



State of Minnesota

Minnesota Department of Revenue

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

Minnesota Department of Revenue

600 N. Robert St.

St. Paul, MN 55416

651-556-3000

MN Relay 800-627-3000

Revenue.EAI@state.mn.us

www.revenue.state.mn.us

As required by Minnesota Statute 3.197: This report cost approximately \$4,000 to prepare, including staff time, printing and mailing expenses.

To request an alternative format of this document, please contact Anna Biggs at:
anna.biggs@state.mn.us

Table of Contents

Statement of Commitment	5
Executive Summary	6
Organizational Profile	7
Our Mission.....	7
Our Vision.....	7
Our Values.....	7
Our Strategies	7
Organizational chart:	8
Individuals Responsible for Directing and Implementing the Affirmative Action Plan	9
A. Commissioner	9
B. Affirmative Action Officer	10
C. Diversity, Equity, and Inclusion Manager	11
D. Human Resources Director.....	12
E. Americans with Disabilities Act Title I Coordinator	13
F. Americans with Disabilities Act Title II Coordinator	14
G. Talent Sourcer	15
H. Senior Managers and Executive Team Leaders.....	16
I. All Employees.....	17
Communication of the Affirmative Action Plan	18
Internal Methods of Communication	18
External Methods of Communication.....	18
Workforce Composition Analysis	19
Job Category Review.....	19
Determining Availability.....	19
Progress Reports.....	19
Separations Analysis	20
Utilization and Comparison of Employees to Availability.....	21
Goals, Objectives, and Timetables	22
Goals:	22
Timetables:.....	23
Goals, Objectives, and Timetables by Protected Group	24
Females:	24
Good Faith Efforts for Racial Minorities and Persons with Disabilities:	25
Barriers to Achieving Goals and Objectives:.....	27
Recruitment, Retention, and Training	27
Recruitment	27
Retention	29

Training	31
Disability Recruitment, Hiring, and Advancement	33
Supported Employment (Worker) Program	34
Reasonable Accommodations	34
A. Statewide ADA Reasonable Accommodation Policy Statewide HR/LR Policy #1433: ADA Reasonable Accommodation Policy.....	36
B. Minnesota Department of Revenue Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form	49
C. Notice Under the Americans with Disabilities Act Title II.....	50
D. Americans with Disabilities Act (“ADA”) Title II (non-employee) Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form.....	51
E. Minnesota Department of Revenue Grievance Procedure Under Title II of the Americans with Disabilities Act.....	52
F. Evacuation Procedure for Persons with Disabilities or Otherwise in Need of Assistance	53
Methods of Auditing, Evaluating, and Reporting Program Success	59
Pre-Employment Review Procedure/Monitoring the Hiring Process.....	59
The Pre-Employment Review.....	59
Pre-interview.....	60
Post-interview	60
Pre-Review Procedure for Layoff Decisions.....	61
Other Methods of Program Evaluation	62
Audits, Sanctions, and Incentives	63
Policies and Procedures for Harassment and Discrimination Complaints	64
A. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436 (revised 8/19/2024)	64
B. Statewide Sexual Harassment Prohibited Policy Statewide HR/LR Policy #1329: Sexual Harassment Prohibited (revised 8/14/2023).....	72
C. Complaint Procedure for Processing Complaints Under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy:	78
Complaint Procedure	78
Who May File:	78
Procedure Steps	78
Complainant:.....	78
Managers and Supervisors.....	79
Office of Equal Opportunity and Human Resources Department:.....	79
Other Complaint Options.....	81
Policy Information.....	81
• HR/LR Policy #1436 Harassment and Discrimination Prohibited	81
• HR/LR Policy #1432 Respectful Workplace.....	81
• HR/LR Policy #1329 Sexual Harassment Prohibited	81

D. Minnesota Department of Revenue Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form Template.....	82
Innovative Programs	83
• DEI New Employee Onboarding.....	83
• iLEAD Spotlights	83
• Diversity, Equity, and Inclusion Steering Committee	83
• Minnesota [County] Assessor meetings and certifications: Revenue employees work with the demographics to provide training including statewide demographics and include diversity at conferences and provide certifications.	83
• Conflict Resolution from a Diversity and Equity prospective.	83
• Agency and division specific DEI Dashboards to inform department management and employees.....	83
• Providing all our C700 candidates interview questions one hour before the interview.	83
• DEI training opportunities.....	83
Appendix A: Progress Report	70
Appendix B: Separation Analysis	73
Appendix C: Job Category Analysis	76
Appendix D: Feeder Jobs.....	79
Appendix E: Determining Availability	101
Appendix F: Utilization-Goal Analysis	107
Definitions of Terms Used in This Affirmative Action Plan.....	108

Statement of Commitment

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

This statement reaffirms Minnesota Department of Revenue (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 accommodation 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 minorities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.
- This agency will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this agency will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

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

Commissioner or Agency Head: _____ **Date Signed:** _____

Executive Summary

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

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

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

This Affirmative Action review revealed underutilization of the following protected group(s) in the following job categories:

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	-	-	-
Professionals	X	-	-
Technicians	X	-	-
Paraprofessionals	-	-	-
Administrative Support	-	-	-

Affirmative Action Officer or Designee: _____ **Date Signed:** _____

Human Resources Director or Designee: _____ **Date Signed:** _____

Commissioner or Agency Head: _____ **Date Signed:** _____

Organizational Profile

The Minnesota Department of Revenue manages the state's revenue system and administers state tax laws. The department manages over 30 different taxes and collects \$33 billion annually.

Our Mission

Working together to fund the future for all of Minnesota.

Our Vision

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

Our Values

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

- **Accountability:** We ensure the fair, efficient, and equitable administration of the state's revenue system for all of Minnesota.
- **Excellence:** We strive to be innovative, collaborative, and results-driven by thinking big, having fun, and promoting the common good.
- **Inclusion:** We are committed to an inclusive work environment that values each employee and works to continually address the needs of the communities we serve.
- **Integrity:** We are trained, knowledgeable professionals who place trust as the foundation of reputation and relationships.
- **Partnership:** We foster positive relationships with communities and partners across the state to help customers navigate the state's tax code.
- **Service:** We value all customers by serving them with respect, appreciation, inclusion, and a high expectation of excellence.

Our Strategies

1. Provide customers with the information, education, and services they need to efficiently navigate Minnesota's tax opportunities and obligations.
2. Engage in meaningful interaction with our customers to provide superior service, especially to those who will be most impacted by our work.
3. Commit to an inclusive culture for all employees by welcoming individual differences and similarities, respecting others, treating people equitably, and forming meaningful connections.
4. Ensure a productive, innovative, healthy, and safe work environment where all employees can thrive, whether in a traditional office location or virtually.
5. Confirm that employees have the tools and resources necessary to process returns, payments, and refunds accurately and efficiently. Protect customer data and security of our technology systems.

6. Promote operational efficiencies and leverage technology to protect customer information and to serve customer and employee needs.
7. Identify and address non-compliance through education and enforcement to ensure fair, efficient, and equitable support of the state's goals.

Organizational chart:

Minnesota Department of Revenue Organizational Chart

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 his or her position description.
- Take action, if needed, on complaints of discrimination and discriminatory harassment.
- Issue a statement affirming the department's commitment to affirmative action and equal employment opportunity and ensure the statement is shared with all employees.
- Make decisions and changes in policies, procedures or physical accommodations as needed to implement effective affirmative action in the agency.
- Actively promote equal employment opportunity and incorporate diversity and inclusion principles in annual business plans, strategic plans, and the agency's mission.
- Notify all contractors and sub-contractors with the department of their affirmative action responsibilities.
- Enforce equal employment opportunity in affirmative and non-affirmative hiring decisions reviewed in the hiring process.
- Require that all agency directors, managers, and supervisors include responsibility statements to support affirmative action, equal opportunity, diversity, and 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: Paul Marquart

Email: paul.marquart@state.mn.us

Title: Commissioner

Phone: 651-556-6003

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.
- Oversee the administration of the Agency Diversity Recruitment program.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The Equal Opportunity Manager serves as the agency Affirmative Action Officer and is accountable to the **Commissioner** for program impacts and for ongoing program activities and direction. The Equal Opportunity Manager oversees the administration of ADA Title I and ADA Title II, manages diversity and inclusion initiatives, and other equal opportunity employment related matters. In addition, the AAO ensures that aggregate data and trends of complaints of illegal discrimination in hiring are provided and shared with the Human Resources Director on a quarterly basis.

Name of individual(s) responsible

Name: Angela Smedlund

Email: angela.smedlund@state.mn.us

Title: Equal Opportunity Manager

Phone: 651-556-7071

C. Diversity, Equity, and Inclusion Manager

Responsibilities

The Diversity, Equity, and Inclusion Manager is responsible for leading the development, coordination, implementation and monitoring of the department's Diversity, Equity, and Inclusion Strategic Plan.

Duties

- Lead the development and implementation of a shared vision of respect and inclusion for which all employees are accountable.
- Ensure the implementation of the Diversity and Inclusion Strategic Plan is implemented in a timely and effective manner.
- Coordinate training and resources in the areas of intercultural competency, diversity, and inclusion for the agency.
- Advise the iLEAD team.
- Lead the Diversity, Equity, and Inclusion Steering Committee and Equity Action Group.

Accountability

The Diversity, Equity, and Inclusion Manager is accountable to the Assistant Commissioner who is accountable to the Deputy Commissioner and Commissioner for program impacts and for ongoing program activities and direction.

Name of individual(s) responsible

Name: Yer Winder

Title: Diversity, Equity, and Inclusion Manager

D. 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. Staff within HR who work on affirmative action and diversity issues are accountable to the HR Director or Designee.

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.
- Ensure that the reasonable accommodation process is implemented and followed for all employees and applicants in need of a reasonable accommodation.
- 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.

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

Accountability

HR Director is accountable to the Assistant Commissioner.

Name of individual(s) responsible

Name: Suzanne Tillman

Email: suzanne.tillman@state.mn.us

Title: Human Resources Director

Phone: 651-556-6073

E. 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 ADA Title I Coordinator is accountable to Equal Opportunity Manager.

Name of individual(s) responsible

Name: Felicia Okoli

Email: felicia.okoli@state.mn.us

Title: ADA Coordinator

Phone: 651-556-4001

F. 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 ADA Title II Coordinator is accountable to the Equal Opportunity Manager.

Name of individual(s) responsible

Name: Felicia Okoli

Email: felicia.okoli@state.mn.us

Phone: 651-556-4001

Title: ADA Coordinator

G. Talent Sourcer

Responsibilities

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

Duties

The duties of the Talent Sourcer 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 Talent Sourcer is accountable to the Workforce Planning Manager.

