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MINNESOTA DEPARTMENT OF HUMAN SERVICES

AFFIRMATIVE ACTION PLAN

FISCAL YEARS 1987-1988



State of Minnesota

DEPARTMENT OF EMPLOYEE RELATIONS

3rd Floor, Space Center Building

444 Lafayette Road, St. Paul, MN 55101 • 612 296-2616

NEW ADDRESS

3rd Floor

520 Lafayette Road

St. Paul, MN 55155

August 7, 1987

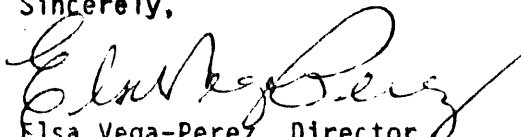
Sandra Gardebring, Commissioner
Department of Human Services
4th Floor, Centennial Building
658 Cedar Street
St. Paul, MN 55101

Dear Commissioner Gardebring:

The 1987 Affirmative Action Plan for the Department of Human Services has been received, reviewed and approved. We wish to commend you and your staff for a good plan which should advance the cause of affirmative action in state service during this year. We look forward to working with you on the implementation of your plan.

Should you require any assistance, please feel free to call.

Sincerely,


Elsa Vega-Perez, Director
Equal Opportunity Division

EVP:tmg

✓ cc: Mary Jean Anderson

Attachment

FISCAL YEARS 1987 and 1988

JULY 1, 1986 - JUNE 30, 1988

MINNESOTA DEPARTMENT OF HUMAN SERVICES

AFFIRMATIVE ACTION PLAN

TABLE OF CONTENTS

	Page
COMMISSIONER'S STATEMENT OF COMMITMENT TO AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY	
I. ORGANIZATION AND ACCOUNTABILITIES	1
AUDIT AND EVALUATION	9
INFORMATION DISSEMINATION	11
II. ANNUAL TRANSMITTAL FORMS - DISPARITIES IDENTIFIED FY 1987 INTERIM HIRING GOALS FOR FY 87	12
CENTRAL OFFICE	13
AH-GWAH-CHING	14
ANOKA	15
BRAINERD	16
CAMBRIDGE	17
FARIBAULT	18
FERGUS FALLS	19
MOOSE LAKE	20
OAK TERRACE	21
ST. PETER	22
WILLMAR	23
III. EQUAL EMPLOYMENT OPPORTUNITY & AFFIRMATIVE ACTION POLICIES	24
Pre-employment review	26
Sexual Harassment	28
Reasonable Accommodations	30
Recruitment	33
AIDS/Employee Work Status	35
Complaint - Handling	37
IV. ANNUAL PROGRAM OBJECTIVES/ACTION STEPS	43
APPENDICES	
A - DISCRIMINATION COMPLAINT FORM	
B - REVISED RACE/ETHNIC CATEGORIES	
C - DEFINITIONS	
D - LAWS AND AFFIRMATIVE ACTION RULES	
E - REASONABLE ACCOMMODATION REQUEST FORM	
F - MERIT SYSTEM AFFIRMATIVE ACTION PLAN-SUMMARY	
G - CIVIL RIGHTS PLAN-SUMMARY	

DEPARTMENT : of Human Services

STATE OF MINNESOTA

Office Memorandum

DATE : February 3, 1987

TO : All Department of Human Services Employees

FROM : Sandra Gardebring, Commissioner 

PHONE : 296-2701

SUBJECT : Equal Opportunity and Affirmative Action

The Department of Human Services has long had a policy of equal opportunity and affirmative action. This policy has my full personal and official endorsement. It is particularly important to me because it is so closely in keeping with the Department's goal to promote individual capabilities, rights and dignity.

It is the policy of DHS to provide equal opportunity in employment and in the provision of services to all persons, without regard to race, color, creed, religion, national origin, sex, marital or public assistance status, age, disability, political affiliation or Vietnam era veteran status. Where women, minority persons, disabled persons or Vietnam era veterans are underrepresented in our workforce, I am committed to a program of affirmative action to achieve their full participation in the work of the Department.

This policy requires your active support and involvement in maintaining an environment free of discrimination. I expect all managers, Chief Executive Officers and supervisors to understand and advance the objectives of the Department's Affirmative Action Program. Efforts in this area will be a factor in performance evaluation. Mary Jean Anderson is the Department's Affirmative Action Director and is assigned responsibility for administrative direction and implementation. She can be reached at 296-3510. At each residential facility, affirmative action officers have been designated responsibility for implementing this policy. The Department's Affirmative Action Plan will be posted on all official bulletin boards and will be available for review in the Affirmative Action Office, 4th Floor, Centennial Office Building, St. Paul, and in the Personnel Offices of each residential facility.

Our goal is to see that all persons have the opportunity to work and participate in the programs of this Department without regard to personal characteristics. Although we have made progress toward a representative workforce, more remains to be done. I urge you to become acquainted with the Affirmative Action Plan, and in the spirit of affirmative action, contribute to its successful implementation.

I.

ORGANIZATION

This Minnesota Department of Human Services is organized into eleven geographic areas of the state and includes a central office and ten regional centers.

The DHS Affirmative Action Director acts as Affirmative Action Officer for the central office and provides department-wide direction and consultation to the Regional Centers. The Chief Executive Officer of each facility has responsibility for implementing the Affirmative Action Plan and designating a facility Affirmative Action Officer. The following individuals are designated Affirmative Action Officers:

<u>Ah-Gwah-Ching:</u>	Erma Shantle, Ah-Gwah-Ching, MN 56430	218-547-1250
<u>Anoka:</u>	Steve Thompson Anoka-Metro Regional Treatment Center 3300 4th Ave. Anoka, MN 55303	422-4150
<u>Brainerd:</u>	Keith Bernard Brainerd Regional Human Services Center East Oak Street Brainerd, MN 56401	218-828-2201
<u>Cambridge:</u>	Shirlee Holyfield Cambridge Regional Human Services Center Hwy 293 Cambridge, MN 55008	612-689-0011
<u>Faribault:</u>	Dave Lenway Faribault Regional Center Faribault, MN 55021	501-332-3000
<u>Fergus Falls:</u>	Doug Boyer Fergus Falls Regional Treatment Center North Union Ave., Box 157 Fergus Falls, MN 56537-1057	218-739-7200

Moose Lake:

Earl Schiltz
Moose Lake Regional
Treatment Center
1000 Lakeshore Drive
Moose Lake, MN 55767

218-485-4411

Oak Terrace:

Cathy Johnson
Oak Terrace Nursing Home
14500 County Road 67
Minnetonka, MN 55345

934-4100

St. Peter:

Jerry Ylinen
St. Peter Regional
Treatment Center
100 Freeman Drive
St. Peter, MN 56082

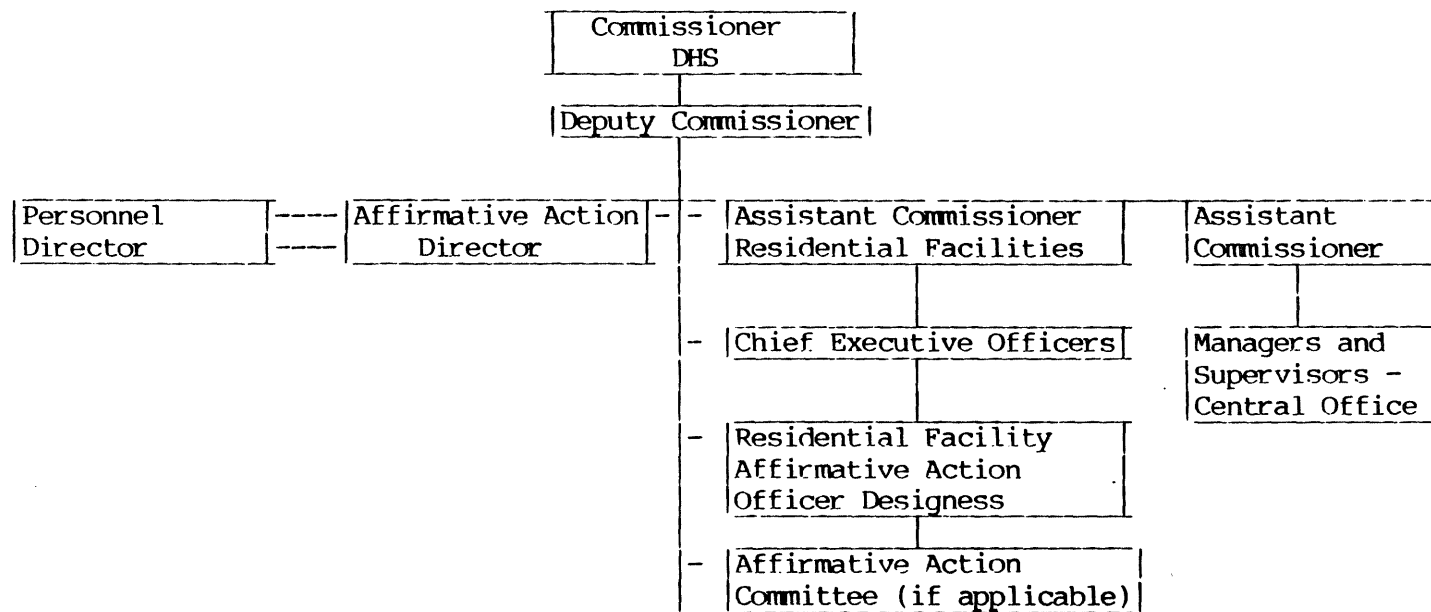
507-931-7100

Willmar:

Jo Thompson
Willmar Regional
Treatment Center
Box 1128
Willmar, MN 56201

612-231-5100

Human Services
Affirmative Action Functional Organization Chart



----- Direct line of Authority

----- Working Relationship/Liaison

The chart above outlines the relationship between the people primarily responsible for the many facets of DHS's Affirmative Action Program. The narrative on the following page describes the affirmative action responsibilities of these individuals.

