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AFFIRMATIVE ACTION PLAN

Minnesota State Retirement System

2000 - 2002

Suite 300
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St. Paul, MN 55107-1425

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EXECUTIVE DIRECTOR'S STATEMENT OF COMMITMENT
TO EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

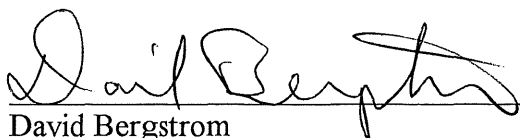
As Executive Director of the Minnesota State Retirement System, I am committed to equal employment opportunity and to the State's affirmative action efforts. I am also committed to the implementation of the agency's affirmative action plan, which is intended to foster a diverse workplace free of discrimination and harassment.

Affirmative action should be viewed as a positive step to tap the skills of employees in protected classes. It is the policy of the Minnesota State Retirement System to promote and provide equal employment opportunity and affirmative action throughout the agency. An effective affirmative action program will benefit the entire agency.

MSRS will not tolerate discrimination on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.

Managers and supervisors are expected to make sure that all positions are equally accessible to qualified persons and to promote qualified members of protected groups. This agency is committed to affirmatively retain protected group employees. I encourage all staff to follow our affirmative action plan.

The purpose of affirmative action is to eliminate present and future practices that may have an unfair, adverse effect on persons with disabilities, minorities, and women. If you feel you are not receiving an equal opportunity, please feel free to talk to me about your concerns.



David Bergstrom
Executive Director

OUTLINE OF RESPONSIBILITIES

I. Executive Director of MSRS: David Bergstrom (Phone: 651-296-1510)

The Executive Director of MSRS is responsible for overseeing the agency's affirmative action program and the agency's compliance with state and federal laws, rules, and regulations. The director is directly accountable to the Board of Directors and indirectly accountable to the Commissioner of Employee Relations and the Director of Equal Opportunity for affirmative action matters.

Duties:

- A. Designate the agency Affirmative Action Officer.
- B. Monitor progress and provide guidance and support as needed to administer the affirmative action program.
- C. Ensure that the agency's management staff is informed of their individual responsibilities for the agency's affirmative action program and require managers and supervisors to include a responsibility statement for affirmative action in their position descriptions.
- D. Issue a written statement biennially affirming commitment to the State's Affirmative Action Program and to the implementation of the agency's affirmative action plan.
- E. Establish policy as needed to facilitate effective affirmative action.
- F. Ensure that the agency is acting in an affirmative manner in the hiring of protected group members. (See section entitled "Pre-Hire Reviews".)
- G. Ensure that complaints of discrimination or discriminatory harassment are thoroughly investigated and resolved in a fair, timely, and equitable manner.
- H. Make decisions and changes in policy, procedures, or physical accommodations to facilitate effective affirmative action.

II. Agency Affirmative Action Officer: Jean Brezinski (Phone: 651-296-1512)

The agency's Affirmative Action Officer is responsible for the implementation, direction, and maintenance of the agency's affirmative action program. The Affirmative Action Officer reports directly to the Executive Director of MSRS.

Duties:

- A. Coordinate and monitor the day-to-day activities of the agency's affirmative action program.
- B. Distribute relevant affirmative action information to appropriate staff.
- C. Complete all affirmative action reporting requirements.
- D. Ensure that all staff members are informed of the agency's affirmative action plan.
- E. Monitor the agency's exit interview process to determine if there are discrimination factors interfering with retaining protected group members.
- F. Inform supervisors of their affirmative action responsibilities when vacancies occur and to review with the Executive Director the appropriateness of any supervisor's decision not to hire a protected group candidate if the goal for that occupational category has not been met. (See section entitled "Pre-Hire Reviews".)
- G. Investigates complaints of discrimination.

III. Managers and Supervisors

The agency's managers and supervisory staff are responsible for ensuring that their unit/division is operated in compliance with the agency's affirmative action plan. They will be held accountable by the Executive Director for this responsibility.

Duties:

- A. Assist the agency's Affirmative Action Officer who is representing their agency in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- B. Hire and promote qualified protected group members in cases where an affirmative action goal has not been met, or submit written verification to the Executive Director that the hiring process used was nondiscriminatory when a protected group member is not selected for a position in which a disparity exists and one or more members of this group are on the eligible list and are available. This verification shall be submitted prior to making an employment offer and shall specify reasons the hiring criteria used. (See section entitled "Pre-Hire Reviews".)
- C. Communicate the agency's affirmative action plan, as well as any other affirmative action information to assigned staff.
- D. Facilitate staff participation in Affirmative Action Committee meetings.