Name of individuals responsible

Name: Je Vang
Title: Talent Sourcer

Email: je.vang@state.mn.us
Phone: 651-556-5430

Name: Alexandra Peterson
Title: Talent Sourcer

Email: alexandra.peterson@state.mn.us
Phone: 651-556-5567

H. 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.

I. All Employees

Responsibilities

All employees are responsible for conducting themselves in accordance with the State of Minnesota's policy of 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 state-wide 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 [the Affirmative Action Plan RSpace site](#) 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 Department of Revenue
600 N. Robert St.
St. Paul, MN 55146**

External Methods of Communication

- **Public website.** The agency's Affirmative Action Plan is available on the agency's public website at [Minnesota Department of Revenue About Us page](#). 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 Department of Revenue** is an equal opportunity employer." The agency will also ensure a representative ratio of diversity is on all marketing materials.
- A physical copy of the Agency's Affirmative Action Plan is available to contractors, vendors, and members of the public at the following address:

**Minnesota Department of Revenue
600 N. Robert St.
St. Paul, MN 55146**

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.

Determining Availability

The agency used the United States Census Bureau’s EEO Tabulation 2014-2018 American Community Survey (ACS) statistical data for external availability. The feeder job statistics of employees are used for internal availability (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.

During the 2022 – 2024 Affirmative Action Plan period, Department of Revenue did not meet the established goals for Females in Professionals. Revenue temporarily met the goal for Females in Technicians but fell below the goal at the end of FY24 due to promotions. Revenue met the goal for Females in Paraprofessionals.

During this period, Revenue has increased the number of recruiting staff. The recruiting staff has increased their diversity recruitment efforts, utilizing unique recruitment platforms (please see G. Talent Sourcers).

Current recruitment efforts have had a positive effect on diversity hiring. Revenue will continue the Monitoring the Hiring Process and innovative recruiting efforts to meet underutilization goals for the 2024 – 2026 period.

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

Job Category	Females Hired	Persons with Disabilities Hired	Racial or Ethnic Minorities Hired
Officials and Managers	**.**%*	**.**%*	**.**%*
Professionals	53.85%	20.51%	20.09%
Technicians	67.33%	24.00%	31.33%
Paraprofessionals	61.90%	**.**%*	**.**%*
Administrative Support	68.75%	22.92%	33.33%

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	55.56%	**.**%*	40.74%
Resignation	54.00%	18.00%	30.67%
Enhanced Separation	0.00%	0.00%	0.00%
Retirement	61.04%	19.48%	**.**%*
Death	**.**%*	**.**%*	**.**%*
Lay-off	0.00%	0.00%	0.00%

Separation Type	Females	Persons with Disabilities	Racial or Ethnic Minorities
Termination without Rights	**.**%*	**.**%*	**.**%*
Total Separations	55.84%	25.55%	19.71%

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 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 EEO-4 Category for underutilizations when employee movement occurs.

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

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

The agency has a summary of hiring goals by job category and protected group. The actions the agency will take to address these hiring goals will be described in the goals, objectives, and timetables 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	-	-	Monitor
Professionals	Yes	-	-
Technicians	Yes	-	-
Paraprofessionals	Monitor	-	-
Administrative Support	-	-	-

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 shall establish goals for each goal unit by protected group. The goals must be based on a comparison of the composition of the agency or agency subdivision work force with the composition of the relevant civilian labor force in an identified labor market area. If the comparison shows that a goal unit underutilizes a protected group, the agency head shall establish a goal for that group in that goal unit.

Definition: Goal is a broad statement about the long-term expectation of what should happen as a result of your program (the desired result). Serves as the foundation for developing your program objectives.

Objectives:

The agency's affirmative action plan will identify and describe the methods for developing programs and program objectives designed to meet affirmative action goals. to implement the provisions of this affirmative action plan and meet requirements found in These Action-Oriented Programs are carried out throughout this affirmative action plan period.

Definition: Objectives are statements describing the results to be achieved, and the manner in which they will be achieved. You usually need multiple objectives to address a single goal.

Timetables:

This Affirmative Action plan also establishes timetables for meeting goals and objectives. Timetables must be based on turnover and hire rates within each goal unit in the agency or within each agency subdivision.

Goals, Objectives, and Timetables by Protected Group

Revenue will continue Goals and Objectives for women, racial/ethnic minorities, and people with disabilities that encourage career development and retention. This biennium we will concentrate our efforts on addressing primarily our underutilization of women in the previously stated three job categories: Professionals, Technicians, and Paraprofessionals. However, our commitment to develop a culture that also supports all work opportunities for racial/ethnic minorities, and people with disabilities will continue.

Females:

Goals	Objectives	Timetables
<p>Recruit, Hire, and Retain a Female Workforce: Revenue’s separation data for Females is higher than it should be. Revenue is committed to review the data and processes to better retain Females.</p>	<ol style="list-style-type: none"> 1. Revenue will continue the robust recruitment efforts for Females, including utilizing the new Recruitment staff to determine innovative ways to bring in more Female candidates. 2. Revenue robustly promotes Females. 3. Revenue will review the data, employment practices, and division culture to determine where the deficiencies are so as to better retain Females in the workforce. 	<p>Immediate</p>

Good Faith Efforts for Racial Minorities and Persons with Disabilities:

Goals	Objectives	Timetables
<p>Create an Equity System: Transform the agency by creating equitable structures and strategies to equip leadership with the ability to support and manage a diverse workforce, be accountable, measure results, and refine approaches based on data.</p>	<ol style="list-style-type: none"> 1. Ensure structures and resources support the organizational values of diversity, equity, and inclusion. 2. Ensure policies and procedures support the organizational values of diversity, equity, and inclusion. 3. Ensure leaders at all levels demonstrate and promote commitment and accountability for diversity, equity, and inclusion at the Department of Revenue. 4. Create a culture of learning through training, workshops, and conversations. 5. Ensure barriers to accessibility are removed to support employees. 6. Continue to promote leadership opportunities such as Emerging Leaders Institute, Senior Leaders Institute, leadership training, Revenue’s Leadership Academy, iLEAD, and opportunities to work on projects with agency impact. 	<p>Ongoing</p>
<p>Advance Inclusive Values and Culture: Build a welcoming culture that encourages open dialogue, collaboration, and equity for all employees to contribute to their full potential and hold each other accountable for creating and institutionalizing a culture of inclusion.</p>	<ol style="list-style-type: none"> 1. Continue and grow the shared understanding of diversity, equity, inclusion, and belonging in the workplace. 2. Increase engagement and an inclusive employee experience across the organization. 3. Create a training plan designed to advance intercultural competency, diversity, collaboration, inclusion, and belonging. 4. Continue the On-Boarding Mixer program for all new employees. 5. Continue with the New Supervisor/Manager Onboarding program, including D&I sessions. 	<p>Immediate</p>

Goals	Objectives	Timetables
<p>Recruit, Hire, and Retain a Diverse Workforce: Build and retain a workforce that values and reflects all Minnesota communities.</p>	<ol style="list-style-type: none"> 1. Ensure inclusive recruitment, hiring, and retention practices provide equal opportunity and access and close the representation gaps at all levels. 2. Ensure intentional outreach to marginalized and underrepresented communities to share resources and job opportunities. 3. Continue to make Work Out of Class (WOOC) opportunities available to all employees for equitable access to career progression within the department. 	<p>Immediate</p>

Barriers to Achieving Goals and Objectives:

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

- 2022-2024 Revenue did not have full recruitment staff, limiting the outreach efforts. This has been resolved.
- Vacant positions in the Equity, Access, and Inclusion Office. This has been resolved.
- Pay rates for state employees generally remain below the private sector. This continues to be ongoing.
- Quantity of applicant pools. Executive order in place to utilize experience in lieu of bachelor's degree for some positions unless that position requires licensure. This has been resolved.
- Geographical location for state employees: employees must live and work in Minnesota, North Dakota, South Dakota, Iowa, and Wisconsin. Applicants may want the ability to work from other states. This continues to be ongoing.
- Lack of flexibility for teleworking arrangements: for example, working only in the State of Minnesota or surrounding states or needing to work specific schedules to meet customer needs. This continues to be ongoing.
- Unwillingness of employees to self-identify, including individuals with disabilities. This will affect the representation of employees in these protected groups. This continues to be ongoing.

Recruitment, Retention, and Training

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

Recruitment

The agency will demonstrate a good faith effort to build a coordinated plan to recruit and retain qualified females, persons with disabilities, and racial or ethnic minorities.

- The agency will continue to place advertisements of job opportunities through [the State of MN Career site](https://mn.gov/mmb/careers/search-for-jobs/) (https://mn.gov/mmb/careers/search-for-jobs/).
- Utilize recruitment and retention monetary incentives proposed by MMB at HRDP.
- Continue and expand the use of innovative recruiting platforms, such as social media (Facebook, X, and others), listservs, and other platforms.
- Attend women leadership groups.

- Continue to consider female, racial/ethnic minorities, and individuals with disability applicants for all positions for which they qualify.
 - Participate in the following additional job fairs to recruit women, racial/ethnic minorities, and individuals with disabilities:
 - *Dress for Success events*
 - *Disability Job Fair in November*
 - *People of Color Career Fair*
 - *Professional Diversity Network Career Fair*
 - *Diversity College and Career Fair*
 - *Veteran’s Job Fair*
 - *One Dream Job Fair*
 - Continue the Onboarding Mixer pilot to assist and support newly hired employees.
- Continue to participate in virtual job fairs that are successful to obtain qualified protected group applicants.
- Use LinkedIn job posting feature to search for applicants, which we have been successful in obtaining qualified protected candidates.
- Establish relationships with tribal communities and tribal students.
- Establish relationships with communities and students who identify as having a disability to recruit for entry-level positions.
- Advertise the Connect 700 program to attract qualified individuals with disabilities by providing a link to MMB’s web site.
- Continue to use the EEO tag line on all job postings and advertisements.
- Continue to redesign and publish recruitment materials and media depicting individuals representing protected groups.
- Review/evaluate job postings to eliminate non-inclusive language.
- Develop a pipeline for entry-level jobs across job categories by utilizing resources such as Statewide internship opportunities like Right Track, Step Up, Urban Scholar, and Star of the North Fellows and developing internal Revenue internship programs.
- Continue to evaluate and develop the partnership with Project for Pride and Avivo.
- Utilizing social media outlets for innovative diversity recruiting efforts.