RESPONSIBILITIES, DUTIES AND ACCOUNTABILITIES

I. Commissioner/Deputy Commissioner

Responsibilities: To oversee and ensure implementation of the Department's equal opportunity policy and affirmative action program including Central Office and Residential Facilities, in compliance with existing federal and state laws, and regulations.

- Duties:
1. Appoint an Affirmative Action Director.
 2. Include accountability for the administration of the agency's affirmative action plan in his/her position description.
 3. Require Chief Executive Officers, managers and supervisors to include responsibility statements for affirmative action in their position descriptions and annual objectives.
 4. Take action on complaints of discrimination as outlined in the Affirmative Action Plan complaint procedure.
 5. Issue an annual written statement to all employees affirming support of the State's equal opportunity policy and the Department's Affirmative Action Program.
 6. Make decisions and changes in policy, procedures, or accommodations as may be needed to facilitate effective affirmative action.

Accountability: To the Governor.

II. Affirmative Action Director

Responsibilities: To administer the Department's affirmative action program.

- Duties:
1. Monitor implementation of the Department's affirmative action plans.
 2. Investigate alleged discrimination complaints, coordinate handling of discrimination charges brought against the Department, and maintain a centralized record of such charges.

3. Establish annual hiring goals, revise the Department's AA Plan biennially and complete all civil rights and affirmative action reports as required.
4. Monitor and provide direction and consultation on aa, eeo matters to Regional Center Chief Executive Officers and Affirmative Action Officers.
5. Ensure that Equal Opportunity and Affirmative Action Plan information is disseminated throughout the department.
6. Encourage employees to make themselves available for an exit interview and evaluate exit interview data.
7. Act as the liaison between the Department and the Equal Opportunity Division of the Department of Employee Relations.
8. Determine the need for affirmative action related training programs.
9. Review department policies, procedures, programs, and reasonable accommodations for handicapped persons and recommend changes to the Commissioner.
10. Plan and participate in the recruitment of protected group applicants for Department job openings.
11. Maintain contacts with protected group recruitment sources, hold membership in professional and community organizations, and keep apprised of new developments in the area of affirmative action and equal opportunity.
12. Act as the Department's 504 and Title XX Civil Rights Coordinator.

Accountability: Commissioner/Deputy Commissioner

III. DHS Personnel Director

Responsibilities:

The Personnel Director is responsible for ensuring that personnel policies are administered fairly and are uniformly applied to all employees, and shall take positive action to remove all barriers to equal employment opportunity within the Department.

Duties: The duties of the Personnel Director include, but are not limited to the following:

1. Make available to the Affirmative Action Director all records and information data necessary to perform affirmative action duties and responsibilities.

2. Provide the Affirmative Action Director an opportunity to participate in decisions regarding personnel practices.
3. Recommend specific annual Affirmative Action program objectives and annual hiring goals for the Affirmative Action Plan.
4. Aid in the recruitment of members of protected groups and ensure that managers and supervisors are notified of existing disparities at the time of the employment interview.
5. Recommend changes in policy and procedure to improve the Department's ability to achieve affirmative action objectives.
6. Inform the AA Director of discrimination charges brought through a union grievance process and consult with the AA Director regarding resolution of the grievance.

Accountability: Commissioner/Deputy Commissioner

IV. Chief Executive Officer:

Responsibilities:

Responsible for overall administration of DHS Affirmative Action policies at Regional Center.

Duties:

1. Appoint an Affirmative Action Officer and 504 Coordinator and notify DHS Affirmative Action Director of these designations.
2. Resolve internal discrimination complaints and notify DHS Affirmative Action Director of all enforcement agency charges.
3. Ensure that DHS Affirmative Action policies are carried out and approve all actions necessary to facilitate this.
4. Issue an annual written statement to staff communicating support of the affirmative action/equal opportunity policies.

Accountability: To the Assistant Commissioner - Residential Facilities and to the Commissioner.

V. Affirmative Action Officer/Designee:

Responsible for implementing and maintaining the facility's Affirmative Action Program.

Responsibilities:

1. Develop and recommend changes or improvements to the AA/EEO program Chief Executive Officer.
2. Monitor the facility's personnel practices for impact on protected groups; complete progress and other required reports.
3. Act as liaison with DHS Affirmative Action Director.
4. Ensure that affirmative action policies and procedures are disseminated to employees, including developing and implementing training programs.
5. Investigate, mediate and recommend resolution of discrimination complaints to the Chief Executive Officer.

Accountability: To the Chief Executive Officer

VI. Managers and Supervisors

Responsibilities: To ensure compliance with statewide and Department Affirmative Action programs and to ensure equal treatment of all employees.

- Duties:
1. Assist the Affirmative Action Director and/or Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
 2. Hire and promote qualified protected group members where a disparity exists.
 3. Communicate and demonstrate a personal commitment to the Department's Affirmative Action policy.
 4. Include responsibility statements for Affirmative Action/Equal Employment opportunity in position descriptions, and annual performance objectives.
 6. Assist and make recommendations to the Affirmative Action Officer/Director regarding special recruitment projects.
 7. Discuss and document training needs and discuss career planning goals with each employee during scheduled performance evaluations.
 8. Ensure that for all employees under their supervision receive an annual Affirmative Action orientation.

Accountability: To the Deputy Commissioner, Assistant Commissioner or Chief Executive Officers, directly, and to the Commissioner, indirectly.

VII. All Employees

Responsibilities:

All employees shall be responsible for conducting themselves in accordance with the State's Equal Employment Opportunity Policy by refraining from any actions which would interfere with any employee's work performance with respect to race, creed, color, sex, nation origin, age, marital status, disability or handicap, reliance on public assistance, religion, Vietnam Era Veteran status, political opinions or affiliations. Employees who believe they have been subjected to unlawful discrimination are encouraged to avail themselves of resource through the Department's discrimination complaint procedure.

AUDIT AND EVALUATION

- I. A) On a quarterly basis the DHS Affirmative Action Director and residential facility affirmative action officers will:
- 1) review goal achievement and hiring opportunity reports received from the Department of Employee Relations.
 - 2) inform the Commissioner, Supervisors and managers of progress or changes in goal achievement status.
 - 3) evaluate progress with action steps/efforts made during the previous quarter to address barriers.
- II. A) Annually the residential facility affirmative action officers will send to the DHS AA Office an end of the year summary of the following activities:
- 1) changes in internal aa/eo procedure or policies.
 - 2) training and information sessions conducted that are related to aa/eo.
 - 3) progress toward completion of action steps that were established for the year.
 - 4) recruitment sources identified or protected group community organizations contacted.
 - 5) specialized projects undertaken, such as protected group pre-service training, work experience programs, or selection criteria revisions.
 - 6) # and type of discrimination complaints received, both informal and formal, and status of resolution (e.g., resolved internally, charge filed with enforcement agency, no discrimination occurred).
- B. Annually , the residential facility affirmative action officers will forward to the AA Director:
- 1) completed and signed annual transmittal forms that identify facility disparities.
 - 2) specific action steps for the next fiscal year.
 - 3) recommendations for improvement in DHS aa/eo policies or recommendations for necessary department-wide action steps.
 - 4) annual/interim hiring goals for the next fiscal year, based on current disparities.
 - 5) # of reasonable accommodation requests received and approved or denied.

C) Annually the AA Director will submit for approval to the Department of Employee Relations, the following:

- 1) All Annual Transmittal Forms
- 2) Policy revisions or additions that have occurred during the pervious fiscal year.
- 3) All DHS Annual/Interim hiring goals.
- 4) Commissioner's statement of commitment.
- 5) All DHS action steps.

INTERNAL AND EXTERNAL DISSEMINATION

I. Internal Dissemination

- A. The Commissioner will transmit a letter or memo annually to the Department's employees reaffirming DHS's commitment to equal opportunity and affirmative action.
- B. Annual training sessions will be conducted for managers and supervisors on the Affirmative Action Plan and their responsibilities.
- C. On each official bulletin board the following will be posted :
 - 1) the AA/EEO policy;
 - 2) a copy of the AA Plan
- D. Employee orientation programs will have an equal opportunity/affirmative action component.
- E. The AAP will be summarized in the Communique, and any other appropriate Departmental publications.
- F. The AAO/EEO policy will be included in and policy and procedures manuals.

II. External Dissemination

- A. The phrase "An Equal Opportunity Employer" will be included on DHS's letterhead and in all advertisements for positions.
- B. Positions will be advertised in appropriate protected group publications.
- C. Whenever possible, protected group employees will be featured in newspapers, magazines, advertising, brochures, etc. A written expression of the Department's position on equal opportunity will be included, where appropriate, in the above.
- D. An assurance of non-discrimination will be included in all contracts for programs or activities receiving federal financial assistance, in accordance with HHS regulations, 45. C.F.R. Part 80.

II.

ANNUAL TRANSMITTAL FORMS

DISPARITIES IDENTIFIED FY 1987

*INTERIM HIRING GOALS

INTERIM GOALS

FACILITY	GOAL UNIT	PROTECTED GROUP & NO.	HIRING GOAL	TOTAL
Ah-Gwah-Ching	203 Service 204 H.Care N. Prof.	H (1) VEV (1) H (1) VEV (1)		4
Anoka				
Brainerd				
Cambridge	203 Service 204 H. Care 214 Gen. Prof.	M (1) VEV (1) M (1) VEV (1) H (1) VEV (1)		7
Central Office	214 Gen. Prof. 206 Office	V (1) H (1)		2
Faribault	N/A	No anticipated hires due to salary deficit, but intends to act affirmatively if vacancies occur.		
Fergus	213 Health Treatment Prof. 205 H. Care Prof.	0 no protected group on the eligible list. All anticipated hires will be intermittence except 1 P.T.		0
Moose Lake				
Oak Terrace	203 Service 204 H. Care N. Prof. 216 Supv.	M (1) M (1) W (1)		3
St. Peter	216 Supv. 203 204 205 214	W (1) H (1) VEV (1) H (1) H (1) VEV (1)		6
Willmar	216 Supv. 204 H. Care N. Prof.	H (1) VEV (1)		2

AFFIRMATIVE ACTION PLAN
Fiscal Year 1987
For

DEPARTMENT OF HUMAN SERVICES - CENTRAL OFFICE
(Agency or Agency Subdivision)

1. This annual review revealed underutilization of the following protected group(s) in the following goal units: (Check each unit appropriate)

Data as of October 1986

GOAL UNITS	PROTECTED GROUPS			
	WOMEN	MINORITIES	HANDICAPPED	VETERANS
Law Enforcement				
Craft, Maintenance, Labor Service				
Health Care Non-Professional				
Health Care Professional				
Clerical		X	X	X
Technical		X	X	X
Correctional Guards				
State University Instructional				
Community College Instructional				
State University Administrative				
Professional Engineering Supervisory				
Health Treatment Professional				
General Professional			X	X
Professional State Residential Instructional				
Supervisory		X	X	X
Commissioner's Plan			X	X
Managerial Plan	X	X	X	
Other				

2. This annual plan is and will be posted at the following central location so that every employee is aware of the department's commitments in affirmative action for the year.

