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# Affirmative Action Plan

## 2000 - 2002

**Minnesota Higher Education Services Office**

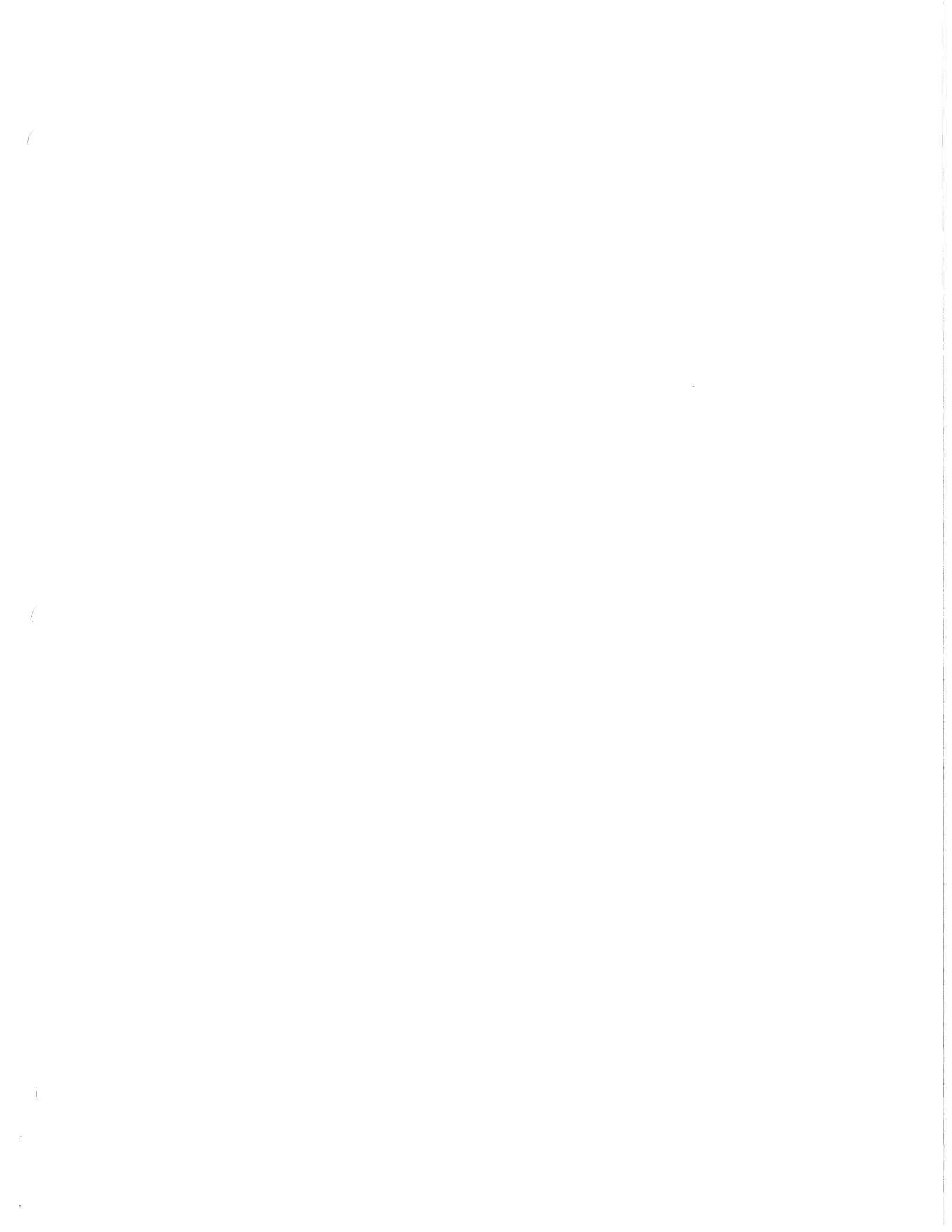
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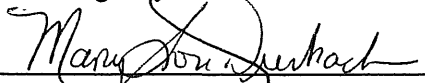
**Transmittal Form**

This review revealed underutilization of the following protected group(s) in the following goal units:

GOAL UNITS	PROTECTED GROUPS
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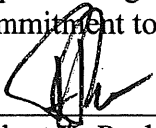
	WOMEN	MINORITIES
<b>MHESO Unclassified Compensation Plan</b>		
• Executive Management Group		
• Managers		
• Para-professionals	X	X
<b>MAPE/MMA General Professional</b>	X	
<b>AFSME/Clerical/Commissioners Plan</b>		

This annual plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been informed of this procedure as well as our agency's affirmative action goal for this fiscal year.

  
 Mary Lou Dresbach  
 Affirmative Action Officer

10/2/00  
 Date

This annual plan contains clear designations of those individuals and groups responsible for implementing the attached affirmative action plan as well as my personal statement of commitment to achieving the goals and timetables described herein.

  
 Robert K. Poch  
 Director

10/5/00  
 Date

This annual plan meets the requirements governing affirmative action under MN Statutes 43A.19-43A.21 and MN Rules 3905.0100-3905.0700, and contains goals and timetables as well as methods for achieving them which are reasonable and proactive in dealing with the identified disparities.

  
 Director of Diversity & Equal Opportunity

10/30/00  
 Date



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## **Goals and Timetables**

Goals and timetables have been established as an integral part of affirmative action programs to provide employers with a target to aim for. The purpose behind goals and timetables is to eventually eliminate underutilization of protected group members in an employer's workforce.

This Plan is written to address disparity/underutilization among protected groups and within specific bargaining units. A disparity/underutilization exists when the agency's percentage of protected group persons within a bargaining unit is less than the percentage goals determined for the agency.

In a memo dated June 30, 2000, the Commissioner of the Department of Employee Relations, Julien C. Carter, suspended the use of the 12.82% statewide hiring goal across job classifications for persons with disabilities. Therefore, no goals or timetables were determined for the persons with disabilities protected group for the 2000-2002 period. However, the MHESO will continue to consider persons with disabilities who can perform the essential functions of the job with or without reasonable accommodations, and will continue to direct some of our recruitment efforts towards persons with disabilities. In summary, the MHESO has a continued commitment to hiring individuals with disabilities who can perform the essential functions of the job with or without reasonable accommodation.

Historically, the MHESO has had extremely low turnover rates of its staff. Many employees have been with the agency for 10 years or more. In determining the goals for the 2000-2002 period, this factor has been taken into consideration along with the aging of the workforce and the underutilization in the two protected groups – women and minorities.

MHESO staff are represented under the following bargaining units:

- MHESO Managerial and Professional Compensation Plan (Unclassified Plan)
- MAPE/General Professional (Classified)
- AFSME/Clerical
- MMA/Supervisors
- Commissioner's Plan

For purposes of this Affirmative Action Plan, the MHESO Unclassified Compensation Plan employees have been separated as follows into the following job groups:

### **MHESO Unclassified Compensation Plan: Goals & Timetables**

- Executive Management Group – this professional job group (004-chief executives and general administrators, public administration). This group is comprised of division directors and the agency head. No goals are set for this group for the 2000-2002 period.

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Managers – this professional job group (022--managers and administrators--salaried).