Name of individual(s) responsible

Name: Anthony Swanson

Email: anthony.swanson@state.mn.us

Title: Workforce Planning Manager

Phone: 651-556-5438

Name: Je Vang

Title: Talent Sourcer

Email: je.vang@state.mn.us

Phone: 651-556-5430

Name: Alexandra Peterson

Email: alexandra.peterson@state.mn.us

Title: Talent Sourcer

Phone: 651-556-5567

Retention

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

The agency will utilize effective retention strategies to decrease turnover of all employees especially of women, racial/ethnic minorities, and individuals with disabilities:

1. Onboarding orientation

New hires will participate in a robust onboarding program that provides role clarity, understanding of work culture, policies, procedures, resources and supports. This program rolled out in 2022 and has increased retention rates.

2. Leadership Academy

The Leadership Academy program is designed to help a cohort of 30 employees in learning community build leadership skills to use in their current positions and prepare them for future formal or informal leadership roles at Revenue.

3. Employee Development Services (EDS)

EDS provides learning opportunities and support to all Revenue employees.

4. Mentoring

Encourage the use of mentor-mentee programs within the agency.

5. Management Training

Ensure management support all new hires and existing staff to access training that promotes their career development, inclusive workplace strategies, conflict resolution, D&I skills development, and understanding of accessibility standards for an inclusive workplace.

6. Employee Resource Groups (ERGs)

Employee-led groups foster a diverse and inclusive work environment. Employees participate in groups that share a specific characteristic and provide support, encourage development, and are a safe space for employees to share and learn.

7. Performance Reviews

New staff will participate in a mid-probationary review, a probationary review at the end of their probation period, and a yearly review at twelve months of employment thereafter to discuss their personal and professional growth within Revenue.

8. Rewards and Recognition programs

Ensure all employees know about our rewards and recognition programs including On-Boarding Mixers, Achievement awards, Length of Service awards, Revenue Star awards, Friendly division competitions, Annual Employee Recognition events, and others.

9. Employee Promotion

Develop and communicate career path options for all employees, announce all promotion and transfer opportunities, and provide equitable access to WOOC opportunities.

10. LinkedIn Learning

Training in an online learning platform available for all Revenue employees.

11. Tuition Reimbursement and Professional certifications lump sum bonuses.

Employees are eligible for tuition reimbursement with caps. Additionally, MAPE union members in good standing can receive lump sum bonuses for passing examinations in CPA, Certified Fraud Examiner, Certified Internal Auditor, and Project Management Professional examinations.

12. Employee Compensation

Inform all employees of salary progressions, bonuses, paid time off, health benefits, and retirement plans.

13. Work Balance

Ensure all employees can foster a culture of engagement and collaboration by participating in groups like iLead, Leadership Academy, Health and Wellness Committee, Safety Committee, ClubRev, ReveNews and other division offerings.

14. Continuous learning opportunities

Employees are eligible to participate in continuous opportunities to obtain professional certifications related to their work at the Department.

15. Teleworking/hybrid flexibility

Employees can choose to telework or work a hybrid work arrangement. This might be job specific but a great benefit at the State of Minnesota.

16. Life Balance

Widely publicize the new Employee Assistance program. EAP resources are provided in health and wellness, credit counseling, legal assistance, crisis management, and others.

17. Career Coaches

All employees are provided the opportunity to work with an internal Career Coach to assist them with improving interview skills, resume writing, skill gap analysis, etc.

18. Employee Assistance

Inform employees how to connect with the Office of Equity, Access, and Inclusion when reasonable accommodations are needed or when they do not experience a fair or inclusive work experience, and Human Resource Management when they have concerns about a respectful workplace.

19. Evaluation

Conduct a 90-day New Hire Survey experience by emailing all new employees for their feedback during the hiring process, onboarding, and 90 days at Revenue. After, conduct Stay surveys, exit surveys and State/agency engagement surveys to identify trends and to focus on improvements.

20. Manager and supervisor support and efforts to facilitate retention.

Name of individual(s) responsible

Name: Sarah Nelson

Title: Employee Experience Manager

Email: sarah.r.nelson@state.mn.us

Phone: 651-556-3231

Name: Suzanne Tillman

Title: Human Resources Director

Email: suzanne.tillman@state.mn.us

Phone: 651-556-6073

Name: Nhia Vu

Title: Training & Development Manager

Email: nhia.vu@state.mn.us

Phone: 651-556-6675

Name: Yer Winder

Title: Diversity, Equity, and Inclusion Manager

Email: yer.winder@state.mn.us

Phone: 651-556-5582

Name: Angela Smedlund

Title: Equal Employment Opportunity Manager

Email: angela.smedlund@state.mn.us

Phone: 651-556-7071

Training

The agency will take the following actions to improve retention of females, persons with disabilities, and racial or ethnic minorities.

- Announce training opportunities to all employees.
- Support leaders to build coaching and interpersonal skills to develop their employees.
- Provide Insights Discovery courses to promote understanding and appreciation of others.
- Provide Clifton Strengths courses to promote awareness of one's talents and how to build on their strengths.
- Provide interpersonal skills development courses in the areas of self-awareness, communication, conflict management, and emotional intelligence.
- Customize training solutions for unit teams based on their needs and goals.
- Collaborate with division training teams to share learning and development trends, best practices, and to develop training guidelines around diversity and inclusion.
- Continue new supervisor and team kick start meetings.
- Implement cross-learning programs to develop employee's skill and competencies.
- Provide quality on-boarding programs.
- Continue with employee growth plans.

Name of individual(s) responsible

Name: Nhia Vu

Email: nhia.vu@state.mn.us

Title: Training & Development Manager

Phone: 651-556-6675

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 the agency will provide assurances, procedures, and commitments to provide adequate hiring, placement, and advancement opportunities for persons with disabilities. It must describe specific actions to ensure that a broad range of persons with disabilities will be aware of and be encouraged to apply for job vacancies when eligible:

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](#).

Department of Revenue posts all eligible employment opportunities as C700 eligible. Department of Revenue has a robust C700 program. Candidates who have C700 certification and provide the Agency with the appropriate documentation are considered prior to other candidates. C700 candidates go through a non-scored interview process. This process is to determine that the employee can meet the minimum qualifications of the position. Candidates who are determined to be able to meet the minimum qualifications go through the hiring process and are hired as a C700 pre-probationary employee.

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.

Department of Revenue has ongoing contact and/or contracts with the following organizations to support individuals with disabilities: CorVel, The STAR program, various job coaching vendors, Veteran's Services, ASLIS.

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.

Angela Smedlund, Equal Employment Opportunity Manager
Felicia Okoli, ADA Coordinator
Vikki Getchell, Assistant Commissioner

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.

Department of Revenue ensures that all postings have the Equal Employment Opportunity language along with whom to contact with accommodation requests. Requests are responded to promptly.

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

Department of Revenue participates in the C700 program. Candidates who identify themselves as a part of the C700 program (which includes providing their C700 certificate) are considered prior to any other candidate in the hiring pool.

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; and

Department of Revenue Staffing Specialists screen C700 candidates to ensure they meet the minimum qualifications of the position. When that is determined, the C700 candidate is sent to the hiring manager who then is required to conduct a C700 interview of the candidate to determine if they can meet the minimum qualifications of the position based on the information provided.

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

Although Revenue does not utilize other programs right now, the department will be utilizing other programs as they become available from MMB.

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.

Although Revenue does not utilize this program now, the department will be utilizing other programs as they become available from MMB.

Reasonable Accommodations

This section identifies ways the agency:

1. Provides reasonable accommodations in the hiring and promotion of qualified persons with disabilities.
2. Complies with accessibility standards under 16E.03, Subd. 9.
3. Methods and procedures for providing timely access to reasonable accommodations during the application process, throughout current employment, and when seeking promotion.
4. Provisions for funding reasonable accommodations.
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. Reasonable Accommodation Requests, Approvals, and Reimbursements

Number of Requests	Number of Requests Approved	Number of Requests Reimbursed
151	144	63

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 themselves 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 their 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. Minnesota Department of Revenue 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 [Reasonable Accommodation request form.](#)

This is the employee request form.



DEPARTMENT OF REVENUE

Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form

The Department of Revenue 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 an accommodation can be made.

Data Privacy Statement: This information may be used by your agency human resources representative, ADA Coordinator or designee, your, 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. Signing this form and providing this information is strictly voluntary; however, if you refuse to provide it, your agency may not have enough information to provide a reasonable accommodation.

Employee Name	Division
Position	Email Address
Phone Number	Supervisor Name

Is your supervisor aware of your request for accommodation? Yes No

Questions to clarify accommodation requested
What specific accommodation are you requesting?

If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore?
 Yes No
 If yes, please explain.

Questions to document the reason for the accommodation request *(please attach additional pages if necessary).*
 What, if any, job function are you having difficulty performing?

What, if any, employment benefits are you having difficulty accessing?

What limitation, as result of your physical or mental impairment, is interfering with your ability to perform your job or access an employment benefit?

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 form 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.

Sign Here — By entering your name below, you are digitally signing this form.
Employee Name: _____
Date: _____

SUBMIT
SAVE

Contact Information:
 Felicia Okoli
 Office of Equity, Access, and Inclusion
 600 North Robert St.
 St. Paul, Minnesota 55146 651-556-4001
Revenue.FAI@state.mn.us

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”), the Minnesota Department of Revenue will not discriminate against qualified persons with disabilities on the basis of disability in its services, programs, or activities.

Employment: Minnesota Department of Revenue 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: Minnesota Department of Revenue will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in **Minnesota Department of Revenue** 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: Minnesota Department of Revenue 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 **Minnesota Department of Revenue** 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 Minnesota Department of Revenue, should contact the office of Angela Smedlund, angela.smedlund@state.mn.us, 651-556-7071, as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the Minnesota Department of Revenue 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 Minnesota Department of Revenue is not accessible to persons with disabilities should be directed to Felicia Okoli, felicia.okoli@state.mn.us, 651-556-4001.

Minnesota Department of Revenue 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 <https://mn.gov/mmb-stat/equal-opportunity/ada/ada-accommodation-request-form-title-ii.pdf>.

<p>m MINNESOTA</p> <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>
---	--

E. Minnesota Department of Revenue Grievance Procedure Under Title II of the Americans with Disabilities Act

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

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

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

Felicia Okoli
Minnesota Department of Revenue’s ADA Coordinator
600 N. Robert St.
St. Paul, MN 55416

Within 15 calendar days after receipt of the complaint, Felicia Okoli 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, Felicia Okoli or her designee will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the Minnesota Department of Revenue and offer options for substantive resolution of the complaint.

