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 **Metropolitan Council**

Working for the Region, Planning for the Future

1998-2000

AFFIRMATIVE ACTION PLAN

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Minn. Stat. 473.143

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Introduction

Why are diversity and the AA Plan important to the Council and you as managers? This is the question that we want to respond to through this review process.

They are important because:

- It is the right thing to do.
- It is a business imperative.
- It is a statutory and regulatory obligation.

It is the right thing to do.

As leaders of this organization we have a duty and obligation to ensure a safe and welcoming work environment. As managers you are in a position to help create a more inclusive and diverse workplace and to ensure that employees from all walks of life are given the respect and consideration that we all are entitled to.

It is a business imperative.

A reality of the changing social landscape is that the U.S. is becoming increasingly diverse. This change in demographics provides both an opportunity and a challenge for organizations. The key to organizational success lies in our ability to maximize the potential of all of our employees. Our diverse workforce provides us with the opportunity to tap into the creativity and differing perspectives of all of our employees and in so doing realize gains in productivity and efficiencies. At the same time we also face the challenge of managing the inevitable conflicts that occur in a diverse environment. Managers play a key role in helping the Council meet its business objectives. This can best be accomplished by effectively managing our workforce with the same diligence as we do other business functions. In the same manner that managers have an obligation to properly manage the organization's financial and natural resources so do we have a responsibility to better manage our diverse human resources.

It is a statutory and regulatory obligation.

In addition to doing the right thing and more effectively utilizing the skill and talents of all our employees, diversity and the AA Plan are important because in meeting these obligations we also comply with various state and federal laws and regulations. Some of the statutes and regulations include UMTA Circular 4704.1 which outline our Federal Transit Administration obligations, Chapter 473.143 Affirmative Action Plan of the Metropolitan Government Act which outlines our state obligations, Title VII of the Civil Rights Act, Minnesota Human Rights Act, Americans with Disabilities Act and The Rehabilitation Act of 1973.

STATEMENT OF POLICY

The Council's employment practices and business operations shall reflect a value and respect for the diversity among its employees, customers and Twin Cities citizens. Diversity means all of the influences that shape the unique identity each individual brings to the work place and the Regional community. We are committed to providing a respectful work environment that appreciates and promotes the contributions of all our employees.

The Metropolitan Council shall provide equal opportunity in all areas of employment including recruitment, selection, compensation, benefits, promotion, transfer, demotion, discipline action, layoff, termination, training, and other terms, conditions and privileges of employment. The Council shall not discriminate against any employee or job applicant:

- a. On the basis of race, color, creed, religion, national origin, sex, disability, age, marital or public assistance status, sexual orientation, membership or activity in a human rights commission, or on any other basis prohibited by federal, state or local law; or
- b. The Council shall take affirmative action to overcome the present effects of historical employment discrimination against women, people of color, people with disabilities and Vietnam era veterans. The Council's Affirmative Action Plan includes goals and timetables for the hiring of women, people of color and people with disabilities where they are underrepresented on the Council's work force.

Successful achievement of diversity, equal opportunity and affirmative action objectives will benefit the Council through fuller use and development of previously underutilized human resources.

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

The Diversity Manager is responsible for implementation of the Council's diversity, affirmative action and equal opportunity programs. All Council managers and supervisors share responsibility for implementing these programs. Managers' and supervisors' performance will be evaluated on the basis of the success of these programs in their work units, in the same way that manager/supervisor performance on other agency and business goals is evaluated.

The Council shall act aggressively to maintain a work atmosphere and provide public services in a manner free of harassment. Sexual harassment, and harassment by or of

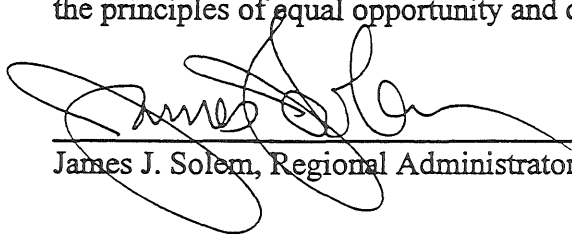
employees on the basis of race, gender, disability, religion, color, national origin, age, sexual orientation, and all other bases is prohibited by law and **WILL NOT BE TOLERATED.**

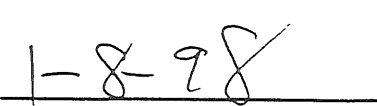
If an employee or job applicant believes that they have been discriminated against or harassed, they should contact their supervisor or the Office of Diversity in the Council unit where the alleged harassment or discrimination occurred as follows:

- **Regional Administration Office of Diversity**, Mears Park Centre, 230 E. 5th St., St. Paul, MN 55101; 602-1575.
- **Environmental Services Office of Diversity**, Mears Park Centre, 230 E. 5th St., St. Paul, MN 55101; 602-1769.
- **Metro Transit Office of Diversity**, 560 6th Av. N., Minneapolis, MN 55411; 349-7683.

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

This policy and the *Discriminatory Harassment/Inappropriate Behavior Policy* are posted on employee bulletin boards at all Council facilities. A copy of the entire Affirmative Action Plan is available from the Council's Diversity Offices and the Data Center. A copy of the plan will be provided to all managers and supervisors. It is the responsibility of each employee to support the affirmative action program and to apply the principles of equal opportunity and diversity in their day-to-day work.



James J. Solem, Regional Administrator

Date

Date: January 1, 1999
To: All Metro Transit Employees
Subject: Metro Transit EEO Policy Statement and Letter of Commitment

Our ability to attract and retain our diverse workforce and customer base affects our bottom line and is ultimately a measure of our success. Diversity is an inclusive term that applies to all people, and our goal is to develop an organization culture that values individual and team diversity.

Promoting and supporting diversity, as well as our EEO Policy and Affirmative Action Program, is a management imperative. Managers must ensure that all employees are allowed to develop the skills and abilities to succeed. Managers must develop communications and behavioral styles which motivate their employees to support our overall policy and program. This is the right and proper thing for all of us to do.

The achievement of Affirmative Action goals and program objectives rests with each executive, director, manager and supervisor of Metro Transit. **To ensure this responsibility of all Metro Transit management is carried out, the performance of all managers and supervisors will be evaluated on the success of the EEO/Affirmative Action program the same way as performance on other agency and business goals is evaluated.**

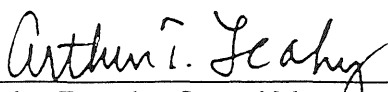
Metro Transit's EEO policy prohibits discrimination of an employee or applicant on the basis of race, color, creed, religion, ancestry, national origin, sex, disability, age, marital status, affectional and sexual orientation, status with regard to public assistance, veteran status, and any other applicable federal, state and local EEO law.

This policy applies to all employment practices, including but not limited to: recruitment, application, testing, selection, hiring, placement, orientation, on-the job training, educational assistance, transfer, upgrading, promotion, compensation, disciplinary actions, layoff, recall, termination, company sponsored social and recreational activities, benefits, and other conditions of employment.

Furthermore, discriminatory harassment and inappropriate behavior will not be tolerated in our organization. While at work at the office buildings, at the garages, in operation of Metro Transit vehicles, or at company-sponsored activities, employees are expected to conduct themselves in a manner that ensures an environment free from harassment and intimidation. It is the policy of Metro Transit to provide an employment environment free of any form of racial, sexual or disability harassment as prohibited by federal, state or local human rights laws.