- E. Include responsibility statements for affirmative action/equal employment opportunity in their position descriptions.
- F. Periodically review his/her own recruiting, hiring, promotion, and training practices to assure equal employment opportunity.
- G. Provide guidance to staff, particularly protected group employees, and to facilitate growth and development of these employees' skills through training, encouragement, varied job assignments, etc.
- H. Attend affirmative action related training sessions.

IV. Personnel Officer:

The agency's personnel officer is responsible for ensuring that employment activities are conducted in a non-discriminatory manner and are in compliance with the MSRS affirmative action plan. He/she will be held accountable by both the Commissioner of Employee Relations and the Executive Director of MSRS for this responsibility.

Duties:

- A. Accurately report information to the Department of Employee Relations concerning an employee's race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.
- B. Maintain records of personnel activities as indicated on the page titled "Internal Audit and Reporting System" and to submit reports quarterly, or as requested, to the Department of Employee Relations' Equal Opportunity Division.
- C. Identify and resolve problems which inhibit equal employment opportunity.
- D. Help develop and use employment selection criteria to ensure that it is objective, standardized, and job related.
- E. Ensure that all job opportunity and training notices are properly posted and made available to all staff.

PRE-HIRE REVIEWS

MSRS POLICY

INTRODUCTION

MSRS is an equal opportunity employer. The agency's affirmative action plan states that it is a policy of the agency to:

- A. Provide equal opportunity to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.
- B. Comply with the Statewide Affirmative Action Program. As stated in the State of Minnesota's Equal Employment Opportunity Policy:

"The State of Minnesota will implement and maintain a program of affirmative action to eliminate internal barriers to equal employment opportunity and to provide for the employment and advancement of qualified disabled persons, minorities, and women in accordance with their occurrence in the labor work force."

State rules governing a Statewide Affirmative Action Program specify that a procedure must be developed in each agency which "requires pre-employment review of all hiring decisions for occupational categories with unmet affirmative action goals."

POLICY

When an established affirmative action goal for a specific occupational category is not being met and vacancy occurs, the supervisor's hiring recommendation shall be reviewed by the Executive Director if the supervisor wishes to hire an individual who is not a member of the protected group for which the disparity exists.

No offer for employment shall be made until the Executive Director and the agency's Affirmative Action Officer, are satisfied that the hiring criteria and process used were not discriminatory toward protected class members and were not related to the person's, race, sex, or disability status.

PROCEDURE

When a vacancy occurs in a category which has unmet affirmative action goals, the following procedures shall be followed:*

Action

Responsibility

Agency Affirmative Action
Officer

1. Notifies supervisor if a disparity exists for one or more protected group(s). The Affirmative Action Officer shall also advise supervisor of his/her affirmative action responsibility and of the procedure below.

Supervisor

2. Notifies Affirmative Action Officer, in writing, of the selection process used and the reason why a specific candidate was selected for a position for which a disparity exists and one or more members of the disparate group(s) is on the certification list and available when an individual from a protected group is not selected. No offer of employment will be made until after the Affirmative Action Officer and the Executive Director review the rationale.

Executive Director

3. Reviews rationale with the Affirmative Action Officer and denies or approves justification. Notifies supervisor of the decision.

*Exception to the above procedure: In cases of promotion, when the union contract specifies seniority as the determining factor, or when we are required to hire from the layoff list.

ADDITIONAL INFORMATION

Questions regarding this policy should be directed to the agency's Affirmative Action Officer.

EFFECTIVE DATE

Immediately.

COMMUNICATIONS/DISSEMINATION OF INFORMATION

The following methods will be used to internally disseminate equal employment opportunity/affirmative action information.

- A. The Executive Director will send a statement to each employee annually reaffirming his/her official commitment to the State's Affirmative Action Program, the name of their agency Affirmative Action Officer, the existence of affirmative action committees, and the availability of the affirmative action plan.
- B. The Executive Director will annually review the affirmative action plan with all managers, supervisors, and staff.
- C. During the agency's new employee orientation session, new employees will be informed of the agency's affirmative action program, the name of the agency Affirmative Action Officer, the existence of an affirmative action committee, and the availability of the affirmative action plan. Additionally, each new employee will receive a copy of the Executive Director's Statement of Commitment.
- D. The following items will be posted on the main agency bulletin board in the lunch room: "Affirmative Action Plan" and "Statement of Commitment".
- E. All job postings, both internal and external, will include the statement: "Equal Opportunity Employer".

