

AFFIRMATIVE ACTION PLAN
Fiscal Year 1988-1989
For

89-0401

Department of Revenue
(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).

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

Copies of the Plan will be posted on all bulletin boards in each operating location within the Department.

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.

Thelma Andreasson
Affirmative Action Officer

9/16/88
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

9/17/88
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.

[Signature]
Equal Opportunity Division

9-21-88
Date

APPENDIX F

AFFIRMATIVE ACTION COMMITTEE Department of Revenue

Thelma Andreasson, Chair
Affirmative Action Officer
Commissioner's Office
296-5339

Susan Brick
Cashier Supervisor
Remittance Processing
296-2717

Mike Bublitz
Revenue Examiner 2
Technical Support Services
296-0555

Esme Evans
Publications Officer
Communications
297-4054

Donita Haack
Revenue Auditor 4
Corporations Field Audit
297-3353

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Director
Taxpayer Information Division
296-0557

Julie Hiebert
Clerk Typist 2
Corporations Office Audit
297-3565

Terese Koenig-Smith
Attorney
Appeals & Legal Services
296-1022

Walt Krueger
Regional Audit Manager
Audit, Metro III, Edina
349-2645

Anna Rodriquez
Clerk Typist 2
Collections Enforcement
296-0222

Bruce Showel
Director
Criminal Investigation Division
296-0811

Thomas Tran
Revenue Auditor 3
Corporations Field Audit
296-0380

Santiago Vega
Clerk 2
Document Resolution
296-2244

Mary Volk
Employee Dev. Specialist 2
Human Resource Management
296-3414

Antonia Wilcoxon
Administrative Assistant
Commissioner's Office
297-1556

Ex-officio members
Ron Olson, Director
Human Resource Management
296-3414

Beth Voigt
Editor, Revenews
Communications
297-1764

MINNESOTA DEPARTMENT OF REVENUE

AFFIRMATIVE ACTION PLAN

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STATE OF MINNESOTA

DEPARTMENT OF REVENUE

THE COMMISSIONER'S STATEMENT OF COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

Equal employment opportunity is needed to realize the ideals for which this country stands and is, therefore, an important priority for the Department of Revenue.

Workplace reality in our society often has fallen short of the promise of equal employment opportunity for racial minorities, women, handicapped persons, and Vietnam era veterans. For us to achieve the Department's mission, our work force needs to reflect the society which we serve. The societal shortfall and our own mission thus make affirmative action an important priority for us.

I hereby affirm my own and the Department's commitment to an aggressive equal employment opportunity and affirmative action program to provide equal employment opportunity without regard to age, race, creed or religion, color, Vietnam era veteran status, handicap, sex, marital status, national origin or ancestry, or political affiliation. I also affirm my own and the Department's commitment to respect for the dignity of each individual, promotion of the personal growth and professional development of each employee, and the pursuit of excellence in all facets of Department operations.

I am committed to retaining the Department's gains in equal employment opportunity and affirmative action. I recognize that equal employment opportunity applies to all employees and that affirmative action should not mean reverse discrimination against employees who are not members of protected classes.

The Department's Equal Employment Opportunity and Affirmative Action Program affects all employment practices, including recruitment, testing, certification, hiring, transfer, promotion, training, compensation, benefits, layoff, termination, and retention. We will conduct employee development activities to aid retention, improve performance, and provide promotional opportunities.

Managers and supervisors will be held accountable for their role in the implementation of our Equal Employment Opportunity and Affirmative Action Program through the performance management process. But I encourage each employee to become familiar with the Department's Affirmative Action Plan and to support the Program. Only if each of us accepts responsibility for making the Program work, we will achieve our potential.

A handwritten signature in cursive script, reading "John James", is positioned above the printed name of the Commissioner.

John James, Commissioner
Minnesota Department of Revenue

AFFIRMATIVE ACTION NUMERICAL OBJECTIVES

As of July 1, 1988

Listed below are goals and timetables which have been established to correct disparities among protected group members as indicated.

EXHIBIT #1

ETHNIC/RACIAL MINORITIES

Occupational Categories	Total Employees	Total Racial Minority Employees*	Percentage	Ideal Goals**	Annual Goals FY88-89***	Disparity (Number Needed To Reach Ideal Goal)	HIRING OBJECTIVES FOR FY88-89
Service	4	0	0	4.69%	****	1	0
Office and Clerical	434	33	7.60%	4.69%	****	0	N/A
Technical	42	4	9.52%	4.69%	****	0	N/A
Engineers	2	0	0	2.61%	****	1	0
General Prof.	467	21	4.52%	4.69%	4.69%	1	1
Supervisory	92	4	4.35%	4.46%	4.46%	1	1
Comm. Plan	31	1	3.23%	4.69%	4.69%	1	N/A
Managerial Plan	37	3	8.11%	4.91%	****	0	N/A

* See Appendix B for definition.