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

Within 15 calendar days after receipt of the appeal, the Commissioner or his designee will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the Commissioner 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 Felicia Okoli or her designee, appeals to the Commissioner or his designee, and responses from these two offices will be retained by the Minnesota Department of Revenue for at least three years.

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

A copy of the agency's weather and emergency evacuation plans can be found at: [Revenue's Weather and Emergency Plans.](#)

Emergencies initiating evacuation to an assembly/meeting area outside the building may include:

- Fire, flame, or smoke
- Bomb Threats
- Floods
- Utilities (i.e., electrical, gas, sewer, or water)

Emergencies requiring "Shelter in Place" and/or relocation to a safe area within the building may include:

- Weather related (i.e., tornado)
- Chem, bio, or radiological contaminants
- Civil Disturbance/Demonstration
- Active Shooter or Hostage situation

What Employees should know before an emergency occurs.

- Be familiar with the building emergency evacuation plan;
- Know the pathway to at least two alternative exits from every work/meeting area;
- Recognize the sound/signaling method of the fire/evacuation/shelter in place notifications;
- Know who to contact and how to contact them in an emergency; and
- Report damaged or malfunctioned safety systems.
- Capitol Security Non-Emergency Line 651-296-6741
- Capitol Security Emergency Line 651-296-2100

In an Evacuation Emergency employees should:

- Leave the area quickly in an orderly manner following the building emergency evacuation plan. Go directly to the nearest fire-free and smoke-free stairwell recognizing that in some circumstances the only available exit route may contain limited amounts of smoke or fire.
- Listen carefully for instructions over the building's public address system.
- Crawl low, under the smoke to breathe cleaner air if there is a fire. Test doors with the back of your hand for heat. Do not open a hot door, find another exit route. Keep fire doors closed to slow the spread of smoke and fire.
- Avoid using elevators when evacuating a burning building.
- Report to the designated assembly/meeting area.
- Do not re-enter the building until directed by authorities.

General Responsibilities and Duties

Capitol Complex Security

- Provides continuity of emergency administration within the capitol complex.
- Primary authority for emergencies requiring medical, fire, law enforcement, or other assistance not contained within the individual units, divisions, or buildings.

- Provides communication to the building Security Coordinator and Emergency Manager.
- Assist with relaying public safety information through the building PA system when necessary.

Supervisors/Management – Occupying Entities

- Support the security staff in communicating the building emergency plan and carry out the commitment to keep all people in the building safe.
- Work with mobility impaired employees to select two “buddies” to provide assistance during an emergency.
- Report missing or unaccounted employees, public, to appropriate emergency response personnel.
- Ensure all employees from their division are aware of the building plan.
- Communicate emergency planning and training with division personnel.
- Facilitate emergency procedures for mobility impaired persons.
- During emergencies, check that the floor has been cleared or that building occupants have been moved to a designated relocation area.
- Observe that the appropriate procedures are followed and report results to DOR Security.
- Validate all Stassen Building Emergency plans for feasibility with their staff members.

Building Occupants

- Check to see that fire doors are kept closed, not propped open.
- Respond to emergency situations in a calm and orderly fashion.
- Move as quickly as possible to the evacuation/relocation areas when directed.

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

Individuals with disabilities should follow the following procedures:

- **Mobility disabilities (individuals who use wheelchairs or other personal mobility devices (“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 horns/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.

Mobility Impaired Persons Place of Refuge

- The Stassen Building will use the place of refuge method for evacuating mobility impaired persons. Employees who are mobility impaired will discuss with their supervisor which stairwell they will evacuate to for all emergencies. If there is staffing available, they may have designated buddies assisting them to the stairwell. Designated buddies will inform Capitol Security which floor and stairwell the person is on and coordinate with the fire department to get them out of the building.

Afterhours Emergency Procedure

When an emergency happens in the building after hours:

Dial 911 immediately to report the locations and nature of the emergency. This will automatically trigger a call to Capitol Security Dispatch, but dispatch may only receive a number, no location. Dispatch will attempt to call the number they received.

Severe Weather Relocation

When severe weather is in the area, the National Weather Service advises shelter. Capitol Security and DOR Security monitor severe weather notifications. In the event of severe weather:

- Employees are notified by PA announcement. If no announcement has been made but you do not feel safe, move to a safe area.
- Employees should move to the center of the building, away from exterior windows and doors. Take your visitors with you.
- Employees working after hours and on weekends should monitor the weather.
- "Buddies" and mobility impaired employees are to meet at their pre-determined area.
- Wait for an all-clear notification.
- After 5:00 pm, take directions from Capitol Security or emergency responders.

Medical Emergency

If serious injury or illness occurs in your area:

Dial 911 immediately to report the location and nature of the medical emergency. Do not hang up until the 911 operator tells you to.

Note: Calling from an office phone automatically notifies Capitol Security Dispatch

Common 911 operator questions will be:

- What is the emergency?
- Where is the emergency?
- Who is injured?
- What is your name and phone number you are calling from?
- Are there any hazards in the area?

After you have called 911, there are several things you can do until emergency responders arrive.

- Provide first aid to the best of your ability.
- Use precautions to prevent exposure to bodily fluids.
- If you determine the patient has no pulse and is not breathing, begin CPR if you have been trained in this life saving technique.
- AED's are located on each floor.
- Stay calm. This will reassure the patient that help is on the way.
- Refrain from moving the patient unless it is absolutely necessary for safety reasons.
- Make the patient as comfortable as possible.
- Gather information about the patient's medication and medical history if possible. This will help first responders treat the patient.
- Remember the time, this is very important. When was the last time you talked to the patient? How long has this medical condition existed? How long has this medical condition existed? How long has the person been unconscious?
- Have someone meet the emergency responders and direct/lead them to the patient.

Fire Emergency

When fire or smoke is observed and no alarms have been sounded, employees should:

- Immediately call 911 reporting the location and situation and then call Capitol Security Dispatch to ensure they are notified.
- Fight the fire only if all the following are true:
 - The fire is confined to a small area, e.g., a waste basket.
 - The fire department has been notified.
 - You have a way out and can fight the fire with an exit behind you.
 - You have the proper extinguisher and know how to use it.
- Leave the area quickly in an orderly manner following the building emergency evacuation plan. Go directly to the nearest fire-free and smoke-free stairwell recognizing that in some circumstances the only available exit route may contain limited amounts of smoke or fire.
- Listen carefully for instructions over the building's public address system.
- Crawl low, under the smoke to breathe cleaner air if there is a fire. Test doors with the back of your hand for heat. Do not open a hot door, find another exit route. Keep fire doors closed to slow the spread of smoke and fire.
- Avoid using elevators when evacuating a burning building.
- Report to the designated assembly/meeting area.

Don't re-enter the building until directed by authorities.

Civil Disturbances or Demonstrations

A civil demonstration or protest is a group of people gathering for a cause or reacting to a recent event. Civil unrest or rioting begins when individuals from a group engage in criminal activity such as property damage or intentional harm to others. In the event of a demonstration, remember; individuals can potentially turn these activities, unlawful or violent without notice.

If a disturbance occurs, or is about to occur in your area, contact Capitol Security – 651-296-6741 and inform them of the situation. If you need emergency assistance, call 911. Provide your address or location, and any details available. If you are on the Capitol Complex, the 911 dispatcher will contact Capitol Security.

Employees should remain calm and take no action to aggravate the situation.

If a disturbance is outside of the building, DOR Security Coordinator(s) or Capitol Security will:

- Keep building occupants advised of any threatening conditions.
- Advise the building occupants of areas to avoid.

Direct any media attention to the proper Agency Public Information Officer(s).

Bomb Threat

Any and every bomb threat should be taken seriously and acted upon immediately. Reference the Bomb Threat Checklist for more detailed information.

Written Bomb Threat:

- Immediately notify Capitol Security Dispatch – 651-296-2100
- Call the Threat Line and report the threat – 651-556-5959
- Contact your supervisor.

Bomb Threat Calls/Voicemails/Emails:

- Attempt to Determine:
 - Time set for detonation.
 - Location of bomb.
 - Name of the caller.
 - Why the bomb was set.
- Description of the device and type of explosive.
- Make a note of the following about the caller:
 - Gender
 - Type of speech
 - Accent, words used, etc.
- Voicemail/Email

- Do not forward the message to anybody.
- Do not close the threatening email.
- Limit the number of times an audio message is replayed.

Immediately notify Capitol Security Dispatch – 651-296-2100 and contact your supervisor.

If the level of threat is at such a point where evacuation is not immediately warranted, you may be asked to conduct a visual inspection (bomb sweep) of your immediate work area.

Bomb Sweep

Building Employees

- Conduct a visual inspection of all private areas, offices, and supply/copy/file rooms for anything unusual, suspicious, or out of place.
- Do not touch or move any suspicious or unidentifiable items.
- Immediately report any suspicious or unidentifiable items to Capitol Security/DOR Security.
- Once an area has been cleared, notify the lobby security – 651-556-5557, and report areas have been completed. You may be asked to assist with other areas.

Maintenance and Janitorial Personnel

- Conduct a visual inspection of all elevator shafts, maintenance closets, stairwells, offices, supply/storage rooms, public rooms for anything unusual, suspicious, or out of place.
- Do not touch or move any suspicious or unidentifiable items.
- Immediately report any suspicious or unidentifiable items to Capitol Security/DOR Security.
- Once an area has been cleared, notify the lobby security – 651-556-5557, and report areas have been completed. You may be asked to assist with other areas.

Capitol Security

- Check interior public areas of the building.
- Check exterior perimeter of the building including parking lots, trash receptacles, bushes, etc.
- Check meeting/assembly areas for potential devices.

In the event a suspicious item is found or if the caller has indicated a time frame for detonation of a device, an announcement to evacuate the building will be made over the PA system. Law enforcement may make the determination to evacuate the building at any time.

Major Disasters

There may be some emergency situations that will require more response and recovery. Employees will be notified of the incident through the agency's automated notification system. All divisions have business continuation plans that safeguard assets, minimize effect, and guide recovery. The plans define who will direct the recovery process, the priority of recovery, and communication to employees and our customers. They are living documents that are continually updated to accommodate new technology and organizational changes.

Name of individuals responsible

Name: Lee Moldestad
Title: Security Coordinator

Email: lee.moldestad@state.mn.us
Phone: 651-556-6211

Name: Ashly Helser
Title: Security Coordinator and Emergency
Manager

Email: ashly.helser@state.mn.us
Phone: 651-556-6664

Methods of Auditing, Evaluating, and Reporting Program Success

Minnesota Administrative Rules 3905.0400, subpart 1, item 1.