INTERNAL DISCRIMINATION COMPLAINT PROCEDURE

This procedure is designed as an attempt to resolve discrimination problems internally before seeking help from an outside authority. The agency encourages all employees, applicants, or eligibles to use the internal procedure before filing complaints with any other agency, although it is not required. Those filing a complaint or serving as a witness under this procedure shall do so without fear of coercion, reprisal, or intimidation.

Who May File

Any MSRS employee, applicant, or eligible who believes that he/she has been discriminated against by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age may file a complaint. Complaints under this procedure will not be accepted later than 90 days after an individual has terminated employment with the agency. Complaints from applicants or eligibles under this procedure will not be accepted later than 90 days after the occurrence of the event with lead to the complaint.

Filing Procedure

1. The employee, applicant, or eligible completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer. Employees should file the formal complaint within 90 days of the occurrence of the event giving rise to the complaint. The Affirmative Action Officer will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer determines if the complaint falls under the purview of the Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, age, or political affiliation. The Affirmative Action Officer shall also discuss other options for resolution.
 - A. If it is determined that the complaint is not related to discrimination, but rather to general personnel concerns, the Affirmative Action Officer will inform the complainant within ten working days.
 - B. If the complaint is related to discrimination, the Affirmative Action Officer will contact all parties named as respondents within ten working days and outline the basic facts of the complaint. The respondents will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Officer shall investigate the complaint and provide a written answer within 60 days after the formal complaint is filed. The complainant will be notified should extenuating circumstances prevent completion of the investigation within 60 days.

4. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An 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 Affirmative Action Officer shall review the findings of the investigation and, if sufficient evidence substantiates the complaint, appropriate action will be taken. The complainant(s) and the respondent(s) will be notified of the completion of the complaint investigation. Any other information released regarding the investigation will be pursuant to the Minnesota Government Data Practices Act.
6. If the Affirmative Action Officer believes insufficient evidence exists to support the complaint, a letter will be sent to the complainant(s) and the respondent(s) dismissing the complaint.
7. Dispensation of the complaint will be filed with the Commissioner of the Department of Employee Relations within 30 days of the final determination.
8. The Affirmative Action Officer shall maintain records of all complaints and any pertinent information or data for three years after the case is closed.
9. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complainant(s) and respondent(s). After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.

Appeal Procedure

A complainant who is dissatisfied with the determination may appeal the case to the Executive Director within ten days after receiving a notice of determination. The Executive Director shall review all written materials and may authorize another investigation. A memo stating the Executive Director's final determination will be sent to the MSRS Board of Directors to take appropriate action of either affirming, modifying, or reversing the Executive Director's final determination and sending a copy of their determination to the complainant. The Affirmative Action Officer shall notify the complainant of his/her right to pursue the complaint through other legal channels.

GOALS AND TIMETABLES

When a disparity exists between the percentage of protected group members within an agency's workforce and the availability of protected group applicants in the relevant labor area, state law requires that goals be established for employing members of the underutilized protected groups, along with reasonable time frames for the achievement of these goals.

Affirmative action goals are not quotas. Quotas are rigid and inflexible—they are a minimum which must be met. Goals, on the other hand, are reasonable, flexible, and attainable standards used to measure an affirmative action program.

Goals

The Office of Diversity and Equal Opportunity of the Department of Employee Relations has developed a method for state agencies to set goals and timetables. This compares the agency's internal workforce with the availability of workers in the immediate geographic area. The percentage of protected group individuals available for jobs similar to those at MSRS then becomes the hiring goal.

Our hiring goals are based on job groups in the following categories: 1) managers/supervisors, 2) MAPE general professional, 3) MAPE technical, 4) AFSCME/UNR clerical, and 5) AFSCME technical employees. The goals reflect our current staff composition in relation to the workforce availability in the State of Minnesota. The comparative data was derived from federal Equal Employment Opportunity Files and 1990 census data.

Analysis of availability and utilization indicates that protected group members are underutilized in our agency as follows:

<u>Job Category</u>	<u>Protected Group</u>	<u>Goal</u>	<u>Underutilization</u>
Manager/Supervisor	Women	3	1
MAPE General Prof.	Minorities	1	1

We anticipate only two openings in the next two years, one in the MAPE general professional job group and one in the clerical group. The professional group also shows an underutilization of minorities. As a small agency that recruits primarily through the Department of Employee Relations, we must rely on DOER to provide us with a sufficient number of qualified candidates in the protected classes.

