

AFFIRMATIVE ACTION PLAN
Fiscal Year 87-88
For

Minnesota Department of Labor and Industry
(Agency or Agency Subdivision)

2 copies

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

870909

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

Commissioner's Office and each Unit Director's Office

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.

Marsha McNamee Davis
Affirmative Action Officer

4/27/87
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.

[Signature]
Agency Head

4/27/87
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

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DEPARTMENT OF LABOR AND INDUSTRY

AFFIRMATIVE ACTION AND EQUAL OPPORTUNITY STATEMENT

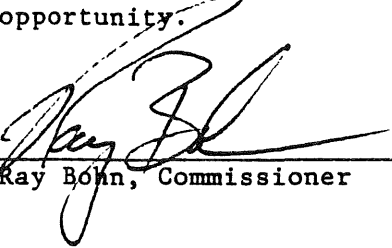
It is the policy of the Department of Labor and Industry to provide equal opportunity in its employment on the basis of merit of applicants and employees, and without discrimination because of race, color, religion, age, sex, Vietnam Era Veteran status, handicap, marital status, public assistance status, or national origin. This policy applies to, and must be an integral part of, every aspect of personnel policy and practice.

I realize that an effective affirmative action program involves more than a reaffirmation of Labor and Industry's commitment to affirmative action and equal opportunity. Therefore, this Department will continue to implement a progressive program of affirmative action to ensure that equal opportunity is provided on the basis of individual qualifications and to encourage all persons to seek employment and strive for advancement within the Department. The following steps will be taken to effect the affirmative action equal opportunity policy:

- A. Ensure that managers and supervisors do not inhibit employment and promotional opportunities for individuals of protected classes.
- B. Provide a system for periodically evaluating the effectiveness of the affirmative action program.
- C. Ensure that recruitment activities reach all protected classes.
- D. Utilize, to the fullest extent possible, the present skills of employees and provide the maximum feasible opportunity for employees to enhance their skills so that they may perform at their highest potential and advance in accordance with their abilities.
- E. Provide training and consultation to managers and supervisors to assure their understanding and effective implementation of this policy.
- F. Provide a means of hearing and settling complaints of discrimination.
- G. Ensure that all employees, especially handicapped employees, are made aware of severe weather or other emergency procedures.
- H. Ensure that all handicapped employees are provided reasonable accommodations.
- I. Ensure that all managers and supervisors are evaluated on their affirmative action efforts during performance reviews.

I herewith appoint Marsha McKinnie Davis as this Department's Affirmative Action Director Designee. She is delegated full authority for the administration of the Department's program. She will report directly to me for all equal opportunity and affirmative action matters.

As Commissioner, I am strongly committed to the principles and policies of an effective affirmative action program. All employees, including managers and supervisors, have a responsibility for implementing progressive affirmative action in their positions, and I enlist their assistance in the Department's efforts to achieve equal employment opportunity.



Ray Bohn, Commissioner

4/27/87
Date

DISCRIMINATION COMPLAINT PROCEDURE

This procedure provides a confidential, expeditious mechanism to investigate and resolve, within the Department of Labor and Industry, complaints of discrimination.

Any employee of the Department who believes that he/she has been discriminated against by reason of race, creed, color, sex, age, national origin, religion, status with regard to public assistance, marital status, sexual affiliation may file a complaint. Employees who are terminated must file their complaint prior to their actual separation. Complainants utilizing or witnesses required to participate in this procedure shall do so without fear of coercion, reprisal, or intimidation. The union shall share equally with the appointing authority, responsibility established by the Non-Discrimination Article in all contracts.

Employee Responsibility

All employees shall cooperate promptly with requests by the Affirmative Action Director for information and access to data which will enable the Affirmative Action Director to carry out his/her responsibilities under this procedure. The failure of any employee to comply with the request of the Affirmative Action Director may result in disciplinary action, up to and including discharge.

Complaint Procedure

1. A complaint must be filed with the complainant's immediate supervisor, the supervisor's immediate superior, or the Affirmative Action Office within 20 working days after the complaint, through use of reasonable diligence, should have had knowledge of the first occurrence of the event giving rise to the complaint. (In the event that the alleged discriminator is the Affirmative Action Director, the complaint may be filed with the Director of the Equal Opportunity Division in the Department of Employee Relations.)

