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E X A M I N E R S

A F F I R M A T I V E A C T I O N P L A N

2000 - 2002

AFFIRMATIVE ACTION PLAN

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STATEMENT OF COMMITMENT

The Board of Barber Examiners is committed to the State of Minnesota's Equal Employment Opportunity Policies and Statewide Affirmative Action for its employees and the public it serves. I affirm my personal and official support of these policies which provide:

1. That all employees and potential employees are to be treated equally and that all personnel actions are to be carried out without regard to race, religion, creed, color, age, national origin, sex, sexual orientation, membership or activity in a local commission, disability, marital status or status with regard to public assistance.
2. That the Board will further strive to ensure equal access and opportunity in the services it provides to the public.
3. That the Board will continue to actively promote a program of affirmative action, wherever minorities, women and persons with disabilities are underrepresented in the workforce.

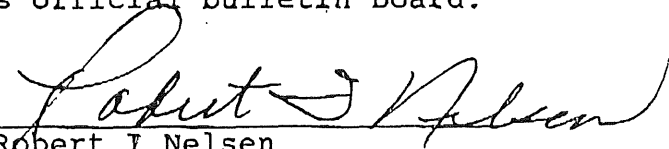
Managers and supervisors will be held accountable for ensuring that Affirmative Action Programs are implemented since these are the individual's who can ultimately make the most impact on this program. Each manager and supervisor shall have a statement in his/her position description on their affirmative action responsibilities.

In order to administer the plan most effectively, I have delegated this responsibility to the Affirmative Action Designee, Maureen Tibbetts, who will act as the agency's Affirmative Action Officer and is responsible for monitoring the day-to-day activities of the program.

Anyone interested in reviewing the board's Affirmative Action Plan or who has concerns about affirmative action or equal opportunity issues, may contact our Affirmative Action Officer. A copy of the plan will be located on the board's official bulletin board.

1-11-00

(Date)


Robert I Nelsen
Chairman

INTERNAL EQUAL OPPORTUNITY DISCRIMINATION
OR DISCRIMINATORY HARASSMENT COMPLAINT PROCEDURE

The Board has established the following discrimination complaint procedure to be used by all employees, applicants and eligibles. This procedure is designed as an attempt to resolve problems internally before seeking redress from an outside authority. We encourage employees, applicants and eligibles to use this internal procedure before filing a charge with the Department of Human Rights or other agencies. Coercion, reprisal or intimidation against anyone filing a complaint, or serving as a witness, under this procedure is prohibited.

Responsibility of Employees, Applicants and Eligibles

All employees, applicants and eligibles shall respond promptly to any and all requests by the AAO/Designee for information and for access to data and records for the purpose of enabling the AAO/Designee to carry out his/her responsibilities under this complaint procedure. The failure of any employee, applicant or eligible to comply with the requests of the AAO/Designee shall be reported to the Chairperson.

Who May File

Any employee of the Board, applicant or eligible who believes that they have been discriminated against by reason of race, religion, creed, color, age, national origin, sex, sexual orientation, membership or activity in a local commission, disability, martial status or status with regard to public assistance may file a complaint. Employees who are terminated must file their complaint prior to their actual separation.

Complaint Procedure

The complaint must be filed with the AAO/Designee or Chairperson within 15 working days. In the event the respondent is the AAO/Designee, the complaint may be filed with the Chairperson or the Office of Diversity and Equal Opportunity.

Filing Procedures

1. The person completes the "Complaint of Discrimination Form" provided by the AAO/Designee. The AAO/Designee will, if requested, provide assistance in filling out the form.
2. The AAO/Designee determines if the complaint falls within the area of affirmative action, i.e. the complainant is alleging a violation of his/her right to equal employment on the basis of race, religion, creed, color, age, national origin, sex, sexual orientation, membership or activity in a local commission, disability, martial status or status with regard to public assistance.
 - A. If it is determined that the complaint is not related to discrimination, but rather to general personnel concerns, the AAO/Designee within 10 working days will inform the complainant, and refer the complainant to the appropriate person to handle the complaint.