4th Floor Centennial Bldg., St. Paul, Official bulletin board and Affirmative Action Off-

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

William Anderson
Affirmative Action Director

1-23-87
Date

4. This annual plan contains clear designations of those persons 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.

Paul Gardell
Agency Head

2-6-87
Date

5. This annual plan meets the rules governing affirmative action, Chapter 20: 2 MCAR 2.290-2.299, and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Equal Opportunity Division

Date

AFFIRMATIVE ACTION PLAN

Fiscal Year 1987 - For Dept. of Human Services, Location: FL - Miami Dade

This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERANS
202 Craft, Mtce, Labor	X	X	X	
203 Service			X	X
204 Health Care Non-Prof.			X	X
205 Health Care Prof.			X	X
206 Clerical	X		X	X
207 Technical				
213 Health Treat. Prof.				
214 General Professional	X			X
215 Prof. Resid. Instr.				
216 Supervisory			X	X
217 Commissioner's Plan	X		X	X
220 Manager's Plan				
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

Bulletin Board outside Personnel Office

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

Em N. Gillett

Affirmative Action Officer, State Institution

12-23-86
Date

4. This annual plan contains clear designations of those persons 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.

John Murphy

Chief Executive Officer, State Institution

12/23/86
Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

W. J. Anderson

Director, Affirmative Action Office, Dept. of Human Services

1/23/87
Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date

Fiscal Year 1987 - For Dept. of Human Services, Location: Anoka:

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VET
202 Craft, Mfg. Labor	x	x		x
203 Service	x	x		x
204 Health Care Non-Prof.			x	x
205 Health Care Prof.			x	x
206 Clerical			x	x
207 Technical	x			x
213 Health Treat. Prof.	x		x	x
214 General Professional	x		x	x
215 Prof. Resid. Instr.				
216 Supervisory	x	x		x
217 Commissioner's Plan		x	x	x
220 Manager's Plan	x	x		
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

Steve M. Chapman

Personnel Officer

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

Steve M. Chapman

Affirmative Action Officer, State Institution

Date

1/29/87

4. This annual plan contains clear designations of those persons 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.

Arnold B. Hall

Chief Executive Officer, State Institution

Date

1/29/87

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

W. Eric Isaacson

Director, Affirmative Action Office, Dept. of Human Services

1/30/87

Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date

AFFIRMATIVE ACTION PLAN

Fiscal Year 1987 - For Dept. of Human Services, Location: EXCELLENT Reg. 4111
 1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories: SUCS. Cnty.
 (Check (x) each category as appropriate)

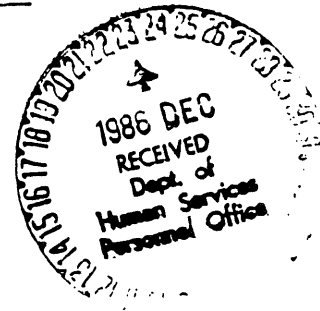
OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERANS
202 Craft, Mtce, Labor	X	X		
203 Service			X	X
204 Health Care Non-Prof.	X		X	X
205 Health Care Prof.			X	X
206 Clerical	X		X	X
207 Technical	X			
213 Health Treat. Prof.	NA	NA	NA	NA
214 General Professional	X	X	X	
215 Prof. Resid. Instr.	X		X	X
216 Supervisory		X	X	
217 Commissioner's Plan	X			X
220 Manager's Plan		X		
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.
 As Regulation 2601, it is located in every work unit throughout the entire organization.

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

KRIB
 Affirmative Action Officer, State Institution

12/22/86
 Date



4. This annual plan contains clear designations of those persons 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.

Elmer O. Davis
 Chief Executive Officer, State Institution

12/22/86
 Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

William L. Anderson
 Director, Affirmative Action Office, Dept. of Human Services

1/23/87
 Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date

AFFIRMATIVE ACTION PLAN

Fiscal Year 1987 - For Dept. of Human Services, Location: CAMPBELL ST. C.

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERAN
202 Craft, Mtce. Labor		<input checked="" type="checkbox"/>		
203 Service	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
204 Health Care Non-Prof.	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
205 Health Care Prof.	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
206 Clerical	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
207 Technical	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>
213 Health Treat. Prof.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
214 General Professional			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
215 Prof. Resid. Instr.				
216 Supervisory			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
217 Commissioner's Plan			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
220 Manager's Plan				
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

Main Bldg. - A.A. Board

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goal for this year.

Shirley A. Holyfield
Affirmative Action Officer, State Institution

12/18/86
Date

4. This annual plan contains clear designations of those persons 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.

Michael J. Lewis
Chief Executive Officer, State Institution

12-18-86
Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

Mary Jean Anderson
Director, Affirmative Action Office, Dept. of Human Services

1/30/87
Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date

AFFIRMATIVE ACTION PLAN

For Year 1987 - For Dept. of Human Services, Location: FARIBAULT

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERANS
202 Craft, Mtce, Labor	*	*		
203 Service				*
204 Health Care Non-Prof.			*	*
205 Health Care Prof.	*		*	*
206 Clerical	*		*	*
207 Technical	*			*
213 Health Treat. Prof.	*			*
214 General Professional	*		*	*
215 Prof. Resid. Instr.	*			
216 Supervisory		*	*	
217 Commissioner's Plan			*	*
220 Manager's Plan		*	*	*
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

PERSONNEL, CENTER REGULATION

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

[Signature]
Affirmative Action Officer, State Institution

12-16-86
Date

4. This annual plan contains clear designations of those persons 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.

[Signature]
Chief Executive Officer, State Institution

12/16/86
Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

[Signature]
Director, Affirmative Action Office, Dept. of Human Services

1/5/87
Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date

AFFIRMATIVE ACTION PLAN

Fiscal year 1987 - For Dept. of Human Services, location: Bureau of State Institutions

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERAN
202 Craft, Mtce, Labor	X	X	X	
203 Service				X
204 Health Care Non-Prof.			X	X
205 Health Care Prof.	X		X	X
206 Clerical	X		X	X
207 Technical	X		X	
208 Executive				
214 General Professional			X	
215 Prof. Resid. Instr.	X	X	X	
216 Supervisory	X	X	X	
217 Commissioner's Plan			X	X
220 Manager's Plan	X	X	X	
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

CENTRAL BULLETIN BOARD - ADMINISTRATION BLDG.

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

[Signature] 12-15-86
Affirmative Action Officer, State Institution Date

4. This annual plan contains clear designations of those persons 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.

Elaine J. Turner 12-16-86
Chief Executive Officer, State Institution Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

Mary Jane Anderson 1/5/87
Director, Affirmative Action Office, Dept. of Human Services Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations Date

AFFIRMATIVE ACTION PLAN

Fiscal Year 1987 - For Dept. of Human Services, Location: USE CASE

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories: regional envt.
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERANS
202 Craft, Mtce, Labor	X	X	X	
203 Service				X
204 Health Care Non-Prof.				X
205 Health Care Prof.				X
206 Clerical	X		X	X
207 Technical	X		X	X
213 Health Treat. Prof.	Less than five (5) employees			
214 General Professional				
215 Prof. Resid. Instr.	Less than five (5) employees			
216 Supervisory	X		X	
217 Commissioner's Plan	X		X	X
220 Manager's Plan	Less than five (5) employees			
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

Personnel Department

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

[Signature]
Affirmative Action Officer, State Institution

12/18/86
Date

4. This annual plan contains clear designations of those persons 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.

[Signature] @ 40
Chief Executive Officer, State Institution

12-22-86
Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

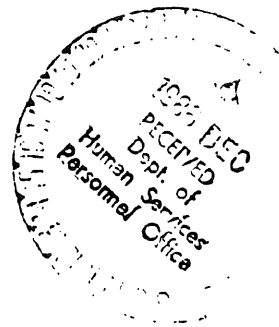
[Signature]
Director, Affirmative Action Office, Dept. of Human Services

1/23/87
Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date



AFFIRMATIVE ACTION PLAN

Fiscal Year 1987 - For Dept. of Human Services, Location: Oak Terrace Nursing Home

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERANS
202 Craft, Mtce, Labor		X		
203 Service	X			X
204 Health Care Non-Prof.	X			X
205 Health Care Prof.				X
206 Clerical	X		X	X
207 Technical	X		X	X
213 Health Treat. Prof.	X		X	X
214 General Professional	X			X
215 Prof. Resid. Instr.				
216 Supervisory		X		
217 Commissioner's Plan			X	X
220 Manager's Plan				
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

Human Resources Bulletin Board

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

[Signature]
Affirmative Action Officer, State Institution

12/16/86
Date

4. This annual plan contains clear designations of those persons 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.

[Signature]
Chief Executive Officer, State Institution

12-16-86
Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

[Signature]
Director, Affirmative Action Office, Dept. of Human Services

12/31/87
Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date

DHS Affirmative Action

AFFIRMATIVE ACTION PLAN

Fiscal Year 1987 - For Dept. of Human Services, Location: St. Peter Regional Treatment Center

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERANS
202 Craft, Mtce, Labor	X	X	X	
203 Service	X			
204 Health Care Non-Prof.	X ^A		X	
205 Health Care Prof.	X ^A		X	X
206 Clerical			X	X
207 Technical	X			X
213 Health Treat. Prof.	NA	NA	NA	NA
214 General Professional	X ^A		X	X ^{AB}
215 Prof. Resid. Instr.	X		X	
216 Supervisory		X	X	
217 Commissioner's Plan			X	X
220 Manager's Plan	X	X		
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year. At a minimum it is posted on Administration Building bulletin boards, by Personnel Office and in main elevator.