Metro Transit's Equal Employment Opportunity/Affirmative Action Complaint Procedure provides an internal process for reporting, investigating, and resolving internal discrimination and harassment complaints. **If an employee or applicant needs additional information or feels they have been subjected to or witnessed discriminatory harassment, they should contact Velma Korbel, Manager of Diversity at 602-1042 or 349-7569. Employees may also file complaints with external enforcement agencies such as the MN Dept. of Human Rights, US Equal Employment Opportunity Commission or the US Dept. of Transportation.**

A copy of the Affirmative Action Plan is available at all Transit locations so that every employee may be aware of Metro Transit's commitment to affirmative action: General Manager, Assistant General Manager, Directors, Managers, Assistant Managers, Supervisors, Diversity Manager and each member of Metropolitan Council's Diversity Committee. I urge all employees to join me in our continuing effort to make Equal Employment Opportunity and Affirmative Action a reality.


Arthur T. Leahy, General Manager

DESIGNATION OF RESPONSIBILITIES

A. COUNCIL

Responsibilities: Set policy on affirmative action and equal opportunity.

Duties:

1. Adopt equal opportunity, affirmative action and human resources policies that are consistent with equal opportunity and affirmative action laws and regulations.
2. Adopt Affirmative Action Plan.
3. Hold Regional Administrator accountable for organizational achievement of equal opportunity and affirmative action goals.
4. Approve discrimination complaint settlements requiring board authorization.

Accountability: To the Governor.

B. CHAIR

Responsibilities and Duties: Provide leadership to the Council in the discussion and adoption of Council equal opportunity, affirmative action and human resources policies, and Affirmative Action Plan.

Accountability: To the Governor.

C. REGIONAL ADMINISTRATOR

Responsibilities: Provide executive leadership of the Council's diversity, equal opportunity and affirmative action programs.

Duties:

1. Recommend & submit equal opportunity, affirmative action and human resources policies, and an Affirmative Action Plan to the Metropolitan Council.
2. Issue administrative procedures that implement Council affirmative action/equal opportunity policies.
3. Ensure that the Council's work atmosphere and delivery of public services are free of discriminatory harassment and inappropriate behavior.

4. Establish management/supervisory accountability, assess manager performance for engaging in nondiscriminatory employment practices and achieving affirmative action objectives in their work units.
5. Authorize hiring in accordance with affirmative action goals and equal employment opportunity principles.
6. Ensure organization-wide consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring Regional Administrator authorization; obtain Council approval when board authorization is needed.
7. Review and decide appeals of complaint investigations relating to discriminatory reprisal.
8. Appoint the chair and members of the Diversity Committee, in consultation with the Executive Management Team.
9. Appoint Diversity Manager.

Accountability: To the Metropolitan Council.

D. ASSOCIATE REGIONAL ADMINISTRATOR

Responsibilities and Duties: Perform responsibilities and duties of Regional Administrator in his/her absence.

Accountability: To the Regional Administrator.

E. COUNCIL DIVISION DIRECTORS, GENERAL MANAGERS

Responsibilities: Manage the division/operating unit in accordance with diversity, equal opportunity, and affirmative action principles, policies and procedures.

Duties:

1. Direct strategies for meeting diversity, affirmative action, and equal opportunity objectives within the division/operating unit.
2. Recommend diversity, equal opportunity and affirmative action strategies to the Regional Administrator.
3. Identify barriers to equal opportunity/affirmative action within the division/operating unit, and take or recommend corrective action.

4. Establish management/supervisory accountability, assess manager performance within the division/operating unit for meeting affirmative action/equal opportunity objectives.
5. Approve hiring recommendations in accordance with affirmative action goals and equal employment opportunity principles.
6. Ensure division/operating unit consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring division director/general manager authorization.
7. Provide support and resources to Diversity Manager and management/supervisory staff to facilitate success of the equal opportunity program.

Accountability: To the Regional Administrator.

F. DIVERSITY MANAGER

Responsibilities: Manage the Council's diversity, affirmative action and equal opportunity programs.

Duties:

1. Develop and implement the Affirmative Action/Equal Opportunity Plan.
2. Develop and recommend EEO/Diversity Policies and Procedures.
3. Ensure Council compliance with equal opportunity and affirmative action laws, regulations and agency policies.
4. Develop strategies, in collaboration with Human Resources and management staff, for the recruitment of women, people of color and person's with disabilities and disabled and Vietnam era Veterans.
5. Review the selection criteria used in the staffing process including minimum qualifications, interview questions and written tests to ensure a nondiscriminatory hiring process. Concur on all job hiring recommendations having an affirmative action goal.
6. Investigate and manage the investigation of discrimination complaints and assist management in developing corrective actions when discrimination complaints are substantiated.

7. Facilitate resolution of conflicts relating to diversity, including informal discrimination complaints.
8. Design and manage the equal opportunity and affirmative action auditing and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed.
9. Assist management in collecting and analyzing employment data, identifying problem areas and setting goals, timetables and programs to achieve these goals.
10. Meet periodically with the Regional Administrator, Executive Management Team members and management/supervisory staff to report on organizational and work unit performance related to the agency's affirmative action/equal opportunity goals.
11. Consult with and support all levels of management regarding issues and concerns related to diversity.
12. Identify, design and provide diversity, affirmative action and equal opportunity training.
13. Serve as the agency's ADA Coordinator and manage the reasonable accommodation/workplace adjustment process. Coordinate the ADA Title II grievance procedure.
14. Provide leadership to employee-based diversity committee and sub-committees and task forces.
15. Serve as the agency liaison to State, Federal and local governments, regulatory agencies and community organizations that serve women, people of color, person's with disabilities and veterans.
16. Recommend and help implement mechanisms for communicating the Council's Affirmative Action/Equal Opportunity Plan, policies and procedures and progress reports.
17. In concert with the Legal Department, disseminate legal updates related to equal opportunity and affirmative action to the agency managers and supervisors.
18. Manage the work of the Office of Diversity staff.

Accountability: To the Regional Administrator

G. HUMAN RESOURCES DIRECTOR/HUMAN RESOURCES MANAGERS

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

Duties:

1. Develop and recommend Council human resources policies, procedures and programs that integrate diversity, equal opportunity and affirmative action principles and objectives.
2. Administer human resources programs, policies and procedures in accordance with current applicable federal, state and local statutes and regulations, and the Council's AAP.
3. Advise managers and supervisors to ensure that personnel actions taken are consistent with equal opportunity/affirmative action principles.
4. Develop and implement HRIS system. Provide data for equal employment opportunity and affirmative action reports and audits.
5. In concert with the Diversity Manager, advise management staff on appropriate corrective action when discrimination complaints are substantiated through investigations.
6. Collaborate with Office of Diversity to identify, develop and conduct training relating to diversity issues.

Accountability: Human Resources Director to the Regional Administrator and Associate Regional Administrator; Metro Transit Human Resources Manager to General Manager.

H. MANAGEMENT/SUPERVISORY STAFF

Responsibilities: Manage work unit in accord with diversity, equal opportunity and affirmative action policies and plan.

Duties:

1. Actively support the Council in developing, implementing and achieving it's affirmative action/equal opportunity goals.
2. Take prompt and appropriate action upon learning of a possible violation of the agency's Discriminatory Harassment and Inappropriate Behavior Policy in accordance with agency procedures.

3. Participate in discrimination complaint investigations and take remedial actions as needed to address problems identified in the complaint process.
4. Address conflicts related to diversity issues including initiating and participating in the informal complaint process.
5. In collaboration with the Office of Diversity & Equal Opportunity, represent the Council on outreach initiatives with community organizations serving women, people of color, persons with disabilities and veterans.
6. Participate in agency audits including employment practices, facility ADA compliance and display of EEO poster and agency diversity policies and procedures.
7. Assist the Diversity office and senior management staff in identifying agency and work unit problem areas and establishing agency and work unit goals and objectives.
8. Participate in regular meetings with other managers, supervisors and employees to assure that the agency's diversity policies and procedures are communicated and being followed.
9. As needed, review the qualifications of all unit employees to assure that persons of color, women, people with disabilities and disabled and Vietnam era veterans are given full opportunities in all terms and conditions of employment, e.g. transfers, promotion and training.
10. Ensure all unit employees have access to career counseling and career development opportunities.
11. Assist the Office of Diversity in developing and implementing diversity training.