All complaints must be filed on a "Complaint of Discrimination" form available from the complainant's supervisor, the supervisor's immediate superior, or the Affirmative Action Director.

2. Within five working days from the filing of a complaint, the individual receiving the complaint may attempt an informal resolution of it. (Extensions of this timeline may be approved by the Affirmative Action Director.) Any informal resolution, or lack thereof, must be communicated, in writing, to the Affirmative Action Director no later than seven working days from the filing of the complaint. Any informal resolution of a complaint must be approved by the Affirmative Action Director.

3. If a complaint cannot be resolved informally, or if the Affirmative Action Director does not approve an informal resolution, the Affirmative Action Director shall conduct a full investigation and prepare a report, along with recommended actions to remedy the complaint, within 15 working days from written notification of informal resolution attempt results. The investigation report and recommendations for remedy shall be forwarded, upon completion, to the Commissioner of Labor and Industry for determination of final action(s) to resolve the complaint.
4. If the complainant's immediate supervisor, the supervisor's immediate superior, or the Affirmative Action officer fail to pursue a complaint or fail to resolve the complaint to the satisfaction of the complainant, the complainant may refer the complaint to the Department of Employee Relations Equal Opportunity Division for review within 20 working days of the lack of response or effective date of the Commissioner's determination. The Equal Opportunity Division shall confer within five working days with the Affirmative Action Director of the Department of Labor and Industry in an attempt to resolve the complaint. The Affirmative Action Director shall submit the Commissioner's final determination including the investigation report and recommendation for remedy to the Department of Employee Relations.
5. The Department's labor relations representative shall be made aware of the investigative report and recommendations for remedy by the Affirmative Action Director. A copy of the complaint form will also be transmitted to the labor relations representative.
6. Any complaints not resolved by this procedure, if pursued, may be filed within six months after the occurrence of the act with the State of Minnesota, Department of Human Rights, or through a civil action.

DEPARTMENT OF LABOR AND INDUSTRY
AFFIRMATIVE ACTION IDEAL GOALS
FOR CALENDAR YEAR 1990

Barg	Number Females	Female Empl Pct	Female Goal Pct	Number Min Grp Empl	Min Grp Empl Pct	Min Grp Goal Percent	Number Handicap Empl	Hand Empl Pct	Hand Goal Pct	Number Viet Veterans	Vet Empl Pct	Veteran Goal Percent	Total Unit Empl	Barg Unit	Spec Hand Code
Office	121	93.08		17	13.08	4.69	20	15.38	8.20	4	3.2	9.00	130	206	8
Tech	14	70.00	44.57	4	20.00	4.69	4	20.00	8.20	0	0.00	9.00	20	207	8
Prof	38	27.54	44.57	7	5.00	4.69	26	18.84	8.20	19	13.77	9.00	139	214	3
Supv	14	51.85	45.00	3	11.11	7.39	8	29.63	8.20	7	25.9	9.00	27	216	
Comm Plan	13	59.09	44.57	7	31.82	4.69	3	13.64	8.20	2	9.09	9.00	22	9CP	
Mgrs	5	38.46	15.17	2	7.69	7.14	4	30.77	8.20	2	15.38	9.00	13	9MP	8
Others	0	0.00	40.84	0	0.00	1.53	2	40.00	8.20	2	40.00	9.00	4	9XX	3

INTERIM GOALS

Female Professionals

Goal: 29.0 Percent

Rationale:

The Department of Labor & Industry has a legislative complement of one hundred and fifty four professional positions. Thirty eight of these positions are currently occupied by females. The current professional workforce is one hundred thirty eight employees. In order for the department to meet its interim goal, it needs to hire at least three additional females.

The department feels confident that this goal is reasonable and attainable for the following reasons: (1) the turnover rate for our professional class series is eight percent per annum, (2) the most frequently used entry level professional class lists contains names of females among the top twenty candidates, and (3) the department created a Safety Investigator Pre-Service Trainee program which targets females and ethnic minorities.