Pre-Employment Review Procedure/Monitoring the Hiring Process

The Affirmative Action Officer sets hiring goals for the agency through the data contained in the Affirmative Action plan and supports Human Resources Management staff to advise hiring managers and supervisors of protected class disparities when opportunities for new hires and promotional opportunities become available.

The Pre-Employment Review

1. The hiring supervisor completes and submits a personnel requisition and a position description for the vacancy to be filled to their Human Resources contact in the Human Resources Management Division.
2. Human Resources Management staff provides consultation with the hiring supervisor to ensure that:
 - a. All position descriptions contain the essential functions of the job and related criteria (knowledge, skills, and abilities) that are required to perform the identified job.
 - b. Job related minimum qualifications (and preferred qualifications) are clearly defined and documented on the vacancy announcement. Consultation occurs so the hiring supervisor understand proper screening and application of preferred qualifications through the hiring process.
 - c. External recruitment efforts are made when appropriate and include resources that have contacts with protected class candidates.

Pre-interview

1. Human Resource staff consult with the hiring supervisor regarding the agency's current distribution of women, racial/ethnic minorities, and individuals with disabilities and reinforces the agency goal of ensuring equitable access to employment and the merit process.
2. Human Resource staff will review the interview panelists to ensure they have completed Equity in the Selection Process training.
3. Prior to the commencement of the interview process, the hiring supervisor shall submit a list of uniform job-related interview questions to Human Resource staff for review. Interview questions will be reviewed to determine:
 1. Will the answers to these questions, if used in making the selection, have a disparate effect in screening out protected groups of people?
 2. Do the questions judge only an applicant's competence or qualification for the job in question?
 3. Is the question culturally neutral?
 4. Are the questions within the legal parameters of Equal Employment Opportunity guidelines?
4. Hiring supervisors will ensure that each candidate is asked the same structured interview questions. Two or three follow-up questions during the interview may be appropriate if clarity or additional information is needed.
5. Human Resources staff, in concert with the hiring supervisor, will review the resumes to determine which candidates meet the minimum qualifications as defined in the vacancy announcement. Candidates who meet the minimum qualifications will constitute the final eligible list of candidates to be considered in this selection process.
6. If the number of candidates on the eligible list is large and needs to be more narrowly defined to select a "reasonable" number of candidates to interview, the hiring supervisor may apply the preferred qualifications to identify candidates to interview.
7. Applicants selected for interview will receive information about the hiring process, including whether testing will be included so the applicant can assess if reasonable accommodations will be required for them to fully participate in the selection process. If reasonable accommodations are requested, the agency ADA Coordinator will be contacted to support the applicant's disability related needs.

Post-interview

1. The interview team will compare the qualifications of candidates based on interview scores, test scores, writing samples, and the requirements of the job.
2. If the hiring authority wishes to select a candidate from a group that is not underutilized, and if a hiring goal exists for the EEO4 category's positions, the hiring supervisor shall complete the

Pre-Hire Justification form and submit it to the Affirmative Action Officer for approval prior to any offer being considered. The Pre-Hire Justification form documents how the preferred candidate is more qualified than the underutilized group candidate(s). The Affirmative Action Officer shall review the justification, job posting, job description, applicant interview scores and notes, and applicant resumes, to determine whether the hire is justified. Until that review is complete no offer of employment can be made to any candidate.

If it is concluded that the reasons for the non-selection do not demonstrate the preferred candidate is more qualified, and the Affirmative Action Officer is unable to resolve the matter with the supervisor, the Affirmative Action Officer will arrange an appointment for the Supervisor to meet with the Commissioner or the Commissioner's delegate to explain the reasons for the selection. The decision of the Commissioner or the Commissioner's delegate is final. If a Manager or Supervisor fails to follow this procedure prior to making the job offer, they will be held accountable.

3. Supervisors and managers are not to disclose information about the candidate's protected group status. This includes whether the candidate is a female, a racial/ethnic minority, an individual with a disability, or a participant in the Connect 700 program. The protected group status of an individual is identified as private data in accordance with the Minnesota Government Data Practices Act which governs the collection and disclosure of all government data, including personnel data. Minnesota Statutes 13.43, subd. 2.
4. Human Resources Management will keep documentation on the selection process for all appointments for at least four (4) years. The Equal Employment Opportunity Manager will keep Monitor the Hire Process forms and Pre-Hire Justification forms for every appointment in an EEO4 category where there is an underutilization to explain the justification for the hiring decision according to agency record retention schedules.
5. Hiring supervisors will maintain documentation on the selection process including the identification of job-related qualifications, the ranking of resumes to determine who met minimum qualifications and which preferred qualifications were consistently applied, who was invited to interview, as well as interview notes and documentation for at least one year.

Pre-Review Procedure for Layoff Decisions

1. The Affirmative Action Officer in conjunction with the Director of Human Resources Management, shall be responsible for reviewing all pending layoffs to determine their effect on the agency's affirmative action goals and timetables. The Human Resources Management Director shall inform the Affirmative Action Officer of pending layoffs, including where ADA affects a layoff bumping eligibility.
2. If it is determined that there is an impact on protected groups, the agency will document the reasons why the layoff is occurring, such as positions targeted for layoff, applicable personnel

policies or collective bargaining agreement provisions, or other relevant reasons. The agency will determine if other alternatives are available to minimize the impact on protected groups.

Other Methods of Program Evaluation

The Affirmative Action Officer submits the following compliance reports to MMB as part of the efforts to evaluate the agency's affirmative action program:

- Quarterly Monitoring the Hiring Progress Reports
- Biannual Affirmative Action Plan
- Annual Americans with Disabilities Act Report
- Annual Internal Complaint Report
- Annual Connect 700 Report
- Disposition of Internal Complaint (submitted to MMB within 30 days of final disposition)

The Affirmative Action Officer also evaluates the Affirmative Action Plan in the following ways:

- Monitors progress toward stated goals by job category
- Analyzes employment activity (hires, promotions, and terminations) by job category to determine if there is disparate impact.
- Analyzes compensation program to determine if there are patterns of discrimination.
- Reviews the accessibility of online systems and websites and ensures that reasonable accommodations can be easily requested.
- Discusses progress with agency leadership on a periodic basis and makes 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/discrimination based on protected class or retaliation as described in this policy, are encouraged to file a report with an appropriate authority, as set forth in Section II of this policy.

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

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

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

Scope

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

Definitions and Terms

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Exclusions

N/A

Statutory References

M.S. Ch. 43A

M.S. Ch. 363A

GENERAL STANDARDS AND EXPECTATIONS

Prohibition of Protected Class Harassment and Discrimination

Harassment of or discrimination against any employee or third party based on protected class in the workplace or public service environment, or which affects the workplace or public service

environment, is strictly prohibited. Harassment of or discrimination against an individual because of their relationship or association with members of a protected class is also strictly prohibited.

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

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

I. Employee and Third-Party Responsibilities and Complaint Procedure

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

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

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

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

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

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

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

II. Manager/Supervisory Responsibility

Managers and supervisors must:

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

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

III. Human Resources Responsibilities

Agency human resources must:

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

IV. Affirmative Action Officer or Designees Responsibilities

Agency Affirmative Action Officer/designee must:

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

Investigation and Discipline

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

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

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

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

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

Non-Retaliation

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

RESPONSIBILITIES

Agency Responsibility

Agencies are responsible for the following:

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

MMB Responsibility

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

FORMS AND SUPPLEMENTS

Documents are available on [the MMB Equal Opportunity, Diversity, and Inclusion website](#), including [Affirmative Action resources](#) for state agencies. [Harassment 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 #1436, Harassment and Discrimination Prohibited, including the policy's complaint procedure.

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

I understand that if I believe that I have been subjected to harassing, discriminatory or retaliatory conduct as defined by the policy by any State employee, or by any "third party" as defined by the policy, I am encouraged to report that behavior. I understand that I can make a report to any of my agency's managers or supervisors, the agency's affirmative action officer, the agency's human

resources office, or agency management, up to and including the agency head. I understand that if my report concerns an agency head, I may contact Minnesota Management and Budget.

Signed: _____ Date: _____

Employee Name: _____

REFERENCES

- For issues related to sexual harassment, please refer to HR/LR Policy #1329: Sexual Harassment Prohibited. For issues not related to sexual harassment, or harassment or discrimination based on protected class, please see HR/LR Policy #1432 Respectful Workplace.
- MMB Equal Opportunity, Diversity, and Inclusion Office.
- Consult your agency's Affirmative Action Plan, or in the absence of an Agency Affirmative Action Plan, review [Affirmative Action resources](#) for state agencies.

CONTACTS

MMB Enterprise Employee Relations

[Office of Equal Opportunity, Diversity, and Inclusion](#)

Any appropriate authority, as set forth in Section II of 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.

Scope

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

Definitions and Key Terms

Complainant

An individual who complains about sexual harassment or retaliation.

Public service environment

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

Sexual harassment

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

Third party

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

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

Exclusions

N/A

Statutory References

42 U.S.C. § 2000e, et al.

M.S. Ch. 363A

M.S. Ch. 43A

General Standards and Expectations

I. Prohibition of Sexual Harassment

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

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

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

II. Employee and Third-Party Responsibilities and Complaint Procedure

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

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

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

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

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

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

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

III. Manager/Supervisor Responsibility

Managers and Supervisors must:

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

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

IV. Human Resources Responsibilities

Agency human resources must:

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

V. Affirmative Action Officer or Designee Responsibilities

Agency Affirmative Action Officer/designee must:

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

VI. Investigation and Discipline

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

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

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

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

VII. Non-Retaliation

Retaliation against any person who opposes sexual harassment, who reports sexual harassment, or who participates in an investigation of such reports, is strictly prohibited. Retaliation also includes conduct or communication designed to prevent a person from opposing or reporting sexual harassment or participating in an investigation. Retaliation will not be tolerated. Any employee who is

found to have engaged in retaliation in violation of this policy will be subject to discipline, up to and including discharge. Third parties who are found to have engaged in retaliation in violation of this policy will be subject to appropriate action.