In recognition of the limited number of openings we expect, our goal for the two year period ending June 30, 2002, is one minority person in the MAPE general professional category. If additional openings should occur in any of the job groups, and particularly in those with disparities, an effort will be made to fill the positions with protected group members.

PROGRAM OBJECTIVES

1. To provide equal employment opportunity to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.
2. To increase awareness of sexual harassment and diversity issues for agency managers, supervisors, and staff.

Action Steps:

Target Date

A. Staff Training

- | | |
|---|----------------------------|
| 1. All staff will take Preventing Sexual Harassment seminar offered by DOER's Training & Development Division. | Within one year of hire. |
| 2. All new managers and/or supervisors will participate in affirmative action and preventing sexual harassment training as part of the Supervisory CORE training offered by DOER's Training and Development Division. | Within six months of hire. |
| 3. The Executive Director will discuss and reaffirm his commitment to Affirmative Action at a general staff meeting for all agency employees and will encourage employees to review the agency Affirmative Action Plan. | Annually |
| 4. Sample Affirmative Action Responsibility statement will be distributed to managers and supervisors by the Personnel Officer with instructions to include it in their position descriptions when they are rewritten. | December 1, 2000 |

B. Recognition of special accomplishments/interests of employees in an effort to encourage an environment of diversity awareness.

- | | |
|--|------------------|
| 1. The Affirmative Action Officer will post announcements/articles which celebrate diversity and/or recognize or honor ethnic groups or events, persons of color, women, and persons with disabilities. These will be posted on the agency bulletin board in the lunch room. | Ongoing |
| 2. The agency Health Promotion Committee will investigate sponsoring agency seminars to promote the recognition, understanding, and acceptance of diversity. | December 1, 2000 |

3. The Personnel/Affirmative Action Officer will conduct a confidential survey of all agency employees to gather updated information on protected group status.

September 30, 2000

Evaluation

Feedback from employees who attend these training sessions will be gathered by the Training Officer and compiled annually for inclusion as part of the agency's annual affirmative action program evaluation.

Managers will monitor the position descriptions of supervisory personnel to assure that the Affirmative Action responsibility statement is included.

Recognition of events and accomplishments will be evaluated annually by the Executive Director and Affirmative Action Officer as part of the agency's affirmative action program evaluation.

METHODS OF AUDITING, EVALUATING, AND REPORTING PROGRAM SUCCESS

To ensure that progress in implementing the agency's affirmative action plan can be monitored and evaluated, the following methods will be used:

The following documentation will be maintained by the agency's Affirmative Action Officer and retained for at least five years. (All documentation will contain, at a minimum, information regarding an individual's job classification, race, sex, and handicap.)

1. Copy of the affirmative action plan.
2. Copies of all certification lists used to fill positions during the preceding twelve month period.
3. A record of all promotions, transfers, new hires, and terminations, along with a record of all temporary, seasonal, or provisional hires
4. A record of any disciplinary actions taken.
5. A record of all discrimination complaints filed.

The Affirmative Action Officer will annually review and analyze the above documentation to determine compliance with affirmative action goals and prepare a summary of hiring practices and disciplinary action to be included in the agency's annual affirmative action report to the Department of Employee Relations.

The Affirmative Action Officer will report any internal complaints to the Commissioner of the Department of Employee Relations within 30 days of final determination.

Any layoff decisions will be reviewed by the Executive Director and Personnel Officer/Affirmative Action Officer prior to implementation to determine their effect on agency affirmative action goals and timetables.

REASONABLE ACCOMMODATION PROVISION

Policy

It is the policy of the Minnesota State Retirement System to encourage the employment and promotion of any qualified person, including the persons with disabilities. The MSRS Americans with Disabilities Act (ADA) Coordinator is Jean Brezinski (phone: 651-296-1512). If the reason for the denial of employment or advancement in employment is the need to make reasonable accommodations to the physical or mental needs of a current employee, employee seeking promotion, or job applicant with a disability, it must be demonstrated that:

- a) the accommodations would impose an undue hardship on the agency,
- b) the accommodation does not overcome the effects of the person's disability, or
- c) the person with a disability is not qualified to perform that particular job.

This agency's reasonable accommodations policy applies to all departmental employees and employees seeking promotions with any known physical or mental limitations, and any job applicant requesting accommodation prior to employment interview.

This agency will provide accommodations to qualified employees/job applicants with disabilities when such accommodations are directly related to performing a job or competing for a job on an equal basis. Accommodations will not be provided for non-job related personal needs. In such cases, questions may arise as to whether the accommodation is personal or job related. The primary factors in evaluating an accommodation is whether the accommodation will help the person to perform the job on an equal basis in the most cost effective manner.