This group is comprised of four Program managers. One Program manager was just recently hired in early 2000, and no additional vacancies are anticipated during the remainder of year 2000 through 2002. No goals are set for the 2000-2002 period for this group of unclassified staff.

- Professionals/Para-professionals– this professional job group (303-supervisors general office, and 389-402– administrative support positions) is underutilized by 3 women and eight minority. However, because the availability percentage is so high for women in these types of jobs, no goal is set for women in this job group.

The agency is underutilized by eight minority in this professional group for which goals are considered. Based on our consideration of the turnover and possible expansion due to a federal grant which includes a number of staff in this professional group, even though no goals are set to address the underutilization of women in this group we would expect to correct the underutilization of one woman in this group for 2000-2002. The nature of the work of a significant number of staff in this group involves working with 4<sup>th</sup> to 6<sup>th</sup> grade minority students and students with families with no prior experience with higher education. We would expect to correct the underutilization of minorities in this group by at least two individuals in this professional group in the 2000-2002 period

### **MAPE/MMA General Professional: Goals & Timetables**

For purposes of this Affirmative Action Plan, six MAPE and one MMA employee have been combined under the job group entitled *Professional/Technical, Sales, Administrative Support*. This professional job group includes (308- computer operators, 337- bookkeepers, accounting, and auditing clerks, 305- supervisors, financial records processing). Included in this group are three agency auditors and one audit supervisor, two computer staff, and one accounting staff member. This professional job group is underutilized by two women. Based on our consideration of the anticipated turnover expected during the period 2001-2002, we would expect to correct the underutilization of one woman.

### **AFSME/Clerical/Commissioners Plan: Goals & Timetables**

This professional job group includes eighteen AFSME administrative support staff (379-382--general office clerks) and two Commissioners Plan employees (328--personnel clerk/personnel officer, and (389-402-- administrative support) are included in this group. There is no underutilization in any of the three protected groups categories for these employees, so there are no goals set for 2000-2002.

Methods utilized to meet these goals and timetables would include those cited in other parts of our plan to work towards the accomplishment of these goals.



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**Statement of Commitment**

The Minnesota Higher Education Services Office (MHESO) fully recognizes and supports the State of Minnesota's Equal Employment Opportunity Policies and Statewide Affirmative Action efforts. The MHESO is committed to the policy of implementing and maintaining an affirmative action program designed to identify and correct imbalances of protected groups in the work force and to foster correction of any imbalances which may exist.

The MHESO is supportive of efforts to provide equal opportunity to current and prospective employees without regard to race, religion, creed, color, age, national origin, sex, sexual orientation, marital

status, disability, membership or activity in a local commission, or status with regard to public assistance. To ensure equal opportunity of all protected groups, the MHESO will ensure that all positions are accessible to all qualified persons and will make efforts to recruit, hire, retain and support qualified protected group members.

The MHESO fully supports the non-discriminatory provision of all state and federal laws, rules, regulations, policies, and guidelines regarding non-discrimination and equal opportunity.

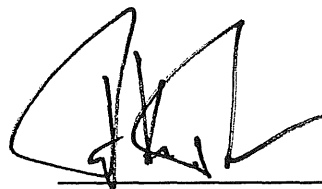
As Chief Executive Officer of the Higher Education Services Office, I am strongly committed to the principles and policies of effective affirmative action. All management and supervisory staff have responsibility for progressive affirmative action in the performance of their responsibilities and I enlist the assistance of all employees in the effort to achieve equal opportunity for all groups within this agency.

The designated MHESO Affirmative Action Officer is Mary Lou Dresbach, Director of Human Resources and Agency Services.

I encourage employees of the Minnesota Higher Education Services Office to take an active role in the support of this policy as we continuously strive to improve service to our customers and to fulfill the mission of this agency.

10/5/00

Date



Robert K. Poch, Director  
Minnesota Higher Education Services Office

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**Affirmative Action Officer: Designee and Duties**

**A. Director of the Minnesota Higher Education Services Office**

The Director of MHESO is responsible for the overall direction of the agency's Affirmative Action Plan in compliance with existing federal and state laws, rules and regulations. The Director will take the appropriate actions to remove all artificial barriers to equal opportunity within the agency.

**Accountability**

The Director of MHESO is accountable to the Minnesota Higher Education Services Council, the Governor, the Legislature, and the Commissioner of Employee Relations for the implementation and maintenance of the agency's Affirmative Action Plan.

**Duties of the Director**

1. To designate a top MHESO management executive as the agency's Affirmative Action Officer.
2. To take action on complaints of alleged discrimination.
3. To issue a statement affirming support of the State's equal opportunity policy for the MHESO and to ensure that such a statement is disseminated to all employees.
4. To make such decisions and changes in policy or procedure as may be needed to facilitate affirmative action goals and policies within the agency.
5. To ensure the submission of reports, as directed by the Commissioner of Employee Relations, regarding the agency's efforts in meeting affirmative action goals and progress resulting from those efforts.

**B. Affirmative Action Officer/Designee**

The Affirmative Action Officer/Designee is responsible for the overall implementation, administration, and maintenance of the Affirmative Action Plan.

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**Accountability**

The Affirmative Action Officer is accountable directly to the MHESO Director for all affirmative action matters, including directing and implementing the agency's affirmative action plan.

**Duties of the Affirmative Action Officer**

1. To write and update the agency's affirmative action plan.
2. To coordinate and monitor the plan.
3. To investigate complaints of discrimination and report findings with recommendations to the MHESO Director.
4. To ensure that all affirmative action reporting requirements as prescribed and required by the Diversity and Equal Opportunity Division, Department of Employee Relations are completed.
5. To ensure the communication and dissemination of the agency's Affirmative Action Plan.
6. To act as the liaison between the MHESO and the Diversity and Equal Opportunity Division, Department of Employee Relations, for purposes of affirmative action.
7. To review, respond to, and facilitate approved requests for reasonable accommodation from employees and prospective employees in a fair and equitable manner.
8. To determine the need for affirmative action training within the agency and to facilitate opportunities for such training with the assistance of the Diversity and Equal Opportunity and Training & Resource Center of the Department of Employee Relations, and outside resources, as necessary.
9. To review and recommend changes in policies, procedures, and programs to facilitate affirmative action and the achievement of affirmative action goals contained in this plan.
10. To support and participate in the recruitment, selection, retention and support of protected group persons as employees with the MHESO.
11. To maintain contact with protected group resources for recruitment purposes.

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12. To notify all contractors and subcontractors with whom the agency does business, of their affirmative action responsibilities.

**C. Division Directors, Managers, and Supervisors**

Division Directors, Managers, and Supervisors are responsible for supporting the agency's Affirmative Action Plan and ensuring the equal treatment of all employees.

**Accountability**

Division Directors are directly accountable to the MHESO Director. Managers and supervisors are accountable to Division Directors.