** "Ideal goals" are established by the Department of Employee Relations using Labor Market Statistics.

*** "Realistic goals" are established by the Department of Revenue based on hiring projections.

**** No anticipated turnover.

AFFIRMATIVE ACTION NUMERICAL OBJECTIVES (Cont'd.)

EXHIBIT #2

FEMALES

Occupational Categories	Total Employees	Total Female Employees*	Percentage	Ideal Goals	Annual Goals FY88-89	Disparity (Number Needed To Reach Ideal Goal)	HIRING OBJECTIVES FOR FY88-89
Service	4	0	0	33.33%	**	1	0
Office and Clerical	434	386	88.94%	44.57%	**	0	N/A
Technical	42	20	47.62%	44.57%	**	0	N/A
Engineers	2	0	0	7.18%	**	1	0
General prof.	467	149	31.91%	44.57%	34.00%	61	10
Supervisory	92	36	39.13%	40.00%	41.30%	1	2
Comm. Plan	31	14	45.16%	44.57%	**	0	N/A
Managerial Plan	37	8	21.62%	27.99%	24.78%	2	1

* Racial Minority Females are also included in Exhibit #1 above.

** No anticipated turnover.

AFFIRMATIVE ACTION NUMERICAL OBJECTIVES (Cont'd.)

EXHIBIT #3

HANDICAPPED

Occupational Categories	Total Employees	Total Handicapped Employees	Percentage	Ideal Goals	Annual Goals FY88-89	Disparity (Number Needed To Reach Ideal Goal)	HIRING OBJECTIVES FOR FY88-89
Service	4	0	0	8.20%	*	1	0
Office and Clerical	434	18	4.15%	8.20%	5.00%	17	3
Technical	42	1	2.38%	8.20%	3.45%	2	1
Engineers	2	0	0	8.20%	*	1	0
General Prof.	467	28	6.02%	8.20%	7.00%	11	3
Supervisory	92	6	6.52%	8.20%	*	2	1
Comm. Plan	31	1	3.23%	8.20%	3.03%	3	1
Managerial Plan	37	2	5.41%	8.20%	8.20%	1	1

* No anticipated turnover.

NOTE: The stated numerical affirmative action goals for handicapped (8.2%) and Vietnam era veterans (9.0%) are general statewide goals. Statistical information about the number of handicapped and Vietnam era veterans in various occupational categories in Minnesota are unavailable, so "ideal goals" percentages in each occupational category have not been determined. Therefore, the above goals were uniformly applied to all occupational categories for these two protected classes.

AFFIRMATIVE ACTION NUMERICAL OBJECTIVES (Cont'd.)

EXHIBIT #4

VIETNAM ERA VETERANS

Occupational Categories	Total Employees	Total Vietnam Era *Veterans	Percentage	Ideal Goals	Annual Goals FY88-89	Disparity (Number Needed To Reach Ideal Goal)	HIRING OBJECTIVES FOR FY88-89
Service	4	1	25.00%	9.00%	**	0	N/A
Office and Clerical	434	7	1.62%	9.00%	1.68%	32	7
Technical	42	3	7.14%	9.00%	9.00%	1	1
Engineers	2	0	0	9.00%	**	0	N/A
General Prof.	467	59	12.69%	9.00%	**	0	N/A
Supervisory	92	9	9.78%	9.00%	**	0	N/A
Comm. Plan	31	3	9.68%	9.00%	**	0	N/A
Managerial Plan	37	4	10.81%	9.00%	**	0	N/A

* "Veterans who served in the military service of this country during the period from August 5, 1964 to May 7, 1975, and separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or because of disability incurred while serving on active duty and who are permanent residents of the State of Minnesota."

** No anticipated turnover.

NOTE: The stated numerical affirmative action goals for handicapped (8.2%) and Vietnam era veterans (9.0%) are general statewide goals. Statistical information about the number of handicapped and Vietnam era veterans in various occupational categories in Minnesota are unavailable, so "ideal goals" percentages in each occupational category have not been determined. Therefore, the above goals were uniformly applied to all occupational categories for these two protected classes.

RESPONSIBILITIES, DUTIES, AND ACCOUNTABILITIES

I. Commissioner

Responsibilities: To oversee and ensure implementation of the Department's Equal Opportunity Policy and Affirmative Action Program in compliance with existing federal and state laws, rules and regulations.

- Duties:**
1. To appoint or designate an Affirmative Action Officer.
 2. To approve memberships to the Affirmative Action Advisory Committee and take action on their recommendations.
 3. To include accountability for the administration of the Agency's Affirmative Action Plan in his/her position description.
 4. To require managers and supervisors to include responsibility statements for affirmative action in their position descriptions and annual objectives.
 5. To take action on complaints of discrimination as outlined in the Affirmative Action Plan complaint procedure.
 6. To issue a written statement to all employees affirming support of the State's Equal Opportunity Policy and the Department's Affirmative Action Program.
 7. To make decisions and changes in policy, procedures, or physical accommodations as may be needed to facilitate effective affirmative action.

Accountability: Governor directly and indirectly to the Commissioner of Employee Relations and the Director of Equal Opportunity.