Transportation to and from work is the responsibility of the employee. This agency will not provide transportation to and from work as part of the reasonable accommodation.

Scope

This policy statement establishes the department's standard for accommodation to the needs of employees with disabilities. Reasonable accommodation requirements apply to both job applicants as well as current employees.

Definitions

Person with a Disability

A person with a disability, for purposes of this policy, is anyone who meets the definition as stated in the Section 504 regulations of the 1973 Rehabilitation Act as amended in 1978, Subpart A, Section 84.3 j1-2 and k104 and Chapter 363 of the State's Human Rights

Act and the federal Americans with Disabilities Act. A person with a disability is anyone who has a physical or mental impairment which substantially or materially limits one or more of such person's major life activities.

Request for Reasonable Accommodations

In order to avoid processing delays, the procedures for processing requests for reasonable accommodations should reflect the least number of approval steps necessary. The steps in requesting reasonable accommodations for current employees and employees seeking promotion are:

- A. The supervisor and the employee with a disability consult to determine the need for the accommodation and to discuss alternatives such as job restructuring, job site modification, and assistive devices.
- C. The supervisor or the employee submits a written request form obtained from the Affirmative Action Officer for reasonable accommodation. The request includes a justification for the accommodation, and includes a statement of the limitations.
- D. The supervisor submits the request to the Affirmative Action Officer within three working days upon receipt of the request. The Affirmative Action Officer will notify the Executive Director of the request and gather information regarding availability and cost within five working days of receipt of the request.
- E. The Affirmative Action Officer may request medical documentation to support the request.
- F. The Affirmative Action Officer reports to the Executive Director with a recommendation. The Executive Director considers alternatives and decides whether or not to grant an accommodation and determines what accommodation should be provided. The decision is then provided, in writing, to the supervisor within three working days after the Executive Director makes his/her determination.
- F. Reasonable Accommodations Agreement Forms are completed and signed.
- G. The Affirmative Action Officer submits forms to purchase approved equipment.

Methods of Providing Reasonable Accommodation

The following are some methods of providing reasonable accommodations to qualified individuals with disabilities. Other forms of reasonable accommodation may also be provided.

- A. Modification of equipment or assistive devices.

The provision of equipment may include special telephone equipment, "talking"

calculators, one-handed keyboards, specifically designed desks and files, TDD communications equipment, and other types of equipment to facilitate the performance of job duties. These items may include: off-the-shelf devices as well as highly specialized, customized and/or prescription items.

B. Job site modification.

The planning and provisions of accessibility to existing facilities may be required in order for individuals with disabilities to work in them. Modifications may include adjustments to equipment height including desks, chairs, etc.; addition of electrical outlets; rearrangement of furniture and equipment; widening doorways; reallocation of the job site to an accessible area; provision of special parking facilities; modifications of ventilation, heating, cooling, and lighting systems; and other types of similar modifications

C. Job restructuring.

The restructuring of any job may include modifying work hours and/or changing job duties while retaining the basic job functions. Arrangements must be considered for full-time and temporary employment. Job sharing and flexible work hours may permit employees with disabilities to meet such needs as medical appointments and dietary requirements.

D. Support services.

Support services such as interpreters for individuals with hearing impairments, readers for blind, special attendants, etc. may be provided when it is demonstrated that these services are required for an employee's performance and can be provided at a reasonable cost. Support services may also be needed for job applicants during an interview. This agency may provide the training necessary to allow staff members to provide support services when such training and the provisions of such support services are feasible and reasonable.

Undue Hardship

In determining whether or not the making of a reasonable accommodation would impose an "undue hardship" on the organization, the overall cost of the accommodation and the ability of the facility to handle the requested accommodation will be considered. Documented good faith efforts to explore less restrictive or less expensive alternatives will also be considered.

Funding for Reasonable Accommodation

This agency will make funds available in order to provide reasonable accommodations to employees/job applicants with disabilities. (The amount will be determined by the Executive Director and funds will be used only when a reasonable accommodation request has been approved and signed by the Executive Director.)

Purchase and Maintenance of Accommodations

- A. This agency is free to choose the specific accommodation provided to qualified persons with disabilities. The person requesting reasonable accommodation can make suggestions. This agency may provide another accommodation if more practical and cost effective as long as it is effective.
- B. All accommodations purchased by this agency will be the property of the State of Minnesota and shall be used only for job related functions. The maintenance of equipment will be the responsibility of the department and projected maintenance costs will be a factor in the initial decision to provide accommodations. Example: repair special office equipment, etc.