**Duties of Division Directors, Managers, and Supervisors**

- A. To assist the agency's Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- B. To assist the agency's Affirmative Action Officer and the agency personnel officer in recruiting, hiring, retaining and supporting protected group persons.
- C. To select candidates for positions or promotional opportunities on the basis of experience, skills, training/education, the agency's affirmative action goals, and in consultation with the Affirmative Action Officer as per the pre-employment review process.
- D. To advise the Affirmative Action Officer of all requests for reasonable accommodation by employees and prospective employees under their supervision.
- E. To ensure that the agency's Affirmative Action plan is communicated to all MHESO employees and that copies of the agency's Affirmative Action Plan are made available to all employees under their supervision.
- F. To assist the agency's Affirmative Action Officer by advising employees under their supervision of the availability of training and improvement opportunities, as appropriate.
- G. In conjunction with the Affirmative Action Officer, to respond to inquiries related to discrimination complaints within 5 working days and to ensure that no reprisals are made against an employee for filing a discrimination complaint.

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**Communication and Dissemination of Affirmative Action Plan**

The 2000-2002 Affirmative Action Plan will be distributed to all agency staff at an agency staff meeting upon approval by ODEO. There will be opportunity for questions to be answered at that meeting by the Affirmative Action Officer. The copies of the Affirmative Action Plan will include a cover memo explaining the responsibility of all employees to read, understand, support and implement the Plan. As new staff join the agency, the agency Personnel Officer will give the new staff person a copy of the Plan. Additional copies of the Affirmative Action Plan will be available from the MHESO Human Resources and Agency Services Division and will be part of the on-line MHESO Employee Manual which each staff member can access via personal computer. The material can be made available in alternative formats such as large print, braille or on audio tape upon request to the MHESO Human Resources and Agency Services Director.

The MHESO Affirmative Action Officer/Designee will ensure that all employees receive a copy of the MHESO Affirmative Action Plan, and are advised of the policy of non-discrimination, reasonable accommodation and the procedure for filing a complaint.

**Internal Communication of Affirmative Action Plan**

1. Copies of this plan will be given to all current and future permanent employees at their initial orientation session.
2. A copy of the plan will be posted in the agency's Human Resources information cubicle and copies will be available from the MHESO Human Resources and Agency Services Division. The Plan will also be available as part of the MHESO Employee Manual, which is located on the agency network drive.
3. All managers and supervisors will be responsible for assisting in the communication of the policy and spirit of the Plan to employees under their supervision.
4. All position announcements will contain material identifying the agency as an equal opportunity employer committed to affirmative action.
5. The agency's commitment will be communicated in reports, employee orientation materials, and agency policy manuals, the job postings, and other such notices.
6. Revisions/updates to the Plan will be provided to all employees.

**Communication of Affirmative Action Plan to External Customers**

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1. All contracts and agreements will contain equal opportunity provisions, as appropriate.
2. A mailing list consisting of community groups and publications serving protected group persons will be maintained and utilized to inform such entities of agency activities and employment/position opportunities.
3. All public relations and promotional materials will be reviewed for equal opportunity content and contain statements identifying the agency as an equal opportunity employer. In addition, the agency's commitment will be communicated in newsletters, publications, and other appropriate published materials.

**Internal Discrimination Complaint Procedure**

The Management Planning Team of the Minnesota Higher Education Services Office seeks to maintain a working environment free from discrimination, discriminatory harassment or hostility; and where open, honest communication is encouraged.

The Minnesota Higher Education Services Office has established the following discrimination complaint procedure to be used by all employees, applicants, or eligibles. Coercion, reprisal, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

**Responsibility of Employees**

All employees shall respond promptly to any and all requests by the Affirmative Action Officer for information and for access to data and records for the purpose of enabling the Affirmative Action Officer to carry out responsibilities under this complaint procedure.

**Who May File**

Any employee, applicant, or eligible of the Minnesota Higher Education Services Office who believes that s/he has been discriminated against by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation, however, complaints will be taken for up to a year subsequent to the actual separation date.

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**The Complaint Procedure**

The internal complaint procedure provides a method for resolving complaints involving violations of the Minnesota Higher Education Services Office's nondiscriminatory policy within the agency. Employees, applicants, and eligibles are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited. The Affirmative Action Officer may contact the Office of Diversity and Equal Opportunity if she wants information about filing a complaint.

**Filing Procedures**

1. The employee, applicant, or eligible completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation(s) may involve discriminatory harassment. The Affirmative Action Officer designee will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer determines if the complaint falls under the purview of 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 human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer shall also discuss other options for resolution, such as the Workplace Mediation Pilot Project.
  - 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, in writing, within ten (10) working days.
  - B. If the complaint **is** related to discrimination, the Affirmative Action Officer will, within ten (10) working days, contact all parties named as respondent(s) and outline the basic facts of the complaint. The respondent(s) will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Officer shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer shall notify the complainant(s) and respondent(s) that s/he has completed the investigation. The Affirmative Action Officer shall then review the findings of the investigation.
  - A. If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
  - B. If insufficient evidence exists to support the complaint, a letter will be sent to the

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complainant(s) and the respondent(s) dismissing the complaint.

4. A written answer will be provided to the parties within sixty (60) days after the complaint(s) is/are filed. The complainant(s) will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.
5. Dispensation of the complaint will be filed with the Commissioner of the Department of Employee Relations within thirty (30) days of final determination.
6. 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.
7. 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 is not limited to, the following types of data:
  - A. Interviews or written interrogatories with all parties involved in the complaint (e.g., complainant(s), respondent(s), and 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).
8. The Affirmative Action Officer shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

## **Programs and Program Objectives: 2000-2002**

### **Program: Affirmative Action Education**

**Objective:** To encourage division directors, managers, supervisors, and employees to learn more about affirmative action issues including: prevention of various types of harassment and discrimination, cultural diversity, and other issues relating to affirmative action.

**Responsibility:** Affirmative Action Officer, Personnel Officer, Executive Management Team (MPT)

**Action Steps:**

1. Work with the Department of Employee Relations to identify educational opportunities



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and resources that agency staff can access to learn more about topics and issues related to affirmative action.

2. Working with the Department of Employee Relations, facilitate an agency-wide diversity education project with the following purpose: *"to provide all agency staff with the knowledge and skills necessary to: better understand one another and our customers, and to utilize all forms of diversity in strengthening the services and products that we provide internally and externally."*
3. Emphasize to supervisors and managers their role in implementing the Affirmative Action Plan, fostering diversity and respect in the workplace, and creating an atmosphere that contributes to retention of protected group members.
4. Include coverage of the agency Affirmative Action Plan as part of the agency orientation/information session with newly hired staff.

Completion Date: Ongoing. As of early 2000, the MHESO has been working with the DOER Affirmative Action Manager to design an effective agency-wide diversity education project. Thus far, the DOER has worked with the Management Planning Team to develop a mission statement for this initiative, and to develop a plan to carry-out this major education initiative.

**Program: Affirmative Action Hiring**

Objective: To continue to attempt to hire affirmatively and include Affirmative Action consideration in the hiring process.

Responsibility: Affirmative Action Officer and Personnel Officer

Action Steps:

1. The Personnel Officer or Director of Human Resources and Agency Services/MHESO Personnel Officer will collect, maintain and provide current information regarding disparities to division directors, managers, and supervisors.
2. Prior to assisting supervisors and managers with the hiring process, the Personnel Officer will check Affirmative Action data, identifying disparities that exist within the agency.
3. When a disparity exists, the Personnel Officer will remind supervisors and managers that the pre-employment review procedure must be used prior to interview activities. The Pre-employment Review Procedure is followed for recruitment and all hiring decisions especially for goal units with unmet affirmative action goals. The Pre-employment Review Procedures are located on pages 9-12.
4. MHESO Human Resources staff will maintain files on hiring situations where a protected group candidate was not hired and a disparity existed.

