



State of Minnesota

Minnesota IT Services

Affirmative Action Plan for July 1, 2024 – June 30, 2026

Minnesota IT (MNIT) Services

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To request an alternative format of this document, please contact ADA.MNIT@state.mn.us.

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Statement of Commitment

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

This statement reaffirms that Minnesota IT Services (MNIT) (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, color, creed, religion, national origin, sex, marital status, disability, public assistance, age, sexual orientation, gender identity, familial status, membership or activity in a local human rights commission, genetic information, retaliation.
- 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 accommodations to employees and applicants with disabilities.
- This agency will continue to actively promote a program of affirmative action, wherever females, persons with disabilities, and racial or ethnic minorities¹ 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.

DocuSigned by:
Commissioner or Agency Head: Tarek Tomes **Date Signed:** 12/30/2024
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¹ The AAP requires language from Minnesota Statutes 2023, section 43A.02, subdivision 33, which defines protected classes as “females, persons with disabilities, and members of the following minorities: Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan native.” MNIT recognizes that this statutory language may not align with how individuals within these protected classes prefer to identify.

Executive Summary

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

This Affirmative Action Plan (AAP) meets the requirements set forth in Minnesota Statutes, in Administrative Rules, and by Minnesota Management and Budget (MMB). The AAP contains:

- Affirmative action workforce analysis;
- Goals, objectives, and timetables; and
- Assertive hiring, recruitment, and retention methods for achieving goals and objectives.

The Affirmative Action review revealed underutilization of the following protected group(s) in the following job categories: Racial or Ethnic Minorities within Officials and Managers.

Table 1. Workforce Underutilization of Protected Groups

(x indicates the job categories and protected groups that have underutilization. A dash – indicates where there is no underutilization.)

Job Category	Females	Persons with Disabilities	Racial or Ethnic Minorities
Officials and Managers	-	-	x
Professionals	-	-	-
Technicians	-	-	-
Paraprofessionals	-	-	-
Administrative Support	-	-	-

DocuSigned by:
Sarah Herder Lewis
 Affirmative Action Officer or Designee: _____ Date Signed: 12/30/2024
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Chad Thiet
 Human Resources Director or Designee: _____ Date Signed: 12/30/2024
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Tarek Tomes
 Commissioner or Agency Head: _____ Date Signed: 12/30/2024
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Organizational Profile

Who We Are

MNIT provides statewide leadership and services for core technology systems, modernization efforts, cybersecurity, digital accessibility, and geographic information systems (GIS). These services are delivered to the state's executive branch and some local partners through the IT strategy, direction, policies, and standards that we set.

What We Do

We serve as the information technology agency dedicated to the executive branch of Minnesota. Led by the state's chief information officer, MNIT sets IT strategy, direction, policies, and standards on important topics such as artificial intelligence, cybersecurity, customer experience, accessibility, and geospatial, among others. Our teams manage services like software, hardware, networks, facilities, security, and storage for the 2,700+ applications and 34,000 end users to keep the State of Minnesota running.

How we work

MNIT's Connected Culture is essential to our work. We work hard to build strong and positive relationships with each other and with our partners while keeping the people we serve at the center of our work. This is key to identifying opportunities to innovate and deliver effective and efficient government services to all Minnesotans.

Mission

We partner to deliver secure, reliable technology solutions to improve the lives of all Minnesotans.

Vision

An innovative digital government that works for all.

Guiding Principles

- Practice servant leadership.
- Treat everyone with respect and dignity.
- Do the right thing, especially when it is difficult.
- Ask how your actions are reinforcing or removing structural inequity.
- Promote the common good over narrow special interests.
- Be accessible, transparent, and accountable.
- Include voices from communities that will be most impacted.
- Embrace change.
- Measure when you can.
- Engage with empathy.

Equity Statement

MNIT is committed to advancing equity through our technology and our work. We serve all Minnesotans, and we are part of the solution to reduce racial, economic, and other disparities.

How we will get there:

- Design the environment and accountability measures necessary to embed equity across MNIT.
- Ensure our workforce reflects the diversity of the communities we serve.
- Engage the voices and perspectives of those who will be impacted.
- Build, support, procure, and advocate for technology that works for a diverse Minnesota.

Individuals Responsible for Directing and Implementing the Affirmative Action Plan

Minnesota Administrative Rules, section 3905.0400, subpart 1, item B.

A. Commissioner

Responsibilities

The Commissioner is responsible for establishing an Affirmative Action Plan, 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 Minnesota Management & Budget (MMB). The Commissioner, through the Commissioner of MMB, will report annually to the Governor and the Legislature the agency's progress in meeting its affirmative action goals and objectives.

Duties

The duties of the Commissioner 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 their 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 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: Tarek Tomes

Email: tarek.tomes@state.mn.us

Title: Commissioner and CIO

Phone: 651-556-8005

B. Affirmative Action Officer

Responsibilities

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

Duties

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

- Develop and administer the agency's Affirmative Action Plan.
- Develop and set agency-wide affirmative action hiring goals.
- Monitor agency compliance and fulfill all affirmative action reporting requirements.
- Disseminate the affirmative action policy to employees in the agency.
- Inform the Commissioner of progress on affirmative action and equal opportunity goals and report potential concerns.
- Act as the affirmative action liaison between the agency, MMB, and the Governor's Office.
- Determine the need for affirmative action training within the agency. Develop training goals and content with internal and external resources.
- Review and recommend changes in policies, procedures, programs, and physical accommodations to implement affirmative action and equal opportunity.
- Develop innovative programs to attract and retain individuals from protected groups in the agency.
- Support and recruit females, persons with disabilities, and racial or ethnic minorities for employment, promotion, and training opportunities.
- Manage the agency's pre-hire review process. Review requests for non-affirmative hires in the Monitoring the Hiring process and refer unresolved issues to the Commissioner for final decision.
- Ensure supervisors and managers are making good faith efforts to recruit and retain qualified candidates and employees from protected groups.
- Oversee the administration of the Americans with Disabilities Act Title I and Title II.
- Maintain records of requests for reasonable accommodations.

- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The Director of Equal Opportunity, Diversity, and Inclusion serves as MNIT’s Affirmative Action Officer and is accountable to MNIT’s Commissioner. The Affirmative Action Officer oversees the administration of ADA Titles I and II and other equal opportunity related matters and manages diversity and inclusion initiatives. MNIT’s Equal Opportunity Specialist reports to the Director of Equal Opportunity, Diversity, and Inclusion.

Name of individual(s) responsible

Name: Sarah Herder Lewis Email: sarah.herder.lewis@state.mn.us

Title: Director, Equal Opportunity, Diversity, & Inclusion Phone: 651-556-8025

Name: Avery Whooley Email: avery.whooley@state.mn.us

Title: Equal Opportunity Specialist Phone: 651-539-6070

C. Human Resources Director

Responsibilities

The Human Resource (HR) Office is responsible for ensuring equitable and uniform administration of all personnel policies.

The HR Director is responsible for assisting managers and supervisors in human resources management activities.

Duties

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

- Maintain effective working relationships with the agency Affirmative Action Officer and designees.
- Provide leadership to HR staff and others to ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles.
- Provide guidance in the development and use of selection criteria to ensure they are objective, uniform, and job related.
- Assist in recruitment and retention of protected groups and notify managers and supervisors of existing disparities.
- Ensure an Affirmative Action Pre-hire Review process is implemented and followed by hiring managers and supervisors in collaboration with the Affirmative Action Officer.

- Initiate and report on progress made with program objectives contained in the Affirmative Action Plan.
- Assist supervisors, managers, and the Affirmative Action Officer in the recruitment of protected group members through career and job fairs and other efforts, as well as in selection and retention of protected group members.
- Assist supervisors, managers, the Affirmative Action Officer, and HR staff in the creation of supported worker positions. These positions help reduce agency costs by diverting supportive employment duties from higher skilled workers to supported worker positions. This can improve employee morale and retention of persons with disabilities in integrated employment.
- Request assistance from MMB to support diversity recruitment efforts, as well as the retention of protected group members in hard-to-fill or executive level positions.
- Include responsibility statements for affirmative action/equal employment opportunity in position descriptions and annual performance objectives.
- Oversee the administration of the Agency Diversity Recruitment program.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The Human Resources Director is accountable to MNIT's Deputy Commissioner.

Name of individual(s) responsible

Name: Chad Thuet

Email: chad.thuet@state.mn.us

Title: Human Resources Director

Phone: 651-201-2281

D. Americans with Disabilities Act Title I Coordinator

Responsibilities

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

Duties

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

- Provide guidance, coordination, and direction to agency management on the ADA. The agency develops and implements policies, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.

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

Accountability

The Director of Equal Opportunity, Diversity, and Inclusion serves as MNIT's Americans with Disabilities Act (ADA) Coordinator for Titles I and II and is accountable to MNIT's Commissioner. MNIT's ADA Coordinator reports to the Director of Equal Opportunity, Diversity, and Inclusion.

Name of individual(s) responsible

Name: Sarah Herder Lewis

Email: sarah.herder.lewis@state.mn.us

Title: Director, Equal Opportunity, Diversity, & Inclusion

Phone: 651-556-8025

Name: Kendra Thompson

Email: kendra.thompson@state.mn.us

Title: ADA Coordinator

Phone: 651-556-0519

E. Americans with Disabilities Act Title II Coordinator

Responsibilities

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

Duties

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

- Provide guidance, coordination, and direction to agency management on the ADA. The agency develops and implements policies, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to the agency's management and staff on compliance and best practices with regards and obligations to members of the public with disabilities, as well as the provision of reasonable modifications for visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing agency services. Report reasonable modifications annually to MMB.
- Research case law rules and regulation and update Executive team on evolving ADA issues. Meet bi-annually with state ADA Coordinators and learn updates and share practices on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering training for Agency employees assisting ADA modifications for the public.
- Provide reasonable modifications to members of the public (as defined by ADA) with known physical or mental disabilities to ensure equal access and privileges to programming and services. The ADA Title II Coordinator will consult with the member of the public in need of a modification and:
 - Discuss the purpose and essential functions of the reasonable modification.
 - Identify the potential modifications and assess the effectiveness each request.

- After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the agency.
- Document this review and reported in the State ADA Annual Report.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The Director of Equal Opportunity, Diversity, and Inclusion serves as MNIT’s Americans with Disabilities Act (ADA) Coordinator for Titles I and II and is accountable to MNIT’s Commissioner. MNIT’s ADA Coordinator reports to the Director of Equal Opportunity, Diversity, and Inclusion.

Name of individual(s) responsible

Name: Sarah Herder Lewis Email: sarah.herder.lewis@state.mn.us

Title: Director, Equal Opportunity, Diversity, & Inclusion Phone: 651-556-8025

Name: Kendra Thompson Email: kendra.thompson@state.mn.us

Title: ADA Coordinator Phone: 651-556-0519

F. (Diversity) Recruitment Coordinator

Responsibilities

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

Duties

The duties of the Diversity Recruitment Coordinator include, but are not limited to:

- Identify high-need recruitment job areas within the agency.
- Communicate the strategic recruitment plan to Human Resources (HR), the executive team, management, and staff.
- Assist the Affirmative Action Officer in conducting periodic audits of recruitment activity to measure the effectiveness of efforts and activities toward attaining strategic diversity goals and objectives.
- Maintain relationships with agency executive teams, HR, and management to make decisions about the diversity recruitment needs of the department.
- Maintain relationships with community stakeholders, colleges and universities, and workforce centers to continue effective diversity recruitment strategies.

- Maintain active participation in the state-wide recruiters' group.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The Diversity Recruitment Coordinator is accountable to the Assistant Director of Human Resources.