Accountability: Through chain of command to Council General Managers, Division Directors, Regional Administrator.

I. LEGAL COUNSEL

Responsibilities: Provide legal advice to management, Diversity and Human Resources staff on legal compliance with equal opportunity/affirmative action requirements; federal and state laws and regulations.

Duties:

1. Provide ongoing legal advice to the Regional Administrator, all management staff,

Diversity and Human Resources Offices, on equal opportunity and affirmative action legal requirements and case law.

2. Advise Diversity and management/supervisory staff during the handling of discrimination complaints on laws, regulations, Council policy, court cases and administrative decisions by enforcement agencies, and standards for determining whether a claim of discrimination is substantiated.
3. Prepare responses to discrimination charges filed with enforcement agencies.

Accountability: To the Council.

J. DIVERSITY COMMITTEE

Responsibilities: Provide assistance and feedback to the Diversity Office on the development and implementation of diversity initiatives including the Affirmative Action Plan.

Duties:

1. Provide assistance in the development of communication vehicles that promote the agency's support of diversity.
2. Monitor agency diversity performance and assist management in communicating planned initiatives and progress made against objectives.
3. Assist in the development of survey tools or other tools for gathering information on employee attitudes towards the diversity program.
4. Assist in the identification of diversity training needs, act as a feedback group on diversity training initiatives and provide assistance in the implementation of training programs.
5. Promote the agency's diversity philosophy through open dialogue with employees.
6. Act as a conduit for employees to discuss issues related to diversity and bring these issues back to the full Diversity Committee and, ultimately, to the Executive Management Team.
7. Make recommendations to the Executive Management Team on the establishment of task groups that will work on specific diversity initiatives as directed by the diversity manager.
8. Provide assistance to ensure that diversity strategies are integrated with the agency's overall strategic, business and individual work unit plans so as to have a seamless

organizational plan.

9. Advise on the development and implementation of the Affirmative Action Plan and recommend Council-wide and work unit initiatives to address diversity issues.

Accountability: To the Diversity Manager

K. EMPLOYEES

Responsibilities and Duties: To support the affirmative action program and to apply the principles of equal opportunity and diversity in their day-to-day work.

Accountability: To management/supervisory staff.

Office of Diversity & Equal Opportunity
1999 Goals and Performance Objectives

Goal: **Distribute Affirmative Action Plan to managers and employees and provide AAP Training.**

Activities: Disseminate AA Plan summary and distribute plan to employees. Provide training for managers. Create mechanism for managers to train employees. Revise/renew plans 12/99 & 10/00.

Target Date: 6/30/99 (except Plan renewals)

Goal: **Develop (or enhance where appropriate) the Council's Disadvantaged Business Enterprise (DBE) program to increase DBE opportunities.**

Activities: Review existing DBE program.
 Review contracting procedures.
 Develop contractor compliance program.
 Develop in-house certification program
 Develop DBE training module

Target Date: 6/1/99

Goal: **Conduct semi-annual reviews of the Council's equal opportunity programs.**

Activities: Audit compliance with requirements of FTA and DOER.
 Conduct an assessment of employment practices. Identify problem areas and create action plans to solve identified problems.

Target Date: June 30, 1999; Dec. 31, 1999

Goal: **Provide disability management and reasonable accommodation training for managers.**

Activities: Develop training for managers on recently revised policy/procedure. Develop information piece for employees. Identify members and train workplace adjustment and reasonable accommodation committee.

Target Date: June 30, 1999

Goal: **Expand staffing support activities to implement concur process**

Activities: Participate in pre-hire strategy sessions. Personalize outreach to community resources. Conduct recruitment source analysis.

Target Date: 12/31/99

Goal: **Utilize employee-based diversity Committee to achieve Council's equal opportunity goals.**

Activities: Recruit to fully staff committee. Conduct new member orientation. Provide sub-committee training. Hold annual planning session.

Target Date: 4/30/99

Goal: **Conduct employee attitude survey**

Activities: Obtain concurrence from executive management. Develop survey with assistance from marketing. Implement survey. Analyze data.

Target Date: 10/31/99

Goal: **Provide efficient, standardized complaint investigations and responses to executive management and general counsel.**

Activities: Internal investigation complete within 90 days.

External responses to legal office one week prior to due date at enforcement agency.

Investigative summary technically, and factually accurate.

Target Date: On-going

Goal: **Continue to enhance relationships with community organizations to expand affirmative action recruitment efforts and to insure outreach to all parts of the regional community.**

Activities: Staff will develop and maintain community contacts within their area of responsibility. Train staff to create contact tree.

Goal: **Implement required & value-added program objectives.**

Activities: Conduct post-training evaluation. Enhance partnerships with unions. Hold diversity awareness events and displays. Develop quarterly communications. Develop managers' forum topics. Create a diversity web-site. Enhance Diversity resource center. Provide required reports on time.

Target Date: Jan 1 – Dec. 31, 1999

1999 RECRUITMENT SOURCE LIST

Organization	Phone/Fax	Target Audience
Asian-Pacific Minnesotans, Council on POC: Ilean Her 200 Aurora Avenue, Ste. 100 St. Paul, MN 55103	(651) 296-0538 Fax: 297-8735	Minorities
Minneapolis American Indian Center, AIOIC/JTPA POC: Don Clark, Job Developer 1845 East Franklin Avenue Minneapolis, MN 55404	(612) 341-3358, x115	Minorities
Black Minnesotans, Council on 2233 University Avenue, St. 426 POC: Lester Collins St. Paul, MN 55114	(651) 642-0811 Fax: 643-3590	Minorities
Catholic Charities Women's Employment Project POC: Lole Lossing 2104 Stevens Avenue South Minneapolis, MN 55404	(612) 872-8777	Women
Catholic Charities Seaton Services for Women and Families POC: Mary Morris Leadholm 1276 University Avenue St. Paul, MN 55104	(651) 641-1180	Women
Center for Asians & Pacific Islanders POC: Kia Siong, Job Developer 3720 East Lake Street, Ste. 200 Minneapolis, MN 55406	(612) 721-0122 Fax: 721-7054	Women/Minorities
Centro Culturo Chicano POC: Warren Herrera 1915 Chicago Avenue South Minneapolis, MN 55404	(612) 870-4301	Minorities

Chart/Wedco (Women's Venture) POC: Karla Melvin 2324 University Avenue, Ste. 200 St. Paul, MN 55114	(651) 646-3808	Women
Chicano Latino Affairs Council Council of Spanish Speaking Affairs POC: Rachael Rimerez 555 Park St., Ste. 408 St. Paul, MN 55103	(651) 296-9587	Minorities
Chicano/Latinos Unidos En Servicio (CLUES) POC: Jerry Uribe 2110 Nicollet Avenue South Minneapolis, MN 55404	(612) 871-0200 Fax: 871-1058	Minorities
Chicano/Latinos Unidso En Servicio (CLUES) 220 So. Robert Street Westport Building, Ste. 103 St. Paul, MN 55107	(651) 292-0117 Fax: 292-0347	Minorities
Chrysallis – A Center for Women POC: Tonya Gajewski 2650 Nicollet Avenue South Minneapolis, MN 55408	(612) 871-0118	Women
DESTINE POC: Joyce Jackson P.O. Box 327 Circle Pines, MN 55014	(612) 783-0017 Fax: 783-1325	Disabilities
Eastside Neighborhood Services POC: Angie Vocalino 1929 Second Street, N.E. Minneapolis, MN 55418	(612) 781-6011	Women/Minorities
Employment Action Center POC: Hugo Guzman 6715 Minnetonka Blvd. St. Louis Park, MN 55426	(612) 925-9195 Fax: 924-1295	Women/Minorities/ Disabilities