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Completion Date: Ongoing. Since our last Plan, the agency has been successful in hiring one minority woman (an underutilization of two had been identified in our prior Plan).

**Methods of Auditing, Evaluating, Reporting Program Success**

**Pre-employment Review Procedure**

In order to meet the agency's affirmative action goals, the following actions will be taken:

A. Consultation with Managers

Managers will be advised of the goals and disparities for the various bargaining units by the Affirmative Action Officer/designee whenever a vacancy occurs.

B. Selection Process

1. A vacant position is created due to a resignation, promotion, transfer, leave of absence, termination, or establishment of a new position. The director or manager of the affected division/program may or may not request to fill the position.
2. If a decision is made to fill the vacancy, the Affirmative Action Officer/designee will be notified. Based on the agency's affirmative action goals, the AAO/designee will determine if a disparity exists in the bargaining unit that the vacancy occurs and will work closely with the director, manager and/or supervisor in each step of the hiring and/or promotional process which includes the following initial steps:
  - a.. A position analysis is completed for the vacant position.
  - b. The position description is reviewed and revised, if needed.
  - c. The Personnel Officer establishes the method of filling the vacant position as follows:

**Classified Position:**

A classified position will be filled according to the appropriate bargaining unit contract.

- a. The Personnel Officer will determine whether any bargaining unit employees are eligible to bid on the position and the position will be posted for the required length of time in accordance with the contract.
- b. If the posting and bidding process is unsuccessful, a certification list of eligible candidates will be obtained from the Department of Employee Relations.

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- c. Job-related questions will be devised by the Interviewer and reviewed by the AAO/designee and Personnel Officer to ensure they are uniform, appropriate, and job-related. Interviews will be conducted uniformly using the job-related questions.
- d. The hiring authority will make efforts to include candidates from diverse groups within the pool of candidates. The MHESO Personnel Officer will inform the supervisor/manager/interviewer of any disparities that currently exist in the agency for this classification type.
- e. Candidates' applications/resumes will be compared and/or evaluated on the qualifications stated in the position description.
- f. Candidates will be contacted per a telephone call and/or letter to verify a candidate's availability and interest in the position. All candidates in the disparity group must be contacted and offered an opportunity for an interview. Interviews will be scheduled for the candidates responding to telephone calls and/or letters. The interviewer should document in writing the conversation with each candidate contacted (i.e., interviewed, stated lack of interest in the position, or candidate's current employment status).
- g. The interviewer will contact the Personnel Officer or Director of Human Resources and Agency Services to coordinate interview times and dates with finalists.
- h. The interviewer will create written documentation related to the interview process, including the interview questions, the responses by candidates, individual resumes submitted by the candidates, etc. that support the selection of the best candidate for the position based on the candidate's knowledge, skills and abilities. Such documentation will be submitted to the AAO/Designee and an offer of employment cannot be made until such written documentation has been reviewed and approved. If the AAO/Designee determines that the reasons for selection of the candidate are insufficient, the decision will be discussed with the division director and interviewer.
- i. If the hiring decision resulted in not to hire a protected group candidate is not satisfactorily resolved, the matter will be referred to the MHESO Director for review and resolution prior to an offer of employment being made. The MHESO Director will document all decisions in writing and provide a copy to the AAO/Designee for the MHESO Human Resources and Agency Services files.
- j. All candidates will be notified of the hiring decision.
- k. Documentation (i.e., copies of letters, telephone responses, comments by interviewees, etc.) related to the selection process, will be retained for all appointments for a period of at least

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one calendar year from the date of appointment. Data on appointments, where a disparity exists, will include the agency's documented efforts to act affirmatively.

**Unclassified Position:**

- a. An announcement and/or advertisement of the position is created by the division director/supervisor and submitted for review to the Personnel Officer/Director of Human Resources and Agency Services.
- b. The Personnel Officer, with the assistance of the AAO/Designee will advertise and recruit affirmatively for the position. The MHESO Personnel Officer will inform the supervisor/manager/interviewer of any disparities that currently exist in the agency for this classification type.
- c. Job-related questions will be devised by the interviewer and reviewed by the AAO/Designee and Personnel Officer to ensure they are uniform, appropriate, and job-related. Interviews will be conducted uniformly using the job-related questions.
- d. The interviewer will review each candidate's application/resume and compare the qualifications to those stated in the position description and/or position announcement.
- e. The candidates selected as finalists will be contacted per a telephone call and/or letter to confirm the candidate's availability and interest in the position and to schedule an interview. The interviewer should document in writing the conversation with each candidate contacted (i.e., interviewed, stated lack of interest in the position, candidate's current employment status).
- f. The interviewer will contact the Personnel Officer or Director of Human Resources and Agency Services to coordinate interview times and dates with finalists.
- g. The interviewer will create written documentation related to the interview process, including the interview questions, the responses by candidates, individual resumes submitted by the candidates, etc. that support the selection of the best candidate for the position based on the candidate's knowledge, skills and abilities. Such documentation will be submitted to the AAO/Designee and an offer of employment cannot be made until such written documentation has been reviewed and approved. If the AAO/Designee determines that the reasons for selection of the candidate are insufficient, the decision will be discussed with the division director and interviewer.
- h. If the decision to not hire a protected group candidate is not satisfactorily resolved, the matter will be referred to the MHESO Director for review and resolution prior to an offer

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of employment being made. The MHESO Director will document all decisions in writing and provide a copy to the AAO/Designee for the MHESO Human Resources and Agency Services files.

- i. All candidates will be notified of the hiring decision.
- j. Documentation (i.e., copies of letters, telephone responses, comments by interviewees, etc.) related to the selection process, will be retained for all appointments for a period of at least one calendar year from the date of appointment. Data on appointments, where a disparity exists, will include the agency's documented efforts to act affirmatively.

**Pre-review Procedure - Layoffs**

An Appointing Authority may "layoff" an employee by reason of abolition of the position, shortage of work or funds, or other reasons outside the employee's control which do not reflect discredit on the service of the employee. The MHESO would follow the layoff procedures specified in the bargaining unit agreements under which MHESO employees serve. The impact on agency affirmative action goals and timetables, due to layoffs, will be documented in writing by the Personnel Officer. The AAO, in conjunction with the MHESO Director, will determine how the agency's affirmative action goals and timetables could be addressed under the current employment situation.

**Recordkeeping and Evaluation**

Data regarding hires is recorded on the Protected Group Report forms.

Evaluation documentation is maintained in the central files located in the MHESO Human Resources and Agency Services Division, including:

- Affirmative Action Plan and any related materials
- MHESO Employment Form
- records for recruitment fees paid and documentation on specific recruitment activities
- Affirmative Action complaints
- ADA complaints

**Weather Emergencies & Evacuation**

Weather emergencies are declared by the Department of Employee Relations. The communication from the Department of Employee Relations relating to weather emergencies and will be followed by employees of the Minnesota Higher Education Services Office [Appendix A-2].