Name of individual(s) responsible

Name: Karla Larson

Email: karla.larson@state.mn.us

Title: Recruitment and Retention Director

Phone: 651-556-0513

G. Senior Managers and Executive Team Leaders

Responsibilities

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

Duties

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

- Identify problem areas and eliminate barriers that prevent equal employment opportunity within the agency.
- Communicate the equal opportunity employment policy and the affirmative action plan to all employees.
- Assist the Affirmative Action Officer in periodic audits of hiring and promotion patterns to remove obstacles to attaining affirmative action goals and objectives.
- Hold regular discussions with supervisors and employees to ensure the agency's equal employment opportunity policies are being followed.
- Inform and evaluate managers and supervisors on their equal employment opportunity efforts and results, in addition to other job performance criteria.
- Comply with statewide and agency anti-discrimination and anti-harassment policies.

Accountability

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

H. All Employees

Responsibilities

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

Duties

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

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

Accountability

Employees are accountable to their designated supervisor and indirectly to the agency's Commissioner. All employees are responsible for conducting themselves in accordance with the Affirmative Action Plan.

Communication of the Affirmative Action Plan

Minnesota Administrative Rules, section 3905.0400, subpart 1, item D and item E.

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

Internal Methods of Communication

- **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 agency's internal (Intranet) website at [MNIT Employee Intranet \(https://intranet.mnit.mn.gov/\)](https://intranet.mnit.mn.gov/) and in print to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- **Printed copy.** A physical copy of the Agency's Affirmative Action Plan is available to employees at the following address:

Minnesota IT Services
600 N. Robert Street
St. Paul, Minnesota 55101

External Methods of Communication

- **Public website.** The agency's Affirmative Action Plan is available on the agency's public website at [Minnesota IT Services \(https://mn.gov/mnit/assets/MNIT-Affirmative-Action-Plan_tcm38-384200.pdf\)](https://mn.gov/mnit/assets/MNIT-Affirmative-Action-Plan_tcm38-384200.pdf). Printed copies are available to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- **Equal opportunity employer language.** The agency's website homepage, letterhead, publications, and all job postings include the statement "Minnesota IT Services is an equal opportunity employer." The agency will also strive to ensure a representative ratio of diversity is on all marketing materials.
- **Printed copy.** 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 IT Services
600 N. Robert Street
St. Paul, Minnesota 55101

Workforce Composition Analysis

Minnesota Administrative Rules, part 3905.0600, subpart 2, items A to C, subpart 3, items A to D, subpart 4, Subpart 5, and subpart 6.

Job Category Review

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.

For a list of job codes/titles for each EEO classification in MNIT, refer to [Appendix C. Job Category Analysis](#).

Determining Availability

The agency used the United States Census Bureau's EEO Tabulation in the 2014-2018 American Community Survey (ACS) statistical data for external availability.

For internal availability, the feeder job statistics of current employees are used (refer to [Appendix D. Feeder Jobs](#) for details).

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

Progress Reports

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](#)).

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.

In the 2022-2024 AAP, MNIT had no underutilization, as indicated with "-" in Table 2. However, the agency continued to monitor the following groups, all of which had agency representation percentages close to workforce availability: females in Administrative Support, persons with disabilities in

Technicians, Paraprofessionals, and Administrative Support, and racial or ethnic minority employees in Officials and Managers, Technicians, and Administrative Support.

In the Officials and Managers category, the agency is now underutilized. As a result, MNIT is setting goals and objectives within this AAP.

For the Technicians category, MNIT was able to maintain representation for both protected classes it was monitoring (racial/ethnic minorities and persons with disabilities) as outlined in the prior plan.

In the Paraprofessionals category, MNIT did not maintain representation for persons with disabilities, and this category will continue to be monitored.

Finally, no hiring or promotions occurred in the Administrative Support category during the 2022-2024 plan period.

Table 2 shows no data, as there were no areas of underutilization in the 2022-2024 plan period.

Table 2. Progress Report from 2022-2024 Affirmative Action Plan

Job Category	Females	Persons with Disabilities	Racial or Ethnic Minorities
Officials and Managers	-	-	-
Professionals	-	-	-
Technicians	-	-	-
Paraprofessionals	-	-	-
Administrative Support	-	-	-

Current Workforce Demographics

MNIT consists of approximately 2,800 employees who are encouraged to voluntarily provide information about their gender, race and ethnicity, and disability status. According to the data collected, female employees represent 34.6% of the workforce, employees with disabilities account for 17% of the workforce, and 28.9% employees identify as racial and ethnic minorities. Among racial and ethnic minority employees, the breakdown is as follows: less than 1% are American Indian, 18.2% are Asian/Pacific Islander, 6.1% are Black/African American, 2.4% are Hispanic/Latine, 1.7% identify as multi-racial and/or multi-ethnicity, 65.5% of employees are white, and 5.6% have not specified their race or ethnicity.

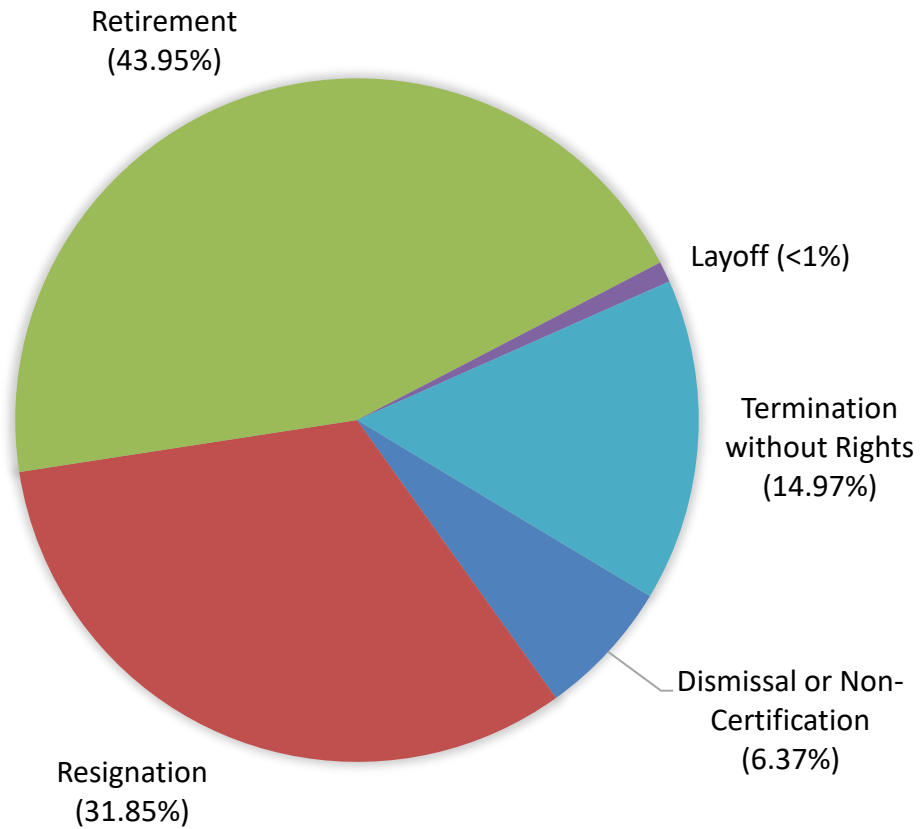
Separations Analysis

[Appendix B. Separation Analysis](#) shows the results by separation type and the protected group during the prior affirmative action plan period to evaluate and identify potential action area(s) for retention strategies for the 2024-2026 plan year.

Table 3. Separation Analysis

Separation Type	Females	Persons with Disabilities	Racial or Ethnic Minorities
Dismissal or Non-Certification	-	-	65.00%
Resignation	39.00%	19.00%	31.00%
Retirement	42.03%	13.77%	11.59%
Layoff	-	-	-
Termination without Rights	34.04%	-	46.81%
Total Separations	37.90%	17.20%	26.75%

Figure 1: Total Separations by Type



As shown in Figure 1, total separations within MNIT included retirement (43.95%), resignation (31.85%), termination without rights (14.97%), dismissal or non-certification (6.37%), and layoff (<1%). "Termination without rights" is the designation assigned to temporary/unclassified positions for which employees either resign or their temporary appointment ends. The phrase refers to the fact that employees in these positions are not entitled to seniority or layoff provisions of the collective bargaining agreement and plans.

A “dismissal” occurs after an employment investigation(s) has met just cause² standards. Grievance procedures must also be followed per contractual agreement. A “non-certification” occurs when an employee is separated prior to their probationary period ending, due to a policy violation or not meeting the minimum qualifications of the position.

Total separations by protected class are as follows: 37.90% female, 17.20% persons with disabilities, and 26.75% racial or ethnic minority employees. Female employees comprise 34.6% of MNIT’s total workforce, indicating they are slightly overrepresented in separations, particularly in the retirement category, where they account for 42.03% of all retirements.

Persons with disabilities, comprising of 17% of the total workforce, are slightly overrepresented in resignations at 19%.

Racial or ethnic minority employees, comprising 28.9% of the workforce, are underrepresented in total separations but significantly overrepresented in dismissals or non-certifications (65%) and terminations without rights (46.81%). Conversely, they are underrepresented in retirements, accounting for 11.59%.

Given the overrepresentation of racial and ethnic minority employees in dismissals, non-certifications, and terminations without rights, MNIT conducted further analysis to identify whether specific racial or ethnic groups were disproportionately impacted. To comply with data privacy standards, detailed findings are not included here. However, MNIT set retention goals and strategies to address these disparities and can be found in the [Recruitment, Retention, and Training](#) section of this AAP.

Utilization and Comparison of Employees to Availability

Utilization is an analysis of affirmative action and equal opportunity employment data used to assess the available workforce for a given state.

Underutilization Analysis worksheets are attached in the appendices. Numbers less than 10 are indicated with “<10” in accordance with Minnesota Management and Budget’s guidance on data privacy.

Through the utilization and availability analysis, the agency has determined which job categories are underutilized for females, persons with disabilities, and racial or ethnic minorities in the agency and has set hiring goals for the next two years. Hiring goals are objective and used for making good faith efforts for all aspects of the affirmative action plan. Effective hiring goals are strategic, actionable, and measurable efforts the agency is committed to pursuing and implementing in 2024-2026.

The goals are not quotas, nor do they require protected group status-based hiring preferences. They are aspirational goals so that the agency makes 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, persons with disabilities, and racial or ethnic minorities is less than reasonably would be expected given the workforce participation in the labor market area or

² The elements of “just cause” include: providing notice to the employee, establishing that the rule or order is reasonable, conducting a fair and objective investigation, documenting substantial proof, applying consistent and equal treatment, and ensuring that the penalty is reasonable.

reasonable recruitment 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 to the final availability percentage is calculated for females, persons with disabilities, and racial or ethnic minorities in that job category.

In Appendix F, the Utilization Goals 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.

In Table 4. 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.

MNIT has a summary of hiring goals by job category and protected group. The actions MNIT will take to address these hiring goals will be described next in the Goals, Objectives, and Timetables by Protected Group section.

Table 4. 2024-2026 Hiring Goals by Job Category and Protected Group

Job Category	Females	Persons with Disabilities	Racial or Ethnic Minorities
Officials and Managers	-	-	Yes
Professionals	-	-	-
Technicians	-	-	-
Paraprofessionals	-	Monitor	-
Administrative Support	Monitor	-	Monitor

As shown in Table 4, MNIT is underutilized for racial and ethnic minority employees within the EEOC category of Officials and Managers. MNIT currently has 15.79% racial and ethnic minority employees within this category, compared to a goal of at least 17.62% based on workforce availability.

The specific percentage of current employees within the categories being monitored cannot be disclosed due to data privacy reasons. Categories being monitored include females within Administrative Support (84.27% availability), persons with disabilities within Paraprofessionals (9.92%

availability), and racial and ethnic minority employees within Administrative Support (16.58% availability).

Goals, Objectives, and Timetables

Minnesota Administrative Rules, section 3905.0400, subpart 1, item G and item H, Minnesota Administrative Rules, section 3905.0600, subpart 4, subpart 5, and subpart 6.

Goals

This Affirmative Action Plan establishes goals within particular EEO4 categories by protected group. As required, the goals are based on a comparison of the composition of the agency and the relevant civilian labor force in an identified labor market area. If the comparison shows a group is underutilized, the agency head shall establish a goal for that group.