However, given the requirements of the MAPE collective bargaining agreement, it will be extremely difficult to meet our established goal if the department is compelled to hire employees facing layoffs from other state agencies.

Additionally, Labor & Industry has several classifications; such as, the Boiler Inspector class series, the Steamfitting Standards Representative plan, the Apprenticeship Training Field Representative class series, and to some extent, the Safety Investigator and Safety Consultant class series where representation of females in the general recruitment population has been practically non-existent. While it is true that this agency will continue to explore all alternatives to recruit eligible female candidates into these classifications, reality dictates that there will be few to no female candidates on the eligible lists for these classes.

Regarding other professionals employed in the department, the department predicts a turnover of four Code Enforcement professionals, two OSHA Compliance professionals, and one OSHA Consultation professional due to retirements.

Handicapped Office

Goal: None (Agency has met and exceeded its goal)

Vietnam Era Veterans Office

Goal: 3.0 percent

Rationale:

The 1986 October percentage revision in the aforementioned category of Vietnam Era Veterans Office workers is 2.31 percent. Given the large population of office workers (130) in the department, and given the relatively small percentage of Vietnam Era Veterans who appear on the eligibility lists for classifications in this category, the department has set a realistic goal of 3.0 percent. Part of the recruitment dilemma is the fact that the tests for classes in this category occur once per year, leaving the department no flexibility to recruit during the remainder of the year.

Vietnam Era Veterans Technical

Goal: 0.0 Percent

Rationale:

The department does not expect any vacancies in this category during calendar year 1987. Labor and Industry carries only three classifications in the technical category, Accounting Technician, Student Worker Paraprofessional, and Student Worker Paraprofessional, Senior.

No turnover is expected in the Accounting Technician classification, and, due to budgetary restraints, the department will not bring as many additional Student Worker Paraprofessional or Paraprofessional Seniors on board for the remainder of Fiscal Year 1987.

Vietnam Era Veteran Manager

Goal: None (The department has met and exceeded its goal.)

Ethnic Minority Professional

Goal: 4.69 percent

Rationale:

The department has slightly exceeded its ethnic minority ideal 1990 hiring goal by .31 percent. We have planned to target our recruitment efforts for ethnic minorities during the department recruitment efforts for the Safety Investigator Pre-Service Trainees. Almost all other professional level class series lists do not contain ethnic minority candidates, we will continue to target recruitment efforts toward minorities.

PROGRAM OBJECTIVES

Problem: Unmet ideal goal for employing professional females.

Objective: Set interim goal and achieve.

<u>Action Steps</u>	<u>Responsibility</u>	<u>Target Date</u>
1. Set interim goal in conjunction with EOD liaison. Affirmative Action Director (AAD)	Human Resources Director (HRD)	1/31/87
2. Implement pre-hire review process when filling professional vacancies by means of certified eligible list containing female candidates.	HRD/AAD	Ongoing
3. Insure that reasons for not filling professional vacancies with females are due to statutory or collective bargaining agreement restrictions, or compelling job-related reasons.	AAD	Ongoing
4. Advertise in appropriate protected class newspapers and media.	AAD/HRD	Ongoing

Problem: Unmet ideal goal for clerical and technical Vietnam era veterans.

Objective: Set interim goal and achieve.

<u>Action Steps</u>	<u>Responsibility</u>	<u>Target Date</u>
1. Set interim goal in conjunction with EOD liaison.	HRD/AAD	1/31/87
2. Implement pre-hire review process when filling clerical and technical vacancies by means of certified eligible lists containing Vietnam era veteran candidates.	AAD	Ongoing

- | | | | |
|----|---|---------|----------|
| 3. | Insure that reasons for filling clerical and technical vacancies with Vietnam era veterans are due to statutory or collective bargaining agreement restrictions, or compelling job-related reasons. | AAD/HRD | Ongoing |
| 4. | Examine pre-hire review process to determine effectiveness at meeting interim goal for Vietnam era veterans. | HRD/AAD | 12/31/87 |

Problem: Insufficient representation of women and ethnic minorities on eligible lists for highly technical and/or traditionally male occupations used by Labor and Industry.