Families Working Together POC: Kyle Palmer Colwell Building 123 North 3 rd . St., Ste. 702 Minneapolis, MN 55401	(612) 341-2680 Fax: 341-2760	Women/Minorities/ Disabilities
LAO Family Community Center POC: Yeh Vang 320 University Avenue St. Paul, MN 55103	(612) 221-0069	Minorities
Mille Lacs Band of Ojibwe Indians POC: Benjamin Robertson 1433 E. Franklin Avenue Minneapolis, MN 55404	(612) 872-1424 Fax: 872-1257	Minorities
Minneapolis American Indian Center/JPTA POC: Theresa Cox 1530 East Franklin Avenue Minneapolis, MN 55404	(612) 879-1710	Minorities
Minneapolis Urban League POC: Shirley Neals 2000 Plymouth Avenue North Minneapolis, MN 55411	(612) 302-3111 Fax: 521-8513	Minorities
Minnesota State Council on Disability* 121 E. 7 th Place, Ste. 107 St. Paul, MN 55101	(651) 205-4565 Fax: 296-5935	Disabilities
National Association for the Advancement of Colored People (NAACP) POC: Beverly Thompson 310 East 38 th . Street, Ste. 136 Minneapolis, MN 55409	(612) 822-8205 Fax: 822-2524	Minorities
National Association for the Advancement of Colored People (NAACP) POC: Louise Woods 1060 Central Avenue W. St. Paul, MN 55102	(651) 649-0520 Fax: 227-6962	Minorities

New Unity Center POC: Velma Whitehead 2507 Fremont Avenue South Minneapolis, MN 55411	(612) 529-9267	Minorities
Out Front Minnesota – Gay and Lesbian Community Action Council POC: Doug Saderhart 310 E. 38 th . Street, #204 Minneapolis, MN 55409	(612) 822-0127 Fax: 822-8786	Women/Minorities/ Disabilities
Phillips Community Development Corporation POC: Kelly Milam 1014 East Franklin Minneapolis, MN 55404	(612) 871-2122 Fax: 871-8131	Minority
Pillsbury United Neighborhood POC: Francisco Segovia 420 15 th Avenue South Minneapolis, MN 55454	(612) 338-5282 Fax: 338-8421	Women/Minorities
Ramsey Action Programs POC: Ike Welborn Bigelow Building 450 N. Syndicate Street St. Paul, MN 55104	(651) 645-6631	Minorities/Disabilities
Sabathani Community Center POC: Judy Schaufler 310 East 38 th Street Minneapolis, MN 55409	(612) 827-5981 Fax: 824-0791	Women/Minorities/ Disabilities
St. Paul Urban League POC: Richard Rolle 401 Selby Avenue St. Paul, MN 55102	(651) 224-5771 Fax: 224-8009	Minorities
St. Paul Workforce Center POC: Esther Ruiz 494 Sibley Street St. Paul, MN 55101	(651) 228-3283	Women/Minorities/ Disabilities

Upper Midwest American Indian Center POC: Gertrude Buckanaga 1036 West Broadway Minneapolis, MN 55411	(612) 522-4436 Fax: 522-8855	Minorities
Vet Center POC: Mark Manolis 2480 University Avenue St. Paul, MN 55114	(651) 644-4022 Fax: 725-2234	All Veterans
WINGS POC: Julie Benthin-Kizlik 3200 Penn Avenue North Minneapolis, MN 55412	(612) 521-8750	Women
Women Venture POC: Laura Menning 2324 University Avenue, Ste. 200 St. Paul, MN 55114	(651) 646-3808 Fax: 641-7223	Women/Minorities
Working Opportunities for Women (WOW) POC: Yvett Olendorf 2700 University Ave. West, Ste. 12 St. Paul, MN 55144	(651) 647-9961	Women/Minorities

* The Minnesota State Council on Disability disseminates job announcements throughout the state to organizations of and for Persons with Disabilities.

POLICY - Diversity, Equal Opportunity and Affirmative Action

Section/Number:	4-2	Total Pages:	2
Dept. Responsible:	Office of Diversity	Effective Date:	9/11/98
Special Note:	Supersedes all previous policies regarding diversity, equal opportunity and affirmative action		

I. Policy:

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

The Council will provide equal opportunity in all areas of employment including recruitment, selection, compensation, benefits, promotion, transfer, demotion, disciplinary action, layoff, termination, training, and other terms, conditions and privileges of employment.

The Council will not discriminate against any employee or job applicant:

- A. on the basis of race, color, creed, religion, national origin, sex, disability, age, marital or public assistance status, sexual orientation, membership or activity in a human rights commission, or on any other basis prohibited by federal, state or local law; or
- B. because they are a disabled or Vietnam era veteran.

The Council will take affirmative action to overcome the present effects of historical employment discrimination against women, people of color, people with disabilities, and Vietnam era veterans.

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

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

II. Purpose of policy:

- to
- A. To articulate the Council's commitment to valuing diversity, providing equal opportunity in employment and public services, and practicing affirmative action correct the historic underrepresentation of certain groups in its work force.
 - B. To define what is meant by diversity.
 - C. To identify all bases (race, sex, etc.) on which employment and public service discrimination is prohibited by federal, state and local law.
 - D. To identify the four groups for whom affirmative action in employment will be taken.

III. Background and reasons for policy:

- A. Diversity means all of the influences that shape the unique identity each individual brings to the work place and the Regional community.
- B. Tapping the reservoir of diverse skills, insights and needs among employees and the public; and providing equal opportunity in employment and public services makes sound business sense.
- C. Equal opportunity and affirmative action are the law.

IV. Implementation/Accountability:

Related policy:

Discriminatory Harassment/Inappropriate Behavior

Implementing procedures:

Discrimination Complaint Investigations

Accountability:

All Council employees are expected to conduct themselves in accord with the spirit and requirements of this policy. Discrimination may result in corrective action, including discipline.

POLICY - DISCRIMINATION, HARASSMENT AND INAPPROPRIATE BEHAVIOR

Section/Number:	4-2-1	Total Pages:	4
Dept. Responsible:	Office of Diversity	Effective Date:	9/11/98
Special Note:	Supersedes all previous policies regarding discriminatory harassment and inappropriate behavior		
		Revision No.	

I. Policy:

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

Harassment or inappropriate behavior in the employment setting based on race, color, creed, religion, national origin, sex, marital or public assistance status, sexual orientation, disability, age, or membership or activity in a local human rights commission will not be tolerated. The term "employment setting" includes employer-sponsored events held at off-site locations.

Harassment or inappropriate behavior in the provision of public services on the basis of race, color, creed, religion, national origin, sex, disability, sexual orientation, or public assistance status will not be tolerated.

Employees, Council members, Parks and Open Space Commission members, and Council advisory committee and task force members are prohibited from harassing or exhibiting inappropriate behavior towards others in the performance of Council-related business or while on Council premises.

Retaliation against an individual because of reporting a suspected incident of harassment or inappropriate behavior, or cooperating in an investigation, is prohibited.

II. Purpose of policy:

- A. To assure all Metropolitan Council employees and their customers and clients that no form of harassment or inappropriate behavior will be tolerated.
- B. To establish clear guidelines for acceptable workplace behavior and encourage an environment of respect and dignity.
- C. To encourage employees to report discriminatory harassment/inappropriate behavior to management or Diversity staff.