A-Only categories with any chance of meeting goals given size of discrepancies, lack of protected candidates, and anticipated openings. Hiring 1-3 new protected employees will meet these goals.

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

Gerald A. Ylinen Gerald A. Ylinen
Affirmative Action Officer, State Institution

1-26-87
Date

AB-Given past lists and anticipated openings this is the only goal we have a 50-50 chance of meeting.

4. This annual plan contains clear designations of those persons 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.

Joseph W. Solien Joseph W. Solien
Chief Executive Officer, State Institution

1-26-87
Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

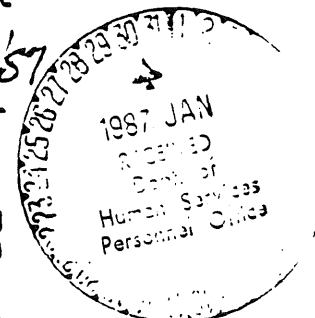
Gerald A. Ylinen Gerald A. Ylinen
Director, Affirmative Action Office, Dept. of Human Services

1/30/87
Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date



AFFIRMATIVE ACTION PLAN

Fiscal Year 1987 - For Dept. of Human Services, Location: WILMINGTON RTC

1. This annual review revealed underutilization of the following protected group(s) in the following occupational categories:
(Check (x) each category as appropriate)

OCCUPATIONAL CATEGORIES	PROTECTED GROUPS			
	MINORITIES	WOMEN	HANDICAPPED	VIETNAM ERA VETERAN
202 Craft, Mtce, Labor		X	X	
203 Service	X			X
204 Health Care Non-Prof.	X		X	X
205 Health Care Prof.	X		X	X
206 Clerical	X		X	X
207 Technical	X		X	X
213 Health Treat. Prof.	X			
214 General Professional	X			X
215 Prof. Resid. Instr.	X	X		
216 Supervisory	X	X	X	
217 Commissioner's Plan	X		X	
220 Manager's Plan	X			
Other				
Other				

2. This annual plan is posted at the following central location so that every employee may be aware of the institution's commitments in affirmative action for the year.

1. Affirmative Action Plan, State Institution

3. This annual plan contains an internal procedure for processing complaints of alleged discrimination and each employee has been appraised of this procedure as well as the affirmative action goals for this year.

G. Thompson
Affirmative Action Officer, State Institution

1/7/87
Date

4. This annual plan contains clear designations of those persons 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.

Gregory G. Smith
Chief Executive Officer, State Institution

1/9/87
Date

5. This annual plan covers all elements of the institution's personnel policy and management practices as related to affirmative action and has been reviewed by the Dept. of Human Services.

William G. Henderson
Director, Affirmative Action Office, Dept. of Human Services

1/23/87
Date

6. This annual plan meets the rules governing affirmative action and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

Director, Equal Opportunity Division, Dept. of Employee Relations

Date

III.

POLICY

Equal Employment Opportunity and Affirmative Action

Pre-Employment Review

Prohibition of Sexual Harassment

Reasonable Accommodation

Recruitment

AIDS/Employee Work Status

Discrimination Complaint-Handling

MINNESOTA DEPARTMENT OF HUMAN SERVICES

EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY

PURPOSE: To establish consistency in the Department of Human Services with regard to equal employment opportunity and affirmative action.

AUTHORITY: Minnesota Human Rights Act, Chapter 363; M.S. 43A, Rules Governing the Statewide Affirmative Action Program.

POLICY: It is the policy of the Department to conduct all personnel activities without regard to race, creed, color, sex national origin, age, marital status, disability, religion, political affiliation, reliance on public assistance, or Vietnam era Veteran status.

Personnel activities include, but are not limited to, recruitment, selection, assignment, training, promotion, compensation, fringe benefits, leaves of absence, discipline and lay-offs affecting all employees and applicants.

Where the Department's workforce is underrepresented in any goal unit/job category for women, Vietnam era Veterans, minority or disabled persons, affirmative action will be taken to employ individuals from those underrepresented groups.

A program of affirmative action will be developed and maintained to eliminate barriers to equal employment opportunity and to encourage the employment and advancement of qualified women, Vietnam era Veterans, minority and disabled persons in accordance with their availability in the relevant labor market.

RESPONSIBILITIES: The Commissioner has responsibility for overall implementation of this policy throughout the Department. The Commissioner has delegated implementation of this policy to the DHS Affirmative Action Director, DHS Personnel Director, Chief Executive Officers and residential facility Affirmative Action Officers.

These accountabilities are detailed in this DHS Affirmative Action Plan (pages 2-6, Organization & Accountabilities Section).

PROCEDURES: Central Office and Residential Facilities have established specific internal procedures that minimally meet and may exceed the standards established in the DHS Affirmative Action Plan.

Central Office:	Procedures Manual #'s 30,153
Ah-Gwah-Ching:	
Anoka:	
Brainerd:	Regulations #2601
Cambridge:	Policy #C2050
Faribault:	Regulations #220, 2201, 2111
Moose Lake:	Policy #21.9
Oak Terrace:	Personnel Policy #'s 8, 9, 15
St. Peter:	Policy #71650, 73350
Willmar:	Policy #3002.8, 3002.6

MINNESOTA DEPARTMENT OF HUMAN SERVICES

AFFIRMATIVE ACTION REVIEW OF SELECTION DECISIONS

1. PURPOSE: To establish a method to ensure that affirmative action hiring goals are considered whenever hiring decisions are made within disparate goal units.

2. AUTHORITY:

M.S. 43A.191 and Department of Employee Relations Rules Governing the Statewide Affirmative Action Program.

3. POLICY:

Whenever a vacancy occurs in a goal unit where a disparity exists, and a qualified, available protected group candidate is on the certified eligible register, the protected group candidate will be offered an interview. Before an offer of employment is made to anyone other than a protected group candidate, the supervisor will provide written justification for the non-selection to the affirmative action officer/designee and receive the designees approval.

4. DEFINITIONS:

- A. Protected groups: women, minority persons, disabled persons, Vietnam era Veterans.
- B. Disparate Goal Unit: A goal unit in which the numerical representation of one or more protected groups is less than that group's estimated availability in the relevant geographic area and labor force.

5. RESPONSIBILITIES:

- A. Commissioner and Chief Executive Officers shall:
 - 1) Review and make final determinations on selection decisions that the Affirmative Action Designee or Director disapproves.

B. Affirmative Action Director and Designees:

- 1) Review selection decisions in all disparate goal units and advise the supervisor of the appropriateness of the hiring decision.

C. Supervisors:

- 1) Make a good faith effort to contact and offer an interview to all qualified and available protected group candidates.
- 2) Document the interview process and all reasons for non-selection of available protected group candidates.

6. PROCEDURES:

A. Commissioner and Chief Executive Officer:

- 1) Review justification for non-selection of available protected group candidates upon request of the AA Designee or Director.
- 2) Approve selection decisions in these situations prior to an offer of employment.

B. Affirmative Action Director and Designee:

- 1) Evaluate written justifications for non-selection of available and qualified protected group candidates for hiring decisions in all disparate goal units.
- 2) Approve or disapprove selection decision, where protected group candidate(s) are not selected to fill vacancies in disparate goal units.
- 3) If the selection decision is not approved, request Commissioner or CEO review and final determination.
- 4) Sign the D.O.E.R. protected group report.

C. Supervisor:

- 1) Provide the Affirmative Action Director or Designee with written justification for non-selection of available protected group candidates whenever a vacancy is filled in a disparate goal unit.
- 2) Provide documentation on the interview and selection process as requested by the Affirmative Action Designee or Director.
- 3) Delay making an offer of employment until approval is received from the AA Designee or Director a final determination is made by the Commissioner or CEO.

MINNESOTA DEPARTMENT OF HUMAN SERVICES

Prohibition of Sexual Harassment

1. PURPOSE: To establish a means for maintaining a work environment free of sexual harassment in the residential facilities of the Department of Human Services.
2. AUTHORITY:
 - A. U. S. Civil Rights Act, Title VII
 - B. Minnesota Human Rights Act, M.S. Chapter 363.
 - C. M.S. 43A.191 and Department of Employee Relations Administrative Procedure 1.2 Prohibiting Harassment.
 - D. All applicable collective bargaining agreements.

3. POLICY:

The Minnesota Department of Human Services shall provide a work environment free of any form of sexual harassment.

4. DEFINITIONS

Sexual Harassment can occur between supervisors and subordinates or among peers or co-workers. Includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to that conduct or communication is made a term or condition, explicitly or implicitly, of employment;
- B. Submission to or rejection of that conduct or communication is used as a factor in decisions affecting that individual's employment; or
- C. That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or creating an intimidating, hostile, or offensive employment environment; and the employer knows or should have known of the existence of the harassment and fails to take timely and appropriate action.

5. RESPONSIBILITIES:

A. Commissioner and Chief Executive Officer (CEO)

- 1) Implement the provisions of this policy.
- 2) Ensure that employees are fully aware of this policy.

B. Affirmative Action Director and Officer Designees:

- 1) Investigate all complaints of sexual harassment.
- 2) Recommend appropriate resolution to the Chief Executive Officer.

Employees:

- C. 1) Refrain from sexually harassing behavior in the work place and follow the provisions of this policy to prevent occurrence and resolve complaints of sexual harassment.

6. PROCEDURES:

Complaint Procedure:

A. Commissioner and Chief Executive Officers:

- 1) Make final determinations to resolve complaints of sexual harassment.
- 2) Include Prohibition of Sexual Harassment in the facility's annual training plan.

B. Affirmative Action Director and Designees:

- 1) Investigate and recommend resolution of sexual harassment complaints, in accordance with the department's Discrimination Complaint Procedure.
- 2) Ensure that specific provisions concerning complaints of sexual harassment are followed in accordance with collective bargaining agreements.