Objective: Increased representation of women and ethnic minorities on eligible lists noted in problem.

<u>Action Steps</u>	<u>Responsibility</u>	<u>Target Date</u>
1. Establish and maintain list of contacts with resources who can provide potential candidates for employment in highly technical and/or traditionally male occupational fields.	AAD, in conjunction with EOD liaison	Ongoing
2. Provide resources and/or candidates noted in No. 1 above with all appropriate information regarding examination and selection procedures of State of Minnesota.	AAD	Ongoing
3. Implement pre-service trainee program for Safety Investigator Trainee class series.	HRD/AAD; Asst. Commissioner, Labor Law Regulation and Enforcement; Manager, Occupational Safety and Health Enforcement	7/30/87
4. Advertise in appropriate protected class media.	AAD/HRD	Ongoing

Problem: Lack of knowledge by Labor and Industry employees regarding revised Affirmative Action plan.

Objective: Insure all department employees are aware of existence of Affirmative Action plan and, additionally, aware of substance of department commitment to affirmative action/equal employment opportunity and discrimination complaint procedure.

<u>Action Steps</u>	<u>Responsibility</u>	<u>Target Date</u>
1. Distribute memo to all Labor and Industry employees indicating existence and location of revised Affirmative Action Plan.	HRD/AAD	4/30/87
2. Distribute copy of Commissioner's Commitment to Affirmative Action/Equal Employment Opportunity and Discrimination Complaint Procedure to all department employees.	AAD	4/30/87

DEPARTMENT PRE-HIRE REVIEW PROCESS

Upon receipt of a certified eligible list and protected group report, the Affirmative Action Director of the department transmits the eligible list to the relevant manager or supervisor and informs that manager or supervisor of the protected group classes for which a disparity exists and the names on the eligible list which are in the disparate class.

The Affirmative Action Director explains to the manager or supervisor the necessity of interviewing protected class candidates for positions where disparities exist unless a review of such candidates' written qualifications clearly show that the protected class member would not be qualified for the specific vacancy.

The manager or supervisor is urged to give thorough consideration to protected group members in disparate classes. It is further explained to the manager or supervisor that failure to appoint a protected group member to a position for which a disparity exists must be based on compelling evidence of the person's lack of qualifications.

It is the responsibility of the manager or supervisor to conduct the actual interviews with employment candidates and make the selection decision.

REASONABLE ACCOMMODATION PROVISION

I. POLICY

It is the policy of this agency to encourage the employment and promotion of any qualified person including the handicapped. If the reason for the denial of employment or advancement in employment is the need to make reasonable accommodations to the physical or mental needs of a handicapped employee or job applicant, it must be demonstrated that: a) the accommodation would impose an undue hardship on the agency; b) the accommodation does not overcome the effects of the person's handicap; or c) the handicapped person is not qualified to perform that particular job. This agency's reasonable accommodations policy applies to all departmental employees with any known physical or mental limitations, and any job applicant requesting accommodation prior to employment interview.

This agency will provide accommodation to qualified handicapped employees/job applicants when such accommodations are directly related to performing a job or competing for a job on an equal basis. Accommodations will not be required for non-job related personal needs of individuals even though they may be a qualified handicapped individual. In such cases questions may arise as to whether the accommodation is personal or job related. The primary factors in evaluating an accommodation is whether the accommodation will enable the person to perform the job on an equal basis in the most cost effective manner and in the most integrated setting possible.

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

II. SCOPE

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

III. DEFINITIONS

A. Handicapped Person

A handicapped person for purposes of this policy is anyone who meets the definition as stated in the Section 504 regulations of the 1973 Rehabilitation Act as amended in 1978, Sub-part A, Section 84.3 j1-2 and k104 and Chapter 363 of the state's Human Rights Act. 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 which means that a person has a history of or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.

3. Is regarded as having such an impairment which means:

- a. Has a physical or mental impairment that may not substantially limit major life activities but that is treated by an employer as constituting such a limitation;
- b. 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
- c. Has no impairment but is treated by an employer as having such an impairment.