III. Background and reasons for policy:

- A. To educate Council employees about what constitutes discriminatory harassment and inappropriate behavior, recognizing that prevention is the best tool for safeguarding the work place from discrimination.
- B. To identify all bases (race, sex, etc.) on which harassment in employment and public services is prohibited by federal, state or local law.

IV. Definitions:

- A. **Discriminatory harassment** is verbal or physical conduct or communication that occurs on the basis of characteristics identified in law or Council policy as improper bases for discrimination, AND is unwelcome, AND EITHER
 - 1. Submission to such conduct or communication is made either explicitly or implicitly a term or condition of an individual's employment or access to public services; OR
 - 2. Submission to or rejection of such conduct or communication by an individual is used as a basis for decisions affecting that individual's employment or access to public services; OR
 - 3. Such conduct or communication has the purpose or effect of:
 - a. Creating an intimidating, hostile, or offensive work environment or atmosphere in which public services are provided; OR
 - b. Substantially interfering with an individual's work performance or use of public services, OR
 - c. Otherwise adversely affecting an individual's employment opportunities or receipt of public services.

Discriminatory harassment includes harassment directed at an individual or group because of their sex, race, national origin, sexual orientation, disability, age, religion, or any other basis prohibited by law.

- B. **Inappropriate behavior** is conduct or communication based on race, color, creed, religion, national origin, sex, marital or public assistance status, sexual orientation, disability or age that is hostile, derogatory, offensive or exploitive, but may not be so severe or pervasive as to constitute harassment.

C. Specific Definitions

- 1. **Sexual harassment** includes sexually motivated physical contacts, sexually derogatory statements, physical and verbal sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.
- 2. **Gender-based harassment** includes verbal or physical conduct or communication that is hostile, derogatory, offensive or exploitive, but not of a sexual nature, relating to the gender of another individual or group.
- 3. Harassment on the basis of **sexual orientation** includes hostile, demeaning, offensive or exploitive verbal or physical conduct or

communication relating to the sexual or affectionate orientation of an individual or group.

4. **Racial harassment** includes hostile, offensive, degrading or exploitive verbal or physical conduct or communication relating to the race or color of an individual or group
5. Harassment on the basis of **national origin** includes hostile, offensive, degrading or exploitive verbal or physical conduct relating to the national origin of an individual or group.
6. **Disability harassment** includes hostile, derogatory, offensive or exploitive verbal or physical conduct or communication relating to the disability of an individual or group. It includes behavior that maligns a reasonable accommodation provided by the Council to enable an individual with disabilities to compete for or perform Council jobs, or to utilize Council services. It covers actions such as tampering or interfering with assertive devices used by an individual.
7. **Age harassment** includes insulting, intimidating or demeaning verbal or physical conduct or communication relating to the age of an individual or group. It includes negative characterizations or stereotypes of an individual or group based on age.
8. **Religious harassment** includes antagonistic or denigrating verbal or physical conduct relating to the religious beliefs or affiliation of any individual or group. It includes applying unwelcome, undue pressure on others, while on Council premises or performing Council work, to subscribe to particular religious beliefs or to join a particular religious group.

D. **Examples**

The following may constitute discriminatory harassment or inappropriate behavior:

1. Physical
 - a. Assault
 - b. Touching
 - c. Coerced physical contact or attempts to engage in such contact
 - d. Brushing against someone's body
 - e. Blocking
2. Verbal
 - a. Sexual propositions
 - b. Offensive jokes about traits relating to gender, race, disability, age, sexual orientation, etc.
 - c. Suggestive, insulting or vulgar comments
 - d. Derogatory characterizations of a person's or group's abilities based on national origin, age, gender, disability, etc.
 - e. Comments or inquiries about a person's sexual behavior
 - f. Explicit or implicit promises of preferential treatment for submitting to or tolerating harassment or offensive behavior
3. Non-verbal

- a. Suggestive or insulting sounds or gestures
- b. Leering
- c. Displaying or bringing into the work place derogatory, intimidating or sexually suggestive material or items.

These examples should not be construed as an all inclusive list of harassing or inappropriate behavior.

V. Implementation/Accountability

Related policy:

Diversity, Equal Opportunity and Affirmative Action (6.2)

Implementing procedures:

Discrimination Complaints Investigations

Accountability:

- A. All Metropolitan Council officials and employees will be held accountable for treating one another, their customers and clients with courtesy, dignity and respect, and for complying with this policy. Any individual found, through an inquiry, to have engaged in discriminatory harassment, inappropriate behavior or retaliation while in the performance of their job or while on Council premises, shall be subject to disciplinary action up to and including discharge.
- B. An employee who believes that he or she has been subjected to or witnessed discriminatory harassment or inappropriate behavior is encouraged to report it to their supervisor, a manager in their management chain, or the Office of Diversity.
- C. Council members must notify the chair, or regional or associate regional administrator immediately if they learn of possible work place harassment or inappropriate behavior.
- D. Managers and supervisors will be held accountable for taking prompt and appropriate action whenever they become aware of possible discriminatory harassment or inappropriate behavior. Failure to do so may result in disciplinary action up to and including discharge.

PROCEDURE - DISCRIMINATION COMPLAINT INVESTIGATION

Section/Number:	4-2-1a	Total Pages:	3
Dept. Responsible:	Office of Diversity	Effective Date:	11/23/98
Special Note:	This procedure supersedes previous complaint procedures	Revision No.	investigation

I. Policy:

It is the policy of the Metropolitan Council to provide a work atmosphere and deliver public services in a manner that is free of discriminatory harassment and inappropriate Behavior.

The Metropolitan Council's employment practices and business operations will Reflect a value and respect for the diversity among its employees and customers and the citizens of the Twin Cities. The Council will provide a respectful work environment that appreciates and promotes the contributions of all employees.

Harassment or inappropriate behavior in the employment setting based on race, color, Creed, religion, national origin, sex, marital, or public assistance status, sexual Orientation, disability, age, or membership or activity in a local human rights Commission will not be tolerated. The term "employment setting" includes employer-Sponsored events held at off-site locations

Retaliation against an individual for bringing an employment or public service discrimination complaint, or for cooperating in a complaint inquiry, is prohibited. Retaliation against an individual because of reporting a suspected incident of harassment or inappropriate behavior, or cooperating in an investigation, is prohibited.

(NOTE: This procedure applies to both the Diversity, Equal Opportunity and Affirmative Action Policy and the Discrimination, Harassment and Inappropriate Behavior Policy. The policy statement above is an excerpt of each of these Policies. Please reference Policy 4-2 and 4-2-1 for further clarification)

II. Procedure:

A. Scope

1. Complaints must be filed within one year of the alleged discriminatory event and will be investigated in accordance with this procedure. Such complaints include but are not limited to:

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

2. Exceptions

The following complaints will not be investigated under this procedure:

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

B. Guidelines

- 1. Employees (including interns) and job applicants are encouraged to use informal mechanisms that can be accessed through the Human Resources or Diversity offices or management/supervisory staff, to attempt to resolve discrimination issues before filing a complaint under this procedure.
- 2. Management/supervisory staff must take prompt and appropriate action, as described below, when they learn of possible discriminatory actions, discriminatory harassment or inappropriate behavior.
 - a. Immediately report allegations of conduct that is severe, repeated or broad in scope to the Office of Diversity.
 - b. Inquire into and address less serious behavior, such as an isolated offensive joke or comment, posted or circulated material, or unwanted nonsexual touch. **Managers and supervisors must complete the *Inappropriate Behavior Report* form and submit it to the Diversity Office within seven (7) days of receiving the report of behavior.** Management staff may request the assistance of the Diversity Office in dispatching these responsibilities.
- 3. Investigations will be conducted in a discreet and impartial manner, and the results will be communicated in accordance with the Minnesota Government

Data Practices Act. A Data Practices Notice will be given to each person interviewed during a complaint investigation.