RESPONSIBILITIES

Agencies are responsible for:

- Adopting this policy.
- Disseminating this policy to agency employees through a method whereby receipt can be verified.
- Posting this policy in a manner that can be accessed by all employees and third parties.
- Including this policy in their Affirmative Action Plan.
- Implementing this policy, which includes:
 - Implementing an educational program
 - Developing and implementing a procedure for reporting complaints
 - Communicating the complaint procedure to employees
 - Developing and implementing a procedure under which reports will be addressed promptly.
- Enforcing this policy.
- Reporting annually dispositions of reports of sexual harassment using the Affirmative Action Report.

MMB is responsible for:

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

FORMS AND SUPPLEMENTS

For a sample investigation procedure, please review the documents available on the [MMB Equal Opportunity, Diversity, and Inclusion website](#), including:

- Agency AAP Planning Guide
- For agencies with more than 25 employees
- For agencies with 25 or fewer employees

Harassment Complaint Form

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

Acknowledgement

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

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

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

Signed: _____ Date: _____

Employee Name: _____

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

Complaint Procedure

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

Who May File:

Any individual who believes that they have been subject to harassment, discrimination, or retaliation in violation of the Harassment and Discrimination Prohibited Policy, or the Sexual Harassment Prohibited Policy is encouraged to use this internal complaint procedure.

If the individual chooses, a complaint can be filed externally with the Minnesota Department of Human Rights (MDHR), the U.S. Equal Employment Opportunity Commission (EEOC), or through other legal channels. The MDHR, EEOC and other legal channels have time limits for filing complaints; individuals may contact the MDHR, EEOC, or a private attorney for more information.

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.

Individuals who knowingly file a false complaint will be subject to disciplinary or corrective action.

Procedure Steps

The following are the steps 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 like date, time, place, and witnesses (if applicable).
2. The complainant should report the behavior to a supervisor, manager, other leader, [the Office of Equity, Access, and Inclusion](#) or [Human Resources Management](#).
3. The complainant may, but is not required to, complete the [“Harassment and Discrimination Prohibited/ Sexual Harassment Prohibited Policies Complaint Form”](#). Individuals are encouraged

to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy.

4. Individuals are encouraged to bring forward complaints in a timely fashion, but there are no limitations or requirements regarding the timeline for complaint submission to the Department of Revenue. However there are time limitations for filing with the MDHR or EEOC.
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. Department of Revenue, managers, supervisors, and other leaders are required to immediately report complaints they receive to [the Office of Equity, Access, and Inclusion](#) or [Human Resources Management](#)
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.

Office of Equal Opportunity and Human Resources Department:

1. The Office of Equity, Access, and Inclusion determines if the complainant is alleging conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment

Prohibited Policy; or if the complaint instead is of a general personnel concern or a general concern of Respect in the Workplace.

- 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 involves general personnel concerns or general concerns of respect in the workplace, the Affirmative Action Officer will refer the complaint to Human Resources Management office and inform the complainant, in writing, within ten (10) business days.
 - 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 Affirmative Action Officer or designee will determine whether corrective action may be taken without an investigation. If it is determined that an investigation is necessary, the Affirmative Action Officer or designee shall investigate the complaint.
2. The Affirmative Action Officer or designee shall create a written investigation report of every investigation conducted. If the investigation shows sufficient evidence to substantiate the complaint, appropriate corrective action will be taken.
 3. Within (60) days after the complaint is filed, the Affirmative Action Officer or designee shall provide a written answer to the complainant, unless reasonable cause for delay exists. The complainant will be notified if the written answer is not expected to be issued within the sixty (60) day period. The written answer to the complainant must comply with the data privacy restrictions of the Minnesota Government Data Practices Act.
 4. Disposition of the complaint will be filed with the Commissioner of Minnesota Management and Budget within thirty (30) days after the final determination.
 5. The status of the complaint may be shared with the complainant(s) and respondent(s). All data related to the complaint are subject to the provisions of the Minnesota Government Data Practices Act.
 6. The Affirmative Action Officer or designee shall maintain records of all complaints, investigation reports, and any other data or information the Affirmative Action Officer or designee deems according to agency record retention schedules.
 7. In extenuating circumstances, the employee or applicant may contact the Assistant Director of Equal Opportunity in the Enterprise Human Capital Office of Minnesota Management and Budget for information regarding the filing of a complaint (for example, if the complaint is against the agency head or the agency Affirmative Action Officer).

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.

Policy 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**](#)

D. Minnesota Department of Revenue Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form Template

The Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form shown below can be found at [Minnesota Department of Revenue Harassment and Discrimination Complaint Form](#).

This is the employee request form.

mi DEPARTMENT OF REVENUE

Harassment and Discrimination Complaint Form
Equity, Access, and Inclusion Office
600 N. Robert St., St. Paul, MN 55146
(651) 556-6042

Please Read Before Completion of Form
Any complaint of harassment/discrimination is considered confidential data under Minnesota Statute 13.33, Subd. 1 and 2. This information may only be released to the Affirmative Action Officer, the complainant, the respondent, and appropriate personnel.

Retaliation against any person who reports conduct under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy is strictly prohibited and will not be tolerated. If you believe that you have been subjected to retaliation, you are encouraged to report such behavior.

Complainant (You)	
Name	Job Title
Work Address	Agency Telephone
City, State, ZIP Code	Division Supervisor
Respondent (Person Who Harassed/Discriminated Against You)	
Name	Job Title
Work Address	Agency Telephone
City, State, ZIP Code	Division Supervisor
Other pertinent information:	

The Complaint	
Basis of Complaint ("X" all that apply):	
<input type="checkbox"/> Age	<input type="checkbox"/> Color <input type="checkbox"/> Creed <input type="checkbox"/> Disability
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Gender Expression <input type="checkbox"/> Gender Identity <input type="checkbox"/> Genetic Information
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Ethnicity or Ancestry in a Local Human Rights Commission <input type="checkbox"/> National Origin
<input type="checkbox"/> Race	<input type="checkbox"/> Reference on Public Assistance <input type="checkbox"/> Religion
<input type="checkbox"/> Retaliation	<input type="checkbox"/> Sex <input type="checkbox"/> Sexual Harassment <input type="checkbox"/> Sexual Orientation
Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, name of that agency:
Describe in as much detail as possible, the conduct that you believe violates the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. List dates, locations, names of a fellow of people involved. Explain why you believe the conduct was based on the item(s) checked in the "Basis of Complaint" section above. Attach additional pages, if needed, and any documents you believe may be relevant.	

Witnesses Who Can Support Your Case		
Name	Agency/Division	Work Telephone
Additional witnesses may be listed in on a separate sheet attached to this form.		
This complaint is being filed based on my honest belief that I have been subjected to conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge.		
Complainant Signature	Date	
SUBMIT	SAVE	
Complaint received by: Affirmative Action Officer Signature	Date	

Note: Retaliation against any person who reports conduct under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy is strictly prohibited and will not be tolerated. If you believe that you have been subjected to retaliation, you are encouraged to report such behavior.

This material is available in alternative formats for individuals with disabilities by contacting Trelisa Clark at 651-556-6043 or Trelisa.Clark@state.mn.us

Innovative Programs

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

An agency is encouraged to develop other innovative ways to promote awareness, acceptance, and appreciation for diversity and affirmative action. These innovations will be considered when evaluating an agency's compliance with this section.

- DEI New Employee Onboarding
- iLEAD Committee
 - Advocate for diversity and inclusion, integrate them into daily work activities, and continuously model the values of diversity and inclusion.
 - Communicate diversity events, initiatives, and other related information to employees.
 - Advise department leaders about various diversity issues and make recommendations as appropriate.
 - Represent co-workers and department leaders to the iLEAD Team and the iLEAD Team to our coworkers and leaders.
 - Provide diversity awareness training and education through quarterly Spotlight sessions, a calendar of diversity activities and a bulletin board celebrating the diversity of the department's employee population.
 - Act as a diversity resource to employees and department recruiters, and to other state agency diversity groups.
- iLEAD Spotlights
- Diversity, Equity, and Inclusion Steering Committee
 - Design and develop the Department's Equity, Access, and Inclusion Strategic Plan.
 - Advise department leaders about various diversity and inclusion issues and make recommendations as appropriate.
 - Serve as division representatives and advisors to the Steering Committee.
 - Act as a diversity resource to employees and department recruiters, and to other state agency diversity groups.
- Minnesota [County] Assessor meetings and certifications: Revenue employees work with the demographics to provide training including statewide demographics and include diversity at conferences and provide certifications.
- Conflict Resolution from a Diversity and Equity prospective.
- Agency and division specific DEI Dashboards to inform department management and employees.
- Providing all our C700 candidates interview questions one hour before the interview.
- DEI training opportunities

Appendices

Appendix A: Progress Report

Females (Promo = promotion)

Job Category	Prior AAP Total Employee #	Prior AAP Total Female #	Prior AAP Total Female %	Prior AAP Availability Females %	Total Hires & Promo #	Total Hired #	Male Hired #	Females Hired #	Unknown Hired #	Females Hired %	Total Promo #	Male Promo #	Females Promo #	Unknown Promo #	Females Promo %	Actual Females Hiring (%)	Females Had Goals in Prior AAP?	Females Goal Met?
Officials and Managers	48	25	58.33%	50.11%	13	<10	<10	<10	<10	**.**%*	13	<10	<10	<10	**.**%*	57.89%	-	-
Professionals	1096	580	52.92%	57.21%	555	234	100	126	<10	53.85%	321	132	185	<10	57.63%	56.04%	Yes	No
Technicians	101	64	63.37%	67.95%	150	150	39	101	10	67.33%	<10	<10	<10	<10	**.**%*	65.82%	Yes	No
Paraprofessionals	<10	<10	**.**%*	63.10%	21	21	<10	13	<10	61.90%	<10	<10	<10	<10	**.**%*	66.67%	Yes	Yes
Administrative Support	133	86	64.66%	70.35%	48	48	12	33	<10	68.75%	<10	<10	<10	<10	**.**%*	65.45%	Yes	No
Total	1383	759	54.88%		811	459	161	277	21	60.35%	352	147	201	<10	57.10%			

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	48	<10	**.**%*	11.08%	13	<10	<10	<10	<10	**.**%*	13	<10	<10	<10	**.**%*	**.**%*	-	-
Professionals	1096	195	17.79%	13.29%	555	234	170	47	17	20.09%	321	244	61	16	19.00%	19.46%	-	-
Technicians	101	24	23.76%	5.60%	150	150	85	47	18	31.33%	<10	<10	<10	<10	**.**%*	31.65%	-	-
Paraprofessionals	<10	<10	**.**%*	0.00%	21	21	12	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Administrative Support	133	28	24.78%	17.98%	48	48	25	16	<10	33.33%	<10	<10	<10	<10	**.**%*	30.91%	-	-
Total	1383	257	18.58%		811	459	296	119	44	25.93%	352	264	68	20	19.32%			