- B. If the complaint is related to discrimination, the AAO/Designee will within 10 working days of the receipt of the complaint, discuss the complaint with all parties named as respondents.
3. The respondent(s) shall report to the AAO/Designee in writing within the time period specified setting forth his/her understanding of the situation or causes giving rise to the complaint. If the respondent(s) fail to provide the answer within the specified time period, the allegations contained in the complaint will be considered to be denied by the respondent(s) and the AAO/Designee shall proceed to investigate the case.
4. All data collected may at some point become evident in civil or criminal legal proceedings pursuant to state or federal statutes. A thorough investigation may include, but not be limited to, the following types of data:
 - A. Interview or written interrogatories with all parties involved in the complaint; complainant, respondent, their respective witnesses, officials having pertinent records or files, etc.
 - B. All records pertaining to the case i.e., written, recorded, filmed or in any other form.
5. At the conclusion of the investigation, the AAO/Designee shall review the findings and, if there is sufficient evidence supporting the complaint, notify the executive secretary by letter. The letter shall include a complaint summary and the AAO/Designee's determination and recommendation(s) for corrective action. The executive secretary shall accept, modify or reject the AAO/Designee's recommendation(s) and shall take such actions as deemed appropriate. The executive secretary will contact all parties (e.g., complainant, respondent(s) and the AAO/Designee. Information communicated to the parties will be in accordance with the Minnesota Government Data Practices Act.
6. If the AAO/Designee believes there is insufficient evidence to support the complaint, a letter will be sent to complainant, the respondent(s) and the executive secretary dismissing the complaint.
7. The AAO/Designee shall maintain records of all complaints and any pertinent information or data for three years after the case is closed.
8. The entire complaint procedure should be completed within 90 days of the filing of the formal complaint.
9. Dispensation of the complaint will be filed with the Commissioner of the Department of Employee Relations within 30 days of final determination.
10. All documentation associated with a complaint shall be considered confidential information during the course of the investigation. The status of the complaint will be communicated to the complainant(s) and respondent(s).

COMPLAINT OF DISCRIMINATION
PLEASE READ BEFORE COMPLETION OF FORM

Any complaint of discrimination is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Affirmative Action Officer/Designee, the complainant, the respondent, appropriate supervisory personnel and the Commissioner of Employee Relations.

COMPLAINANT (YOU)

(Name) (Job Title)

(Work Address) (City, State, Zip Code) ()
(Telephone)

(Agency) (Division) (Supervisor)

RESPONDENT (PERSON WHO DISCRIMINATED AGAINST YOU)

(Name) (Job Title)

(Work Address) (City, State, Zip Code) ()
(Telephone)

(Agency) (Division) (Supervisor)

THE COMPLAINT

Basis of Complaint (check all that apply):

race religion creed color age national origin
 sex sexual orientation membership or activity in a local
commission
 disability marital status status with regard to public
assistance

Date most recent act of discrimination took place _____

If you filed this complaint with another agency, give name of that agency

Describe how you have been discriminated against (names, dates, places, etc).

(use additional paper if necessary)

OBJECTIVE TO HIRE PROTECTED GROUP MEMBERS

When the Board has a vacancy and is underrepresented for females, minorities, or persons with disabilities, the Board will make an effort to recruit protected group members.

The Board may request that the Office of Diversity and Equal Opportunity approve expansion of the eligible list to include protected group members so that the Board may have an opportunity to act affirmatively.

REASONABLE ACCOMMODATION POLICY

Policy

The Board is committed to encouraging the employment of people with disabilities. We will make reasonable accommodations to the limitations of a qualified applicant, employee or employee seeking a promotion with a disability, unless the accommodation would impose an undue hardship on the agency.

Accommodations will be provided to qualified individuals when such accommodations are directly related to performing a job or competing for a job. Accommodations will not be provided for non-job related personal needs such as transportation to and from work.

An individual with a disability is defined as:

1. a person who has a physical or mental impairment that substantially limits one or more major life activities;
2. a person who has a record of such an impairment; or
3. a person who is regarded as having such an impairment.