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

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

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

7. Whenever possible, investigations will be completed within 90 calendar days of receipt of the signed *Discrimination Complaint Form* by the Diversity Office. An investigation is completed when the investigative report is sent to the appropriate management staff for review and disposition. Should an investigation exceed 90 days, the investigator will notify the complainant and respondent(s) of the delay and an estimated completion date.

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

9. The person bringing the complaint may file an appeal with the General Manager, Division Director, or Associate Regional Administrator when the investigation conclusion does not support the allegation. Such an appeal must be submitted in writing to the Regional Administrator within 15 calendar days of the complainant's notification of the investigation results.

METROPOLITAN COUNCIL INAPPROPRIATE BEHAVIOR REPORT

(To be completed by manager/supervisor within 24 hours of becoming aware of inappropriate behavior.)

1. **Specifically describe inappropriate behavior (action, joke, comment, etc.). Include date, time and location of occurrence; names of people involved (if known), specifically what was done or said. If it involved any written or posted material, attach copy if possible.**
2. **How did the reporting manager/supervisor become aware of the conduct? (If it was reported to manager/supervisor, include date on which manager/supervisor received the report, and name of reporting party.)**
3. **List witnesses and information given. (Name, phone number, job site, whether supervisor talked to them or not, factual information witnesses gave.)**
4. **Did anyone (witness, recipient, other) attribute the conduct to race, color, creed, religion, national origin, sex, disability, age, sexual orientation, marital status, public assistance status, or membership or activity in a local human rights commission? Explain.**
5. **Did recipient(s) or witnesses of the conduct indicate in any way that the conduct was unwelcome or offensive? Explain.**
6. **Describe specifics of any past incidents first reported to reporting supervisor at this time (who, what, when, where, recipient(s) of behavior, witnesses, reporting party).**

7. What action, if any, has been taken so far by the reporting manager/supervisor?

8. Was the reporting manager/supervisor previously aware of any prior incidents of inappropriate behavior by the same employee(s)? If yes, briefly describe facts (who, what, when, where) and actions taken.

9. Other relevant information:

Signature of reporting manager/supervisor

Date

Please print name

Reporting Manager/Supervisor's Job Title

Reporting Manager/Supervisor's Job Site

Manager/Supervisor retain original in your files. Forward a photocopy to the appropriate Office of Diversity:

_____ Office of Diversity, Metro Transit, Heywood, 612-349-7555

_____ Office of Diversity, MCES & RA, Mears Park Centre, 651-602-1769

Discrimination Complaint Form

COMPLAINANT (You) INFORMATION:

Name: _____ Job Title: _____

Department: _____ Work phone: _____

Supervisor: _____ Location: _____ Work Hours: _____
Work Days: _____

Please indicate where we may contact you on weekdays by phone regarding this complaint:

☐ Work ☐ Home ☐ Either Home or Work

Please indicate where you would like confidential correspondence regarding your complaint sent:

☐ Work ☐ Home ☐ Either Home or Work

If you would like to be contacted at home, please provide the following information:

Home Address: _____ Home Phone: _____

City: _____ State: _____ Zip Code: _____

COMPLAINT

Describe how you have been discriminated against. (Please attach additional sheets if necessary).

1. **Discriminatory Action (describe):**

Date it occurred: _____ **Place** it occurred: _____

Basis on which you were discriminated against (race, sex, disability, age, etc.) _____

Discrimination Complaint Form

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Discriminatory Action #1, Continued

Names of persons who took discriminatory action:

<u>Name</u>	<u>Job Title/Work Unit</u>	<u>Phone #</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Witnesses:

<u>Name</u>	<u>Job Title/Work Unit</u>	<u>Phone #</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

2. Discriminatory Action (describe):

Date it occurred: _____ **Place it occurred:** _____

Basis on which you were discriminated against (race, sex, disability, age, etc.) _____

Names of persons who took discriminatory action:

<u>Name</u>	<u>Job Title/Work Unit</u>	<u>Phone #</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Discrimination Complaint Form

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Discriminatory Action #2, Continued

Witnesses:

<u>Name</u>	<u>Job Title/Work Unit</u>	<u>Phone #</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I have completed this form and it is true to the best of my knowledge, information, and belief.

Signature

Date

Received by Office of Diversity & Equal Opportunity

Date

RETURN TO:

**Metropolitan Council
(MCES& Regional Administration)
Office of Diversity
Mears Park Centre
230 East Fifth St.
St. Paul, MN 55101-1634
(651) 602-1769**

**Metropolitan Council
(Metro Transit)
Office of Diversity
Heywood Office Bldg.
560-6th Ave. N.
Mpls., MN 55411-4398
(612) 349-7683**

**POLICY - REASONABLE ACCOMMODATION AND WORKPLACE
ADJUSTMENTS POLICY**

Section/Number:	4-2-2	Total Pages:	3
Dept. Responsible:	Office of Diversity	Effective Date:	12/17/98
Special Note:	This supersedes any previous reasonable accommodation policies or procedures	Revision No.	

I. Policy:

The Metropolitan Council is committed to providing equal access to its facilities, services, and employment opportunities for all individuals. The Metropolitan Council will attempt to provide workplace adjustments and reasonable accommodations to employees who have a medical condition that limits their ability to perform their job without an adjustment. The Metropolitan Council's focus is on the person's ability rather than disability.

II. Purpose of Policy:

State and federal statutes identify an employer's duty to reasonably accommodate, without undue employer hardship, the known disability of a qualified person with a substantially limiting disability. The duty to reasonably accommodate qualified persons with disabilities applies to applicants for employment as well as current employees who are injured or become disabled either on or off the job.

The Metropolitan Council also recognizes that situations arise in which employees are unable to fully perform their job because of an impairment which does not meet the ADA definition of a disability. In such situations, the Metropolitan Council allows that at management's discretion and in consideration for business necessity and availability of resources or other considerations, workplace adjustments may be provided to employees whose mental or physical impairment limit their ability to completely perform the job. Workplace adjustments are not required by law or regulation.

III. Background and reasons for policy:

Prior to the 1989 Americans With Disabilities Act (ADA) Americans with disabilities were not ensured protections to equal opportunity to the mainstream of American life. The Metropolitan Council Reasonable Accommodation and Workplace Adjustments Policy reflects a recognition that its continued vitality, strength and vibrancy is through the full realization of the contributions of all of its employees.

Definitions:

Disability

The Americans With Disabilities Act (ADA) states that an individual has a legal disability when they have:

A physical or mental impairment that substantially limits one or more major life activity and is not temporary.

A record of such an impairment.

Is regarded as having such an impairment.

Qualified Individual With A Disability

A qualified individual with a disability is one who, with reasonable accommodation, can perform the essential function required for the job in question.

Undue Hardship

The ADA states that the employer is not required to provide an accommodation to a qualified person with a disability if it will impose an undue hardship on the operation of its business. Undue hardship is defined by the ADA as an action that is:

“Excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business.”

Reasonable Accommodation

The ADA and the Minnesota Human Rights Act make it the duty of the employer to reasonably accommodate the known disability of employees, applicants, and persons to whom we provide a public service.

Reasonable Accommodations include, but are not limited to:

Making existing facilities readily accessible to and usable by all employees.

Job restructuring.

Acquisition or modification of equipment or assistive devices.

Workplace Adjustments

Workplace Adjustments include, but are not limited to:

Allowing paid or unpaid leave for absences for medical treatments.

Temporary assignment to a restricted duty job.