In case of an emergency, all employees who have a disability will receive notification, if at work, by

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the supervisor or designated backup staff person. If a weather emergency is called after work hours, employees who are deaf or who have a hearing disability can obtain notification by watching weather broadcasts on KSTP, WCCO, or KARE 11 Television. Broadcasts are closed captioned. In addition, if employees who are deaf or who have a hearing disability prefer, they may arrange for notification at home from their supervisor or designee. The supervisor or designee may use the Minnesota Relay Service (1800-627-3529) to contact the employee using the TTY.

**If a fire or weather emergency occurs during normal work hours, MHESO emergency monitors [see Appendix A-3] are responsible for the safe evacuation of individuals with disabilities to a safe location. If necessary, emergency monitors will seek assistance from police or fire personnel in the evacuation of individuals with disabilities. [See Appendix A-4 for basic Fire evacuation procedures.]**

Employees of the Minnesota Higher Education Services Office will follow the procedures outlined in [Appendix A-5] for weather emergencies. Included in this Affirmative Action Plan is a copy of the State Administrative Procedure 5.4 regarding time off in emergencies [Appendix A-6], and also the MHESO Policy for Time-off due to Natural Disaster or Emergency [Appendix A-7].

### **Reasonable Accommodation**

It is the state's policy to reasonably accommodate qualified individuals with physical or mental disabilities in the accomplishment of their employment responsibilities unless the accommodation would impose an undue hardship. The Minnesota Higher Education Services Office is committed to the fair and equal employment of individuals with disabilities, and understands reasonable accommodation is often a key factor in the employment and retention of individuals with disabilities. The Director of Human Resources and Agency Services, Mary Lou Dresbach, [ADA Coordinator/AAO] and the MHESO Personnel Officer, Janice Cheetham, are responsible for ADA compliance.

### **Definitions**

1. For purposes of determining eligibility for a reasonable accommodation, a **person with a disability** is a person who has a physical or mental impairment that substantially or materially limits one or more major life activities.
2. **Reasonable accommodation.** An accommodation is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to participate in and benefit from all aspects of employment. The accommodation is reasonable if it is eliminating the barrier and does not cause an undue hardship.

**Minnesota Higher Education Services Office**  
**2000-2002 Affirmative Action Plan**

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3. **Undue hardship.** An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive or that would fundamentally alter the nature or operation of the agency.

**Reasonable Accommodation:**

A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- a. To assure equal opportunity in the employment process;
- b. To enable a qualified individual with a disability to perform the essential functions of a job; and
- c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

**Procedure for Requesting a Reasonable Accommodation: Current Employees and Employees seeking Promotion**

1. The employee will inform his/her supervisor of the need for an accommodation. The employee or the supervisor, if requested by the employee, will complete the *Request for Reasonable Accommodation* form contained in this Affirmative Action Plan [See Appendix A-8]. If necessary, the supervisor will work with the ADA Coordinator to obtain documentation of the individual's functional limitations.
2. When an accommodation has been requested, the supervisor/manager will, in consultation with the employee:
  - discuss the purpose of the job and the essential functions. (It may be necessary to complete a step-by-step analysis);
  - determine the precise job-related limitations;
  - identify potential accommodations and assess the effectiveness of each; and
  - select and implement the most appropriate accommodation for both the individual and the employer. While an individual's preference will be given consideration, the Minnesota Higher Education Services Office is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
3. The supervisor and/or employee may seek technical assistance from the agency ADA

**Minnesota Higher Education Services Office**  
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coordinator/AAO as needed.

4. The supervisor, in consultation with the ADA Coordinator, will provide a decision to the employee within a reasonable amount of time.
5. If an accommodation cannot overcome the existing barriers, or if the accommodation would cause undue hardship to the operation of the agency, the employee and the ADA Coordinator will work together to determine whether reassignment may be an appropriate accommodation. Options to be considered include:
  - Look for a vacant position that is equivalent to the one held by the employee.
  - If the employee is not qualified for a vacant position with or without a reasonable accommodation, or no equivalent vacant position exists, the agency may, as an accommodation, reassign the individual to a vacant position in a lower classification for which the employee is qualified. In this case, the agency is not required to maintain the employee's salary at the previous level.
  - Look for transfer, mobility, non-competitive and competitive opportunities.

**Procedure for Requesting a Reasonable Accommodation: Job Applicant**

1. The job applicant shall inform the ADA Coordinator of the need for an accommodation. The ADA Coordinator and the appropriate MHESO supervisor/manager will discuss the needed accommodation and possible alternatives with the applicant.
2. The ADA Coordinator and the MHESO supervisor/manager will make a decision regarding the request for accommodation.
3. If the request is approved, the supervisor/manager will make sure that the accommodation is provided. If the request is not approved, the ADA Coordinator/AAO will inform the applicant in writing within 3 working days of receiving the written request.

**The Funding of Accommodations**

Funding will be approved by the Minnesota Higher Education Services Office for reasonable accommodation which do not cause undue hardship (MN Statutes 43A.191(c)). The supervisor, division director and/or Director of Financial Services will determine the funding source at the time of the request.



**Minnesota Higher Education Services Office**  
**2000-2002 Affirmative Action Plan**

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**Definition:**

**Undue Hardship.** An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the Minnesota Higher Education Services Office.

**Procedure for Determining Whether Requested Accommodation is an Undue Hardship**

1. If, in the opinion of the supervisor receiving the request for accommodation, the cost or scope of the accommodation might alter the nature or operation of the work unit or division, the supervisor and Affirmative Action Officer/ADA Coordinator will meet with the division director to review the requested accommodation(s), and will consider:
  - the nature and cost of the accommodation in relation to the size and financial resources of the state as an employer; and
  - the impact of the accommodation on the nature or operation of the department.
2. If the division director determines that the accommodation will impose an undue hardship, the AAO will forward an analysis of the situation and the reasons it is determined to cause an undue hardship, along with a recommendation to the MHESO Director within 10 working days following the employee's request or within three working days following an applicant's request.
3. The MHESO Director will provide a decision in writing to the AAO, supervisor, division director, and the employee or applicant within 3 working days after receipt of the analysis and recommendation.

**Appeals relating to Accommodation Requests**

Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the MHESO Director, within a reasonable period of time, for a final decision.

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

**Minnesota Higher Education Services Office  
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## **Recruitment Plan**

Sources Used: Fiscal Year 2000:

Minneapolis Star Tribune	St. Paul Voice
St. Paul Pioneer Press	Access Press
La Prensa de Minnesota	American Library Assoc.-- MNLink
MN Women's Press	Asian American Press
Native American Press	Bemidji Pioneer
Mpls. Spokesman/St Paul Recorder	The Chronicle
Asian Pages	The Circle
Insight News, Inc.	
Minnesota Daily - University of Minnesota	
Cloquet Journal	
Cloquet Pine Knot	
Duluth News Tribune	
St. Cloud Times	

Expenses incurred: \$25,646.19

Results: The Minnesota Higher Education Services Office had no missed opportunities in hiring during the year.

Other methods used: none

Job Fairs Attended/Projected: none

Strategies: The Minnesota Higher Education Services Office projects little or no turnover in the next year in the EEO categories for which we have disparities. We will continue to use the same recruitment methods.