Objectives

This affirmative action plan identifies and describes the methods for developing programs and program objectives designed to meet affirmative action goals. These action-oriented programs will be carried out throughout this affirmative action plan period.

Timetables

This Affirmative Action plan also establishes timetables for meeting goals and objectives. Timetables are based on turnover and hire rates within each goal area.

Goals, Objectives, and Timetables by Protected Group

Racial or Ethnic Minorities:

Goals	Objectives	Timetables
Reach 17.62% for racial or ethnic minority employees within the Officials and Managers EEOC category.	Ensure the percentage of qualified applicants in the pool who identify as racial or ethnic minorities matches the percentage interviewed. (Ex: If 20% of qualified applicants identify as a racial or ethnic minority, then 20% of interviewees must be a racial or ethnic minority).	Ongoing
	Regularly review the representation of racial and ethnic minority employees in the Officials and Managers category. If representation drops, determine if additional steps are necessary to maintain racial and ethnic diversity and opportunity.	Ongoing
	The Senior Management Team will analyze their division-level data to determine whether there are new opportunities for recruitment and retention efforts.	Ongoing

Goals	Objectives	Timetables
	Solicit feedback on opportunities for improvement from ERG leadership. Take action accordingly.	7/1/2025
	Seek to implement the new requirement for DEI-related professional development for leaders.	6/30/2026
	Retain for at least two years, 75% of new hires who identify as American Indians, people of color, and people who have a disability.	Ongoing
	Conduct an analysis of the Employee Engagement and Inclusion survey results by race/ethnicity to see whether barriers to leadership or opportunities for improvement exist. Take action accordingly.	2/1/2026
	Promote the Mentorship Program, Emerging Leaders Institute (ELI), and Senior Leadership Institute (SLI).	Ongoing
	Require all managers and supervisors to take MNIT's "Ensuring Equal Opportunity in the Hiring Process" training (offered continuously to new managers and supervisors).	Ongoing

Barriers to Achieving Goals and Objectives:

Some MNIT staff do not self-identify race/ethnicity, gender identity/sex, or disability status. This can prevent accurate data analysis and prevent MNIT from focusing efforts on true areas of underutilization and greatest need.

MNIT regularly reviews the results of the Employee Engagement and Inclusion Survey to identify potential barriers for leadership positions and areas for improvement. In 2023, the survey had a 67% response rate from MNIT employees. The absence of input from the remaining employees may mean that the analysis does not fully reflect the perspectives and experiences of all MNIT staff.

As a governmental information technology agency, MNIT operates in fields where men are overrepresented, and specifically men identifying as white and/or Asian/Pacific Islander. Individuals from underrepresented groups may have faced barriers to opportunities or limited access to formalized leadership development. Roles in the Officials and Managers category often require extensive experience, which can disproportionately impact individuals who have encountered these systemic barriers.

The Officials and Managers category comprises of less than 100 MNIT employees. Between 2022 and 2024, there were only 10 separations in this category. Therefore, available opportunities may be limited for current and prospective employees seeking advancement into these roles.

Recruitment, Retention, and Training

Minnesota Statutes 2023, section 43A.191, subdivision 3, (c), (1) and (2).

Recruitment

Ongoing Recruitment Activities

The following are the actions MNIT Services will continue to take to improve recruitment and increase the number of qualified females, persons with disabilities, and racial and ethnic minority employees:

- Utilize MMB's Statewide Recruitment Team for additional diverse candidate sourcing assistance, including a contract with Direct Employers who shares MNIT job postings to 800+ job boards.
- Use a combination of paid and unpaid advertising to attract diverse talent. Currently, the [Minnesota State Careers Page \(https://mn.gov/mmb/careers/search-for-jobs/\)](https://mn.gov/mmb/careers/search-for-jobs/), LinkedIn, INDEED, PMI, and the [MNIT Careers website \(https://mn.gov/mnit/about-mnit/careers/\)](https://mn.gov/mnit/about-mnit/careers/) are the top sources utilized for recruitment.
- Send MNIT HOT JOBS email through GovDelivery minimally twice per month to career seekers and community partners. Between 2022 and 2024, the mailing list was over 32,000.
- Maintain working relationships with academic institutions, including participation as presenters or panelists and attending recruitment events.
- Participate in virtual and in-person job and community fairs including, but not limited to, events focused on racial and ethnic minority candidates, veterans, general jobseekers, and specialty skills in IT.
- Advertise and encourage hiring leaders to create opportunities for entry-level jobs, such as internships, student workers, and IT trainees. This includes the MNIT IT Trainee classification and participation in statewide student programs such as Right Track, Step-Up, Urban Scholar, and Star of the North Fellows.
- Build and maintain relationships with community partners such as Avivo, Hired, and Prime Digital Academy.
- Review job postings to ensure inclusive language.
- Provide informational interviews to clients of Vocational Rehab Services (VRS) at DEED and other organizations providing job coaching to clients.
- Take full advantage of the Connect 700 Program.
- Review vacant positions for supported worker eligibility.
- Ensure the EEO tagline is used on all job postings and advertisements.
- Keep language in job postings for positions that are telework or hybrid eligible to expand talent pools and reduce barriers for employment.

- Continue to offer hiring and referral incentives for hard-to-fill positions.
- Establish connections to post jobs on alumni job boards at Historically Black Colleges and Universities (HBCUs), Hispanic Serving Institutions (HSIs), Tribal Colleges and Universities (TCUs), and other Minority Serving Institutions (MSIs) with IT programs. Utilize marketing materials described above, where possible.
- Connect with groups on LinkedIn and other social media platforms who are committed to representing groups typically underrepresented in IT. Examples may include, but are not limited to, Blacks in Technology Twin Cities, LGBT Tech, Tech Latino, Vocation Rehabilitation Services (VRS) and Women Leading in Technology (WLIT).
- Engage with affinity groups historically underrepresented in IT on LinkedIn and other social media platforms. Examples of groups include, but are not limited to, Blacks in Technology Twin Cities, LGBT Tech, Tech Latino, Vocational Rehabilitation Services (VRS), and Women Leading in Technology (WLIT).

New Recruitment Activities

Following are additional, targeted diversity-focused recruitment strategies MNIT will begin to engage in during the 2024-2026 Plan period:

- Promote MNIT as a diverse employer on the intranet and internet, providing comparative statistics to the private sector. This includes images of MNIT's diverse staff, an equity commitment or value statement, and profiles or videos of diverse employees speaking about their experiences and successes in IT. This also includes written, downloadable recruitment materials and talking points for recruitment events.
- The Office of Equal Opportunity, Diversity, and Inclusion will collaborate with the Recruiting and Retention Director to finalize MNIT's Recruitment and Retention Plan.
- Host MNIT virtual open houses to increase awareness of specialized IT careers.
- Research opportunities to participate in national IT recruitment, such as the National Center for Women and Information Technology (NCWIT) Conference and the Latino Tech Summit.
- Solicit feedback from Employee Resource Groups (ERGs) and MNIT's Equity Team to strengthen community connections and identify growth opportunities in recruitment efforts.
- Utilize and provide feedback on the new statewide talent acquisition system.

Name of individual(s) responsible

- Karla Larson, Recruitment and Retention Director
- Jenna Bergmann, Assistant Director Human Resources
- Sarah Herder Lewis, Director of Equal Opportunity, Diversity, and Inclusion
- Avery Whooley, Equal Opportunity Specialist

Retention

Ongoing Retention Activities

MNIT Services will continue the following activities to improve retention of females, persons with disabilities, and racial and ethnic minority employees:

- Ensure equal opportunity laws are consistently and effectively adhered to in the workplace.
- Support and promote participation in, and events sponsored by, Employee Resource Groups (ERGs), the Equity Team, and other employee-driven groups.
- Encourage participation in, and analyze data from, the Employee Engagement and Inclusion survey and take appropriate action based on the results.
- Promote and support the work of MNIT’s Office of Accessibility.
- Make reasonable accommodations for people with a disability, religious accommodations, and accommodations for pregnant and nursing parents.
- Promote and facilitate the MNIT Mentorship Program.
- Promote the statewide Emerging Leaders Institute (ELI), Senior Leadership Institute (SLI), and Strategic Effectiveness for Aspiring Leaders (SEAL).
- Encourage resigning staff to complete exit interviews, to analyze and monitor data trends, and to make recommendations or take action, if needed.
- Continue efforts to promote and create a connected culture within MNIT.
- Encourage all new hires to take advantage of available career development opportunities.

New Retention Activities

MNIT will also begin the following inclusion-focused activities to improve retention among protected groups in years 2024-2026:

- Create an online library of high-quality DEI resources.
- Implement MNIT’s New Hire Welcome Kit to help new hires feel more connected within the agency. The kits will include a letter from Commissioner Tomes and MNIT branded gear.
- Carry out the work of the current MNIT Equity Plan, which focuses on the foundation required for DEI efforts to be successful, internal policies and practices, external impact and community-building, and bridging work that connects all areas, such as sustainability work and communication.
- Notify supervisors and managers about the overrepresentation of racial and ethnic minority employees in certain separation categories. Provide targeted training on handling difficult conversations and intercultural communication to foster equitable practices.

- Create a dashboard to regularly monitor dismissals, non-certifications, and terminations without rights by employee demographics and corresponding agency data.
- Leverage and review data collected through Labor Soft, a tool utilized by Labor Relations, to track performance management trends. This analysis will include ongoing monitoring of reasons for dismissals and non-certifications, the frequency of probation extensions, the racial and ethnic demographics of employees under performance management, and the consistency and equity of disciplinary actions taken.
- Look for opportunities to coach supervisors on providing SMART (specific, measurable, achievable, relevant, and time-bound) goals where appropriate, both during probation and performance management. For example, supervisors can provide benchmarked responsibilities to new hires within their position description (Task A should be achieved independently within three months, Task B within six months, and so on).

Name of individual(s) responsible

- Karla Larson, Recruitment and Retention Director
- Jenna Bergmann, Assistant Director Human Resources
- Yia Her, Labor Relations Manager
- Sarah Herder Lewis, Director of Equal Opportunity, Diversity, and Inclusion
- Avery Whooley, Equal Opportunity Specialist

Training

Ongoing Training Activities

The agency will take the following actions to improve retention of females, persons with disabilities, and racial and ethnic minority employees:

- Require all managers and supervisors take required trainings related to protected class harassment and discrimination, sexual harassment, and respect.
- Require all managers and supervisors to take MNIT's "Equal Opportunity in the Hiring Process" training (offered continuously to new managers and supervisors). A key component to this training is developing interview questions that align with the position's minimum and preferred qualifications, ensuring that the right talent is in place when the position is filled.
- Require all new managers and supervisors to go through MNKIT, which includes information on equal opportunity, affirmative action, diversity, and inclusion (offered twice a year).
- Provide New Employee Orientation for onboarding purposes and to share MNIT's vision and values around connected culture, diversity, and inclusion (offered on a quarterly basis).

- Offer respect trainings upon request for supervisors and managers and facilitate in-person training by Organization Health for all staff.
- Offer lunch and learns on wellness topics and professional development.
- Host Connected Conversations on a variety of topics, including community events, identity and diversity, inclusive teams, and equity in the workplace.
- Continue offering DEI-related trainings in topics such as inclusive language, inclusive leadership, and intercultural communications.
- Continue requiring Individualized Development Plans (IDPs) so staff are planning and taking advantage of professional development opportunities.

New Training Activities

New training-related activities to promote diversity and inclusion at MNIT Services during this Plan's timeframe include:

- MNIT will explore implementation options and seek to implement a DEI training requirement. The requirement was previously approved, but not yet put in place due to barriers around tracking and reporting, providing training with limited staff, and monitoring compliance. MNIT will research what other agencies have done and seek solutions that do not overburden HR and EODI staff. MNIT will align this initiative to new LEADER training so that supervisors receive "credit" for attending LEADER training that reflects inclusive leadership skills.
- Require all employees to take a training on implicit bias.
- MNIT management will receive Interculture Development Inventory (IDI) assessments and coaching from an external vendor.
- Implement and provide training on six inclusive leadership competencies.