Physical or environmental adjustments to the employee's work space.

Restricted duty job assignments

Employees who need temporary assignment to a restricted duty job, may be assigned to such work, subject to availability, for a period generally not to exceed six months. Manager/supervisors of employees assigned to a restricted duty job shall develop an individualized plan for the employee that will expedite their return to unrestricted work.

V. Implementation/Accountability for Reasonable Accommodations:

Related Policies: Diversity, Equal Opportunity and Affirmative Action;
Discrimination, Harassment and Inappropriate Behavior

Implementing Procedure: Requesting Reasonable Accommodations or Workplace Adjustments

Managers and supervisors will be held accountable for taking prompt and appropriate action to ensure that reasonable accommodations are provided, when possible, to the known disability of all:

- a. applicants;
- b. employees; or
- c. persons outside of the Metropolitan Council who access our services

VI. Implementation/Accountability for Workplace Adjustments:

Related Policies: Diversity, Equal Opportunity and Affirmative Action;
Discrimination, Harassment and Inappropriate Behavior

Implementing Procedures: Requesting Reasonable Accommodations or Workplace Adjustments

Metro Transit (Dis)Ability Management

Following careful consideration of business necessity, availability of resources, etceteras, managers and supervisors may provide Workplace Adjustments, when possible, to the known disability of all employees.

PROCEDURE - Requesting A Reasonable Accommodation Or Workplace Adjustment

Section/Number:	4-2-2a	Total Pages:	3
Dept. Responsible:	Office of Diversity	Effective Date:	12/17/98
Special Note:		Revision No.	

I. Policy:

The Metropolitan Council is committed to providing equal access to its facilities, services, and employment opportunities for all individuals. The Council will attempt to provide workplace adjustments and reasonable accommodations to employees who have a medical condition that limits their ability to perform their job without an accommodation. The Metropolitan Council's focus is on the person's ability rather than disability.

II. Procedure:

A. Reasonable Accommodations

The Metropolitan Council provides reasonable accommodation, when possible, to the known disabilities of applicants and any persons outside of the Council who access our services.

Employees will address requests for reasonable accommodations to their manager/supervisor. In cases where a manager/supervisor needs assistance in determining whether a reasonable accommodation can be made, a Reasonable Accommodation Panel shall meet. The panel will be composed of a representative from Diversity, Human Resources and Risk Management; the employee; and the manager/supervisor. The panel will work together in an informal, interactive process to identify an appropriate accommodation.

Managers/supervisors are encouraged to use the services of the Office of Diversity throughout the process.

1. Employee or applicant notifies manager/supervisor of the need for a reasonable accommodation.
2. Manager/supervisor reviews and discusses procedures with employee.
3. Employee provides to his/her supervisor/manager a written statement identifying the nature of the impairment for which the reasonable accommodation

is being requested. When appropriate, the employee shall submit a medical statement from a qualified medical provider stating the employee's medical restrictions.

4. The employee and his/her supervisor/manager meet and discuss the request for reasonable accommodation which may include, but is not limited to job site modification, assistive devices, work schedule modification, elimination of non-essential job functions, assignment to restricted duty, etc.

5. Manager documents all possible reasonable accommodations, including those suggested by the employee.

6. Manager/supervisor advises the employee that the request for reasonable accommodation will be evaluated, and that in the interim, the employee should not perform any tasks that are prohibited by the restriction(s). Manager/supervisor will make necessary arrangements for completion of tasks.

7. Manager/supervisor will review medical statement and, if necessary, obtain additional medical information from a qualified medical provider. Manager/supervisor must obtain a signed release of information from the employee if he/she needs to contact the employee's physician. If necessary, send relevant job information to physician requesting clarification of work restrictions. Copy employee and others with a need to know on any correspondence with the physician.

8. Manager/supervisor will determine whether reasonable accommodation can be made. Manager/supervisor approves the reasonable accommodation by completing the form "Reasonable Accommodation Consideration". In cases where a manager/supervisor needs assistance in determining whether an adjustment or accommodation can be made, the Reasonable Accommodation Panel will be convened by the manager/supervisor.

9. The Reasonable Accommodation Panel will engage in an interactive dialogue to decide whether a reasonable accommodation can be made. The Diversity representative will be responsible for coordinating required documentation for the panel.

10. Diversity staff shall provide a copy via certified mail of the final decision to the employee within 14 (fourteen) days. If additional time is required, the employee will be notified.

11. The employee requesting a Reasonable Accommodation may appeal in writing to appropriate senior management, i.e., General Manager, Division Director or Associate Regional Administrator if the request has not been approved.

B. Workplace Adjustments

The Metropolitan Council also recognizes that situations arise in which employees are unable to fully perform their job because of an impairment which does not meet the ADA definition of a disability. In such situations, the Metropolitan Council allows that at management's discretion and in consideration for business necessity and availability of resources or other considerations, workplace adjustments may be provided to employees whose mental or physical impairment limit their ability to completely perform the job. Workplace adjustments are not required by law or regulation.

1. Employee notifies manager/supervisor of the need for a workplace adjustment.
2. The employee and his/her supervisor/manager meet and discuss the request for a workplace adjustment which may include, but is not limited to job site modification, assistive devices, work schedule modification, elimination of non-essential job functions, assignment to restricted duty, etc.
3. Manager/supervisor advises the employee that the request for a workplace adjustment will be evaluated, and that in the interim, the employee should not perform any tasks that are prohibited by the restriction(s). Manager/supervisor will make necessary arrangements for completion of tasks.
4. Manager/supervisor will review medical statement and, if necessary, obtain additional medical information from a qualified medical provider. Manager/supervisor must obtain a signed release of information from the employee if he/she needs to contact the employee's physician. If necessary, send relevant job information to physician requesting clarification of work restrictions. Copy employee and others with a need to know on any correspondence with the physician.

In its role as the ADA Coordinator for the Metropolitan Council, the Office of Diversity will serve as a resource during the reasonable accommodation or workplace adjustment process. The Office of Diversity will also collect all data and documents necessary for reporting the Metropolitan Council's disability management activity to all regulating organizations such as the Minnesota Department of Employee Relations.

Metropolitan Council

WORKPLACE ADJUSTMENT CONSIDERATIONS

Date of Request

Name of Applicant/Employee

Job Title

Division

Describe Adjustment Requested:

☐ *Permanent ☐ Temporary If temporary, how long?

Is request supported by written documentation? Yes ☐ No ☐ If yes, please explain:

Describe adjustments considered:

What adjustments were implemented?

What is the cost? Attach invoices, please pay requests, etc. if available)

What was the reason for not implementing the adjustment?

Supervisor's Signature Date

A copy of this record of consideration must be forwarded to the Diversity Office.

* The workplace adjustment or reasonable accommodation must be re-evaluated if the job changes or the employee changes positions.

Revised 1999

PROCEDURE: Staffing

Section/Number:	4-1a	Total Pages:	4
Dept. Responsible:	Human Resources	Effective Date:	9/11/98
Special Note:	Supersedes all previous staffing procedures	Revision No.	

I. Policy:

It is the policy of the Metropolitan Council to recruit, select and retain the best qualified candidates for open positions. The system designed to accomplish this goal will be based on merit principles, equal opportunity, affirmative action, and internal advancement opportunities for current employees. It will be administered in a way that is fair, consistent and administratively efficient; that conforms to applicable laws, regulations, policies and labor agreements; and, that ensures the selection of high quality employees who contribute to the achievement of Council goals.

II. Procedure: Staffing

The purpose of this procedure is to set forth a clear hiring process; to provide a methodology that ensures consistent application of the principles and practices of hiring; to set forth a hiring process that is understandable by all Council staff; and to develop an effective program for achieving the Council's affirmative action goals.