An employee with an acute disabling condition which is expected to be temporary, such as appendicitis, broken arms, pulled muscles, etc. will meet the definition of qualified handicapped person. In most cases, these individuals will require short term methods of reasonable accommodation such as scheduled modification, limited work assignments, etc. until they can return to their usual work schedule. If a residual medical impairment is determined and a permanent condition is demonstrated, the provision of permanent reasonable accommodation will be considered.

IV. REQUEST FOR REASONABLE ACCOMMODATIONS

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

- A. The supervisor and the handicapped employee consult to determine the need for the accommodation and to discuss alternatives such as job restructuring, job site modification, and assistant devices.
- B. The supervisor submits a written request form, #PE-00091-01, obtained from the Affirmative Action Director/Designee for reasonable accommodation. The request includes a justification for the accommodation, and includes a statement of the disability. A medical statement of limitations may be included if the supervisor deems advisable.
- C. The supervisor submits the request to the Affirmative Action Director/Designee within five working days upon receipt of the employee's request. The Affirmative Action Director will notify the Assistant Commissioner for Administrative Operations of the request and gather information regarding availability and costs within five working days.
- D. The Affirmative Action Director reports to the agency head with a recommendation. The agency head considers the available alternatives and decides whether or not to grant the requested accommodation and determines what accommodation should be provided. The decision is then provided in writing to the supervisor within three working days after the agency head makes his or her determination.

- E. If approached, the Affirmative Action Director fills out the Reasonable Accommodations Agreement Form, #PE-00092-01, and obtains necessary signatures.
- F. The Affirmative Action Director submits appropriate purchasing documents to the purchasing agent if equipment, furniture, or other assistive devices must be purchased.

V. METHODS OF PROVIDING REASONABLE ACCOMMODATIONS

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

A. Modifications of equipment or assistive devices.

The provision of equipment may include special telephone equipment "talking" calculators, one-handed typewriters, closed circuit televisions, specifically designed desk and files, TDD communications equipment and other types of equipment to facilitate the performance of job duties. These items may include: off the shelf devices as well as highly specialized, customized and/or prescription items.

B. Job site modification.

The planning and provisions of accessibility to existing facilities may be required in order for disabled individuals to work in them. Modifications may include adjustments to equipment height including desks, chairs, etc., addition of electrical outlets, rearrangement of furniture and equipment, widening doorways, reallocation of the job site to an accessible area, provision of special parking facilities, modifications and ventilation, heating, cooling, and lighting systems, and other types of similar modifications. This agency will negotiate any changes with Space Center, Inc. through Real Estate Management Division, Department of Administration to determine costs involved.

C. Job restructuring.

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

D. Support services.

Support services such as interpreters for hearing impaired individuals, readers for blind, special attendants, etc. must be provided when it is clearly demonstrated that these

services are required for a disabled employee's performance of the essential functions of the job. Support services may also be needed for job applicants during the interview process. This agency may directly or on a contractual basis of any agency outside the department provide the training necessary to allow staff members to provide support services when such training and the provisions of such support services are administratively feasible.

VI. UNDUE HARDSHIP

A. In determining whether or not the making of a reasonable accommodation would impose an "undue hardship" on the operation of a recipient's program, factors to be considered must include:

1. The overall size of the recipient's program (i.e., number and type of facilities, size of budget).
2. The type of the recipient's operation including the composition and structure of the recipient's workforce.
3. The nature and cost of the accommodation needed.
4. The reasonable ability to finance the accommodation and each site of business; and
5. Documented good faith efforts to explore less restrictive or less expensive alternatives including consultation with the disabled person or with knowledgeable disabled persons or organizations.

VII. FUNDING FOR REASONABLE ACCOMMODATION

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

VIII. PURCHASE AND MAINTENANCE OF ACCOMMODATIONS

- A. This agency is free to choose the specific accommodation provided to qualified handicapped persons. The person requesting reasonable accommodations will suggest appropriate accommodations. This agency may provide another accommodation equal or superior to the one proposed in practicality, usefulness, or cost effective.
- B. All tangible accommodations purchased by this agency will be the property of the State of Minnesota and shall be used only for job related functions. The maintenance of equipment will be the responsibility of the department and projected maintenance costs will be a factor in the initial decision to provide accommodations. Example: repair special office equipment, etc.