C. Employees:

- 1) If subjected to sexual harassment, report the harassment to his/her immediate supervisor or to the Affirmative Action Designee.
- 2) If the complaint is related to an action of the immediate supervisor, report the harassment to the next higher-level supervisor or to the AA Designee.

MINNESOTA DEPARTMENT OF HUMAN SERVICES

REASONABLE ACCOMMODATIONS

1. PURPOSE: To ensure that reasonable accommodations are made to the known physical or mental disabilities of otherwise qualified disabled employees or applicants for employment.

2. AUTHORITY:

MN Human Rights Act, Chapter 363; M.S. 43A.191 Department of Employee Relations (D.O.E.R.) Rules Governing the Statewide Affirmative Action Program; Section 504 of the federal Rehabilitation Act of 1973, as amended.

3. POLICY:

It is the policy of the Department to provide reasonable accommodation to the known physical or mental disabilities of otherwise qualified disabled employees or applicants for employment, unless the accommodation would result in an undue hardship to the Department, or would not enable the employee or applicant to perform essential functions of the job.

4. DEFINITIONS:

A. Handicapped Persons - A handicapped person is anyone who:

- 1) Has a physical or mental impairment which substantially limits one or more of such person's major life activities;
- 2) Has a record of such impairment; or
- 3) Is regarded as having such impairment.

B. Otherwise Qualified Handicapped Person - An "otherwise qualified" handicapped person, with respect to employment, is one who can perform the essential functions of the job in spite of his/her handicap, with reasonable accommodations, and who is eligible for appointment under M.S. Chapter 43A. and DOER rules and administrative procedures, and Bargaining Unit Agreements.

C. Essential Functions - Essential Functions are tasks which are necessary or fundamental to accomplish duties of the job. Essential job functions vary with individual job descriptions and would include those physical, mental and interpersonal activities necessary to effectively achieve adequate job performance.

D. Methods of Providing Reasonable Accommodation.

Methods of providing reasonable accommodation include, but are not limited to:

1. Job restructuring (for instance, modifying work hours and/or job duties while retaining the basic functions of the job and following the requirements of Collective Bargaining Agreements, Plans, Rules and Laws)..
2. Job site modification (for instance, adjustment of equipment heights, accessibility to building and/or rearrangement of furniture).
3. Support Services (for instance, interpreters for hearing impaired or deaf, readers for the blind or visually handicapped and/or transportation except from the employee's residence to the employee's permanent work station and from the employee's permanent work station to the employee's residence.
4. Modification of equipment and/or provision of assistance devices (for instance, special telephone equipment, "talking" calculators and/or TTY/TTD).

The accommodation must be job-related and required for satisfactory performance of the essential job functions.

E. Undue Hardship - the following criteria will be used to determine whether an accommodation would result in an undue hardship to the facility:

- 1) size, type, and of flexibility program and operation.
- 2) nature and cost of the accommodation.
- 3) budget resources available to the facility.
- 4) the facility's good faith effort to accommodate.

4. RESPONSIBILITIES:

COMMISSIONER /
A. Chief Executive Officers shall:

- 1) develop procedures to implement the provisions of this policy and designate staff to act as 504 coordinators.
- 2) make final determinations on reasonable accommodation requests that are denied and appealed.
- 3) make final determinations on appeals of reasonable accommodation requests that are denied and appealed.

HA Director)

B. 504 Coordinators shall:

- 1) receive and approve or deny written reasonable accommodation requests from employees or applicants.
- 2) advise employees of their right to appeal requests that are denied through the facility's discrimination complaint procedure.
- 3) advise applicants of their right to file a charge with the State Human Rights Department.
- 4) assist supervisors and disabled employees or applicants to identify types and costs of reasonable accommodations.
- 5) Maintain documentation of reasonable accommodations requested, approved, denied or appealed.
- 6) Keep the facility's affirmative action designee (if other than the 504 coordinator) informed of reasonable accommodation requests and decisions.
- 7) Ensure that employees and applicants are informed of the reasonable accommodation policy.

C. Supervisors shall:

- 1) Consult with the disabled employee or applicant and the 504 Coordinator to determine the need for accommodation, to discuss options and if a minor accommodation is appropriate, grant the accommodation.
- 2) Ask the employee or applicant to complete a written request for reasonable accommodation, if it involves a major re-ordering of the job, or an initial or an on-going expenditure of funds. (Form attached).

D. Employees shall:

- 1) Complete a request for reasonable accommodation.

5. PROCEDURES:

Facility procedures are to be consistent with the D.O.E.R. guidelines on Provision of Reasonable Accommodation and should minimally include the following elements:

- 1) Methods to identify all possible sources of funding for the accommodation and to determine whether the cost is within reason.
- 2) Provision for an employee to appeal the reasonable accommodation request decision through the facility discrimination complaint procedure.

RECRUITMENT

Examination announcements and Notifications of Protected Group Organizations

1. PURPOSE: To establish a uniform policy for processing examination announcements requests and early recruitment procedures for notifying protected groups of residential facility employment opportunities.
2. AUTHORITY: Minnesota Statutes, section 43A.10, Administrative Procedures 9B.
3. POLICY: Residential Facility examination requests for managerial, professional, supervisory and new classes will be reviewed and approved by the DHS Personnel Director prior to submission to the Department of Employee Relations.
4. DEFINITIONS: Examination announcement means, the announcement of competitive and promotional examinations made through public notice and/or notice to state agencies.
5. RESPONSIBILITIES:
 - A. Residential Facility Personnel Director:
 - 1) Determine the need for announcing the examination.
 - B. DHS Personnel Director:
 - 1) Review and approve examination announcement requests for managerial, professional supervisory and new classes.
 - C. DHS Affirmative Action Director/Residential Facility Affirmative Action Designee:
 - 1) Coordinate notification of protected group organizations of vacancies to be filled in state residential facilities.
6. PROCEDURES:
 - A. Residential Facility Personnel Director:
 - 1) Submit completed request to announce examination form (PE-00287-04) to the DHS Personnel Director for managerial, professional supervisory and new classes.
 - 2) Submits copy of announcement requests for other classes to DHS Affirmative Action Director.

B. DHS Personnel Director:

- 1) Reviews the request then determine if the request is properly documented and if the request is appropriate.
- 2) If the request is not approved, informs the residential facility of the reasons for the determination.
- 3) If the request is approved, forwards request to the Department of Employee Relations for final disposition with a copy to the DHS Affirmative Action Director.

C. DHS Affirmative Action Director/Residential Facility Affirmative Action Officer Designee notifies protected group organizations of examination announcements which will be appearing in Minnesota Career Opportunities Bulletins.

AIDS OR AN AIDS-RELATED CONDITION AS IT AFFECTS
EMPLOYEES WORK STATUS

WHAT:

This procedure addresses the concerns of employees with AIDS or an AIDS-related condition; of co-workers of employees with AIDS or an AIDS-related condition; and of employees required to provide services to individuals with AIDS or an AIDS-related condition.

POLICY:

The policy of the State of Minnesota and the Department of Human Services is not to discriminate against any individual, applicant, employee, or client because he/she may have AIDS or an AIDS-related condition. AIDS or an AIDS-related condition will be treated the same as any illness in the work place.

No employee shall be required to submit to a test to determine whether he/she has AIDS or an AIDS-related condition as a requirement to begin or maintain employment.

As long as employees with AIDS or an AIDS-related condition are able to meet acceptable performance and attendance standards and medical evidence indicates that their condition is not a threat to themselves or others, employees shall be allowed to continue their employment.

Employees with AIDS or an AIDS-related condition who manifest symptoms limiting employment-related activities are disabled and are entitled to reasonable accommodations under the policy outlined in the Department's affirmative action plan.

Employees shall not be automatically required to notify the Department that they have been diagnosed as having AIDS or an AIDS-related condition. Employees may be required to provide the information if it is necessary for the use of sick leave, a request for a reasonable accommodation, or other business related reasons.

The same data privacy requirements that apply to employees with other medical conditions apply to employees with AIDS or an AIDS-related condition.

Co-workers of employees with AIDS or an AIDS-related condition will not be allowed to refuse to work with employees with AIDS or an AIDS-related condition except as provided in those very rare circumstances where the employee with the illness or condition is an immediate health or safety risk.

DEFINITIONS:

- A. "AIDS" means Acquired Immune Deficiency Syndrome:
- B. "AIDS-related condition" - means those who have AIDS related complex (ARC) and those who test positive for the AIDS virus.

PROCEDURES:

MEDICAL DIRECTOR/
PERSONNEL DIRECTOR

- 1. Provides information materials on AIDS and AIDS-related conditions to employees.
- 2. Makes available any necessary training for employees.
- 3. Make referrals to the Employee Assistance Program.

NOTE: Employees may go to the Employee Assistance Program without referral.

SUPERVISORS:

As requests for reasonable accommodation, questions, or other problems arise, consult with Medical Director, Personnel Director, and Affirmative Action Director.