Name of individual(s) responsible

- Dionna Jones, Learning and Development Director
- Karla Larson, Recruitment and Retention Director
- Jenna Bergmann, Assistant Director Human Resources
- Sarah Herder Lewis, Director of Equal Opportunity, Diversity, and Inclusion
- Avery Whooley, Equal Opportunity Specialist

Disability Recruitment, Hiring, and Advancement

Minnesota Statutes 2023, section 43A.191, subdivision 2 (d), subdivision 2a (b) (1) and (2), (c) (1) to (5).

This section identifies ways MNIT will provide assurances, procedures, and commitments to provide adequate hiring, placement, and advancement opportunities for persons with disabilities:

1. **The use of programs and resources that identify job applicants with disabilities who are eligible to be appointed under a hiring authority that takes disability into account, consistent with the demonstration program under section [43A.15, subdivision 14](#).**

Connect 700 (C700) allows eligible individuals with disabilities the opportunity to demonstrate their ability to perform the essential functions of a position for up to 700 hours on the job through a pre-probationary trial work program. MNIT utilizes the C700 program in accordance with guidelines set by Minnesota Management and Budget (MMB).

MNIT's Human Resources Staffing team prioritizes C700 applicants, giving them the opportunity to interview before other candidates if they meet minimum qualifications. MNIT's ADA Coordinator provides guidance and information about the C700 program to hiring supervisors throughout the interview process and participates in all C700 interviews to address any questions related to disability and accommodations. When C700 candidates are hired, the ADA Coordinator receives weekly review forms from supervisors and maintains regular contact with the employee to ensure that reasonable accommodations are provided in a timely manner. During FY24, there were 19 C700 hires within MNIT.

2. **Establishment and maintenance of contacts, that may include formal agreements, with organizations that specialize in providing assistance to persons with disabilities in securing and maintaining employment.**

MNIT has blanket purchase orders with Access Resource, ASLIS, Keystone, and Veritext to provide CART and/or ASL interpreting services. CART services are provided for all public and agency-wide meetings, along with other accommodations as requested. MNIT partners with/utilizes State Services for the Blind, Vocational Rehabilitation Services, the Department of Health and Human Services, Project SEARCH, MN STAR program, and the Job Accommodation Network. Additionally, the ADA Coordinator maintains job agreements for job coaches working with MNIT employees.

3. **The plan must ensure that the agency has designated sufficient staff to handle any disability-related issues that arise during the application and selection process and shall require the agency to provide staff with sufficient training, support, and other resources to carry out the responsibilities.**

The ADA Coordinator participates in Statewide ADA Coordinator meetings, regional and national trainings through the ADA National Network, and the MN Continuing Legal Education. Additionally, the ADA Coordinator maintains frequent contact with MMB's Statewide ADA Coordinator and the Statewide Office of Accessibility. The ADA Coordinator reports to the Director of Equal Opportunity, Diversity, and Inclusion (EODI).

- 4. Ensuring that disability-related questions from members of the public regarding the agency's application and selection processes are answered promptly and correctly, including questions about reasonable accommodations needed by job applicants during the application and selection process and questions about how individuals may apply for positions under hiring authorities that take disability into account.**

MNIT's external website includes the ADA Coordinator's contact information, as well as information in accordance with the requirements of Title II of the Americans with Disabilities Act of 1990. Hiring supervisors and the Human Resources team refer accommodation requests from candidates to the ADA Coordinator.

- 5. Accepting applications for a position under hiring authorities that take disability into account.**

Please refer to the responses for #1 and #6.

- 6. If an individual has applied for appointment to a particular position under a hiring authority that takes disability into account, determining whether the individual is eligible for appointment under such authority and if so, forwarding the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed, consistent with all applicable laws.**

At MNIT, the hiring process for C700 candidates begins with the Human Resources Staffing team receiving the application and supporting documentation. The Staffing team reviews the applicant's resume to ensure that the minimum qualifications are met. If the minimum qualifications are not met, the Staffing team forwards the application, job posting, and C700 documentation to MMB and the ADA Coordinator for further review. If the minimum qualifications are met, the candidate's resume is sent to the hiring supervisor and the ADA Coordinator, along with instructions and guidance for the interview process. The hiring supervisor then extends an invitation to interview to the C700 candidate, including the following language: *"Reasonable Accommodation Information - It is the policy of MNIT Services to provide reasonable accommodations for qualified persons with disabilities who are employees or applicants for employment. To request an accommodation for an interview, please reach out to ada.mnit@state.mn.us."*

- 7. Overseeing any other agency programs designed to increase hiring of individuals with disabilities.**

MNIT complies with Minnesota's Veterans Preference Act (VPA), including Minnesota Statute 43A.111 "Noncompetitive Appointment of Certain Disabled Veterans." The Staffing team within Human Resources receives all job applications from veterans. Disabled veterans with a 30% or greater disability rating may be hired non-competitively, with the exception of contractual obligations to interested bidders. If the candidate meets the minimum qualifications for the position and provides supporting documentation, their resume is forwarded to the hiring supervisor along with instructions and guidance on the supervisor's responsibilities. Additional information about the hiring process for veterans can be found on [MMB's Veterans Page \(https://mn.gov/mmb/employee-relations/equal-opportunity/veterans/\)](https://mn.gov/mmb/employee-relations/equal-opportunity/veterans/).

Supported Employment (Worker) Program

This section identifies ways the agency will identify any positions in the agency that can be used for supported employment as defined in section [268A.01, subdivision 13](#), of persons with significant disabilities. The agency shall report this information to the Commissioner or head of the agency. An agency that hires more than one supported worker in the identified positions must receive recognition for each supported worker toward meeting the agency's affirmative action goals and objectives.

MNIT will assess whether there are opportunities for Supported Employment during this Affirmative Action Plan timeframe.

Reasonable Accommodations

This section identifies ways the agency:

1. **Provides reasonable accommodations in the hiring and promotion of qualified persons with disabilities.**

A qualified Minnesota IT Services employee or applicant may make a reasonable accommodation request to any or all of the following:

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

The employee or applicant is responsible for requesting a reasonable accommodation or providing sufficient notice to the agency that an accommodation is needed. An initial request may be made in any manner (e.g., writing, electronically, in person, or orally). If the initial request is made to the hiring supervisor, Human Resources, or other responsible parties involved in the hiring process besides the ADA Coordinator, the individual who received the request must forward it on to the ADA Coordinator.

2. **Complies with accessibility standards under 16E.03, Subd. 9**

Minnesota IT Services complies with all state and federal accessibility standards. MNIT's Chief Information Accessibility Officer and the MNIT Office of Accessibility also provides statewide support to ensure compliance with accessibility standards.

3. **Methods and procedures for providing timely access to reasonable accommodations during the application process, throughout current employment, and when seeking promotion.**

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 they need 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.

4. Provisions for funding reasonable accommodations; and

Minnesota IT Services will make funds available to provide reasonable accommodations to qualified candidates and employees with disabilities through a centralized fund managed by the Director of Equal Opportunity, Diversity, and Inclusion.

The ADA Coordinator will purchase equipment and services and work with the candidate or employee’s supervisor, Facilities Management staff, and other parties as necessary to implement accommodations.

Anything purchased by MNIT as an accommodation will be the property of the State of Minnesota and shall be used only for job-related functions. The maintenance of equipment will be the responsibility of MNIT, and projected maintenance costs will be a factor in the initial decision to provide accommodations.

Prior to denying reasonable accommodation requests due to lack of financial resources, the agency will consult with the Statewide ADA Coordinator at MMB.

5. The number of requests made, the number of requests approved, and the number of requests reimbursed from the state accommodation account under section [16B.4805](#).

Table 5 shows the total number of accommodation requests that MNIT received each fiscal year, as well as how many were approved. The difference between approved and requested is comprised of few denials, many withdrawals or lack of follow-up, and some that were still being processed at the time the plan was submitted for FY24.

Table 5 also shows accommodation requests that received reimbursement from the statewide Accommodation Fund. The current reimbursement rate is 50% when funds are available.

In the first two columns, “number of requests” and “number of requests approved,” a person with an accommodation for a reimbursement-qualifying accommodation would be counted once. In the “number of requests reimbursed” column, however, each request for a qualifying accommodation is counted. Thus, if one person requested ASL interpretation ten times in a given fiscal year, they would be counted once in the first two columns and ten times in the requests reimbursed column.

Table 5. Reasonable Accommodation Requests, Approvals, and Reimbursements

Fiscal Year	Number of Requests	Number of Requests Approved	Number of Requests Reimbursed
FY23	134	87	113
FY24	164	108	114

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

OVERVIEW

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 persons 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 AND INSTRUCTIONS

Please review the following forms:

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

REFERENCES

- [U.S. Equal Employment Opportunity Commission, Enforcement Guidance](#)
- Pre-employment Disability-Related Questions and Medical Examinations at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995).
- Workers' Compensation and the ADA at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996).
- The Americans with Disabilities Act and Psychiatric Disabilities at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997).
- Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (October 17, 2002), (clarifies the rights and responsibilities of employers and persons 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 persons 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 Persons with disabilities in State Employment](#), directs agencies to make efforts to hire more persons with disabilities and report on progress.

CONTACTS

Equal Opportunity Office at Minnesota Management and Budget

B. MNIT’s Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form

The Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form shown below can be found at: [“Employee/Applicant Request for Reasonable Accommodation Form”](#).



**State of Minnesota – Minnesota IT Services
Americans with Disabilities Act (“ADA”) Reasonable Accommodation
Employee/Applicant Request Form**

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

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

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

A. Questions to clarify accommodation requested:

1. What specific accommodation are you requesting?
2. If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore?
 YES NO
 a. If yes, please explain.

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

1. What, if any, job function are you having difficulty performing?

Reasonable Accommodation Request Form, Page 2

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

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

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

Employee/Applicant Signature: _____

Date: _____

C. Notice Under the Americans with Disabilities Act Title II

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), MNIT will not discriminate against qualified persons with disabilities on the basis of disability in its services, programs, or activities.

Employment: MNIT 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: MNIT will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in MNIT’s programs, services, and activities, including qualified sign language

interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: MNIT 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 MNIT 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 MNIT, should contact the ADA Coordinator at ADA.MNIT@state.mn.us as soon as possible but no later than 48 hours before the scheduled event.


The ADA does not require the MNIT 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 MNIT is not accessible to persons with disabilities should be directed to the ADA Coordinator at ADA.MNIT@state.mn.us.

MNIT will not place a surcharge on a particular individual with a disability or any group of persons 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.

D. 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: [“Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form”](#).

 <p style="text-align: center;">_____ (Agency) Americans with Disabilities Act (“ADA”) Title II (non-employee) Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form</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>General Information Date of Request: _____</p> <p>Person needing accommodation/modification Name: _____ Address: _____ Email: _____ Phone: _____</p> <p>Person making request (if different from person needing accommodation/modification) Name: _____ Email: _____ Phone: _____ Relationship to person needing accommodation/modification: _____</p> <p>Accommodation Information 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;">OFFICE USE ONLY RESPONSE TO REQUEST FOR ACCOMMODATION/MODIFICATION</p> <p>Date request received: _____</p> <p>The request for accommodation/modification is GRANTED. Below is a description of the accommodation/modification: _____ _____</p> <p>The request for accommodation/modification is DENIED because:</p> <p><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: _____ _____ _____</p> <p>ADA Coordinator: Name _____ Signature _____ Date _____</p> <p><small>Updated 08/21/2019</small></p>
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E. MNIT’s 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 MNIT. 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 their designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Kendra Thompson
MNIT ADA Coordinator
600 N. Robert Street
St. Paul, Minnesota 55101

OR

Kendra Thompson
MNIT ADA Coordinator
kendra.thompson@state.mn.us

Within 15 calendar days after receipt of the complaint, Kendra Thompson 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, Kendra Thompson or her designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of MNIT Services and offer options for substantive resolution of the complaint.

If the response by Kendra Thompson or her designee does not satisfactorily resolve the issue, the complainant and/or their designee may appeal the decision within 15 calendar days after receipt of the response to the MNIT Commissioner Tarek Tomes or his designee.