Denial of Accommodation

All denials of requests for reasonable accommodation will be documented and kept on file by the Affirmative Action Officer. A copy of the document denying the request for reasonable accommodation will be given to the supervisor. The Affirmative Action Officer will notify the employee of the denial and inform the employee of his/her right to appeal and to file with other government agencies, such as Human Rights and Equal Employment Opportunity Commission.

Appeals

An employee, employee seeking promotion, or job applicant who is dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the Executive Director, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then he/she may file a complaint internally through the agency's complaint procedure as outlined in this plan.

Assistance with Reasonable Accommodation Compliance

All requests for information or assistance in determining reasonable accommodation for qualified employees with disabilities and employees/job applicants may be directed to the department's Affirmative Action Officer, the Council on Disability, or the Director of Equal Opportunity. That person also assists in locating resources or interpreting reasonable accommodation requirements.

Request for Reasonable Accommodations for Job Applicants

- A. All initial communication with job applicants about job vacancies shall indicate the willingness of the agency to make reasonable accommodation to accommodate physical or mental handicaps and shall invite the applicant to contact the agency for the needed accommodation.
- B. The individual contacted with the request shall contact the Affirmative Action Officer

immediately. In order to ensure that the accommodation is provided at the interview, requests shall be handled in a timely manner.

- C. The Affirmative Action Officer shall contact the job applicant to discuss the needed accommodation and possible alternatives.
- D. The Affirmative Action Officer shall request approval of the accommodation from the Executive Director.
- E. If the accommodation is approved, the Affirmative Action Officer will take the necessary steps to see that the accommodation is provided.

Denial of Accommodation

If the requested accommodation is denied, the Affirmative Action Officer shall inform the applicant of his/her right to file a complaint with the Department of Human Rights, EEOC, or other legal channels alleging violation of the Minnesota Human Rights Act.

RECRUITMENT

During the previous year, MSRS advertised agency jobs open for application on a competitive basis in the Minnesota Career Opportunities Bulletin published and distributed by the Department of Employee Relations. These jobs are also listed on DOER'S web site. Temporary positions were listed with the Minnesota Workforce Center and also advertised by word of mouth. None of these sources result in additional expense to the agency. With the exception of hard to fill computer technology positions, these recruiting processes have resulted in an acceptable number of qualified applicants. MSRS has not in the past and does not plan to participate in job fairs as a recruiting mechanism.

The agency currently has one position open and we anticipate one opening in late summer. It is our intention to recruit for these positions through the same methods used in the past. In addition, we will consider advertising positions that may become available via e-mail announcements to other state human resource offices.

In that professional positions in MSRS require a high degree of accumulated knowledge and training specific to retirement plans administered by MSRS, we do not feel that Internship positions would be of sufficient value to either the agency or the student and have no plans to include them. In the event that an internship possibility arises, MSRS will follow the methods described in the Internship Administrative Procedure such as post opportunities on bulletin boards at colleges and universities.

When recruiting for positions, MSRS will send copies of postings to agencies listed in Reflections of the Community, the equal opportunity recruitment directory distributed by DOER's Office of Diversity and Equal Opportunity. Also, in an effort to increase recruitment of disabled persons, MSRS will either check with local Workforce Centers or advertise positions in Access Press, a statewide newspaper. All job postings now include a statement that MSRS is an Equal Opportunity Employer.

Supported Work Program

MSRS will seek opportunities to hire Supported Work Employees through an assessment of vacant positions and determination of positions appropriate for Supported Employment Workers.

1. The Personnel Officer, working with the hiring supervisor, will determine whether the job tasks are appropriate for a Supported Employment Worker as defined in the position description.
2. The Personnel Officer will work with the hiring supervisor and with the State Disability Coordinator during the hiring process to ensure that eligible Supported Employment Worker candidates are considered for the position.
3. The Personnel Officer will work directly with the Supported Employment Worker's

supervisor and the identified vocational rehabilitation or education job coach who will be working with the Supported Employment Worker to place the worker in the job.

4. The Supported Employment Worker's supervisor and the Personnel Officer, along with the vocational rehabilitation or education job coach will monitor the progress of the worker. The supervisor and Personnel Officer will decide how long the on-the-job test will last, up to a maximum of 700 hours. In addition, the supervisor and the Personnel Officer will determine whether consideration will be given for the Supported Employment Worker to be certified for hire.