Internship Program Opportunities: MHESO will provide paraprofessional work opportunities and practical learning experiences for selected students to enhance their academic preparation and expose them to state government employment. Managers seeking student interns will contact educational institutions, as necessary and will work with MHESO Human Resources to formalize and implement specific internship arrangements.

Supported Work: Supported work positions/functions within the MHESO are not a viable option based on the current workforce. However, if the opportunity arises, MHESO will evaluate the possibility of establishing a position and will work with the ODEO to recruit qualified candidates.

## **Minnesota Higher Education Services Office 2000-2002 Affirmative Action Plan**

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Recruitment: Janice Cheetham, Personnel Officer, is responsible for recruitment efforts, such as overseeing the recruitment of qualified candidates. In regard to recruitment of persons with disabilities, we are currently complying with the requirements of the Americans with Disabilities Act in terms of recruitment activities. MHESO will also request assistance from ODEO to improve recruitment of persons with disabilities. MHESO will continue the following as recruitment efforts:

- positions advertised on MHESO web site
- position opening announcements forwarded to ODEO for distribution to affirmative action officers at other state agencies

### **Retention Plan**

Mary Lou Dresbach, Director of Human Resources and Agency Services/Affirmative Action Officer, is responsible for overseeing the Minnesota Higher Education Services Office's retention activities.

The Personnel Officer, Janice Cheetham, in conjunction with the Department of Employee Relations through use of the SEMA4 system, will monitor and analyze separation and layoff patterns of all employees at the Minnesota Higher Education Services Office to determine the impact on protected group members.

#### **Methods and Activities to Retain MHESO Employees (both protected and non-protected staff)**

1. Document the reasons behind turnover among protected and non-protected employees to identify and understand relevant issues for further analysis.
  - Review and revise the current exit interview process, as necessary to collect useful information related to employment at MHESO.
  - Request protected group employees to assist in the revision of the exit interview process.

Responsibility: Affirmative Action Officer and Personnel Officer

2. Continue to create and maintain a respectful working environment for all MHESO employees.
  - Encourage employees to assist in identifying opportunities for increasing staff knowledge and participation in events which celebrate the diversity of both internal and external customers.
  - Facilitate opportunities for managers and supervisors to learn more about their role and responsibilities in creating and maintaining a respectful work environment for all staff, and also to learn more about how their actions and behaviors contribute toward the retention of

**Minnesota Higher Education Services Office**  
**2000-2002 Affirmative Action Plan**

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protected group members.

- Inform and facilitate training/learning opportunities for staff to fulfill their training/development goals in their individual annual workplans, and support such opportunities with a training budget to be developed over the FY 2001/2002 biennium.

Responsibility: All MHESO employees

3. Analyze separation and layoff patterns to determine the impact on protected group members.

- Collect available separation and layoff data.
- Determine impact on protected groups.
- Ascertain whether any action is necessary and if so, develop recommendations.

Responsibility: Personnel Officer and Affirmative Action Officer

4. Initiate and facilitate an agency-wide diversity education project with the assistance of the Department of Employee Relations (DOER).

- Complete planning and begin implementation phase of project.
- Work with agency Executive Management Team (MPT) in supporting and actively engaging in the project.
- Work with DOER and outside consultants (as necessary) to address diversity related issues within the agency.
- With the assistance of DOER, survey agency staff and utilize focus groups within the agency to identify areas of most need and attention.

Responsibility: Affirmative Action Officer and the MHESO Executive Management Team

**Minnesota Higher Education Services Office  
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**Analysis of Separation Patterns:**

The following is an analysis of separation and layoff patterns for impact on protected class members for FY1999 and FY2000:

Note: There were no layoffs during FY 1999 or FY2000.

**FY1999**

<b>Bargaining Units</b>	<b>Resignation, Termination, Retirement</b>	<b>Protected Class</b>	<b>Non-Protected Class</b>
HESO Unclassified Staff	Resignation	3	1
HESO Unclassified Staff	Termination	1	---
Clerical/Office	Resignation	---	3

**FY2000**

<b>Bargaining Units</b>	<b>Resignation, Termination, Retirement</b>	<b>Protected Class</b>	<b>Non-Protected Class</b>
HESO Unclassified Staff	Resignation	1	4
HESO Unclassified Staff	Termination	----	----
HESO Unclassified Staff	Retirement	----	1
MAPE/Professional	Resignation	----	1
Clerical/Office	Resignation	----	1

The above separations had no substantive impact on the agency or it's work environment.

**Minnesota Higher Education Services Office  
Complaint of Harassment/Discriminatory Harassment**

**Please Read Before Completion of this Form**

Any complaint of discriminatory harassment is considered confidential data under Minnesota Statutes 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 agency Affirmative Action Officer/Designee, the complainant, the respondent, appropriate supervisory personnel and the Commissioner of Employee Relations.

**Complainant (You)**

Name:	Date:	Job Title:
Agency:	Work Address:	
City, State, Zip Code:		
The Division in which you work:	Telephone #	Supervisor:

**The Complaint**

<p>Basis of Complaint (check all that apply):</p> <p><input type="checkbox"/> Race                      <input type="checkbox"/> Color                      <input type="checkbox"/> Marital Status</p> <p><input type="checkbox"/> Sex                              <input type="checkbox"/> Creed                      <input type="checkbox"/> Sexual Orientation</p> <p><input type="checkbox"/> Age                              <input type="checkbox"/> Religion                      <input type="checkbox"/> Public Assistance Status</p> <p><input type="checkbox"/> Disability                      <input type="checkbox"/> Membership or activity in a local commission</p> <p><input type="checkbox"/> National Origin    <input type="checkbox"/> Other (give example) _____</p>
<p>Person you are filing this discriminatory harassment complaint against:</p>

Appendix A-1

<p>If you filed this complaint with another agency or organization, please give the name of the agency:</p>	
<p>Describe the event(s) that you feel constitute discriminatory harassment. Include date(s) of events, time(s), place, and persons involved– including any non-HESO employees. (Attach additional sheets if necessary.)</p>	
<p>Additional information on your complaint you think is relevant or that would be helpful in investigating this complaint. (Attach additional sheets if necessary.)</p>	
<p>Names of Other Witnesses: (include names, work address if different than HESO, telephone number if different than work phone at HESO). (Attach additional sheets if necessary.)</p>	
<p>I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.</p>	
<p>Complainant's Signature:</p>	<p>Date:</p>
<p>Affirmative Action Officer's Signature:</p>	<p>Date:</p>

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.

- 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?