Within 15 calendar days after receipt of the appeal, MNIT Commissioner Tarek Tomes or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, MNIT Commissioner Tarek Tomes or his 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 Kendra Thompson or her designee, appeals to the MNIT Commissioner Tarek Tomes or his designee, and responses from these two offices will be retained by MNIT Services for at least three years.

F. Evacuation Procedure for Persons with Disabilities or Otherwise in Need of Assistance

MNIT employees are assigned to many buildings across the metropolitan area and in Greater Minnesota. Copies of weather and emergency evacuation plans can be found by contacting the Facilities Management department at a given building. If you have any questions or concerns about obtaining a copy of the emergency plan, please reach out to MNIT's Safety Administrator or the Director of Equal Opportunity, Diversity, and Inclusion, whose contact information is provided at the end of this section.

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

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

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

Evacuation Options:

Persons with disabilities have four basics, possibly five, evacuation options:

- **Horizontal evacuation:** Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
- **Stairway evacuation:** Using steps to reach ground level exits from building;
- **Shelter in place:** Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire-resistant door. If the individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds;
- **Area of rescue assistance:** Identified areas that can be used as a means of egress for persons with disabilities. These areas, located on floors above or below the building's exits, can be used by persons with disabilities until rescue can be facilitated by emergency responders; and/or
- **For agencies equipped with an evacuation chair:** Evacuation chairs or a light-weight solution to descending stairways can be used and generally require single user operation. If an agency is equipped with an evacuation chair, best practice indicates that all employees are trained and have practiced evacuating using an evacuation chair.

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

Persons with disabilities should follow 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 to emergency responders how many individuals need assistance to safely evacuate.

- **Mobility disabilities (individuals who do not use wheelchairs):** Individuals with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue assistance until emergency responders arrive to assist them.
- **Hearing disabilities:** The agency’s buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for individuals with who are deaf and/or hard of hearing. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.
- **Visual disabilities:** The agency’s buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, individuals with visual disabilities may need assistance in evacuating. The assistant should offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

Severe Weather Evacuation Options:

Individuals 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.

Name of individual(s) responsible

Name: Jenna Bergmann

Email: jenna.bergmann@state.mn.us

Title: Assistant Director of Human Resources

Phone: 651-201-1214

Name: Sarah Herder Lewis

Email: sarah.herder.lewis@state.mn.us

Title: Director, Equal Opportunity, Diversity, & Inclusion

Phone: 651-556-8025

Methods of Auditing, Evaluating, and Reporting Program Success

Minnesota Administrative Rules 3905.0400, subpart 1, item I.

Pre-Employment Review Procedure/Monitoring the Hiring Process

MNIT Services will evaluate its selection process to determine if its requirements unnecessarily screen out a disproportionate number of females, persons with disabilities, and racial and ethnic minority employees.

Directors, managers, and supervisors will work closely with Human Resources (HR) in reviewing the requirements for the position, posting the position, and in the interviewing and selection processes to ensure that equal opportunity and affirmative action are carried out. The Office of Equal Opportunity, Diversity, and Inclusion (EODI) will be consulted when needed.

MNIT will continue its practice of requiring hiring managers to submit interview questions and scoring criteria to their HR Staffing Representative in advance of an interview to ensure that questions and scoring are tied to qualifications of the position. If there are questions or concerns related to equal opportunity or equity, Staffing Representatives will consult with the EODI Director. By establishing strong scoring criteria and connecting questions to qualifications, hiring managers are able to mitigate the effects of unconscious bias and get the most qualified candidate. To assist with this task, MNIT provides hiring managers with a large bank of interview questions and scoring criteria on its intranet.

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

An agency that does not meet its hiring goals for competitive appointments, and noncompetitive appointments under MS 43A.08, subd. 1(9), (11) and (16), and 43A.15, subd. 3, 10, 12, and 13, must justify its non-affirmative action hires. Thus, directors, managers, and supervisors must document their hiring decisions in MNIT's Pre-Hire Review form for any hire in an underutilized area. EODI staff will review the documented justification for potential bias and to ensure all laws and policies are being followed.

If any part of the hiring process does not meet all requirements put forth by the HR and EODI departments, hiring managers may need to start the process over, remove certain scores in determining a finalist, or take other measures to bring the process into compliance and ensure equal opportunity for every applicant. Requirements can be found on the [MNIT Intranet](https://intranet.mnit.mn.gov/employee-resources/manager-resources/staffing/hiring/index.jsp) (<https://intranet.mnit.mn.gov/employee-resources/manager-resources/staffing/hiring/index.jsp>).

The agency will use the Monitoring the Hiring Process (MHP) form for every hire in an underutilized area to track the number of females, persons with disabilities, and racial and ethnic minority employees in each stage of the selection process.

MNIT will not accept missed opportunities in keeping with the affirmative action statute that was amended in 2019. The agency will also continue to report the number of affirmative and non-affirmative hires in any underutilized area to MMB on a quarterly basis. All employees involved in the selection process are trained and accountable for the agency's commitment to equal opportunity and the affirmative action program and its implementation.

Pre-Review Procedure for Layoff Decisions

MNIT follows labor contract agreements and applicable laws in its layoff processes. If MNIT's Human Resources department is notified about a potential layoff, it goes through a thorough review procedure, which includes the following steps:

- Determine if situation is a true layoff. If so, notify Staffing Supervisor.
- Staffing Supervisor alerts leadership of potential layoffs.
- Staffing Supervisor and leadership research other potential placement opportunities to try to prevent a layoff situation.
- Staffing Supervisor/Team works with manager to discuss next steps and works with affected employee.
- Notice is sent to employee and union.
- Staffing Supervisor/Team reviews current vacancies.
- If a vacancy exists for which employee is qualified, employee is placed in that position.
- If no vacancy exists for which the employee is qualified, Staffing Supervisor/Team reviews bumping options.

Other Methods of Program Evaluation

MNIT Services submits the following compliance reports to MMB as part of its efforts to evaluate affirmative action goals and progress:

- Quarterly Monitoring the Hiring Process Reports
- Biannual Affirmative Action Plan
- Annual Americans with Disabilities Act Report
- Annual Internal Complaint Report
- Disposition of Internal Complaint Report

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

- Monitor progress toward stated goals by job category on a monthly basis.
- Analyze employment activities (hires, promotions, and terminations) by job category on an ongoing basis to determine if there is disparate impact.
- Analyze compensation patterns to determine if there are disparities and potential patterns of discrimination.
- Review the accessibility of online systems and websites.

- Discuss progress with agency leadership on a periodic basis and make recommendations for improvement.

Audits, Sanctions, and Incentives

Minnesota Statutes 2023, section 43A.191, subdivision 3, (f) and (g).

An agency not in compliance with affirmative action requirements of this section must identify methods and programs to improve performance, to reallocate resources internally in order to increase support for affirmative action programs, and to submit program and resource reallocation proposals to the commissioner for approval. An agency must submit these proposals within 120 days of being notified by the commissioner that it is out of compliance with affirmative action requirements. The commissioner shall monitor quarterly the affirmative action programs of an agency found to be out of compliance.

The commissioner shall establish a program to recognize an agency that has made significant and measurable progress in implementing an affirmative action plan.

Policies and Procedures for Harassment and Discrimination Complaints

Minnesota Administrative Rules, section 3905.0400, subpart 1, item F. Minnesota Administrative Rules, section 3905.0500.

A. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436 (revised 8/19/2024)

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 or 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 or discrimination, or who participates in any investigation concerning protected class harassment or discrimination, is strictly prohibited and will not be tolerated.

Violations of this policy by state agency 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 as defined in Minnesota Statutes, section 43A.02, subdivisions 2 and 22, and 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.

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

- Race
- Color
- Creed
- Religion

- National origin
- Sex (includes pregnancy, childbirth, and related medical conditions)
 - See HR/LR Policy #1329 Sexual Harassment Prohibited for specific information on harassment based on unwelcome conduct or communication of a sexual nature.
- 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

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.

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; or an impairment that is episodic or in remission and would materially limit a major life activity when active.

Familial status: The condition of one or more minors having legal status or custody with their parent(s) or legal guardian(s), or the designee of the parent(s) or guardian(s) with the written permission of the parent(s) or guardian(s). 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. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions.

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.

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.

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 [M.S. 363A.03](#), subd. 23.

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.

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

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.

Statutory References

[42 U.S.C. 2000e](#), et al. Equal Employment Opportunities

[M.S. Ch. 43A](#) State Personnel Management

[M.S. Ch. 363A](#) Human Rights

GENERAL STANDARDS AND EXPECTATIONS

I. 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.
- Unwelcome touching or comments about a person's hair, body, clothing, or personal effects related to the person's protected class.
- Repeatedly or deliberately misgendering a person, including using gendered personal references that do not align with another person's identity.

- Repeatedly or deliberately mispronouncing a person's name, related to the person's protected class, including use of an unwelcome nickname, or shortening a name without permission.
- 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.

II. 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 and 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 incidents to:

- Any of the agency's managers or supervisors.
- The agency's affirmative action officer.
- The agency's human resources office.
- 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 (MMB') Deputy Commissioner of Enterprise Employee Resources.

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:

- The name, department, and position of the person(s) allegedly causing the harassment/discrimination.
- A description of the incident(s), including the date(s), location(s), and the identity of any witnesses.
- The name(s) of other individuals who may have been subject to similar harassment or discrimination.
- What, if any, steps have been taken to stop the harassment or discrimination.
- 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.

III. Manager/Supervisory Responsibility

Managers and supervisors must:

1. Model appropriate behavior.
2. Treat all reports of protected class harassment or discrimination seriously.
3. Appropriately respond to a report or problem when they receive a report of protected class harassment or discrimination, or when they are otherwise aware a problem exists.
4. Immediately report all allegations or incidents of protected class harassment or 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.

IV. Human Resources Responsibilities

Agency human resources must:

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

V. Affirmative Action Officer or Designees Responsibilities

Agency Affirmative Action Officer/designee must:

- Model appropriate behavior.
- Treat all reports of protected class harassment and discrimination seriously.
- Comply with the agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan.
- 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 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 Enterprise Director of Human Resources Management 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.

VII. 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:

- Adopting this policy as the agency HR 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 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.

REFERENCES, FORMS, AND SUPPLEMENTS

Refer to [HR/LR Policy #1329](#) Sexual Harassment Policy Prohibited for issues related to sexual harassment. For issues not related to sexual harassment, or harassment or discrimination based on protected class under this policy, refer to [HR/LR Policy #1432](#) Respectful Workplace.

Employees may consult their agency’s Affirmative Action Plan for agency-specific information.

Complaint Form

Harassment and Discrimination Prohibited and Sexual Harassment Prohibited Policies [Complaint Form](#).

Acknowledgement Form

The below form may be used to verify receipt by agency employees.

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 Agency 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: _____

Print Employee Name: _____

CONTACTS

MMB Enterprise Employee Relations

Any appropriate authority as set forth in this policy.

B. Statewide Sexual Harassment Prohibited Policy Statewide HR/LR Policy #1329: Sexual Harassment Prohibited (revised 8/14/2023)

OVERVIEW

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.

Harassment and discrimination based on protected class is specifically addressed by [HR/LR Policy #1436](#) Harassment and Discrimination Prohibited.

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies as defined in Minnesota Statutes, Section 43A.02, subdivisions 2 and 22, and 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 reports sexual harassment or retaliation.

Public service environment: A location 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 Agency employees but who have business interactions with State Agency employees, including, but not limited to:

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

- Unpaid Interns
- Other individuals with whom State Agency 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

Statutory References

[42 U.S.C. § 2000e](#), et al. Equal Employment Opportunities

[M.S. Ch. 363A](#) State Personnel Management

[M.S. Ch. 43A](#) Human Rights

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:

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

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:

- Any agency's managers or supervisors.
- The agency's affirmative action officer.
- An agency's human resource office.

- 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 (MMB's) Deputy Commissioner or Enterprise Employee Resources.