IX. DENIAL OF ACCOMMODATION

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

X. APPEALS

An employee who is dissatisfied with the reasonable accommodation decision can appeal directly to the agency head within five working days of the decision. The agency head will within five working days of the individuals appeal, convene a reasonable accommodation review committee which shall consist of persons previously not involved. This committee will review all pertinent material and steps leading to the decision according to the following criteria.

- A. Job relatedness.
- B. Effectiveness.
- C. Necessity.
- D. The relationship between the accommodation and essential job functions.
- E. Cost.
- F. Other claim of undue hardship.

The committee will make a recommendation to the agency within 15 working days from the date the committee was convened unless more time is needed to obtain more information from outside sources. The agency head will make a final determination within five working days from receiving the committee's recommendation. The Affirmative Action Director will then convey written copies of the agency head's decision to the employee and supervisor. If the employee is still dissatisfied with the decision, he/she may file with federal, state, local, and human rights legislation. The Department's Affirmative Action Director will provide employees and compliance agencies with information and assistance needed in the appeals process. Information will be provided in compliance with the Minnesota Government Data Privacy Act. Compliance agencies which are investigating complaints of request information from the agency head will be provided documentation relating to the denial of a request for reasonable accommodation.

XI. ASSISTANCE WITH REASONABLE ACCOMMODATION COMPLIANCE

All requests for information or assistance in determining reasonable accommodation for qualified handicapped employees and employees/job applicants may be directed to the

Department's Affirmative Action Director, the Council for the Handicapped, or the Director of Equal Opportunity. That person also assists in locating resources or interpreting reasonable accommodation requirements.

XII. REQUEST FOR REASONABLE ACCOMMODATIONS FOR JOB APPLICANTS

- A. All initial communication with job applicant regarding job vacancies shall indicate the willingness of the agency to make reasonable accommodation to the known physical or mental handicap and shall invite the applicant to contact the agency for the needed accommodation.
- B. The individual contacted with the request shall contact the Affirmative Action Director immediately. In order to ensure that the accommodation is provided at the interview, requests shall be handled in a timely manner.
- C. The Affirmative Action Director shall contact the job applicant to discuss the needed accommodation and possible alternatives.
- D. If the agreed upon accommodation requested costs no more than \$50.00, the Affirmative Action Director shall approve the accommodation.
- E. If the accommodation costs more than \$50.00, the Affirmative Action Director shall request approval of the accommodation from the agency head.
- F. If the accommodation is approved, the Affirmative Action Director will take the necessary steps to see that the accommodation is provided.

XIII. DENIAL OF ACCOMMODATION

If the requested accommodation is denied, the Affirmative Action Director shall advise the applicant of his/her right to file a complaint with the Department of Human Rights alleging violation of the Minnesota Human Rights Act.

EMPLOYEE REQUEST FOR REASONABLE ACCOMMODATION

Please Print or Type

Employee Name	Classification	Date of Request
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Division	*Statement of Disability (Attach medical statement if requested by manager)	
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5. Attach Additional Sheets for Questions Below if Necessary.

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. Why is the requested accommodation necessary to perform the essential job function(s)?

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

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

Signature of Employee	Date
Signature of Supervisor	Date
Signature of Manager	Date
Additional Comments:	

Information on this form shall be confidential with the exceptions according to the Rehabilitation Act of 1973, Section 504, Subd. 84.14.

REASONABLE ACCOMMODATION AGREEMENT

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

Name of Employee	Name of Division Manager
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The request for reasonable accommodation to the needs of the above named handicapped employee was:

☐ ACCEPTED ☐ DENIED

Justification for the decision (indicate specific factors considered)

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

☐ Yes ☐ No ☐ Partially

REASON:

DESCRIBE specific accommodations to be made

COST ESTIMATE _____

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

Signature of Employee	Date
Signature of Commissioner	Date
Signature of Affirmative Action Officer	Date

Describe how you have been discriminated against, giving names, dates, places, etc. Use additional pages if necessary:

Information On Witnesses Who Can Support Your Case

Phone Numbers

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.