RETENTION

MSRS endeavors to create an atmosphere which promotes the retention of a diverse workforce. Jean Brezinski, Personnel Officer, and David Bergstrom, Executive Director of MSRS, are responsible for the agency's retention activities.

Retention Report

MSRS has not experienced a layoff in over ten years.

Considering the size of the agency, MSRS has had a reasonably high turnover in the past two years. During that time, 23 employees (ten permanent and 13 temporary) have left the agency for a variety of reasons.

Of the permanent employees leaving, all were white, 30% were male professional information technology employees and 70% were female clerical employees. None were disabled. Of these employees, 40% accepted promotions in other state agencies, 30% transferred to other state agencies for career enhancement or to be closer to their place of residence, two (both information technology specialists) returned to their former agencies during the contractual trial period, and one clerical employee quit to become a full time mother and homemaker. None of these separations had an impact on protected group members.

Of the 13 temporary employees who left the agency during the past two years, 38% were male and 62% were female. None were disabled, and all but one were clerical employees. 11 were white, and two were persons of color. These employees left for the following reasons: 31% accepted permanent state jobs in other agencies, 15% returned to school, 15% left state employment for the private sector, 23% left at the end of their appointment and two were terminated early. Since an employee cannot work in as a temporary in any one agency for more than one year, and the separations occurred at various times over the two year period, none of the separations impacted the percentage of minority employees in the agency as an equal number of minorities were hired. By nature, temporary appointments are for a limited time only. These are project employees and are not included in the agency's full time complement.

Retention Plan

When rewritten, MSRS will include the concepts of equal opportunity, affirmative action, and diversity into the position descriptions of agency managers and supervisors. Managers and Supervisors are held accountable for creating a work environment free from discrimination and harassment and for making a good faith effort to recruit and retain underutilized group members.

In conjunction with the MSRS Health Promotion Committee, an effort will be made to provide information and/or seminars to all employees on diversity and disability issues. In addition, all agency employees in general, and protected group members in particular, will be encouraged by management and supervisory staff to seek out and participate in individual training opportunities

to expand and improve their skills and/or to qualify them for promotional opportunities. Staff is also encouraged to take advantage of training provided by the Department of Employee Relations, Employee Assistance, etc. on issues involving diversity, sexual harassment, and disability awareness.

MSRS has several flextime options available and makes every effort possible to accommodate the needs of its employees.

APPENDIX A

RACE/ETHNIC CATEGORIES DEFINED

- A. White, not of Hispanic Origin - Persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
- B. Black, not of Hispanic Origin - Persons having origins in any of the black racial groups of Africa.
- C. Hispanic - Persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- D. American Indian or Alaskan Native - Persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.
- E. Asian or Pacific Islander - Persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, the Philippine Islands, and Samoa.

With regard to the agency's affirmative action plan, the term "minority" includes all of the above categories, except the first, "White".

APPENDIX B

DISCRIMINATORY HARASSMENT IN THE WORKPLACE MSRS POLICY

Introduction

Harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age is a violation of the Minnesota Human Rights Act. It is a form of discrimination and is punishable under both federal and state laws. Recent court decisions dictate the need for a strict and explicit policy statement on the subject of discriminatory harassment.

Courts have ruled that employers are liable for failure to investigate allegation of harassment and to take prompt remedial action against an employee who is known to be harassing another employee.

An employer is required to take timely and appropriate action to prevent harassment. This may include expressing strong disapproval of harassing acts, developing methods to sensitize employees to the issue, and promoting the development of a cooperative working environment.

Definition

Sexual harassment is defined by the Equal Employment Opportunity Commission as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made a term or condition of an individual's employment,
2. submission to or rejection of such conduct is used as the basis for employment decisions affecting an individual, or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Types of discriminatory harassment such as name calling, creating deliberate environmental barriers or in any other way creating a hostile, intimidating or offensive work setting are other examples.

It is possible for harassment to occur among co-workers or between supervisors and subordinates.

Policy

Every agency administrator, manager, and supervisor is responsible for maintaining a working environment that is free from harassment.

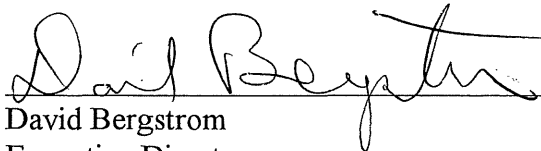
No employee shall engage in harassment of another employee. Employees found to be in violation of the harassment policy will be subject to disciplinary actions, up to, and including termination.