MINNESOTA DEPARTMENT OF HUMAN SERVICES
RESIDENTIAL FACILITIES DIVISION

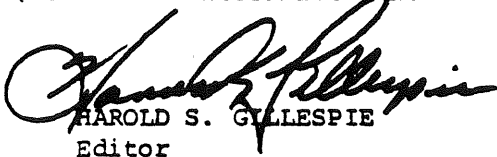
RESIDENTIAL FACILITIES MANUAL
Policy Number: 2110
16 September 1985

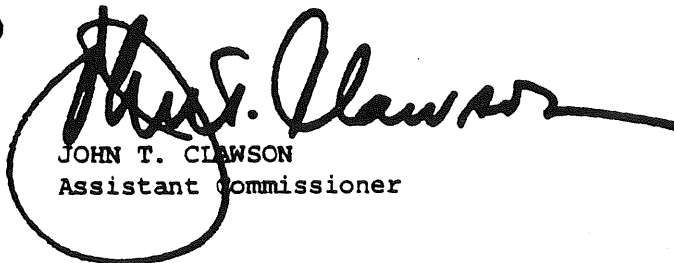
PERSONNEL

Standards of Conduct - Affirmative Action

1. PURPOSE: To prescribe a standard method of dealing with charges of improper discrimination.
2. AUTHORITY: Memorandum from Leonard W. Levine, Commissioner of the Department of Human Services, to Division Directors, Central Office and Chief Executive Officers of state residential facilities, dated 3 May 1985, Subject: Handling of Human Rights Charges.
3. POLICY: Charges of discrimination are to be dealt with in a timely and consistent manner and appropriate DHS and Attorney General staff will be involved at the various stages of response and resolution.
4. RESPONSIBILITIES: The Commissioner has stated that:
 - A. The Department of Human Services Affirmative Action Office will act as the central source of consultation and will maintain a centralized record of all Human Rights or EEOC charges. The record will include a log of notices of charges and a time-table for preparation of a response in each case, and decisions made concerning how best to proceed with the response.
 - B. Chief Executive Officers of residential facilities are responsible to cause notification to be made to the Central Office Affirmative Action Director of charges of all alleged discrimination at the facility for which the CEO is responsible.
5. PROCEDURES: CEO's will cause telephone notice to be made to the Central Office Affirmative Action Director of charges, followed by written confirmation.

(Reviewer - Affirmative Action Director)


HAROLD S. GILLESPIE
Editor


JOHN T. CLAWSON
Assistant Commissioner

MINNESOTA DEPARTMENT OF HUMAN SERVICES

DISCRIMINATION COMPLAINT - HANDLING

1. PURPOSE:

To establish a uniform policy for employee complaints of unfair employment discrimination.

2. AUTHORITY:

Minnesota Statutes 43A.191 and Minnesota Department of Employee Relations (D.O.E.R.) Rules Governing the Statewide Affirmative Action Program.

3. POLICY:

It is the policy of the Department to provide an internal avenue of recourse to any classified or unclassified employee who believes he/she has been discriminated against because of race, sex, age, color, national origin, marital status, public assistance or Vietnam era Veteran status. While employees have the right to file discrimination complaints with the Minnesota Department of Human Rights or other enforcement agencies at any time, employees are encouraged to use this internal administrative remedy first. Anyone bringing a complaint shall do so without fear of coercion, reprisal or intimidation.

Discrimination complaints, investigative data and findings will be handled in accordance with provisions of the Minnesota Government Data Practices Act - Minn Stat. 13.39 (1982) 13.02 subd. 3 (1982) and Minn. Stat. 13.43 (1982).

4. RESPONSIBILITIES:

A. Commissioner:

- 1) Implement the provisions of this policy in the Department.
- 2) Ensure that employees are fully aware of this policy.
- 3) Make final determinations to resolve Central Office complaints of discrimination.

B. Chief Executive Officers:

- 1) Implement provisions of this policy at Residential Facilities.
- 2) Ensure that employees are fully aware of this policy.
- 3) Request DHS AA Director's review and recommendations for unresolved complaints of discrimination.
- 4) Make final determinations to resolve Residential Facility complaints of discrimination.

C. Affirmative Action Director:

- 1) Investigate, mediate and recommend resolution of Central Office complaints of discrimination.
- 2) Review and recommend resolution of facility discrimination complaints upon request of the Chief Executive Officer.

D. Affirmative Action Officer (AAO) Designees:

- 1) Investigate residential facility complaints of discrimination.
- 2) Convene conciliation meetings to resolve complaints of discrimination.
- 3) Report findings and recommend resolution to the Chief Executive Officer.

D. Supervisors:

- 1) Investigate and where possible resolve informal complaints of discrimination.

E. Employees:

- 1) Bring allegations of discrimination to the attention of their immediate supervisor, the AAO Designee or AA Director, through the Central Office or Residential Facility Discrimination Complaint Procedure.

5. PROCEDURES:

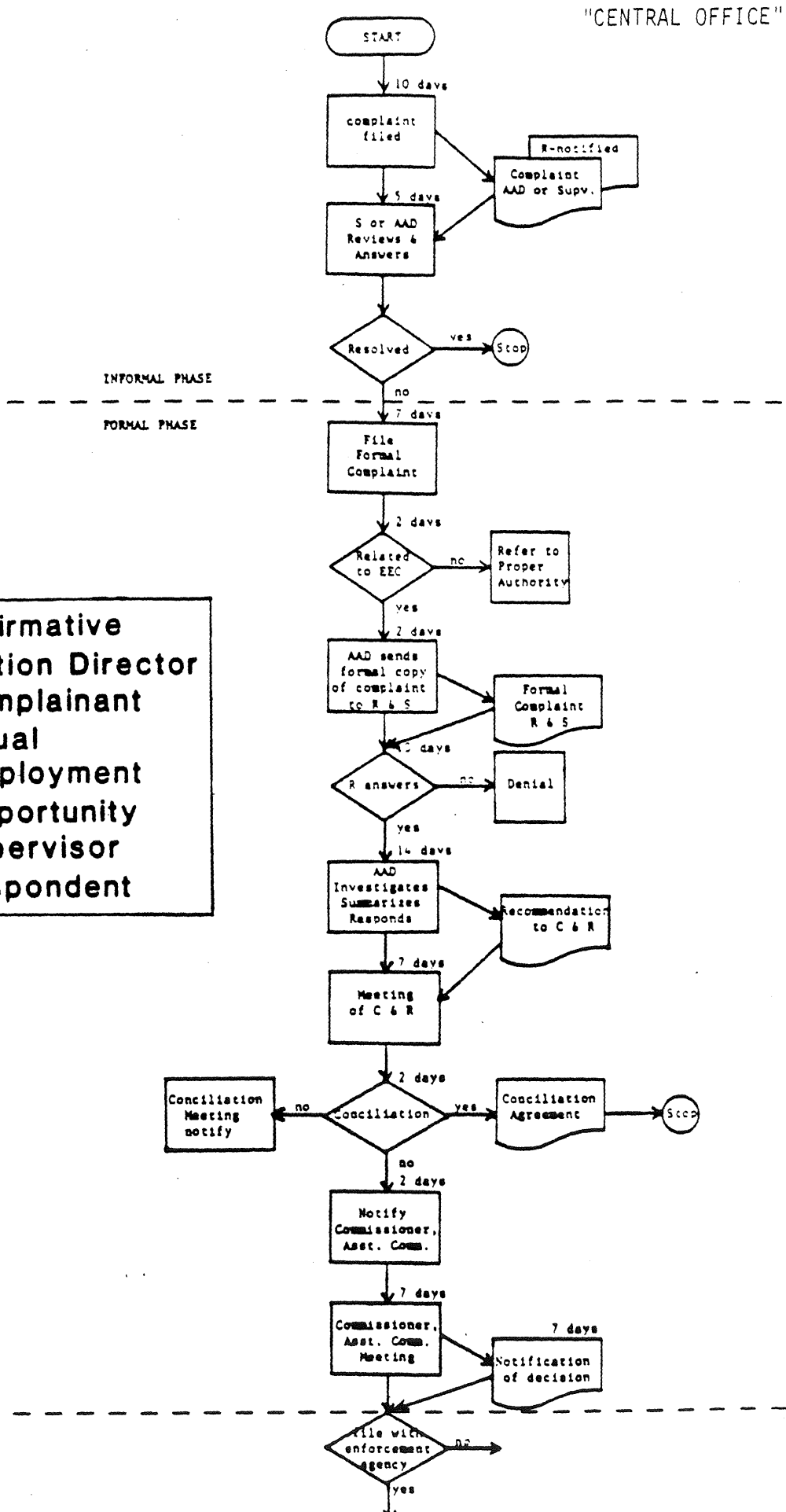
Procedures will minimally include the following elements:

- A. Complaints of discrimination alleging sexual harassment will be processed in accordance with applicable labor agreements.
- B. Complaints of discrimination that are filed as Union Grievances will be investigated by the AAO designee/or, the AA Director, in conjunction with the labor relations investigation.
- C. The Central Office Complaint process consists of two stages - Informal and Formal:

The Complaint Procedure

Affirmative Action Plan

AAD - Affirmative
Action Director
C - complainant
EEO - Equal
Employment
Opportunity
S - supervisor
R - respondent



- D. Residential Facility complaint procedures consist of three stages:

*INFORMAL

(Process to be completed within 7 calendar days after Supervisor or AAO is notified of complaint).

- 1) Employee:
 - a) Present complaint to immediate supervisor within ten days after occurrence of the alleged discrimination. If allegation is against the immediate supervisor, present complaint to the AAO designee.
- 2) Supervisor:
 - a) Consult with the AAO to determine whether the complaint is related to Equal Employment Opportunity (EEO) and is properly one of discrimination.
 - b) If the complaint is not one of discrimination, notify the employee in writing.
 - c) If the complaint is one of discrimination, attempt to resolve the matter within seven calendar days after receipt of the complaint.
 - d) If the complaint of discrimination is filed as a union grievance, consult with the AAO to determine if discrimination has occurred.

*FORMAL STAGE

(Written - if complaint is not resolved at the Informal Stage. Process to be completed within 30 days of AAO's receipt of written complaint)

- 1) Employee:
 - a) Complete a Discrimination Complaint Form, including remedies requested, and present to the AAO within ten calendar days after the end of the Informal Stage. If the complaint is against the AAO, present the complaint to the CEO, who will designate an alternative AAO.
- 2) Affirmative Action Officer/Designee:
 - a) Send a copy of the complaint to respondent(s) named in the allegation.
 - b) Conduct a full investigation and prepare a finding of facts, including a determination that discrimination did or did not occur.
 - c) Convene a meeting between the employee, the employee's supervisor and respondent(s), to attempt settlement to the complaint through conciliation.

- d) If complaint is not resolved through conciliation, submit findings and recommendations for resolution to the Chief Executive Officer and, if applicable, to any internal committee designated to review discrimination complaints.
- 3) Chief Executive Officer:
 - a) Review the AAO's findings and recommendations and give written notification of his/her decision to the AAO, the employee, the employee's supervisor and the respondent(s).