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:

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

Individuals are encouraged to use the agency's internal complaint procedure but may also choose to file a complaint 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:

- Model appropriate behavior.
- Treat all reports of sexual harassment seriously.
- Appropriately respond to a report or problem when they receive a report of sexual harassment, or when they are otherwise aware a problem exists.
- Immediately report all allegations or incidents of sexual harassment to human resources or the agency Affirmative Action Officer.
- 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:

- Model appropriate behavior.
- Distribute the sexual harassment policy to all employees, through a method whereby receipt can be verified.
- Treat all complaints of sexual harassment seriously.
- 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 Enterprise Director of Human Resource Management 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.

REFERENCES, FORMS AND SUPPLEMENTS

For issues related to harassment or discrimination based on protected class, please refer to [HR/LR Policy#1436](#) Harassment and Discrimination Protected. For issues not related to sexual harassment or discrimination based on protected class, please refer to [HR/LR Policy #1432](#) Respectful Workplace.

Employees may consult their agency's Affirmative Action Plan for agency-specific information.

Complaint Form

Harassment and Discrimination Prohibited and Sexual Harassment Prohibited Policies [Complaint Form](#).

Acknowledgement

The below form may be used to verify receipt by agency employees.

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 Agency 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 Agency 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: _____

CONTACTS

MMB Enterprise Employee Relations

Any appropriate authority as set forth in this policy.

C. Complaint Procedure for Processing Complaints Under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy:

Purpose Statement

This procedure is for any MNIT employee or third-party having business interactions with the agency who believes that s/he has experienced harassment, discrimination, or retaliation as defined in HR/LR Policy #1436 Harassment and Discrimination Prohibited; sexual harassment or retaliation as defined by HR/LR Policy #1329 *Sexual Harassment Prohibited*; or a violation of HR/LR Policy #1432 *Respectful Workplace*.

Applicability

This procedure applies to any MNIT employee or third-party having business interactions with the agency.

Repository of Procedure

This procedure can be found in the [Policy & Procedure Library](#), available on the MNIT Intranet.

Procedure Steps

The following are the procedures for filing a complaint:

Complainant

1. If comfortable doing so, the complainant may inform the subject that their behavior is objectionable and ask that it cease. They should then document the conversation, including details of date, time, place, and witnesses (if applicable).
2. The complainant should report the behavior to a supervisor, manager, other leader, the Office of Equal Opportunity, Diversity, and Inclusion ([Office of Equal Opportunity](#)), or a [Labor Relations representative](#) in the Human Resources Department.
3. The complainant may, but is not required to, complete the [Complaint of Harassment, Discrimination or Disrespect in the Workplace](#) form available on the MNIT Intranet. A staff member of the Office of Equal Opportunity or a Labor Relations representative in the Human Resources Department can provide assistance in filling out the complaint form, if requested.
4. Individuals are encouraged to bring forward complaints in a timely fashion, but there are no limitations or requirements regarding the timeline for complaint submissions.

5. All employees, including complainants, who are asked to participate in an investigatory process are encouraged to do so. All information provided is voluntary and must be truthful. Employee rights and union contracts are upheld during all investigations.
6. In extenuating circumstances, the complainant may contact the State Affirmative Action Officer in the Office of Equal Opportunity at Minnesota Management and Budget for information regarding the filing of a complaint (for example, if the complaint is against the agency head or a member of the Office of Equal Opportunity).
7. Retaliation against any person who has filed a complaint either internally through this complaint procedure or through an outside enforcement agency or other legal channels is prohibited.
8. Individuals who knowingly file a false complaint will be subject to corrective action.

Managers and Supervisors

1. As authorities within MNIT, managers, supervisors, and other leaders are required to immediately report complaints to the [Office of Equal Opportunity](#) or their [Labor Relations representative](#) in the Human Resources Department.
2. All employees, including complainants, who are asked to participate in an investigatory process are encouraged to do so. All information provided is voluntary and must be truthful. Employee rights and union contracts are upheld during all investigations.
3. If requested, managers and supervisors must testify truthfully in administrative and legal proceedings.
4. Managers and supervisors must help monitor employee behavior to ensure retaliation against any employee who participates in the complaint or investigatory process is prohibited.

The Office of Equal Opportunity and Human Resources Department

1. Upon receipt of a complaint of harassment, discrimination, or retaliation, MNIT's Director of Equal Opportunity or designee will determine if the complainant is alleging conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy.
 - a. If it is determined that the complaint is related to conduct that would violate the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy, the Director of Equal Opportunity or designee will determine whether a formal investigation is required.
 - b. If it is determined that the complaint is not related to conduct that would violate the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy, but rather falls under the Respectful Workplace policy, the Office of Equal Opportunity will transfer the complaint to the Labor Relations Manager in the Human Resources Department. If the complaint involves an ethics-related matter, the complaint will be referred to the Legal Department.
 - c. The complainant will receive notice of the determination of whether the matter will be handled through a formal investigation or other means within (15) business days of their

original complaint. In extenuating circumstances, this timeline may be pushed back. Appropriate follow-up will occur to resolve all complaints that do not result in a formal investigation.

2. Complaints alleging violations of the Respectful Workplace policy will be referred to the Labor Relations Manager for review and appropriate follow-up.
 - a. As per the Respectful Workplace policy, “individuals are encouraged to informally resolve concerns whenever possible.” If informal resolution is not an option or fails to resolve the concern, Labor Relations will look at other options, not limited to a third-party facilitator dispute resolution process under a collective bargaining agreement or plan.
 - b. The Labor Relations Manager will determine if a formal investigation is required, and if so, the Labor Relations team will investigate and create a written report.
 - c. If disciplinary action is warranted, the subject’s supervisor/manager consults with the HR director/designee regarding the facts of the case and determines if discipline is warranted and, if applicable, what level of discipline is appropriate considering the following:
 - i. Just cause standards;
 - ii. Seriousness of the misconduct;
 - iii. Historical precedent (discipline given to other employees in similar circumstances, both within and outside the agency);
 - iv. Relevant policies/standards; and
 - v. Discipline history, previous training, and work history of the employee.
 - d. MNIT will follow MMB’s guidelines regarding [retention of these records](#).
3. In matters involving harassment, discrimination, or retaliation, the Office of Equal Opportunity or designee will conduct a formal investigation when deemed necessary and create a written report of every investigation conducted.
 - a. The Director of Equal Opportunity will make a policy determination, and the Human Resources Director will provide a recommendation on sound and defensible corrective action to the decisionmaker(s). If the Director of Equal Opportunity conducted the investigation, the Human Resources Director will both make a policy determination and recommendation of corrective action.
 - b. If the investigation shows sufficient evidence to substantiate the complaint, appropriate corrective action will be taken.
4. Within (60) days after the complaint is filed, the Office of Equal Opportunity shall provide a written answer to the complainant and others who need to know the outcome of the investigation, unless reasonable cause for delay exists. Factors contributing to delay may include, but are not limited to, the scope and complexity of the investigation, number of witnesses and the availability of investigation resources, and other considerations. The complainant will be notified if the written answer is not expected to be issued within the sixty

(60) day period. All notifications will be made in accordance with the requirements of the Minnesota Government Data Practices Act.

5. Disposition of the complaint will be filed with the Commissioner of Minnesota Management and Budget within thirty (30) days after the final determination.
6. The status of the complaint may be shared with the complainant(s) and subject(s). All data related to the complaint are subject to the provisions of the Minnesota Government Data Practices Act.
7. The Office of Equal Opportunity shall maintain records of all complaints, investigation reports, and any other data or information the Office of Equal Opportunity deems pertinent for seven (7) years after the complaint is closed.

Other Complaint Options

This procedure will be modified if necessary to comply with contractual requirements. This procedure does not preclude employees from immediately exercising external complaint options. Any employee, applicant or eligible has the right to file a discrimination complaint with the U.S. Equal Employment Opportunity Commission (EEOC), the Minnesota Department of Human Rights, an appropriate court of law, or pursue other legal channels.

Forms

The complaint form can be found on the MNIT Intranet under Employee Resources – Forms – Discrimination, Harassment, and Respect in the Workplace Complaint Form.

- [Complaint of Harassment, Discrimination or Disrespect in the Workplace Form](#)

Related Information

This procedure relates to the following statewide policies:

- [HR/LR Policy #1436 Harassment and Discrimination Prohibited](#)
- [HR/LR Policy #1432 Respectful Workplace](#)
- [HR/LR Policy #1329 Sexual Harassment Prohibited](#)
- [MNIT's Employee Investigations and Discipline Policy](#)

History

The previous complaint procedure was part of the MNIT Prohibition of Harassment and Discrimination policy. Last revised 1/4/2018.

Contact

For issues relating to discrimination, harassment (including sexual harassment), and retaliation, contact the Office of Equal Opportunity, Diversity, and Inclusion at EODI.MNIT@state.mn.us.

For issues relating to the Respectful Workplace policy, contact Labor Relations at MNIT.LaborRelations@state.mn.us.

D. MNIT’s Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form Template

The Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Compliant Form shown below can be found at: [“Complaint of Harassment, Discrimination or Disrespect in the Workplace”](#).

MINNESOTA IT SERVICES (MNIT)
COMPLAINT OF DISCRIMINATION/HARASSMENT/DISRESPECT FORM



COMPLAINT OF HARASSMENT, DISCRIMINATION OR DISRESPECT IN THE WORKPLACE

Purpose and Intended Use of Data Collected on this Form
This form is being used to obtain information needed to investigate your complaint of harassment, discrimination or respect in the workplace. You are not legally required to provide this information, but without it, we may not be able to investigate your complaint. The data you provide on this form will be provided to individuals within Minnesota IT Services who need to access the data for investigation purposes. Under certain circumstances, other entities may have a legal right to access the data, including Minnesota Management and Budget, applicable labor organization(s), Department of Human Rights, Equal Employment Opportunity Commission, Attorney General, and the Legislative Auditor.

Information about you:

Your Name: _____ Job Title: _____
Location: _____ Phone: _____
Division: _____ Supervisor: _____

Indicate below names of the individual(s) who you believe violated the Prohibition of Harassment and Discrimination Policy or the Respect in the Workplace Policy:

Name: _____ Job Title: _____
Division: _____
Name: _____ Job Title: _____
Division: _____

PROHIBITION OF HARASSMENT AND DISCRIMINATION POLICY

Check the relevant box or boxes below to indicate a violation of [Prohibition of Harassment and Discrimination Policy](#):

- Age
- Color
- Creed
- Disability
- Familial or marital status
- Gender or Sex
- Membership in local human rights commission
- National origin or citizenship status
- Race
- Religion
- Retaliation
- Sexual harassment
- Sexual orientation
- Status regarding public assistance
- Veteran’s Status

MN.IT SERVICES
AFFIRMATIVE ACTION PLAN 2016-2018

RESPECT IN THE WORKPLACE POLICY

Check the box below to indicate a violation of the statewide [Respect in the Workplace Policy](#):

Respect in the Workplace

Nature of complaint: Please describe the circumstances that occurred that cause you to file this complaint. Include names, types of behavior, location and dates of events. Attach additional sheets if necessary. Please be sure to include the first and most recent event/s.

Were there any witnesses to the incidents described above? If so, please list the names and work location (or other identifying information) of the witness(es).

1. _____
2. _____
3. _____

I hereby certify that the information I provided on this form is true and correct to the best of my knowledge.

Signature

Date

Please submit completed form to Minnesota IT Services’ [Affirmative Action Officer](#).

Innovative Programs

Minnesota Statute 2023, section 43A.191, subdivision 3, (e).

Originally formed in 2020, MNIT's Equity Team is dedicated to advancing diversity, equity, inclusion, and sustainability throughout the agency. In January 2024, the second Equity Plan was published, representing an action plan aimed at driving meaningful change within MNIT. This plan outlines action items for the next two years, divided among the Equity Team's four subcommittees:

- Foundation: Drive the Strategy (vision, leadership, and structure of DEI work);
- Internal: Attract & Retain People (recruitment, retention, benefits, compensation, and flexibility);
- Bridging: Align & Connect (assessment, communications, learning, and sustainability); and
- External: Listen to & Serve Society (social responsibility; products and services; marketing; and supplier diversity).