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	48	10	20.83%	11.70%	13	<10	<10	<10	<10	**.**%*	13	12	<10	<10	**.**%*	**.**%*	-	-
Professionals	1096	114	10.40%	8.61%	555	234	179	48	<10	20.51%	321	270	36	15	11.21%	15.14%	-	-
Technicians	101	19	18.81%	2.09%	150	150	103	36	11	24.00%	<10	<10	<10	<10	**.**%*	24.05%	-	-
Paraprofessionals	<10	<10	**.**%*	16.67%	21	21	17	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Administrative Support	133	12	10.62%	4.70%	48	48	31	11	<10	22.92%	<10	<10	<10	<10	**.**%*	21.82%	-	-
Total	1383	157	11.35%		811	459	333	101	25	22.00%	352	295	41	16	11.65%			

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	9.85%	55.56%	9.80%	40.74%	15.71%	**.**%*	**.**%*
Resignation	54.74%	54.00%	52.94%	30.67%	65.71%	18.00%	50.00%
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	28.10%	61.04%	30.72%	**.**%*	**.**%*	19.48%	27.78%
Death	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	5.11%	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Total Separations	100.00%	55.84%	100.00%	25.55%	100.00%	19.71%	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	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	**.**%*	**.**%*	**.**%*	0.00%	0.00%	**.**%*	**.**%*
Death	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Lay-off	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%	**.**%*	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	6.62%	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Resignation	49.67%	52.00%	53.42%	25.33%	67.86%	**.**%*	**.**%*
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	35.76%	48.15%	35.62%	**.**%*	**.**%*	**.**%*	**.**%*
Death	*.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	*.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Total Separations	100.00%	48.34%	100.00%	18.54%	100.00%	16.56%	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	28.81%	70.59%	30.00%	**.**%*	**.**%*	**.**%*	**.**%*
Resignation	57.63%	61.76%	52.50%	35.29%	52.17%	29.41%	58.82%
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Death	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Total Separations	100.00%	67.80%	100.00%	38.98%	100.00%	28.81%	100.00%

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	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
Enhanced Separation	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%
Death	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*	**.**%*
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	65.12%	60.71%	53.13%	**.**%*	**.**%*	**.**%*	**.**%*
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	32.56%	100.00%	43.75%	**.**%*	**.**%*	**.**%*	**.**%*
Death	**.**%*	**.**%*	**.**%*	0.00%	0.00%	0.00%	0.00%
Lay-off	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%	74.42%	100.00%	23.26%	100.00%	**.**%*	100.00%

Appendix C: Job Category Analysis

Officials and Managers

Job Code	Job Title
001424	Human Resources Director 4
001724	Labor Relations Manager
002147	Human Resources Director 2
002695	Agency Chief Financial Officer
003639	State Prog Admin Manager
003679	State Prog Admin Manager Sr
003719	State Prog Admin Manager Prin
008516	Senior Executive Officer
002691	Financial Mgt Director
002306	Training & Development Mgr 2
003398	Dir Governmental Relations Cl
002659	Admin Agency Div Director Sr
002042	Agency Internal Audit Manager
003858	Revenue Tax System Dir 4
003857	Revenue Assistant Director 2
003945	General Counsel 3
003697	Revenue Tax System Dir 3
008221	Deputy Commr Revenue
002434	Revenue Assistant Director 1
008834	Asst Commr Revenue
002923	Revenue Research Director
003333	Revenue Tax System Dir 2
003943	General Counsel 1
008121	Commissioner-Revenue

Professionals

Job Code	Job Title
000006	Management Analyst 1
000141	Buyer 2
000498	Human Resources Specialist 1
000510	Planner Principal State
000577	Information Officer 3
000633	Accounting Officer Senior
000634	Management Analyst 4
000647	Information Officer 2
000652	Human Resources Consultant 1
000812	Planning Dir State
000837	Planner Senior State

Job Code	Job Title
000892	Research Analysis Spec
000893	Management Analyst 3
000979	Accounting Officer Inter
001409	Training & Development Spec 1
001410	Training & Development Spec 2
001528	Management Analyst 2
002053	Community Svcs Program Spec 2
003017	Human Resources Specialist 3
003171	Agency Policy Specialist
003604	State Prog Admin
003605	State Prog Admin Intermediate
003606	State Prog Admin Sr
003607	State Prog Admin Prin
003608	State Prog Admin Coordinator
003609	State Prog Admin Director
003712	State Prog Admin Supv Prin
000500	Human Resources Director 1
002390	Accounting Officer Principal
000003	Accounting Director
001423	Human Resources Specialist 2
000004	Accounting Officer
000996	Training & Development Spec 3
002115	Management Analyst Supv 2
000659	Research Analysis Spec Sr
001393	Library/Info Res Serv Spec Sr
001411	Training & Development Spec 4
003931	Accounting Officer Coordinator
001067	Auditor Principal
002483	Labor Relations Consultant 2
000636	Auditor Senior
002251	Research Analyst Intermediate
001824	Economic Policy Analyst
001448	Affirmative Action Off 2
001315	Information Officer 4
002368	Human Resources Supervisor 2
003948	Staff Attorney 3
003947	Staff Attorney 2
003961	Communications Specialist 2
003960	Communications Specialist 1
002773	Revenue Tax Supervisor 3
003482	Revenue Tax Specialist Senior
002764	Revenue Collections Officer 4

Job Code	Job Title
002480	Revenue Special Invest 2
002757	Revenue Tax Specialist Int
002765	Revenue Collections Officer 5
002774	Revenue Tax Supervisor 4
003346	Revenue Operations Spec
002760	Revenue Tax Specialist Princ
002763	Revenue Collections Officer 3
002762	Revenue Collections Officer 2
003949	Staff Attorney Supervisor
003706	Revenue Research Asst Div Dir
003425	Property Tax Compliance Ofc 2
000096	Attorney 2
000095	Attorney 1
002756	Revenue Tax Specialist
002772	Revenue Tax Supervisor 2
000024	Appraisal Supervisor

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

Job Code	Job Title
000774	Accounting Technician
002606	Engineering Specialist Senior
002766	Revenue Examiner 1
002761	Revenue Collections Officer 1

Paraprofessionals

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

Administrative Support

Job Code	Job Title
000294	Office Services Supervisor 3
000632	Account Clerk Senior
002118	Office Services Supervisor 2
002192	Office Services Supervisor 1
003626	Office Specialist
003627	Office & Admin Specialist
003628	Office & Admin Specialist Int
003629	Office & Admin Specialist Sr

Job Code	Job Title
003630	Office & Admin Specialist Prin
003632	Central Svcs Admin Spec Inter
003633	Central Svcs Admin Spec Senior
003637	Customer Svcs Specialist Sr
003631	Central Svcs Admin Spec

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 %
001424	Officials and Administrators	Human Resources Director 4	1.56%	0.00%	1.56%
001724	Officials and Administrators	Labor Relations Manager	1.56%	0.00%	0.00%
002147	Officials and Administrators	Human Resources Director 2	0.00%	0.00%	0.00%
002695	Officials and Administrators	Agency Chief Financial Officer	1.56%	0.00%	0.00%
003639	Officials and Administrators	State Prog Admin Manager	7.81%	1.56%	0.00%
003679	Officials and Administrators	State Prog Admin Manager Sr	6.25%	0.00%	1.56%
003719	Officials and Administrators	State Prog Admin Manager Prin	1.56%	0.00%	0.00%
008516	Officials and Administrators	Senior Executive Officer	1.56%	0.00%	0.00%
002691	Officials and Administrators	Financial Mgt Director	3.13%	0.00%	1.56%
002306	Officials and Administrators	Training & Development Mgr 2	1.56%	1.56%	0.00%
003398	Officials and Administrators	Dir Governmental Relations Cl	0.00%	0.00%	0.00%
002659	Officials and Administrators	Admin Agency Div Director Sr	0.00%	0.00%	0.00%
002042	Officials and Administrators	Agency Internal Audit Manager	1.56%	0.00%	0.00%
003858	Officials and Administrators	Revenue Tax System Dir 4	0.00%	0.00%	1.56%
003857	Officials and Administrators	Revenue Assistant Director 2	6.25%	1.56%	1.56%
003945	Officials and Administrators	General Counsel 3	1.56%	0.00%	0.00%
003697	Officials and Administrators	Revenue Tax System Dir 3	4.69%	1.56%	3.13%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
008221	Officials and Administrators	Deputy Commr Revenue	0.00%	1.56%	0.00%
002434	Officials and Administrators	Revenue Assistant Director 1	7.81%	0.00%	3.13%
008834	Officials and Administrators	Asst Commr Revenue	4.69%	1.56%	4.69%
002923	Officials and Administrators	Revenue Research Director	0.00%	0.00%	0.00%
003333	Officials and Administrators	Revenue Tax System Dir 2	1.56%	0.00%	0.00%
003943	Officials and Administrators	General Counsel 1	1.56%	0.00%	0.00%
008121	Officials and Administrators	Commissioner-Revenue	0.00%	0.00%	0.00%
Total			56.25%	9.38%	18.75%