Examples of Reasonable Accommodations May Include, But Are Not Limited To:

1. Modification of equipment or assistive devices. Purchase of or modification to existing equipment such as special telephone equipment, talking calculators, one-handed typewriters and/or specifically designed desk and files.
2. Job site modifications. Modifications may include adjustments to equipment height, addition of electrical outlets, reallocation of job site to an accessible area, special parking facilities or other types of similar modifications.
3. Job restructuring. They may include flexible work hours and/or restructuring job duties while retaining the essential job duties.
4. Support services. Services such as interpreters for individuals who are deaf or hard of hearing, readers for individuals who are blind or special attendants.
5. Reassignment to a vacant position of equal status when possible or appropriate.

Requests for Reasonable Accommodations for Employees and Employees Seeking Promotion

The steps to request a reasonable accommodation are:

1. The supervisor and individual with a disability discuss the need for the accommodation and discuss alternatives such as job restructuring, job modification and accessible devices.
2. The supervisor must inform the AAO/Designee of the request and submit a request for accommodation form (copy obtained from the AAO/Designee). The request will include justification for the

request including a statement of the limitations, the suggested accommodation, approximate cost, and any other pertinent information. The AAO/Designee will assist the supervisor by providing the necessary resources and information.

3. Upon approval of the request for reasonable accommodation, the supervisor will forward the request form to the AAO/Designee within ten (10) working days of receiving the request.
4. The AAO/Designee will review the request and assist the supervisor in making the accommodation. If the accommodation will cost a significant amount, the AAO/Designee will forward it along with his/her recommendation to the agency head within five (5) working days.
5. The decision is provided in writing to the supervisor, manager and employee within seven (7) working days after the determination is made by the agency head.
6. The AAO/Designee will maintain all documents pertaining to the accommodation.

Funding for Reasonable Accommodation

Funding will be provided for reasonable accommodations. The availability of funds varies with each agency. The expenditure of funds for the accommodations must be approved by the agency head. When determining whether or not to make the accommodation without imposing undue hardship on the agency, the following factors must be considered:

1. The size of the board's budget;
2. The nature and cost of the accommodation;
3. The ability to finance the accommodation in relationship to the site(s) where there may be a need; and
4. Documented good faith effort to explore a less restrictive or less expensive alternative.

Request for Reasonable Accommodations for Job Applicants

1. All initial communication between a job applicant and a supervisor or personnel office regarding a position in the agency shall indicate the willingness of the agency to make a reasonable accommodation upon request, prior to the job interview.
2. The supervisor or personnel office shall contact the AAO/Designee immediately to indicate that an accommodation is needed. In order to ensure that the accommodation is provided at the interview. Requests shall be handled in a timely manner.
3. The AAO/Designee shall contact the applicant to discuss the needed accommodation and discuss possible alternatives if necessary.
4. The agreed upon accommodation shall be provided if the cost does not cause an undue hardship on the agency.

5. If approved, the AAO/Designee shall take the necessary steps to see that the accommodation is provided.

Denial of Accommodations

All denials of requests for accommodations will be documented and kept on file by the AAO/Designee. The AAO/Designee shall notify the employee of the denial and also inform the employee of their right to appeal a denial to the agency head.

The AAO/Designee will inform the employee of the right to file a complaint with the Minnesota Department of Human Rights or the U.S. Equal Employment Opportunity Commission.

If the requested accommodation made by a job applicant is denied, the AAO/Designee shall notify the job applicant of the decision and advise them of the right to file a complaint with the Minnesota Department of Human Rights or the U.S. Equal Employment Opportunity Commission.

Supported Work

The Board would attempt to identify any positions or functions which maybe appropriate for supported employment opportunities.

REASONABLE ACCOMMODATION AGREEMENT

This form is to be completed by the Department's Affirmative Action Officer after the reasonable accommodation decision has been made. The signatures on the bottom of this form indicate an agreement between the employee and the Department to the specific accommodation.

(Name of Employee) (Name of Division Manager)

The request for reasonable accommodation to the needs of the above named employee with a disability was:

_____ Accepted _____ Denied

If the request was denied, explain the justification for the decision (indicate specific factors considered).

If reasonable accommodation was approved, was the employee's suggestion accepted?

_____ Yes _____ No _____ Partially

REASON (If "No" or "Partially" was checked):

DESCRIBE specific accommodations to be made

Cost Estimate _____

I have read the employee request for reasonable accommodation. I understand that all tangible accommodations purchased by the Department will become the property of the State of Minnesota.