*APPEAL STAGE:

(If employee is not satisfied with the decision of the Chief Executive Officer. Process to be completed within 14 days of CEO's receipt of request to appeal).

- 1) Employee:
 - a) make written request to the CEO for review of findings by the DHS AA Director.
- 2) Chief Executive Officer:
 - a) Request that DHS AA Director review findings and make a recommendation for resolution.
 - b) Assess DHS AA Director's recommendation, render a final decision, and give written notification to AAO, employee, employee's supervisor and respondent(s).
- 3) DHS AA Director:
 - a) Review AAO's findings, recommendations and other pertinent information.
 - b) Provide a written recommendation to the CEO for appropriate resolution of the complaint.

IV.

ACTION STEPS

<u>LOCATION</u>	<u>OBJECTIVE</u>	<u>ACTION</u>	<u>RESPONSIBILITY</u>	<u>TARGET DATE</u>
AH-GWAH-CHING	1. Increase ability to achieve interim	1. a. Develop Recruitment 1. b. Hold at least 3 informational sessions for supervisors on goal progress, recruitment etc.	AA/PD	7-87
ANOKA				
BRAINERD				
CAMBRIDGE	Improve ability to meet service requirement and/or AA hiring goals.	To work closely with job services in categories where these are disparities.	AA/PD	6-87
CENTRAL OFFICE	Improve residential facilities AA compliance and upgrade AA program in facilities	A) Publish an informational brochure that will be used and distributed throughout the department. B) Establish minimum standards and guidelines on basic AA/EO policies and procedures in the Residential facilities manual. C). Establish an evaluation system for residential facilities. Develop and use an audit "check list" to assist facilities in identifying problem areas, evaluate the process plan future projects to address	AA/Director, Comm. D. AAO (mobility assignment) AA Director AAO (mobility assignment) Residential facilities division AA Director AAO (mobility assignment) AA Designee	6-1-87 2/28/87 9-1-87

<u>LOCATION</u>	<u>OBJECTIVE</u>	<u>ACTION</u>	<u>RESPONSIBILITY</u>	<u>TARGET DATE</u>
CENTRAL OFFICE (CONT.) (C)		the problem. The check list would include such items as: complaint activity, annual identification, of disparate goal units, procedures that need revision or clarification, recruitment successes and failure, protected group retention and employee development efforts, types of training, and information provided or planned.		
		D) Implement outreach programs w/protected group community organizations in each facility's geographic area, sponsor open house events, specifically for protected group community representatives	AA Designee AAO (mobility)	10-1-87
FARIBAULT	Reorganize AA committee procedures and responsibilities.	1. A. complete the protected group survey begun in 1986. B. train committee members in the investigation process. C. Implement new supervisor procedure for pre-hire review. D. Revise Ctr. Regulations.	AAC-Chair/AAO AAO AAC-C/AAO AAC-C/AAO	
FERGUS	1. Increase the involvement and accounting of managers in AA activities	1 A. Revise procedures for establishing AA hiring goals.. B. Develop a reporting system to assistant manager in monitoring project toward establishing hiring goals.	AAO/PD/mgrs AAO/PD	7-1-87 7-1-87

<u>LOCATION</u>	<u>OBJECTIVE</u>	<u>ACTION</u>	<u>RESPONSIBILITY</u>	<u>TARGET DATE</u>
FERGUS (CONT.)		C. Revise pre-hire procedures.	AAO/PD/CEO/Ingrs.	7-1-87
		D. Establish AA standards	AAO/PD/CEO/Ingrs.	7-1-87
	2. Increase opportunities for current employees to become qualified for work in other job classifications.	2 A. Provide opportunities on the job training for work in different job classes for current employees.	AAO/PD	4-1-87
	3. Update AA policies to comply w/DHS policies.	3. A. Rewrite current AA policies-sexual harassment Reasonable Accommodation, AA Review of selection decision.	AAO/PD	4-1-87
MOOSE LAKE				
OAK TERRACE	1. Improve ability to achieve interim hiring goals.	1.a) Publish ads in metro/s state area to increase applicant contracts.	AAO/PD/PD	ongoing
		b) Establish one new contact for protected glass referred.	AAO/PD	1-31-87
	2. Assess methods to enhance AA programs.	2.a). Evaluate AA committee, amend as necessary to increase effectiveness and intergration into the management process.	AAO/PD/Ex. Committee	1-31-87
		b) Evaluate and revise program policy-tie components of AA program together.	AAO/PD/Ex. Committee AA)/PD/Ex. Committee	1-31-87 6-87
ST. PETER		1. Offer at least 2 training opportunities - AA/EEO for staff	AA Designee AAC Chair	10-87 and 12-87

<u>SUBJECT</u>	<u>OBJECTIVE</u>	<u>ACTION</u>	<u>RESPONSIBILITY</u>	<u>TARGET DATE</u>
ST. PETER (CONT.)		2. Through staff development offer course in DOER employees system, and how to get ahead.	PD	11-87
		3. Meet w/supervisor re-under utilization of protected group.		
		4. Ensure at least 4 AA Comm. meetings w/speakers and training available at two of those meetings.	AAO/AAC-Chair	12-87
WILLMAR	To bring AA program to standard as outlined by DHS	1A. Rewrite AA policies	AAO-CEO accept	4-15-87
		B. Provide AA training Policy and procedures, review selection process.		5-6-87
		C. Establish procedures for Pre-hire and exit interview.	AA/PD	2-27-87
	Enhance staff and prospective employees	2A. Statement of commitment to AA/EO	CEO	3-15-87
	awareness of WRTC.	B. Distribution of AA goals to work sites.	AA/AAC	3-20-87
	Commitment to AA.	C. Training for AA committee members	AAO/AAC	4-15-87

ATTACHMENTS:

- A. Discrimination complaint form
- B. Revised race/ethnic categories
- C. Definitions
- D. Affirmative action laws
- E. Reasonable accommodation request form
- F. Merit system affirmative action plan summary
- G. Civil rights plan summary

COMPLAINT OF DISCRIMINATION

Information on the Complainant (You)

Name: _____ Job Title: _____

Home Address: _____ Phone: _____

Work Address: _____ Phone: _____

Department: _____ Division: _____ Supervisor: _____

Information on the Respondent (Person who discriminated against you)

Name: _____ Job Title: _____

Work Address: _____ Phone: _____

Department: _____ Division: _____ Supervisor: _____

Others who discriminated against you: _____

Information on ComplaintCheck One: Race____ Sex____ Color____ Religion____ Handicap____ Marital Status____
National Origin____ Age____ Reliance on Public Assistance____

Date most recent act of discrimination took place: _____

If you have filed this complaint with another agency, please give name of
that agency: _____Describe how you have been discriminated against, giving names, dates,
places, etc. _____

This complaint is being filed based on my honest belief that the State of Minnesota has discriminated against me. 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.

Received by: _____ Signature: _____

Date: _____ Date: _____

Additional Information on your complaint: _____

Information on Witnesses Who Can Support Your Case

Names

Addresses

Phone Numbers

1. _____
2. _____
3. _____
4. _____
5. _____
6. _____

REVISED RACE/ETHNIC CATEGORIES

The U.S. Equal Employment Opportunity Commission revised its race/ethnic categories for the purposes of reporting employment statistics on the EEO-4 form (for state and local governments). The revised categories are defined as follows:

1. White, not of Hispanic Origin. - Persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.
2. Black, not of Hispanic Origin. - Persons having origins in any of the Black racial groups of Africa.
3. Hispanic. - Persons of Mexicanb, Puerto Rican, Cuban, Central or South America or other Spanish Culture or origin, regardless of race.
4. American Indian or Alaskan Native. - Persons having origin in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
5. 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. The area includes, for example, China, Japan, the Philippine Islands, and Samoa.

With regard to DHS's Affirmative Action Plan, the term "minority" includes all of the aforementioned categories except the first, "White".

ABBREVIATIONS AND DEFINITIONS

The following terms and abbreviations mean:

AA - Affirmative Action
AAC - Affirmative Action Committee
AAD - Affirmative Action Director
AAO - Affirmative Action Officer
AAP - Affirmative Action Plan
DPW - Minnesota Department of Public Welfare
EEO - Equal Employment Opportunity
EOD - Equal Opportunity Division of the Minnesota Department of Employee Relations

Affirmative Action - A management program designed to ensure equal employment opportunity by identifying and removing barriers throughout all components of a personnel system with specific emphasis placed on improving initial employment and advancement opportunities for handicapped persons, minorities, women and Vietnam era veterans.

Affirmative Action Plan - The written document which describes the Department's program for achieving equal employment opportunity.

Affirmative Action Program - Action steps taken by management to achieve the goals as specified in the Department's affirmative action plan.

Agency - A department, commission, board, institution or other entity in the executive branch in which all positions are under the same appointing authority.

Barrier - Any factor, intentional or unintentional, be it policy, practice, action, commission, examination, physical facilities, negative attitudes, which results in unequal treatment of protected group(s) and/or which has an adverse effect on the employment or advancement opportunities of such groups.

Director - State Director of Equal Employment Opportunity.

Disability/Handicap - Functional limitation, condition or characteristic (mental, emotional or physical) which constitutes a barrier to employment. (See Appendix F).

Discrimination - Unequal treatment, intentional or unintentional, based on protected characteristics.

Disparity/Underutilization - The employment of fewer handicapped persons, minorities, women and Vietnam era Veterans in the agency's work force than could reasonably be expected based on their availability in the labor area.

Employee - All classified and unclassified employees in the Executive Branch of state government.

Equal Employment Opportunity - The policy of basing all personnel activities solely on individual merit of applicants and employees, related to the specific job requirements, and without regard to race, color, religion, sex, age, national origin, disability, political affiliation, or other nonmerit factors.

Goals - Good faith, quantitative objectives set by an agency head as the minimum requirement to be met within a certain time period.

Harassment - Any repeated behavior, or combination of behaviors, by one or more employees towards another employee or group of employees based on race, national origin, religion, sex, veteran's status, or age and which the affected employee considers to be annoying, insulting, intimidating, which causes discomfort and/or which has a detrimental effect on such employee's work performance. (See Appendix G.)