Currently, the Equity Team is comprised of individuals from across MNIT who are responsible for implementing the action items within the Equity Plan. These action items are designed to be integrated into every aspect of MNIT's operations.

Wherever possible, the corrective actions set forth in the 2024-2026 Affirmative Action Plan will be incorporated into MNIT's Equity Plan, reinforcing MNIT's commitment to creating an inclusive and equitable work environment for all employees.

Appendices

Appendix A: Progress Report

Females (Promo = promotion)

Job Category	Prior AAP Total Employee #	Prior AAP Total Females #	Prior AAP Total Females %	Prior AAP Availability Females %	Total Hires & Promo #	Total Hired #	Male Hired #	Females Hired #	Un-known Hired #	Females Hired %	Total Promo #	Male Promo #	Females Promo #	Un-known Promo #	Females Promo %	Actual Females Hiring (%)	Females Had Goals in Prior AAP?	Females Goal Met?
Officials and Managers	87	32	36.78%	32.97%	25	13	<10	<10	<10	-	12	<10	<10	<10	-	-	-	-
Professionals	2367	836	35.32%	30.88%	805	578	388	179	11	30.97%	227	120	105	<10	46.26%	35.28%	-	-
Technicians	24	<10	-	21.29%	<10	<10	<10	<10	<10	-	<10	<10	<10	<10	-	-	-	-
Paraprofessionals	20	10	50.00%	19.85%	30	30	18	12	<10	40.00%	<10	<10	<10	<10	-	40.00%	-	-
Administrative Support	10	<10	-	87.04%	<10	<10	<10	<10	<10	-	<10	<10	<10	<10	-	-	-	-
Total	2508	894	35.65%		870	628	418	197	13	31.37%	242	129	111	<10	45.87%			

Racial or Ethnic Minorities (Promo = promotion; RE = Racial or Ethnic Minorities)

Job Category	Prior AAP Total Employee #	Prior AAP Total RE #	Prior AAP Total RE %	Prior AAP Availability RE %	Total Hires & Promo #	Total Hired #	Non-RE Hired #	RE Hired #	Un-known Hired #	RE Hired %	Total Promo #	Non-RE Promo #	RE Promo #	Un-known Promo #	RE Promo %	Actual RE Hiring (%)	RE Had Goals in Prior AAP?	RE Goal Met?
Officials and Managers	87	12	13.79%	14.32%	25	13	<10	<10	<10	-	12	11	<10	<10	-	-	-	-
Professionals	2367	639	27.00%	25.54%	805	578	331	204	43	35.29%	227	148	64	15	28.19%	33.29%	-	-
Technicians	24	<10	-	9.44%	<10	<10	<10	<10	<10	-	<10	<10	<10	<10	-	-	-	-
Paraprofessionals	20	<10	-	13.73%	30	30	13	14	<10	46.67%	<10	<10	<10	<10	-	46.67%	-	-
Administrative Support	10	<10	-	19.36%	<10	<10	<10	<10	<10	-	<10	<10	<10	<10	-		-	-
Total	2508	661	26.36%		870	628	357	222	49	35.35%	242	161	66	15	27.27%			

Persons with Disabilities (Promo = promotion; PWD = Persons with Disabilities)

Job Category	Prior AAP Total Employee #	Prior AAP Total PWD #	Prior AAP Total PWD %	Prior AAP Availability PWD %	Total Hires & Promo #	Total Hired #	PWD Hired #	Non-PWD Hired #	Un-known Hired #	PWD Hired %	Total Promo #	Non-PWD Promo #	PWD Promo #	Un-known Promo #	PWD Promo %	Actual PWD Hiring (%)	PWD Had Goals in Prior AAP?	PWD Goal Met?
Officials and Managers	87	14	16.09%	10.14%	25	13	11	<10	<10	-	12	<10	<10	<10	-	-	-	-
Professionals	2367	243	10.27%	10.15%	805	578	446	119	13	20.59%	227	179	35	13	15.42%	19.13%	-	-
Technicians	24	<10	-	9.76%	<10	<10	<10	<10	<10	-	<10	<10	<10	<10	-	-	-	-
Paraprofessionals	20	<10	-	9.92%	30	30	27	<10	<10	-	<10	<10	<10	<10	-	-	-	-
Administrative Support	10	<10	-	21.67%	<10	<10	<10	<10	<10	-	<10	<10	<10	<10	-	-	-	-
Total	2508	263	10.49%		870	628	488	125	15	19.90%	242	191	38	13	15.70%			

Appendix B: Separation Analysis

Total Separations (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or Non-Certification	6.37%	-	-	65.00%	15.48%	-	-
Resignation	31.85%	39.00%	32.77%	31.00%	36.90%	19.00%	35.19%
Retirement	43.95%	42.03%	48.74%	11.59%	19.05%	13.77%	35.19%
Layoff	-	-	-	-	-	-	-
Termination without Rights	14.97%	34.04%	13.45%	46.81%	26.19%	-	-
Total Separations	100.00%	37.90%	100.00%	26.75%	100.00%	17.20%	100.00%

Officials and Managers (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or Non-Certification	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Resignation	-	-	-	0.00%	0.00%	0.00%	0.00%
Retirement	-	-	-	-	-	-	-
Layoff	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total Separations	100.00%	-	100.00%	0.00%	0.00%	-	100.00%

Professionals (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or Non-Certification	7.04%	-	-	65.00%	16.67%	-	-
Resignation	33.80%	38.54%	35.58%	32.29%	39.74%	19.79%	36.54%
Retirement	45.42%	41.86%	51.92%	11.63%	19.23%	13.95%	34.62%
Layoff	-	-	-	-	-	-	-
Termination without Rights	10.92%	-	-	54.84%	21.79%	-	-
Total Separations	100.00%	36.62%	100.00%	27.46%	100.00%	18.31%	100.00%

Technicians (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or Non-Certification	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Resignation	-	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	-	-	-	0.00%	0.00%	0.00%	0.00%
Layoff	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total Separations	100.00%	-	100.00%	0.00%	0.00%	0.00%	0.00%

Paraprofessionals (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or Non-Certification	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Resignation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Layoff	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	100.00%	-	-	-	-	-	-
Total Separations	100.00%	-	100.00%	-	100.00%	-	100.00%

Administrative Support (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or Non-Certification	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Resignation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	-	-	-	-	-	-	-
Layoff	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total Separations	100.00%	-	100.00%	-	100.00%	0.00%	0.00%

Appendix C: Job Category Analysis

Officials and Managers

Job Code	Job Title
002918	Admin Svcs Dir
002695	Agency Chief Financial Officer
008790	Asst Commr MNIT Svcs
008238	Commissioner-MN IT Services
008090	Deputy Comm - Minn IT Services
008880	Exec Assistant
003944	General Counsel 2
002147	Human Resources Director 2
001424	Human Resources Director 4
002552	Information Syst Director
001724	Labor Relations Manager
003161	MNIT Division Manager 1
003162	MNIT Division Manager 2
003272	MNIT Executive Manager
008746	Proj Manager
003639	State Prog Admin Manager
003719	State Prog Admin Manager Prin
003679	State Prog Admin Manager Sr

Professionals

Job Code	Job Title
000004	Accounting Officer
000006	Management Analyst 1
000140	Buyer 1
000141	Buyer 2
000510	Planner Principal State
000633	Accounting Officer Senior
000634	Management Analyst 4
000652	Human Resources Consultant 1

Job Code	Job Title
000812	Planning Dir State
000893	Management Analyst 3
000979	Accounting Officer Inter
001000	Information Syst Manager
001089	Systems Supervisor
001410	Training & Development Spec 2
001411	Training & Development Spec 4
001423	Human Resources Specialist 2
001449	Affirmative Action Off 3
001500	Accounting Supervisor Princ
001528	Management Analyst 2
002114	Management Analyst Supv 3
002132	Systems Analysis Unit Supv
002390	Accounting Officer Principal
002483	Labor Relations Consultant 2
002954	Management Info Syst Cons Supv
003017	Human Resources Specialist 3
003171	Agency Policy Specialist
003352	Systems Architect
003583	Information Technology Spec 1
003584	Information Technology Spec 2
003585	Information Technology Spec 3
003586	Information Technology Spec 4
003587	Information Technology Spec 5
003605	State Prog Admin Intermediate
003606	State Prog Admin Sr
003607	State Prog Admin Prin
003608	State Prog Admin Coordinator
003712	State Prog Admin Supv Prin
003961	Communications Specialist 2
003962	Communications Specialist 3
003963	Communications Specialist 4
003964	Communications Supervisor

Job Code	Job Title
008934	Trainee-Information Technology

Technicians

Job Code	Job Title
000774	Accounting Technician
000938	Electronic Technician Senior
001390	EDP Operations Technician 3
002268	EDP Operations Technical Spec

Paraprofessionals

Job Code	Job Title
000881	Human Resources Technician 1
001486	Human Resources Technician 2
008598	Student Worker Para Prof
008599	Student Worker Para Prof Sr

Administrative Support

Job Code	Job Title
000293	Exec 2
003628	Office & Admin Specialist Int
003630	Office & Admin Specialist Prin
003637	Customer Svcs Specialist Sr

Appendix D: Feeder Jobs

Officials and Managers (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
001500	Professionals	Accounting Supervisor Princ	0.57%	0.57%	0.00%
002918	Officials and Administrators	Admin Svcs Dir	0.29%	0.00%	0.00%
002695	Officials and Administrators	Agency Chief Financial Officer	0.00%	0.29%	0.00%
008790	Officials and Administrators	Asst Commr Office MN.IT Svcs	0.29%	0.29%	0.29%
000095	Professionals	Attorney 1	0.00%	0.00%	0.00%
008238	Officials and Administrators	Commissioner-MN IT Services	0.00%	0.29%	0.00%
003964	Professionals	Communications Supervisor	0.29%	0.00%	0.00%
008090	Officials and Administrators	Deputy Comm - Minn IT Services	0.00%	0.00%	0.00%
008880	Officials and Administrators	Exec Assistant	0.00%	0.00%	0.00%
003944	Officials and Administrators	General Counsel 2	0.29%	0.00%	0.00%
000500	Professionals	Human Resources Director 1	0.00%	0.00%	0.00%
002147	Officials and Administrators	Human Resources Director 2	0.29%	0.00%	0.00%
001424	Officials and Administrators	Human Resources Director 4	0.00%	0.00%	0.00%
002453	Officials and Administrators	Information Mgmt Svcs Div Dir	0.00%	0.00%	0.00%
002552	Officials and Administrators	Information Syst Director	0.57%	0.57%	0.29%
001000	Professionals	Information Syst Manager	4.60%	2.59%	3.45%
002483	Professionals	Labor Relations Consultant 2	0.57%	0.29%	0.29%
001724	Officials and Administrators	Labor Relations Manager	0.00%	0.00%	0.29%
003161	Officials and Administrators	MN.IT Division Manager 1	3.45%	0.29%	2.01%
003162	Officials and Administrators	MN.IT Division Manager 2	2.01%	0.86%	1.44%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
003272	Officials and Administrators	MN.IT Executive Manager	0.29%	0.57%	0.86%
000812	Professionals	Planning Dir State	0.00%	0.00%	0.29%
008746	Officials and Administrators	Proj Manager	0.29%	0.29%	0.00%
003608	Professionals	State Prog Admin Coordinator	1.72%	0.29%	0.86%
003639	Officials and Administrators	State Prog Admin Manager	0.86%	0.29%	0.29%
003719	Officials and Administrators	State Prog Admin Manager Prin	1.15%	0.57%	0.00%
003679	Officials and Administrators	State Prog Admin Manager Sr	0.29%	0.00%	0.57%
003689	Professionals	State Prog Admin Supervisor Sr	0.00%	0.00%	0.00%
003712	Professionals	State Prog Admin Supv Prin	0.29%	0.00%	0.00%
003352	Professionals	Systems Architect	2.87%	5.46%	2.01%
001089	Professionals	Systems Supervisor	11.21%	4.89%	4.89%
Total			32.18%	18.39%	17.82%

Professionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000004	Professionals	Accounting Officer	0.07%	0.00%	0.00%
000979	Professionals	Accounting Officer Inter	0.04%	0.00%	0.00%
002390	Professionals	Accounting Officer Principal	0.11%	0.00%	0.04%
000633	Professionals	Accounting Officer Senior	0.04%	0.04%	0.00%
001500	Professionals	Accounting Supervisor Princ	0.07%	0.07%	0.00%
000774	Technicians	Accounting Technician	0.26%	0.04%	0.00%
001449	Professionals	Affirmative Action Off 3	0.04%	0.00%	0.00%
003171	Professionals	Agency Policy Specialist	0.07%	0.00%	0.11%
000095	Professionals	Attorney 1	0.00%	0.00%	0.00%
000140	Professionals	Buyer 1	0.07%	0.00%	0.00%
000141	Professionals	Buyer 2	0.07%	0.00%	0.00%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
003961	Professionals	Communications Specialist 2	0.11%	0.04%	0.04%
003962	Professionals	Communications Specialist 3	0.15%	0.00%	0.07%
003963	Professionals	Communications Specialist 4	0.04%	0.00%	0.00%
003964	Professionals	Communications Supervisor	0.04%	0.00%	0.00%
003637	Administrative Support	Customer Svcs Specialist Sr	0.00%	0.00%	0.04%
002268	Technicians	EDP Operations Technical Spec	0.00%	0.00%	0.00%
001390	Technicians	EDP Operations Technician 3	0.04%	0.04%	0.07%
000938	Technicians	Electronic Technician Senior	0.00%	0.04%	0.11%
000293	Administrative Support	Exec 2	0.04%	0.00%	0.00%
000652	Professionals	Human Resources Consultant 1	0.15%	0.04%	0.04%
000500	Professionals	Human Resources Director 1	0.00%	0.00%	0.00%
001423	Professionals	Human Resources Specialist 2	0.19%	0.00%	0.04%
003017	Professionals	Human Resources Specialist 3	0.00%	0.04%	0.00%
000881	Paraprofessionals	Human Resources Technician 1	0.04%	0.00%	0.04%
001486	Paraprofessionals	Human Resources Technician 2	0.07%	0.00%	0.00%
000577	Professionals	Information Officer 3	0.00%	0.00%	0.00%
001000	Professionals	Information Syst Manager	0.59%	0.33%	0.44%
003583	Professionals	Information Technology Spec 1	0.37%	0.33%	0.41%
003584	Professionals	Information Technology Spec 2	2.26%	2.70%	1.70%
003585	Professionals	Information Technology Spec 3	8.78%	8.22%	3.63%
003586	Professionals	Information Technology Spec 4	8.67%	8.48%	4.89%
003587	Professionals	Information Technology Spec 5	6.67%	5.00%	2.07%
002483	Professionals	Labor Relations Consultant 2	0.07%	0.04%	0.04%
000006	Professionals	Management Analyst 1	0.15%	0.07%	0.07%
001528	Professionals	Management Analyst 2	0.30%	0.07%	0.11%
000893	Professionals	Management Analyst 3	0.26%	0.07%	0.11%
000634	Professionals	Management Analyst 4	0.41%	0.19%	0.04%
002114	Professionals	Management Analyst Supv 3	0.04%	0.00%	0.04%
002954	Professionals	Management Info Syst Cons Supv	0.00%	0.00%	0.00%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
003627	Administrative Support	Office & Admin Specialist	0.00%	0.00%	0.00%
003630	Administrative Support	Office & Admin Specialist Prin	0.11%	0.04%	0.07%
003629	Administrative Support	Office & Admin Specialist Sr	0.00%	0.00%	0.00%
002118	Administrative Support	Office Services Supervisor 2	0.00%	0.00%	0.00%
000510	Professionals	Planner Principal State	0.04%	0.04%	0.04%
000812	Professionals	Planning Dir State	0.00%	0.00%	0.04%
000659	Professionals	Research Analysis Spec Sr	0.00%	0.00%	0.00%
002687	Professionals	Safety Administrator	0.00%	0.00%	0.00%
003608	Professionals	State Prog Admin Coordinator	0.22%	0.04%	0.11%
003605	Professionals	State Prog Admin Intermediate	0.04%	0.00%	0.00%
003607	Professionals	State Prog Admin Prin	0.11%	0.04%	0.04%
003606	Professionals	State Prog Admin Sr	0.04%	0.00%	0.00%
003689	Professionals	State Prog Admin Supervisor Sr	0.00%	0.00%	0.00%
003712	Professionals	State Prog Admin Supv Prin	0.04%	0.00%	0.00%
008598	Paraprofessionals	Student Worker Para Prof	0.15%	0.37%	0.00%
008599	Paraprofessionals	Student Worker Para Prof Sr	0.11%	0.04%	0.04%
002132	Professionals	Systems Analysis Unit Supv	1.41%	0.93%	0.78%
003352	Professionals	Systems Architect	0.37%	0.70%	0.26%
001089	Professionals	Systems Supervisor	1.44%	0.63%	0.63%
008934	Professionals	Trainee-Information Technology	0.07%	0.15%	0.11%
001409	Professionals	Training & Development Spec 1	0.00%	0.00%	0.00%
001410	Professionals	Training & Development Spec 2	0.07%	0.00%	0.00%
001411	Professionals	Training & Development Spec 4	0.04%	0.04%	0.00%
Total			34.52%	28.85%	16.26%

Technicians (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000774	Technicians	Accounting Technician	28.00%	4.00%	0.00%
002268	Technicians	EDP Operations Technical Spec	0.00%	0.00%	0.00%
001390	Technicians	EDP Operations Technician 3	4.00%	4.00%	8.00%
000938	Technicians	Electronic Technician Senior	0.00%	4.00%	12.00%
Total			32.00%	12.00%	20.00%

Paraprofessionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
881	Paraprofessionals	Human Resources Technician 1	4.17%	0.00%	4.17%
001486	Paraprofessionals	Human Resources Technician 2	8.33%	0.00%	0.00%
8598	Paraprofessionals	Student Worker Para Prof	16.67%	41.67%	0.00%
008599	Paraprofessionals	Student Worker Para Prof Sr	12.50%	4.17%	4.17%
Total			41.67%	45.83%	8.33%

Administrative Support (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
3637	Administrative Support	Customer Svcs Specialist Sr	0.00%	0.00%	16.67%
000293	Administrative Support	Exec 2	16.67%	0.00%	0.00%
3627	Administrative Support	Office & Admin Specialist	0.00%	0.00%	0.00%
003628	Administrative Support	Office & Admin Specialist Int	16.67%	0.00%	16.67%
3630	Administrative Support	Office & Admin Specialist Prin	50.00%	16.67%	33.33%
3629	Administrative Support	Office & Admin Specialist Sr	0.00%	0.00%	0.00%
2118	Administrative Support	Office Services Supervisor 2	0.00%	0.00%	0.00%
Total			83.33%	16.67%	66.67%

Appendix E: Determining Availability

Officials and Managers (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	50.00%	30.10%	16.84%	10.00%	15.05%	8.42%	5.00%	2018 3-year average ACS data using the following occupations: Computer and Info syst managers.	Weight ratio is determined by the external and internal hiring ratio over the past two years.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	50.00%	32.18%	18.39%	17.82%	16.09%	9.20%	8.91%	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 %			31.14%	17.62%	13.91%		

Professionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	70.00%	26.18%	24.00%	10.00%	18.33%	16.80%	7.00%	2018 3-year average ACS data using the following occupations: Computer and Info syst managers; computer and info research scientists and analysts; software and web developers, programmers, and testers; database and network admin and architects; and other computer occupations.	Weight ratio is determined by the external and internal hiring ratio over the past two years.

2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	30.00%	34.52%	28.85%	16.26%	10.36%	8.66%	4.88%	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 %			28.68%	25.46%	11.88%		

Technicians (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	70.00%	14.00%	4.60%	10.00%	9.80%	3.22%	0.00%	2018 3-year average ACS data using the following occupations: Bookkeeping, accounting, and auditing clerks; Computer and information research scientists and analysts; and Electricians. Percentages were weighted based on percentages of each occupation within the MNIT workforce.	Weight ratio is determined by the external and internal hiring ratio over the past two years.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	30.00%	32.00%	12.00%	20.00%	9.60%	3.60%	6.00%	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 %			19.40%	6.82%	6.00%		

Paraprofessionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	95.00%	18.70%	12.70%	10.00%	17.77%	12.07%	9.50%	2018 3-year average ACS data using the following occupations: Other computer occupations, Human Resources workers. Percentages were weighted based on percentages of each occupation within the MNIT workforce.	Weight ratio is determined by the external and internal hiring ratio over the past two years.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	5.00%	41.67%	45.83%	8.33%	2.08%	2.29%	0.42%	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 %			19.85%	14.36%	9.92%		

Administrative Support (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	50.00%	85.20%	16.50%	10.00%	42.60%	8.25%	5.00%	2018 3-year average ACS data using the following occupations: Other office and administrative support workers and Secretaries and administrative assistants, except legal, medical, and executive.	Weight ratio is determined by the external and internal hiring ratio over the past two years.

2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	50.00%	83.33%	16.67%	66.67%	41.67%	8.33%	33.33%	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 %			84.27%	16.58%	38.33%		

Appendix F: Utilization-Goal Analysis

Females

Job Categories	Total Number of Employee in Job Category	Total Number of Females Employee in the Job Category	% of Females Employee in the Job Category	Females Availability %	Females Establish Goals?	If Yes, Goals for FY 2024-2026
Officials and Managers	95	35	36.84%	31.14%	-	-
Professionals	2646	910	34.39%	28.68%	-	-
Technicians	25	<10	-	19.40%	-	-
Paraprofessionals	24	10	41.67%	19.85%	-	-
Administrative Support	<10	<10	-	84.27%	Monitor	-
Totals	2796	968	34.62%			

Racial or Ethnic Minorities (RE)

Job Categories	Total Number of Employee in Job Category	Total Number of RE Employee in the Job Category	% of RE Employee in the Job Category	RE Availability %	RE Establish Goals?	If Yes, Goals for FY 2024-2026
Officials and Managers	95	15	15.79%	17.62%	Yes	17.62%
Professionals	2646	764	28.87%	25.46%	-	-
Technicians	25	<10	-	6.82%	-	-
Paraprofessionals	24	11	45.83%	14.36%	-	-
Administrative Support	<10	<10	-	16.58%	Monitor	-
Totals	2796	794	28.40%			

Persons with Disabilities (PWD)

Job Categories	Total Number of Employee in Job Category	Total Number of PWD Employee in the Job Category	% of PWD Employee in the Job Category	PWD Availability %	PWD Establish Goals?	If Yes, Goals for FY 2024-2026
Officials and Managers	95	21	22.11%	13.91%	-	-
Professionals	2646	429	16.21%	11.88%	-	-
Technicians	25	<10	-	6.00%	-	-
Paraprofessionals	24	<10	-	9.92%	Monitor	-
Administrative Support	<10	<10	-	38.33%	-	-
Totals	2796	461	16.49%			

Definitions of Terms Used in This Affirmative Action Plan

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

Availability: an estimated percentage of qualified females, persons with disabilities, and racial or ethnic minorities 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.

Connect 700 (C700) Program: an alternative selection process for individuals whose disabilities prevent them from demonstrating their skills in a standard competitive selection process. If selected, this program allows eligible individuals to demonstrate their skills in an on-the-job trial work experience of up to 700 hours. See [Minnesota Statutes, section 43A.15, subdivision 14](#).

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 or Reasonable recruitment 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.

Promotion: the appointment of an employee to a position in a class assigned to a salary range which is two or more steps higher at the maximum than the employee's current job class or which requires an increase of two or more steps to pay the employee at the minimum of the new range.

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, persons with disabilities, and racial or ethnic minorities in a specific job category is less than reasonably would be expected given from workforce participation in the labor market area.