Date: _____

PROTECTED GROUP REPORT
Department of Employee Relations

Information collected will be used to determine the effectiveness of State selection and referral processes and the effectiveness of the Affirmative Action Program. Results will be audited as required by M.S. 43A.191.

Agency	Dept./Div.	Goal Unit/Barg Unit	Requisition #
Class	Code	List Type	Cert Date
Class Certified (if different)	Code	Reason Cert. Delayed 1 2 3 4	Action Code Y N X A

AGENCY ANALYSIS OF CERTIFICATION/SELECTION PROCESS

	Disparate	Total # of Individuals on All Certs to Vacancy	# Attempt- ed to Contact	# Inter- ested	# Inter- viewed and/ or Further Tested	De- clined Offer	Appt'd: Insert Date
No Goal							
No Disparity							
Female							
Minority							
Handicapped							
Vietnam Vet							
All Eligibles	X						

I. WORKFORCE DISPARITY/ACTION OPPORTUNITY INFORMATION: Complete this section only if there is a check under one or more of the protected groups listed in the Goal Unit Disparity Information Section above and if no member of those disparate groups was appointed. Otherwise, go to II on next page.

Followed pre-hire review process? ☐ Yes ☐ No*

*Explain _____

Check reason(s) a member of a disparate group was not appointed (check all that apply):

- A. ☐ No members of disparate groups were certified.
- B. ☐ None of the certified members of disparate groups were available or interested.
1. ☐ No response to phonecall. 2. ☐ No response to letter.
3. ☐ Reached but not interested - reason if provided: _____
- C. ☐ Appointment made from layoff list.
- D. ☐ Seniority article of contract applied.
1. ☐ More senior employee had permanent/probationary status.
2. ☐ More senior employee had been serving on temporary appointment.
- E. ☐ Incumbent appointed to position changed in allocation.
- F. ☐ Appointed worker's compensation referral.
- G. ☐ Agency no longer has disparity.

DUTIES AND RESPONSIBILITIES OF THE COMMISSIONER

- To appoint or designate an Affirmative Action Director.
- To require managers and supervisors to include responsibility statements for affirmative action in their position descriptions.
- To take action on complaints of discrimination.
- To issue a written statement to staff affirming support of the state's equal opportunity policy.
- To make decisions and/or changes in policy, procedures, physical accommodations, weather emergencies, as may be needed to facilitate an effective affirmative action program within the agency.
- To report annually to the Governor and the Legislature through the Commissioner of Employee Relations, the agency's progress on affirmative action.
- To oversee the agency's affirmative action program in compliance with existing federal and state laws, rules and regulations.
- To direct the agency's affirmative action council and appoint its membership.

DUTIES AND RESPONSIBILITIES OF THE
AFFIRMATIVE ACTION DIRECTOR

- To monitor the day to day activities of the Agency's Affirmative Action Program.
- To investigate alleged discrimination complaints and submit findings of the Commissioners.
- To complete all affirmative action reports as required.
- To ensure that the agency's Equal Employment Opportunity policy and complaint procedure are disseminated to agency staff and that the affirmative action plan is posted on bulletin boards.
- To offer all protected group employees the opportunity to receive an exit interview.
- To act as the liaison between the Equal Opportunity Division and the agency.
- To assist in determining the need for affirmative action training and to coordinate the development of such training with prior approval.
- To review Human Resource/Administrative policies, procedures, and programs as well as physical accommodations and to recommend necessary changes to the Commissioner.
- To actively recruit in coordination with Human Resources Unit protected class persons for initial employment, promotion, and training opportunities.
- To maintain contacts with protected class community resources for recruitment purposes.
- To assist the Commissioner/Deputy Commissioner in the Chairing of the Affirmative Action Council.

DUTIES AND RESPONSIBILITIES OF MANAGERS AND SUPERVISORS

- To ensure compliance with statewide and agency affirmative action programs and to ensure non-discriminatory treatment of all employees.
- To assist the agency's Affirmative Action Director in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- To hire and promote qualified protected class members where a disparity exists.
- To communicate agency's affirmative action policy to assigned staff.
- To facilitate staff participation on the agency Affirmative Action Council.
- To include responsibility statements for Affirmative Action/Equal Employment Opportunity in their position descriptions.
- To perform such other specific duties as may be assigned in their agency's Affirmative Action Plan.