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

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000006	Professionals	Management Analyst 1	0.33%	0.00%	0.08%
000141	Professionals	Buyer 2	0.17%	0.00%	0.08%
000498	Professionals	Human Resources Specialist 1	0.50%	0.17%	0.08%
000510	Professionals	Planner Principal State	0.25%	0.00%	0.00%
000577	Professionals	Information Officer 3	0.08%	0.00%	0.08%
000633	Professionals	Accounting Officer Senior	0.25%	0.08%	0.17%
000634	Professionals	Management Analyst 4	2.42%	0.25%	0.75%
000647	Professionals	Information Officer 2	0.33%	0.08%	0.00%
000652	Professionals	Human Resources Consultant 1	0.08%	0.00%	0.08%
000812	Professionals	Planning Dir State	0.08%	0.00%	0.08%
000837	Professionals	Planner Senior State	0.08%	0.00%	0.00%
000892	Professionals	Research Analysis Spec	0.25%	0.25%	0.08%
000893	Professionals	Management Analyst 3	0.75%	0.17%	0.17%
000979	Professionals	Accounting Officer Inter	0.33%	0.17%	0.00%
001409	Professionals	Training & Development Spec 1	0.08%	0.08%	0.00%
001410	Professionals	Training & Development Spec 2	0.08%	0.00%	0.00%
000006	Professionals	Management Analyst 1	0.25%	0.08%	0.00%
000141	Professionals	Buyer 2	0.08%	0.00%	0.00%
000498	Professionals	Human Resources Specialist 1	0.17%	0.25%	0.08%
000510	Professionals	Planner Principal State	0.08%	0.00%	0.00%
000577	Professionals	Information Officer 3	0.67%	0.17%	0.42%
000633	Professionals	Accounting Officer Senior	0.67%	0.08%	0.42%
000634	Professionals	Management Analyst 4	2.59%	0.58%	0.50%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000647	Professionals	Information Officer 2	1.75%	0.25%	0.42%
000652	Professionals	Human Resources Consultant 1	1.50%	0.25%	0.25%
000812	Professionals	Planning Dir State	0.33%	0.08%	0.17%
000837	Professionals	Planner Senior State	0.08%	0.00%	0.00%
000892	Professionals	Research Analysis Spec	0.08%	0.00%	0.00%
000893	Professionals	Management Analyst 3	0.25%	0.17%	0.08%
000979	Professionals	Accounting Officer Inter	0.00%	0.00%	0.00%
001409	Professionals	Training & Development Spec 1	0.17%	0.08%	0.00%
001410	Professionals	Training & Development Spec 2	0.50%	0.25%	0.17%
001528	Professionals	Management Analyst 2	0.50%	0.08%	0.25%
002053	Professionals	Community Svcs Program Spec 2	0.08%	0.08%	0.08%
003017	Professionals	Human Resources Specialist 3	0.17%	0.08%	0.08%
003171	Professionals	Agency Policy Specialist	0.08%	0.00%	0.00%
003604	Professionals	State Prog Admin	0.17%	0.08%	0.00%
003605	Professionals	State Prog Admin Intermediate	0.00%	0.00%	0.08%
003606	Professionals	State Prog Admin Sr	0.00%	0.00%	0.08%
003607	Professionals	State Prog Admin Prin	0.33%	0.08%	0.00%
003608	Professionals	State Prog Admin Coordinator	0.00%	0.08%	0.00%
003609	Professionals	State Prog Admin Director	0.00%	0.25%	0.00%
003712	Professionals	State Prog Admin Supv Prin	0.08%	0.00%	0.08%
000500	Professionals	Human Resources Director 1	0.08%	0.08%	0.00%
002390	Professionals	Accounting Officer Principal	0.08%	0.00%	0.00%
000003	Professionals	Accounting Director	0.08%	0.00%	0.00%
001423	Professionals	Human Resources Specialist 2	0.00%	0.00%	0.00%
000004	Professionals	Accounting Officer	0.17%	0.00%	0.08%
000996	Professionals	Training & Development Spec 3	0.00%	0.08%	0.00%
002115	Professionals	Management Analyst Supv 2	0.08%	0.08%	0.00%
000659	Professionals	Research Analysis Spec Sr	0.75%	0.25%	0.08%
001393	Professionals	Library/Info Res Serv Spec Sr	9.93%	4.34%	1.59%
001411	Professionals	Training & Development Spec 4	2.42%	0.33%	0.42%
003931	Professionals	Accounting Officer Coordinator	0.33%	0.00%	0.08%
001067	Professionals	Auditor Principal	4.76%	2.67%	1.42%
002483	Professionals	Labor Relations Consultant 2	1.09%	0.08%	0.17%
000636	Professionals	Auditor Senior	2.00%	0.75%	0.33%
002251	Professionals	Research Analyst Intermediate	0.17%	0.00%	0.08%
001824	Professionals	Economic Policy Analyst	3.76%	0.92%	0.92%
001448	Professionals	Affirmative Action Off 2	3.76%	0.75%	0.58%
001315	Professionals	Information Officer 4	4.01%	1.00%	1.92%
002368	Professionals	Human Resources Supervisor 2	0.25%	0.00%	0.00%
003948	Professionals	Staff Attorney 3	0.00%	0.00%	0.00%
003947	Professionals	Staff Attorney 2	0.25%	0.00%	0.17%
003961	Professionals	Communications Specialist 2	0.08%	0.08%	0.08%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
003960	Professionals	Communications Specialist 1	0.08%	0.00%	0.00%
002773	Professionals	Revenue Tax Supervisor 3	3.01%	2.17%	1.17%
003482	Professionals	Revenue Tax Specialist Senior	0.17%	0.08%	0.08%
002764	Professionals	Revenue Collections Officer 4	0.00%	0.00%	0.00%
002480	Professionals	Revenue Special Invest 2	0.08%	0.08%	0.00%
002757	Professionals	Revenue Tax Specialist Int	0.33%	0.00%	0.08%
002765	Professionals	Revenue Collections Officer 5	0.17%	0.00%	0.08%
002774	Professionals	Revenue Tax Supervisor 4	0.50%	0.17%	0.08%
003346	Professionals	Revenue Operations Spec	0.25%	0.00%	0.00%
002760	Professionals	Revenue Tax Specialist Princ	0.08%	0.00%	0.08%
002763	Professionals	Revenue Collections Officer 3	0.25%	0.08%	0.17%
002762	Professionals	Revenue Collections Officer 2	2.42%	0.25%	0.75%
003949	Professionals	Staff Attorney Supervisor	0.33%	0.08%	0.00%
003706	Professionals	Revenue Research Asst Div Dir	0.08%	0.00%	0.08%
003425	Professionals	Property Tax Compliance Ofc 2	0.08%	0.00%	0.08%
000096	Professionals	Attorney 2	0.08%	0.00%	0.00%
000095	Professionals	Attorney 1	0.25%	0.25%	0.08%
002756	Professionals	Revenue Tax Specialist	0.75%	0.17%	0.17%
002772	Professionals	Revenue Tax Supervisor 2	0.33%	0.17%	0.00%
000024	Professionals	Appraisal Supervisor	0.08%	0.08%	0.00%
002681	Professionals	Revenue Special Invest 1	0.08%	0.00%	0.00%
Total			54.09%	18.03%	14.02%

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	1.32%	0.00%	0.00%
002606	Technicians	Engineering Specialist Senior	0.00%	0.00%	0.00%
002766	Technicians	Revenue Examiner 1	45.70%	22.52%	15.23%
002761	Technicians	Revenue Collections Officer 1	19.21%	5.96%	8.61%
Total			66.23%	28.48%	23.84%

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

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
001486	Paraprofessionals	Human Resources Technician 2	9.09%	9.09%	0.00%
000881	Paraprofessionals	Human Resources Technician 1	18.18%	9.09%	9.09%
008599	Paraprofessionals	Student Worker Para Prof Sr	54.55%	9.09%	9.09%
Total			81.82%	36.36%	36.36%

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

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000294	Administrative Support	Office Services Supervisor 3	1.77%	0.00%	0.88%
000632	Administrative Support	Account Clerk Senior	0.00%	0.00%	0.00%
002118	Administrative Support	Office Services Supervisor 2	0.00%	0.88%	0.00%
002192	Administrative Support	Office Services Supervisor 1	0.00%	0.88%	0.00%
003626	Administrative Support	Office Specialist	24.78%	10.62%	8.85%
003627	Administrative Support	Office & Admin Specialist	14.16%	7.08%	6.19%
003628	Administrative Support	Office & Admin Specialist Int	19.47%	5.31%	3.54%
003629	Administrative Support	Office & Admin Specialist Sr	7.08%	0.88%	0.88%
003630	Administrative Support	Office & Admin Specialist Prin	0.88%	0.88%	0.00%
003632	Administrative Support	Central Svcs Admin Spec Inter	0.88%	0.00%	0.00%
003633	Administrative Support	Central Svcs Admin Spec Senior	0.00%	0.88%	0.00%
003637	Administrative Support	Customer Svcs Specialist Sr	1.77%	0.00%	1.77%
003631	Administrative Support	Central Svcs Admin Spec	1.77%	1.77%	0.00%
Total			72.57%	29.20%	22.12%

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.	31.58%	42.01%	6.27%	3.51%	13.27%	1.98%	1.11%	State of MN	Our two-year historical data shows 31.58% of appointments in this job category are from external hiring and 68.42% from internal movement.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	68.42%	56.25%	9.38%	18.75%	38.48%	6.41%	12.83%	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 %	51.75%	8.39%	13.94%		

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.	42.16%	63.73%	6.02%	5.32%	26.87%	2.54%	2.24%	State of MN	Our two-year historical data shows that 42.16% of appointments in this job category are from external hiring and 57.84% from internal movement.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	57.84%	57.14%	7.14%	7.14%	31.29%	10.43%	8.11%	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 %	58.15%	12.97%	10.36%		

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.	94.94%	68.55%	3.28%	6.23%	65.08%	3.12%	0.00%	State of MN	Our two-year historical data shows 94.94% of appointments in this job category are from external hiring and only 5.06% from internal movement.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	5.06%	66.23%	28.48%	23.84%	3.35%	1.44%	1.21%	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 %	68.43%	4.56%	1.21%		

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.	87.50%	84.87%	15.40%	4.89%	74.26%	13.48%	4.28%	State of MN	Our two-year historical data shows 87.50% of appointments in this job category are from external hiring and only 12.50% from internal movement.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	12.50%	81.82%	36.36%	36.36%	10.23%	4.55%	4.55%	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 %	74.26%	13.48%	4.28%		

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.	87.27%	70.87%	17.04%	3.88%	61.85%	14.87%	3.39%	State of MN	Our two-year historical data shows 87.27% of appointments in this job category are from external hiring and only 12.73% from internal movement.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	12.73%	72.57%	29.20%	22.12%	9.24%	3.72%	2.82%	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 %	71.08%	18.59%	6.21%		

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	64	36	56.25%	51.75%		
Professionals	1198	648	54.09%	58.15%	Yes	58.15%
Technicians	151	100	66.23%	68.43%	Yes	
Paraprofessionals	11	<10	**.**%*			
Administrative Support	113	82	72.57%	71.08%		
Totals	1537	875	56.93%			

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	64	<10	**.**%*	8.39%	Monitor	
Professionals	1198	216	18.03%	13.97%		
Technicians	151	43	28.48%	4.56%		
Paraprofessionals	11	<10	**.**%*	13.48%		
Administrative Support	113	33	29.20%	18.59%		
Totals	1537	302	19.65%			

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	64	12	18.75%	13.94%		
Professionals	1198	168	14.02%	10.36%		
Technicians	151	36	23.84%	1.21%		
Paraprofessionals	11	4	36.36%	4.28%		
Administrative Support	113	25	22.12%	6.21%		
Totals	1537	209	13.60%			

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.