Procedures

- A. Agency administrators, managers, and supervisors shall be responsible for the development of procedures to comply with this policy.
- B. Agency administrators, managers, and supervisors shall be responsible for notifying all employees of this policy. All employees shall be informed of their rights and responsibilities as outlined in this memo.
- C. All supervisors shall be aware of the potential for harassment in the work setting. They shall strive to prevent harassment from occurring, and if harassment is noticed or reported, shall seek to stop it immediately.
- D. Any employee who feels he/she is being harassed may, but is not required to make it clear to the alleged harasser that such behavior is offensive and bring the matter immediately to the attention of the supervisors or Affirmative Action Officer.
- E. If an incidence of harassment is reported to the supervisor or Affirmative Action Officer, the matter may be pursued through the agency's internal discrimination complaint procedures. This procedure is outlined in the agency's affirmative action plan which is available from the personnel office.
- F. Anyone who brings a complaint under these procedures shall not be subject to retaliation.

Effective Date

Immediately.



David Bergstrom
Executive Director

APPENDIX C

WEATHER EMERGENCIES

Weather emergencies are declared by the Commissioner of the Department of Employee Relations after consultation with the Emergency Management Division of the Department of Public Safety and are communicated to State employees via notification to agency heads and media announcements.

The Winter Weather Emergencies poster distributed by DOER is posted on the agency bulletin board in the lunch room each fall and winter season, and MSRS employees are apprised of the weather emergency procedure at a staff meeting and are reminded to listen to appropriate radio stations for office closure announcements if a weather emergency is called after work hours. Employees who are deaf or hard of hearing can obtain official notification by watching weather broadcasts on WCCO or KARE 11 television; broadcasts are closed captioned. Also, if employees who are deaf or hard of hearing prefer, they may arrange for notification at home from their supervisor or designee. If an emergency which affects the employee is called, the supervisor or designee may use the Minnesota Relay Service (1-800-627-3529) to contact the employee using the TTY.

In addition, agency managers and supervisors are asked to contact employees under their supervision by telephone to notify them of a building closure. If MSRS should ever employ a person with a hearing impairment, the above procedure will be followed.

APPENDIX D

BUILDING EVACUATION PLAN

The purpose of this plan is to provide guidance to employees where:

- ~ Building evacuation is necessary.
- ~ Shelter within the building is necessary.

All current and future employees will be given a copy of this plan. They should read and be familiar with its contents, especially evacuation routes and the safer internal locations.

The building has an alarm system that is set off for the whole building by fire, smoke, water, and possibly manually, by the Credit Union personnel. If the alarm goes off (other than for annual testing which we are told about), **evacuate the building**.

- ~ Go to the nearest stairway, either in the front or the rear of the building. **Do not use the elevator. Know your quickest path to the stairway.**

- ~ If one stairway is blocked, use the other.

- ~ Do not collect personal items or rearrange work, files, etc.

- ~ Any visitor to the office should be escorted to the outside by the employee who is in contact with the visitor.

- ~ Any employee needing assistance exiting the building will be assigned an assistant. The procedure to follow will be determined in advance on a case by case basis. Affected employees and helpers will be individually notified of specific procedures to follow.

- ~ Everyone should clear the building. Go to the far end of the parking lot, north of the building, and organize by division. Supervisors should account for division employees. If any employee is not accounted for, tell the emergency response personnel.

- ~ No one should return to the building for any reason until authorized by proper authorities.

If an employee becomes aware of an emergency situation that cannot be personally handled (possibly, one that requires evacuation) but the alarms have not sounded, contact a supervisor. If the situation warrants building evacuation, call the Affinity Plus Credit Union (651-291-3700) to manually activate the alarm for the building.

If needed, fire extinguishers are located in the west hallway by the Systems offices and outside the reception area near the elevators.

Shelter Within the Building

In the event of high winds, tornado, etc., employees should not exit the building, but should seek the best shelter within the building. Attached is a list of criteria for selection of the "best available" shelter.

Notification will generally be a warning siren in combination with radio broadcasts and employee observations. When a siren is sounded, employees must be alert to conditions, turn on available radios, and contact a supervisor. Supervisors, in contact with others, will tell employees to seek best shelter. If danger is obvious and imminent, seek the best shelter immediately. When in doubt, move to shelter.

If you have a battery operated radio, bring it with you.

The best shelters, if there is enough time to get there, are the two stairways. The second best shelters are the interior, small, non-windowed rooms, for example:

~ Conference room under the tables, storage room, printer room, computer room, and lastly, the coat closets.

Do not stay by glass windows, in hallways, or in the file room. If available, get under tables, desks, etc.

Stay in place until you are sure the danger has passed.