(Signature of Employee) (Date)

(Signature of Executive Secretary) (Date)

(Signature of Affirmative Action Officer) (Date)

WEATHER EMERGENCIES

1. The most recent copy of the Commissioner of the Department of Employee Relations weather emergency is included in this plan.
2. All employees will be notified as outlined in this memorandum.
3. All deaf and hard of hearing employees will receive notification, if at work, by a designated backup staff in the case of an emergency. If the employee is not at work, uses a TTY to communicate over the phone, and an emergency is called, the executive secretary will contact the employee using the Minnesota Relay Service (MRS) at 1-800-627-3529 to inform the employee of the weather emergency.

BUILDING EVACUATION

The Board has established evacuation procedures, including procedures for employees who are mobility or sensory impaired.

Department of

Employee

Relations

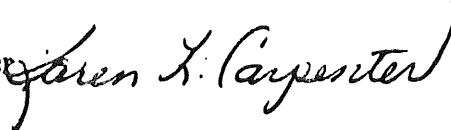
Leadership and partnership in
human resource management

Memo

DATE: November 14, 1997

TO: Agency Heads
Human Resource Directors/Designees

FROM: Karen L. Carpenter
Commissioner



RE: Weather Emergencies

The purpose of this memo is to remind you that once again we are approaching the time of year when we may have severe weather emergencies.

As background, weather emergencies are declared when a number of conditions exist. The factors that are considered are:

- ◆ Road maintenance. Are state highways open and snowplows operating?
- ◆ Transit operations. Are local transit systems running?
- ◆ Additional weather conditions. Is wind, cold or ice a factor?
- ◆ Other considerations. Are power or heating systems affected?

This office receives notification from the Duty Officer in the Emergency Management Division of Public Safety if a severe weather situation is occurring anywhere in the state. This office also provides us with road conditions, snowplowing information and transit operations obtained from local law enforcement. We consider all of the information from these sources and then decide if it is necessary to declare an emergency and close state offices.

The decision to declare an emergency can be statewide or limited to a specific portion of the state. Any decision to close state offices due to an emergency does not apply to employees who are required by their agency to work during a weather emergency.

Agency heads or their designee will be notified when an emergency is declared. It is imperative that your agency has in place an internal procedure for relaying this information to any/all your offices affected. While we will be informing the media, we have found that some employees do not receive the notification in a timely fashion.

Please note MnSCU (Minnesota State Colleges and Universities) have statutory authority to close their facilities and this policy does not apply to them.

How to find out about a weather emergency

If a weather emergency is declared during the night, we will give the following announcement to WCCO 830 and WMNN 1330, KSTP, WCCO and KARE TV for broadcast. The announcement will also be forwarded to the Associated Press (AP) to be put on the news wire for radio stations in greater Minnesota.

“A weather emergency has been declared by the Commissioner of the Department of Employee Relations. As of (time and date), all Minnesota state offices will be closed in the following area(s): (geographic location(s)). This does not apply to employees who are required by their agency to work during a weather emergency.”

This statement will be provided to the media prior to the start of the normal work day (8:00 a.m.). We continue to monitor weather conditions through the Emergency Management Division, and if changes in the emergency designation are warranted, they will be made as the day progresses.

If an emergency is declared during the business day, the agency head or their designee will be notified by telephone and fax prior to the declaration. We will also notify the media of the declaration.

Several days following a weather emergency, you will receive a written notification from my office which includes the time, date and geographic location of the emergency along with processing information to pay employees.

If you have employees who are deaf or have a hearing impairment

Supervisors of deaf and hearing impaired employees should have a procedure in place for these individuals to learn about a weather emergency. If your employee has a TTY machine (telecommunication device for the deaf), the supervisor can contact the employee through the Direct Connect Minnesota Relay Service (MRS) at (612) 297-5353 (metro) or 1-800-627-3529 (out state). Here's how it works:

- ◆ The supervisor or other assigned co-worker calls the MRS number.
- ◆ The MRS operator dials the employee's number.
- ◆ When the supervisor is on the line, he/she can relay a message to the TTY machine and help conduct any conversation that may be necessary.