DUTIES AND RESPONSIBILITIES OF THE AFFIRMATIVE ACTION COUNCIL

- To monitor the department's activities and progress in Affirmative Action.
- To serve as a forum for discussing Affirmative Action issues and taking corrective actions when necessary.
- To make recommendations on complaints of discrimination to the Commissioner.
- To perform such other activities as may be assigned by the Commissioner or Deputy Commissioner.

EMERGENCY PROCEDURES

The following emergency procedures are to be followed in the event of fire, severe weather, bomb threats, or medical emergencies.

I. FIRE

A. When building alarm sounds:

1. Immediately evacuate via the nearest emergency exit. DO NOT USE BUILDING ELEVATORS. If applicable:
 - a. Close all doors.
 - b. Relocate mobility-impaired employees within safe areas of the building. Handicapped employees should be accompanied by two "buddies" in the event an evacuation must be made. A third person should immediately evacuate and inform the fire department of handicapped individuals' locations.

B. When fire and smoke are seen, but no alarm is sounded:

1. Call 9-911 and report the fire.
2. Sound building fire alarm.
3. Immediately inform Space Center at 298-4484, or the Department Safety Director at 297-4371.
4. If it is safe to do so, attempt to put out fire.
5. Evacuate by emergency exit and ensure those employees requiring assistance have been relocated according to the guidelines set forth in A.b. above.
6. DO NOT call Capitol Security. Capitol Security communications will not initially know what caused the alarm and will be coordinating emergency agencies responses. Calling Capitol Security could tie up the switchboard and delay requests for help.
7. DO NOT hesitate to begin evacuation process.
8. DO NOT try to return to your office location before the "all clear" sounds.
9. DO NOT use building elevators.

II. SEVERE WEATHER/TORNADOES

- A. The Metropolitan Siren System will be activated when the weather service has determined there is a severe weather warning.
- B. Space Center will use the public address system to advise occupants of potentially threatening weather conditions.
 - 1. Relocate to interior offices of the building on lower floors away from glass windows and doors.
 - 2. Relocate mobility-impaired employees. Handicapped employees should be accompanied by two "buddies" in the event relocation must take place.

III. BOMB THREATS

- A. Space Center will make the following public address announcements upon receipt of a bomb threat.
 - 1. Yellow Alert. This notice will indicate that a bomb threat has been received.
 - a. Immediately survey work area for any suspicious item or any item you cannot identify.
 - b. If an item is discovered DO NOT TOUCH OR MOVE IT. Notify Space Center immediately at 228-4444.
 - 2. Blue Alert. This notice will advise building population that an unidentified package has been found.
 - a. Occupants will be instructed to relocate and avoid the designated area until further notice.
 - b. Relocate mobility-impaired employees. Handicapped employees should be accompanied by two "buddies" in the event relocation must take place.
 - 3. Red Alert/Fire Alarm. This notice will signify that the package prompting the Yellow Alert is indeed an explosive device.
 - a. All occupants shall evacuate until the entire building is re-checked for additional explosive packages.
 - b. Relocate mobility-impaired employees as directed in 2.b.
- D. Clear of Alerts.
 - 1. This message will be made upon completion of a building search in which all known packages have been identified.
 - 2. Occupants should continue to be cautious of all items unknown to them and contact Space Center personnel or the Safety Director if suspicious of anything or anybody.

IV. MEDICAL EMERGENCIES

A. Plan A.

1. Call 9-911, and give:
 - a. The exact location of the medical emergency, including the building address, floor, and room number.
 - b. The symptoms of the victim.
 - c. Your name.
 - d. Any other requested information.
2. Support the victim's medical needs.
3. Send someone to meet the paramedics and lead them to the scene.

B. In the event Plan A is not successful, proceed with the following:

1. Call Capitol Security Emergency, 296-2100, and give the same information as outlined in 1.a.-d. above.
2. Support the victim's medical needs.
3. Send someone to meet the paramedics and lead them to the scene.