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:

RE: Weather Emergencies

FROM: Karen L. Carpenter, Commissioner  
*Karen L. Carpenter*

TO: Agency Heads  
Human Resource Directors/Designees

DATE: November 14, 1997

Memo

Leadership and partnership in human resource management

Minnesota  
Department of  
Employee  
Relations

Appendix A-2



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) 297-5252 (TDD) or 1-800-627-3529 (TDD 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 employee. 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

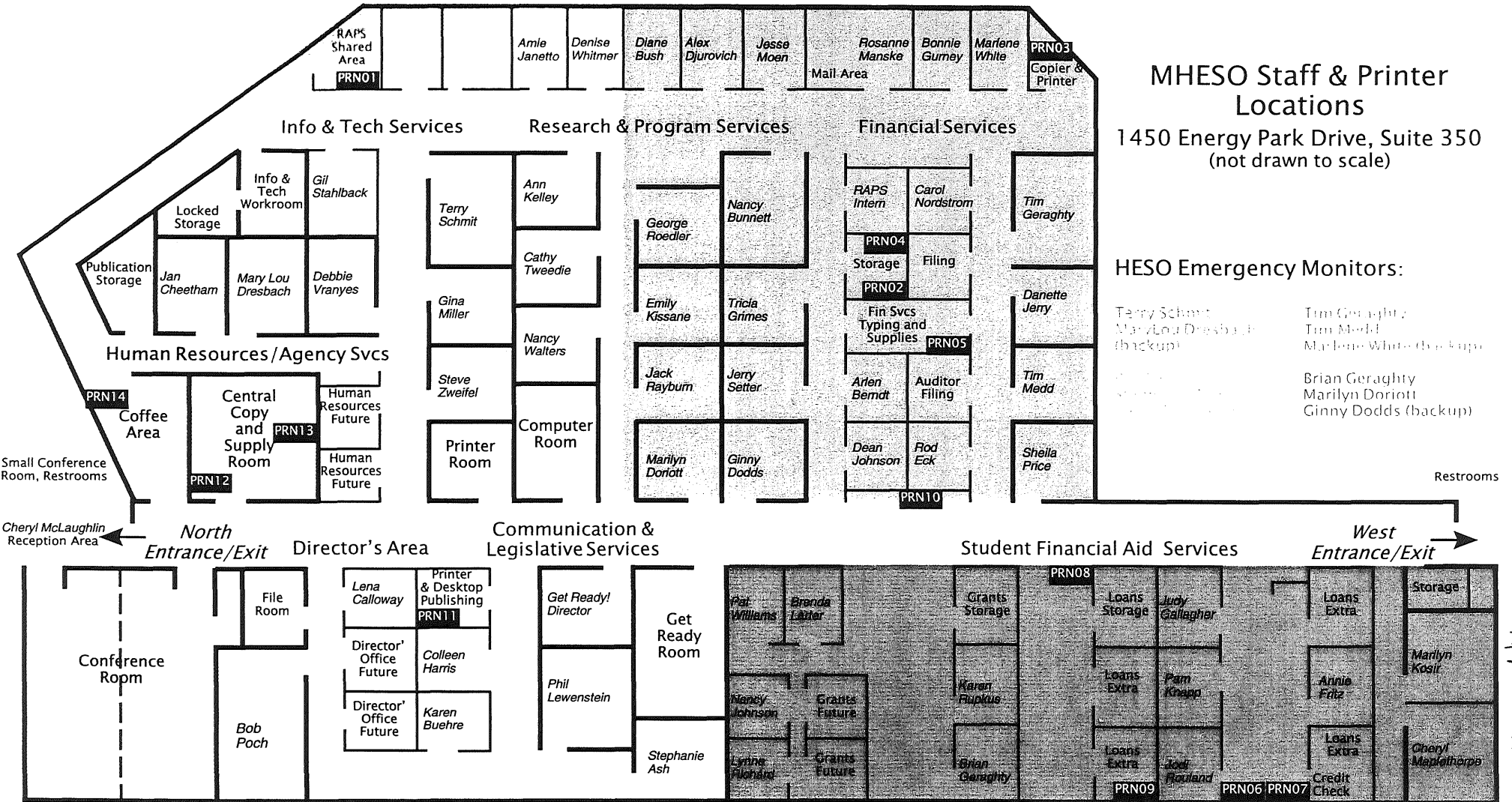
cc: [redacted]

# MHESO Staff & Printer Locations

1450 Energy Park Drive, Suite 350  
(not drawn to scale)

## HESO Emergency Monitors:

- Terry Schmit
- Tim Geraghty
- MaryLou Dresbach (backup)
- Tim Mehl
- Marlene White (backup)
- Brian Geraghty
- Marilyn Dorriott
- Ginny Dodds (backup)



Appendix A - 2

### WHAT TO DO IN A FIRE EMERGENCY

1. If you discover a fire, hear an explosion, or see or smell smoke in the building: Immediately telephone 9-911 and report the incident. Then **SOUND THE ALARM—ACTIVATE THE CLOSEST MANUAL PULL ALARM.** These alarms are located by all stairwell exits in the building.
2. When a fire alarm sounds, **COMPLETE EVACUATION IS REQUIRED.** HESO emergency monitors should begin checking their designated areas and instruct employees and visitors on evacuation procedures. When evacuating a room, employees should close doors behind them.
3. **DO NOT USE ELEVATORS DURING A FIRE EMERGENCY.**
4. Upon exiting the building, leave all walks and driveways open for arriving fire fighters. Do not return to the building until directed to do so by fire department personnel or a building authority. The silencing of the audible alarms or horns does not mean it is safe to enter the building.
5. Notify fire fighters on the scene if you suspect someone may be trapped inside the building.
6. HESO emergency monitors upon exiting the building should proceed to the West parking lot and notify the designated HESO staff that their assigned areas within the building have been cleared.

#### **DO**

- DO** immediately leave the building and close doors behind you.
- DO** use the stairwells to evacuate the building.

#### **DON'T**

- DO NOT** attempt to fight the fire.
- DO NOT** use the elevators.
- DO NOT** return to the building until told to do so.

## SEVERE WEATHER EMERGENCY

**Relocation within the Energy Technology Center (ETC) Building [1450 Energy Park Drive, St. Paul, MN 55108] in the Event of Severe Weather (Tornadoes/Severe Thunderstorms).** The building is generally constructed to withstand high damaging winds. The greatest danger during such winds will be from flying glass or other debris. For this reason, seek shelter away from all windows.

If severe weather is in the area, the aid raid sirens will sound in the vicinity of the ETC building. Also, if severe weather has been predicted as a possibility, HESO management should monitor the weather conditions via radio, alerting agency staff as appropriate.

### Terminology:

**Tornado Watch:** It means weather conditions are favorable for the formation of tornadoes. Be alert and stay informed of changing weather conditions.

**Severe Thunderstorm Watch:** It means weather conditions are favorable for severe thunderstorms including high winds, hail, heavy rain, lightening, and tornado formation. Be alert and stay informed of changing weather conditions.

**Tornado Warning:** It means a tornado has been sighted. Seek shelter immediately.

**Severe Thunderstorm Warning:** It means severe thunderstorms have been sighted or indicated on radar. Be prepared to seek shelter. Tornadoes may accompany severe thunderstorms.

### HESO Emergency Monitors: [see Attachment A-3]

- 1) When HESO emergency monitors become aware of severe weather approaching, they will walk through their assigned areas and request all persons to move to sheltered areas away from any source of flying glass or other debris. In cases of a tornado alert, employees should be directed to the lower level of the ETC building, keeping away from the inner atrium glass area.
- 2) Emergency monitors are responsible for ensuring that individuals with a disability are assisted to an appropriate sheltered location in the workplace or on the lower level of the building.
- 3) Check to make sure all employees in your assigned area have moved to a place of shelter.
- 4) Ensure that office fire doors are closed.
- 5) Join all other HESO staff who have relocated to sheltered areas either within the HESO workplace, or on the lower level of the building. Sheltered areas include: restrooms, windowless interior offices or other rooms without windows, as well as the lower level of the ETC building away from the inner atrium glass area.