The goal of the selection process is to provide managers and directors with a diverse pool of qualified candidates from which to select employees, using selection procedures that are fair, consistent and meet professional, and legal standards. The entire selection process contains four parts: posting, screening, interviewing and selecting.

This procedure applies to all Council positions in the classified service unless specifically addressed in a collective bargaining agreement. This procedure will be administered in compliance with the diversity, equal opportunity and affirmative action policies.

Definition

Affirmative Action Need - The under-representation of a protected group in a Council job group, or an affirmative action goal, identified in the Council's Affirmative Action Plan(s).

Responsibilities

Human Resources is responsible for the implementation of this procedure. Directors, managers and the Office of the Regional Administrator have associated responsibilities.

Human Resources:

- Ensures all applicable policies and procedures are followed by Human Resources staff involved in the hiring process, including the affirmative action program.

- Consults with hiring managers on aspects of the selection process including development of position descriptions, position qualifications, recruiting strategies, interview process and administration.
- Coordinates the hiring process to ensure compliance with policies and procedures, timeliness of filling positions, and resolving applicant issues.
- Ensures that the hiring procedure achieves Council equal opportunity and affirmative action goals.
- Ensures that the internal procedures are followed.
- Ensures hiring process is completed in a cost-effective manner.

Office of Diversity:

- Communicates with hiring manager and Human Resources regarding affirmative action needs.
- Assists Human Resources in establishing recruitment plans that attract protected group members.
- Monitors aspects of the hiring and selection process to ensure that the process complies with with the diversity, affirmative action and equal opportunity policy.

Hiring Manager:

- Works with Human Resources to fill all job vacancies, including short term and long term temporary vacancies, as well as regular positions
- Follows all policies and procedures involved in filling job vacancies.
- Participates in affirmative action recruiting efforts to develop pool of candidates and to achieve HR/Diversity objectives.

Regional Administrator:

- Oversees Council compliance with policies, procedures, affirmative action objectives and complement control.

Posting/Strategy

Hiring Manager/Human Resources:

1. Initiates requisition for job vacancy.
2. The requisition authorization is approved within each operating division, including assignment of affirmative action needs and determination of budgetary status.
3. Positions requisition is assigned to Human Resources Generalist.
4. Human Resources Generalist convenes meeting with strategy team members--hiring department representative and Diversity representative if applicable. The Office of Diversity has the option to participate in strategy meetings when there is an affirmative action need.

Strategy Team Members:

5. Reviews and updates job description for content and qualifications; develops strategy for recruitment; determines the need to post internally and/or externally based on organizational and affirmative action needs, assigns interview panel members; and discusses general process for selection and any testing required for the position.

Human Resources:

6. Human Resources sends all notices of job openings to each operating division via e-mail. Each Human Resources office is responsible for posting job notices at the operating division's facilities. Notice of job openings will be posted for a minimum of 10 working days.
This procedure applies to all position postings, except those specifically provided for by a collective bargaining agreement.
7. Determines advertising and recruitment activities, and accepts applications.

Screening

Human Resources:

8. Screens applications for minimum qualifications based on the knowledge, skills and abilities required to perform the job and eliminates non-qualified applicants.

Hiring Manager/Human Resources Generalist:

9. Screens applications and establishes a ranked list of candidates. Adds Veterans' Preference points and adjusts ranking accordingly.

Human Resources:

10. Forwards a list of interviewees to the Office of Diversity for concurrence. In order to fulfill the objectives in the Affirmative Action Plan, it is at this point in the process that either Human Resources or Diversity may recommend the expansion of the interview pool to include protected group candidates from the list of persons eligible to be interviewed.

Office of Diversity:

11. Replies to Human Resources' request for concurrence.

Interviewing

Human Resources:

12. Determines interview schedule and any testing required for the position.
 - Creates behaviorally-anchored interview questions based on the critical knowledge, skills and abilities of the position.
 - Reviews interview questions with hiring manager.
 - Ensures preparation of interview materials.
 - Communicates interview process to panel members.

Interview Panel:

13. Conducts interviews and assesses applicants' responses to questions. The Office of Diversity has the option to participate in the interview process when there is an affirmative action need.

Human Resources:

14. Calculates each candidate's points and averages the interviewer's scores for a final average. Provides the hiring manager with the names of applicants who achieve a passing score for consideration.

Hiring Manager:

15. Makes hiring decision from the list of candidates who achieved passing scores in the interview. If an affirmative action need has been identified for the position and protected group applicants who would meet that need were interviewed but not selected, the hiring manager must contact the Office of Diversity and discuss the rationale for the person selected. The rationale must include the following information:
 - A statement explaining the exceptional qualifications of the non-protected group candidate.
 - A statement about the department's overall affirmative action hiring record.
 - Information concerning a qualified internal candidate and the opportunity for advancement.
 - Information about any other extenuating circumstances impacting the hiring decision.
 - Information about the recruitment efforts undertaken for the position.
 - The hiring manager will submit a written recommendation for hire to the Human Resources Generalist with the documented reasons for the person selected.
16. Human Resources and Diversity meet to discuss and decide if concurrence can be reached.

Office of Diversity:

17. Agrees or disagrees with the rationale and forwards recommendations to Human Resources. If agreement is reached, proceed to step #18. If agreement is not reached, proceed to step #19.

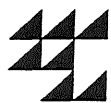
Human Resources:

Once agreement is reached, the procedure continues as follows:

18. Human Resources Generalist
 - Completes pre-employment reference check, drug screening and scheduling of pre-employment physicals, if applicable. A conditional offer of employment may be extended contingent upon the successful completion of drug screen and/or physical.
 - Determines appropriate starting salary.
 - Prepares personnel authorization form and routes for sign off.
 - Upon receipt of the completed personnel authorization form Human Resource Generalist or the manager contacts the selected candidate to extend job offer and establish the effective date of employment.
 - Notifies applicants and interviewees not selected.

Executive Management:

19. Final authorization will be made for all positions by the Regional Administrator - Regional Administration/Transportation Planning, Division Director - Community Development, Division Director - Environmental Services, General Manager - Wastewater Services, General Manager - Metro Transit, or designee in consultation with the Office of Diversity or Human Resources Manager.



Metropolitan Council

Working for the Region, Planning for the Future

Office of Diversity and Equal Opportunity **Staff Roster and Phone Numbers**

Name	Location	Phone
Velma Korbel (Manager) Heywood	Mears Park	602-1042 349-7569
Lynn Hoeschen (Admin. Asst.)	Mears Park	602-1769
Marti Bevins (Admin. Asst.)	Heywood	349-7683
Joseph Andrew	Heywood	349-7567
Pat Calder	Heywood	349-7463
Jan Dietrich	Heywood	349-7555
Wanda Kirkpatrick	Mears Park	602-1085
Sam Rivera	Mears Park	602-1184
Michael Watts	Mears Park	602-1188

Diversity Committee
Roster

Name	Council Division	Phone
Craig Rapp	Chair/Community Development	651-602-1615
Jeri Lewis King	Community Development	651-602-1583
Virgil Brown	Environmental Services	651-602-8845 or 8325
Tony Kilgore	Environmental Services	651-602-8373
Leisa Thompson	Environmental Services	651-602-1061
Joel Belmares	Environmental Services	651-602-8286
Maria Cone	Metro Transit	612-349-7534
Beverly Mitchell	Metro Transit	612-349-5144
Mardi Steinau	Metro Transit	612-349-7400
Mary Green	Metro Transit	612-349-5172
Russell Dixon	Metro Transit	612-349-7325
Curt Botner	Co-Chair Metro Transit	612-349-5144
Micky Gutzmann	Regional Administration	651-602-1683