Institution Administrator - Persons who are designated as the appointing authority for an agency subdivision, e.g., hospital administrators, superintendent or warden of a correctional facility.

Labor Area - The geographical area from which the agency or agency subdivision can reasonably expect to attract applicants.

Minorities - Persons of Black, Hispanic, Asian, American Indian, or Native Alaskan heritage. (See Appendix E.)

Parity - A condition where the workforce is representative of all population groups in each job category, in proportion to their occurrence in the labor area workforce.

Policy - A written statement of commitment to equal employment opportunity and affirmative action.

Protected Characteristic - Any feature, aspect, condition, opinion, or the like, which has no relation to one's ability to perform a particular job, such as race, color, creed, sex, age, marital status, national origin, specific disability, reliance on public assistance, religious or political opinions or affiliations.

Protected Class/Protected Group - Those individuals identifiable as handicapped, minorities, women or Vietnam era veterans.

Timetables - Time periods during which the specific quantitative goals and other objectives are to be met.

Vietnam Era Veterans - Those persons who served in the military service of this country during the period July 1, 1964 to December 31, 1976, under honorable conditions.

DEFINITIONS RELATING TO DISABILITY AND HANDICAP

Functional Disability: same as "Disability".

Disabled (Handicapped) Person - any person who:

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

Physical or Mental Impairment:

1. any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or
2. any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

Major Life Activity: functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Has a Record of Such Impairment: has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.

Is Regarded as Having an Impairment:

1. has a physical or mental impairment that does not substantially limit major life activities but that is treated as constituting such a limitation; or
2. has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
3. has none of the impairments defined above, but is treated as having an impairment.

Qualified Disabled Person: with respect to employment, a disabled person who, with reasonable accommodation, can perform the essential functions of the job in question.

Reasonable Accommodation: architectural, equipment and other changes an employer must make to enable disabled persons to perform the job for which they are otherwise qualified. The test of "reasonableness" is based on whether or not a given change would impose undue hardship on the employer's operation. The burden for showing undue hardship rests with the employer.

Reasonable accommodations include, but are not limited to, the following:

1. Making facilities, which are used by employees, readily accessible to and usable by disabled persons. This includes parking facilities.
2. Acquiring auxiliary aids and devices, and modifying equipment to be used by employees with specific disabilities.
3. Restructuring jobs and modifying work schedules to accommodate specific abilities and disabilities.

43A.191 AGENCY AFFIRMATIVE ACTION PROGRAMS.

Subdivision 1. Affirmative action officers. (a) Each agency with an approved complement over 1,000 shall have at least one affirmative action officer, who shall have primary responsibility for developing and maintaining the agency's affirmative action plan. The officer shall devote full time to affirmative action activities. The affirmative action officer shall report administratively and on policy issues directly to the agency head.

(b) The commissioner shall assign affirmative action officers for agencies with approved complements of less than 1,000.

Subd. 2. Agency affirmative action plans. (a) The head of each agency in the executive branch shall prepare and implement an agency affirmative action plan consistent with this section and rules issued under section 43A.04, subdivision 3.

(b) The agency plan must include a plan for the provision of reasonable accommodation in the hiring and promotion of qualified handicapped persons. The reasonable accommodation plan shall consist of at least the following:

(1) procedures for compliance with section 363.03 and, where appropriate, regulations implementing United States Code, title 29, section 794, as amended through December 31, 1984, which is section 504 of the Rehabilitation Act of 1973, as amended;

(2) methods and procedures for providing reasonable accommodation for handicapped job applicants, current employees, and employees seeking promotion; and

(3) provisions for funding reasonable accommodations.

(c) The agency plan must be prepared by the agency head with the assistance of the agency affirmative action officer and the director of equal employment opportunity. The council for the handicapped shall provide assistance with the agency reasonable accommodation plan.

(d) An agency affirmative action plan may not be implemented without the commissioner's approval.

Subd. 3. Sanctions and incentives. (a) The director of equal employment opportunity shall annually audit the record of each agency to determine the rate of compliance with annual hiring goals of each goal unit and to evaluate the agency's overall progress toward its affirmative action goals and objectives.

(b) By January 1 of each year, the commissioner shall submit a report on affirmative action progress of each agency and the state as a whole to the governor and to the finance committee of the senate, the appropriations committee of the house of representatives, and the governmental operations committees of both houses of the legislature. The report must include each agency's rate of compliance with annual hiring goals. Any agency in which less than 75 percent of the interim hiring goals in any goal unit were unmet must be designated in the report as an agency not in compliance with affirmative action requirements.

(c) The commissioner shall study methods to improve the performance of agencies not in compliance with affirmative action requirements. By January 15, 1986, the commissioner shall submit to the legislature a proposal for improving compliance rates. This proposal must include penalties for noncompliance.

(d) The commissioner shall establish a program to recognize agencies that have made significant and measurable progress toward achieving affirmative action objectives.

History: 15p1985 c 13 s 172

43A.192 TRANSITION.

An agency that has a majority of its approved staff complement assigned to campuses or institutions separate from its administrative offices and that is not in compliance with section 43A.191, subdivision 1, on January 1, 1985, shall come into compliance by July 1, 1987. Until it comes into compliance, the agency shall provide the equivalent of one full-time affirmative action officer by assigning part-time affirmative action duties to employees on each campus or at each institution.

MINNESOTA DEPARTMENT OF HUMAN SERVICES

REQUEST FOR REASONABLE ACCOMMODATION

(1-5 to be completed by the employee or applicant)

Employee or Applicant	Classification	Date of request
	(or position applied for)	

Division or Unit	Statement of Disability (attach medical statement if requested by 504 Coordinator)
------------------	--

1. Type of accommodation requested to perform essential function:

2. Which essential function(s) of your job will the requested accommodation allow you to perform?

3. How will the requested accommodation be effective in allowing performance of the essential job function(s)?

4. Have any non-essential job functions been eliminated? Please describe.

5. Describe specific reasonable accommodations to be made:

Signature of Employee Date
(I understand that any tangible accommodations purchased by the Department
will become the property of the State of Minnesota).

Signature of Supervisor Date

Signature of Commissioner or C.E.O. (if funding is required) Date

Signature of 504 Coordinator Date

Signature of Affirmative Action Officer Date
(if other than 504 Coordinator)

504 Coordinator:

(Date) Approved: _____

(Date) Denied: _____

Reason for Denial: _____

Minnesota Merit System Affirmative Action Plan

-SUMMARY-

Purpose

The M.M.S.'s Affirmative Action Plan is administered by the DHS Affirmative Action Director. The purpose of the plan is to ensure organizational compliance with the letter and the spirit of affirmative action and equal opportunity. The plan is reviewed for revision in the fall of even numbered years.

Policy Statement

It is the policy of the Minnesota Merit System to provide equal employment opportunities to all qualified people without regard to race, creed, color, national origin, religion, status, membership or activity in a local commission or disability. Equal employment opportunity under this policy includes, but is not limited to, the following: Recruitment, selection, placement, promotion, training, transfer, termination, education, tuition assistance, layoff, return from layoff, condition and privileges of employment and employment development programs, including apprenticeship and training programs and all other areas of personnel activities, in accordance with applicable federal, state and local laws and regulations.

The Minnesota Merit System further recognizes that the effective application of the policy of equal opportunity in employment involves more than a policy statement. It will, therefore, undertake a progressive program of affirmative action to ensure that equal employment opportunity is provided on the basis of individual qualifications and to encourage all persons to seek employment with the Minnesota Merit System and to strive for advancement on this basis. The Minnesota Merit system will:

1. Actively recruit women and persons of minority groups.
2. Develop class specifications that accurately reflect job requirements.
3. Facilitate hiring qualified individuals.
4. Provide career development opportunities where possible.

Scope

The Affirmative Action Plan applies to all agencies under the jurisdiction of the Minnesota Merit System. Agencies other than county welfare departments and human service agencies who are covered under the Merit System rules may contact the affirmative action committee in their county or region. In an effort to implement this plan, directors of agencies covered under this plan will develop, by March 31 of every odd numbered year, the Goals and Timetables (DHS - 1904) for their department using good faith efforts in the employment, training and promotion of qualified women and persons of minority groups. Although goals are not set for persons who are disabled or Vietnam era veterans, agencies are required to provide these people with equal employment opportunities.

Each county agency director shall submit, on an annual basis, the Minnesota Merit System Affirmative Action Yearly Evaluation Report (DHS - 1892) to the DHS Affirmative Action Office by August 1. The report shall cover the period from July 1 of the pervious year through June 30 of the current year.

MINNESOTA DEPARTMENT OF HUMAN SERVICES
CIVIL RIGHTS PLAN
-SUMMARY-

Legal Basis and Scope

Under the Department of Health and Human Services Regulations, every state agency receiving federal financial assistance from HHS for any program is charged with the responsibility to ensure that the service, financial aid, or benefits it provides, whether through its own staff, its local counterparts, its sub-grantees, or others participating in the program, are provided without discrimination on the basis of race, color, national origin, sex, religion, handicap and age.

Each state agency applying for federal financial assistance for continuing health, welfare, or social service programs is required to provide for such methods of administration for the program that will ensure that the benefits and services within the programs are provided in a non-discrimination manner; and, to execute an assurance of compliance with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation act, as amended.

DHS has established a civil rights compliance plan that was approved by the Health and Human Services Office for Civil Rights, in March 1986.

This plan ensures that the Minnesota Department of Human Services and its sub-grantees do not discriminate on the basis of race, sex, religion, age, color or national origin in the operations, policies and procedures of federally funded programs. The following areas are addressed:

1. Assignment of Responsibility for Implementation
2. Title VI, Section 504, Age Discrimination & Cultural Awareness Training
3. Compliance by other Participants
4. Dissemination of Information to Beneficiaries & General Public
5. Civil Rights Complaint Policy and Procedure
6. Recruitment and Employment Practices
7. Planning, Advisory and Policy Boards
8. Continuing Compliance
9. Program Accessibility
10. Specific Section 504 Requirements and Institutions
11. Corrective Requirements
12. Compliance Records