COMMISSIONER'S SIGNATURE W. B. Thibault

Appendix A-6

## TIME OFF IN EMERGENCIES

**Description and Scope** - M.S. § 43A.05, Subd. 4 permits the Commissioner of DOER to excuse employees from duty and to authorize appointing authorities in the executive branch to pay employees for time off work during natural or man-made emergency situations. This Administrative Procedure specifies that the commissioner has the authority to declare an emergency situation, close agencies, and authorize payment to employees who do not report to work or are sent home from work after an emergency has been declared. Appointing Authorities retain the right to close or not close their facilities at any time. If an appointing authority closes a facility and an emergency is not declared by the commissioner, the pay provisions of this procedure will not take effect. In this case, employees will be required to use annual leave, an adjusted work schedule, compensatory time, or leave without pay to cover the absence from work.

**Objective** - To provide appointing authorities and employees with a clearly defined procedure to follow during emergency situations thus increasing and improving the capabilities of state government to function during natural or man-made emergencies.

### **Definitions - Key Terms -**

**"Full pay"** means regularly scheduled straight time pay for the scheduled work day. It does not include shift or equipment differential or overtime.

**"Time-off in Emergency Plan"** is a comprehensive emergency procedure developed and implemented by each appointing authority.

### **Responsibilities -**

#### **A. Appointing Authorities:**

- Determine if facilities should remain open or be closed when an emergency leave has not been declared.
- Develop and maintain a Time-off in Emergency Plan which specifies:
  1. Essential staffing requirements to be maintained during emergency situations.
  2. The name and phone number of the individual(s) who can make closure decisions.
  3. Steps/procedures to follow in making closure decisions.
  4. The name and phone number of the agency contact and back-up person responsible for implementing the plan.

Appendix A-6

**2. Commissioner initiated:**

- a) Commissioner of DOER consults with Commissioner of Public Safety.
  - b) Commissioner of DOER declares emergency or determines that emergency doesn't exist.
  - c) Commissioner of DOER communicates decision to all affected Appointing Authorities.
  - d) Commissioner of DOER authorizes emergency pay.
- 
- B. Employees who report to work and are then sent home shall not be paid for more than their regularly scheduled hours. Employees shall not be enriched through additional compensation, including compensatory time, or increased benefits as a result of an emergency situation.
  - C. Employees who are required by their appointing authorities to remain at work shall not be paid for more than their regularly scheduled hours or the actual number of hours worked.
  - D. Employees on approved sick or pre-arranged vacation leave shall not have such leave time restored to their balances.
  - E. Employees on any approved leave without pay shall not be paid for any emergency leave time.
  - F. Employees who call in, on the day of an emergency, for vacation time, compensatory time or leave without pay will be credited with emergency leave from the point of the declaration of the emergency to the end of the scheduled shift, if the appointing authority ceases operations during their regular shift.
  - G. Agencies using the positive time reporting system should instruct employees to record this time under "Other Authorized Leave Hours Taken" with an X designating the type of leave taken. Also note in the Remarks section "Weather Emergency" or "Emergency Situation" as appropriate.
  - H. An employee's absence with pay for emergency situations shall not exceed 16 hours during that emergency unless the Commissioner of DOER authorizes a longer period.

**Other Relevant Laws, Personnel Rules, Contracts and Administrative Procedures**

**M.S. § 43A.05, Subd. 4 - Time Off In Emergencies**  
**Collective Bargaining Agreements**

**Minnesota Higher Education Services Office (MHESO)**

**TIME OFF DUE TO NATURAL DISASTER OR EMERGENCY**

In the event of a natural disaster or man-made emergency situation, the following provisions will be followed:

- 1) The emergency will be declared and verified by the Commissioner of Employee Relations (DOER), after consultation with the Commissioner of Public Safety, as stated in DOER Administrative Procedure 5.4.
- 2) If an emergency is declared and it is determined that State of Minnesota agencies should be closed, the decision to close the MHESO will be determined by the Agency Director (651-642-0502) or Designee. The decision to close the agency will be relayed to each Division Director. The Division Director is responsible for notifying his/her staff.
- 3) When feasible, during an emergency situation, a recorded message will be made to respond to agency telephone calls.
- 4) If the agency is closed due to an emergency during normal working hours (8:00 a.m.-4:30 p.m.), no staff members will be required to remain at their work stations.
- 5) Emergency payment of wages will be determined and authorized by the Commissioner of Employee Relations in accordance with DOER Administrative Procedure 5.4.
- 6) The internal operating procedures during a natural disaster or man-made emergency which requires employees to remain in the Energy Technology Center building are coordinated with building management, the Director of the Higher Education Services Office, the Director of Financial Services, and the Director of Human Resources & Agency Services.
- 7) The primary agency contact person responsible for implementing this Plan is the Director of Financial Services (651-642-0567), and the Director of Human Resources & Agency Services is backup (651-642-0530).

**Employee Request for Reasonable Accommodation  
Higher Education Services Office**

This information will be used by the Minnesota Higher Education Services Office or any other person, including the agency's legal counsel, who is authorized by my employer to handle medical information for ADA/MHRA purposes and, any information concerning my physical or mental condition, that are necessary to determine whether I have a disability as defined by the Americans with Disabilities Act and/or the Minnesota Human Rights Act, and to determine whether any reasonable accommodations can be made. The provision of this information is voluntary, however if you refuse to provide it, your employer may refuse to provide reasonable accommodation.

Please Print or Type:  
Attach additional sheets as necessary to answer the questions below.

Employee Name:	Date of Request:
1. Describe the nature of your limitations, what life activity it substantially limits, and how this life activity is substantially limited.	
2. Type of accommodation requested to perform essential job functions:	
3. Which essential functions of your job will the requested accommodation allow you to perform?	
4. Why is the requested accommodation necessary to perform the essential job function?	
5. How will the requested accommodation be effective in allowing performance of the essential job function?	
Signature of Employee:	Date:
Signature of Supervisor/Manager:	Date:
Signature of Division Director:	Date:
Additional Comments:	

\*Information on this form shall remain confidential with the exceptions according to the Rehabilitation Act of 1973, Section 504, Subd. 84.14, and the Americans with Disabilities Act of 1990, Subd. P.I. 101-336, Sec. 102C.



Appendix A-9

Reasonable Accommodation Agreement  
Higher Education Services Office

This form is to be completed by HESO Human Resources staff after the reasonable accommodation decision has been made. The signatures on the bottom of this form indicate an agreement between the employee and the Higher Education Services Office to the specific accommodation.

Name of Employee:	Name of Division Director:
The request for reasonable accommodation to the needs of the employee indicated above with a disability was:  <input type="checkbox"/> Accepted <input type="checkbox"/> Denied Justification for the decision (indicate specific factors considered).	
If the reasonable accommodation was approved, was the employer's suggestion accepted?  <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Partially  Describe specific accommodation to be made:	
Cost estimate:	
I have read the employee request for accommodation. I understand that all tangible accommodations purchased by the Higher Education Services Office will become the Property of the State of Minnesota.	
Signature of Employee:	Date:
Signature of HESO Director:	Date:
Signature of Affirmative Action Officer:	Date:

