Maintenance
003817	Transp Operations Supv 2		Service Maintenance
003818	Transp Operations Supv 3		Service Maintenance
003676	Transp Generalist Senior		Technicians
003677	Transp Specialist		Technicians
000927	Heavy Equipment Mechanic		Skilled Craft
000104	Heavy Equipment Field Mechanic		Skilled Craft
<b>Total</b>	<b>Females 8.49%</b>	<b>Racial/Ethnic Minorities 9.20%</b>	<b>Indiv w/Disabl 4.97%</b>

## E. Determining Availability

Data as of July 16, 2020

Officials/Administrators									
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	16.00%	39.30%	9.60%	4.00%	6.29%	1.54%	0.64%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Regions: Statewide Minnesota COC and COC Title: All Management Occupations	Our two-year historical appointments in this job category shows 16% from external and 84% from internal movements.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	84.00%	37.43%	6.15%	5.87%	31.44%	5.16%	4.93%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			37.73%	6.70%	5.57%		

Professionals									
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	45.00%	55.80%	11.50%	3.40%	25.11%	5.18%	1.53%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Regions: Statewide Minnesota COC and COC Title: Business and Financial Operations Occupations	Our two-year historical appointments in this job category shows 45% from external and 55% from internal movements.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	55.00%	36.70%	12.98%	5.99%	20.19%	7.14%	3.29%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			45.30%	12.31%	4.82%		

Technicians									
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	62.00%	0.159	0.12	0.033	9.86%	7.44%	2.05%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Regions: Statewide Minnesota COC and COC Title: Architecture and Engineering Occupations	Our two-year historical appointments in this job category shows 62% from external and 38% from internal movements.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	38.00%	10.23%	8.45%	4.63%	3.89%	3.21%	1.76%	Employee workforce for the job groups that constitute feeders to this job group.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			13.74%	10.65%	3.81%		

Office/Clerical									
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	61.00%	0.742	0.159	0.058	45.26%	9.70%	3.54%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Regions: Statewide Minnesota COC and COC Title: Office and Administrative Support Occupations	Our two-year historical appointments in this job category shows 61% from external and 39% from internal movements.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	39.00%	88.96%	16.56%	12.88%	34.69%	6.46%	5.02%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			79.96%	16.16%	8.56%		

Skilled Craft									
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	64.00%	0.032	0.142	0.058	2.05%	9.09%	3.71%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Regions: Statewide Minnesota COC and COC Title: Construction and Extraction Occupations	Our two-year historical appointments in this job category shows 64% from external and 36% from internal movements.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	36.00%	0.54%	8.06%	5.91%	0.19%	2.90%	2.13%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			2.24%	11.99%	5.84%		

Service Maintenance									
Factor	Weight Ratio	Raw Statistics Female	Raw Statistics *Minority	Raw Statistics **Indiv. w Disabl	Weighted Statistics Female	Weighted Statistics *Minority	Weighted Statistics **Indiv. w Disabl	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females or racial/ethnic minorities with requisite skills in the reasonable recruitment area.	75.00%	0.367	0.268	0.138	27.53%	20.10%	10.35%	The American Community Survey (2014-2018) complied by the U.S. Department of Labor, Bureau of Labor Statistics. Regions: Statewide Minnesota COC and COC Title: Building and Grounds Cleaning and Maintenance Occupations	Our two-year historical appointments in this job category shows 75% from external and 25% from internal movements.
2: Internal - Percentage of females or racial/ethnic among those promotable, transferable, and trainable with your agency.	25.00%	8.49%	9.20%	4.97%	2.12%	2.30%	1.24%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			29.65%	22.40%	11.59%		

## F. Utilization Analysis

Females				
Job Categories	% of Female Employees in the Job Category	Female Availability %	Female Establish Goals?	If Yes, Goals for FY 2020-2022
Officials/Administrators	39.15%	37.73%		
Professionals	40.35%	45.30%	Yes	45.30%
Technicians	14.95%	13.74%		
Office/Clerical	83.62%	79.96%		
Skilled Craft	0.42%	2.24%	Yes	2.24%
Service Maintenance	8.67%	29.65%	Yes	29.65%
<b>Totals</b>	<b>22.49%</b>			

Racial/Ethnic Minorities				
Job Categories	% of Racial/Ethnic Minority Employees in the Job Category	Racial/Ethnic Minority Availability %	Racial/Ethnic Minority Establish Goals?	If Yes, Goals for FY 2020-2022
Officials/Administrators	4.76%	6.70%	Yes	6.70%
Professionals	14.20%	12.31%		
Technicians	8.26%	10.65%	Yes	10.65%
Office/Clerical	15.82%	16.16%	Monitor	
Skilled Craft	5.00%	11.99%	Yes	11.99%
Service Maintenance	10.62%	22.40%	Yes	22.40%
<b>Totals</b>	<b>10.67%</b>			

Individuals with Disabilities				
Job Categories	% of Individuals with Disabilities Employees in the Job Category	Individuals with Disabilities State Goals %	Individuals with Disabilities Establish Goals?	If Yes, Goals for FY 2020-2022
Officials/Administrators	7.41%	5.57%		
Professionals	6.10%	4.82%		
Technicians	4.59%	3.81%		
Office/Clerical	12.43%	8.56%		
Skilled Craft	3.75%	5.84%	Yes	5.84%
Service Maintenance	5.34%	11.59%	Yes	11.59%
<b>Totals</b>	<b>5.58%</b>			

## Definitions of Terms Used in This Affirmative Action Plan

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**Applicant:** "Applicant" means a person who has satisfied the minimum requirements for application established by the commissioner of management and budget (M.S. 43A.02, subd. 4).

**Availability:** An estimated percentage of qualified females, racial/ethnic 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.

**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](#)).

**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.