The weather emergency is meant for those extreme cases when it would be unsafe for most employees to travel to or from home. We recognize that there may be unique individual situations due to the employee's location that make it impossible for that employee to get to work when an emergency has not been declared. In those circumstances, supervisors should consider allowing the employee to make up the lost time or use compensatory time or annual leave.

I hope this information helps you understand how emergencies for state employees are determined and announced. Please feel free to share this information with your employees. Posters sent last year remain the same. If you need additional copies, contact Mary Ferguson at (612) 297-3053. If you have any questions, please contact your human resources office.

cc: Labor Relations Representatives

efg/weather/m-weather

NEWS for state employees...

Winter Weather Emergencies

Important answers to important questions state employees have about winter weather emergencies.

Who declares a winter weather emergency?

The Commissioner of the Department of Employee Relations (DOER). When severe weather affects any part of the state, DOER confers with the Duty Officer of the Emergency Management Division in the Department of Public Safety to assess whether conditions exist to warrant state office closure. The State Patrol, Transportation, and local law enforcement offices are also consulted.

What conditions are assessed?

- * Are state highways open and snowplows operating?
- * Are local transit systems running?
- * Is wind, cold or ice a factor?
- * Are power or heating systems affected?

Answers to all of these questions are factored into deciding whether an emergency should be declared in affected areas. A number of conditions must exist to warrant state office closure. *(The State is not likely to declare an emergency if buses are running and plows are on the roads.)*

Where are weather emergencies declared?

Weather emergencies can be declared statewide or be limited to specific portions of the state. Weather emergencies are declared wherever a number of conditions exist to warrant state office closure.

When and how will I know an emergency has been declared?

If an emergency is declared during the night, the media will be notified prior to the start of the normal work day (8:00 AM). Agency heads (or an appointed designee) are also notified.

If an emergency is declared during the business day, agency heads will be notified by telephone and fax prior to notification being made to the media.

All state agencies should have an internal procedure developed to relay office closure information to their employees. Although weather emergencies are relayed to the media, state employees may not receive notification in a timely fashion.

An announcement detailing the date, time and geographic location of the closure will be given by DOER to WCCO (830) and WMNN (1330), KSTP, WCCO and KARE TV for broadcast. The announcement will also be forwarded to the Associated Press (AP) to be placed on the newswire for radio stations in greater Minnesota. If changes in the emergency declaration are warranted, they will be broadcast as the day or night progresses.

Which state employees are affected by DOER's decision to call a weather emergency?

All state employees in the Executive Branch Offices, except:

- * Minnesota State Colleges and Universities (MnSCU) employees throughout the state. MnSCU has statutory authority to close their facilities.
- * Employees who are required by their agency to work during a weather emergency.

What if a weather emergency is not declared and I cannot get to work?

Weather emergencies are meant for extreme cases when it would be unsafe for most employees to travel to or from home. There may be times that an emergency is not called for your area and, due to distances you must travel between home and work, you may not be able to get to work. In these cases, supervisors should consider allowing employees to make up time, use compensatory time, or take annual leave.

If you have questions regarding weather emergencies, or if you would like a copy of this poster, please contact your human resources office.

DISCRIMINATION/HARRASSMENT POLICY

Statement of Policy

It is the policy of the Board to prohibit discrimination/harrassment of its employees based on race, religion, creed, color, age, national origin, sex, sexual orientation, membership or activity in a local commission, disability, martial status or status with regard to public assistance. Any employee subjected to such discrimination/harrassment should file a complaint with the agency's AAO/Designee. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

The board members and the executive secretary are responsible for the application of this policy. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, committment and compliance within the framework of this policy. All employees must be informed that discrimination/harrassment is unacceptable behavior and the executive secretary will be responsible for orienting his/her staff to the board's policy. The AAO/Designee will be expected to keep the board apprised of any changes in the law or its interpretation regarding this form of discrimination. More specifically, the executive secretary will be responsible for:

1. Making certain that each individual in this agency who makes or recommends employment and other personnel decisions are fully aware of and comply with this policy.
2. Notifying all employees within the board's office and orienting each new employee who is hired of this policy.
3. Informing all employees of the board, the board's complaint procedure and ensuring that all complaints will be investigated promptly and carefully.