II. Affirmative Action Officer

Responsibilities: To administer the Department's Affirmative Action Program.

- Duties:**
1. To monitor the day to day activities of the Affirmative Action Program.
 2. To assist managers and supervisors in their Affirmative Action responsibilities.
 3. To advise the Commissioner on all matters related to Affirmative Action and Equal Employment Opportunities.

4. To investigate alleged discrimination complaints and submit written summary of the issues, findings, conclusions and recommendations to the Commissioner.
5. To establish annual hiring goals, revise the Department's Affirmative Action Plan annually.
6. To chair the Affirmative Action Advisory Committee.
7. To ensure that the Equal Opportunity Policy and Affirmative Action Program is communicated to the Agency staff.
8. To encourage employees to make themselves available for an exit interview and submit a quarterly summary report to the Affirmative Action Advisory Committee regarding the interviews.
9. To act as the liaison between the Department and the Equal Opportunity Division, Department of Employee Relations.
10. To determine, in consultation with the Affirmative Action Advisory Committee, the need for affirmative action training and to initiate the development of appropriate training programs.
11. To review department policies, procedures, programs, and reasonable accommodations for handicapped persons and to recommend changes to the Commissioner.
12. To participate in the recruitment of protected class persons for employment, promotion, and training opportunities.
13. To maintain contacts with protected class resources for recruitment purposes, and to hold membership in community organizations to keep abreast of new developments in the area of affirmative action.

Accountability: The Commissioner.

III. Managers and Supervisors

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

Duties: 1. To assist the Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.

2. To hire and promote qualified protected class members where a disparity exists, and to insure equal treatment in all aspects of employment for each protected group.
3. To communicate and demonstrate a personal commitment to the Department's Affirmative Action Plan to all employees in their area of responsibility.
4. To ensure that sufficient time is allowed so that the Affirmative Action Committee members can fully participate in Committee activities.
5. To consult with the Affirmative Action Officer on human resource actions involving work-out-of-class appointments, disciplinary actions involving suspension, demotion and discharge of a protected class employee, and the review of all interview questions.
6. To include responsibility statements for Affirmative Action/Equal Employment Opportunity in their position descriptions, and annual performance objectives.
7. To assist and make recommendations to the Affirmative Action Officer in recruitment activities.
8. To discuss and document training needs and discuss career planning goals with each employee during scheduled performance evaluations.
9. To ensure the Department's Affirmative Action Plan is communicated to subordinates.

Accountability: The Assistant Commissioners, directly, and the Commissioner, indirectly.

IV. Human Resource Management Director

Responsibilities: The Human Resource Management Director is responsible to insure 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 Human Resource Management Director shall include, but not be limited to, the following:

1. To make available to the Affirmative Action Officer all records and all informational data necessary to perform affirmative action duties and responsibilities.

2. To provide the Affirmative Action Advisory Committee with informational data and documents necessary to perform Committee functions.
3. To allow the Affirmative Action Officer to participate in the decision making process of all personnel actions, such as hiring, promotion, disciplinary actions, reallocation, transfer and termination, department and division-wide classification studies.
4. To initiate and report on specific Affirmative Action Program objectives which are incorporated into the Affirmative Action Plan.
5. To serve as an ex officio member of the Affirmative Action Advisory Committee.
6. To aid in the recruitment of members of protected classes and notify managers and supervisors of existing disparities, at the time of the employment interview.

Accountability: The Assistant Commissioner of Administration directly and the Commissioner indirectly.

V. 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 an employee's work performance with respect to race, creed, color, sex, national origin, age, marital status, disability or handicap, reliance on public assistance, religion, Vietnam era veterans status, political opinions or affiliations and arrest or conviction records (whenever appropriate). Employees who believe they have been subject to unlawful discrimination are encouraged to notify the Department management by using the Department discrimination complaint procedure.

VI. Affirmative Action Advisory Committee

Authorization: The Committee is authorized by the Commissioner and the Affirmative Action Officer.

Responsibilities: To assist the Affirmative Action Officer in monitoring the Department's progress in Affirmative Action.

Duties: The general duties of the Affirmative Action Advisory Committee are to function in an advisory capacity to the Affirmative Action Officer and to participate in implementing a department-wide affirmative action program. The specific duties shall include, but not be limited to, the following:

1. To serve as a forum for transmitting employee concerns to management and the Affirmative Action Officer.
2. Identify and implement solutions to the problems which limit equal employment opportunity for all potential and current department employees.
3. Review and recommend the establishment of affirmative action policies, procedures, and program objectives.
4. To assist the Affirmative Action Officer in the implementation of the Department's Affirmative Action Plan and Program.
5. To attend all Committee meetings and to devote the necessary time for active participation in Sub-Committee activities.
6. To participate in training sessions and conferences pertaining to equal employment opportunity and affirmative action and become familiar with all current changes in laws, policies and procedures affecting these programs.
7. To recommend and support affirmative action/equal opportunity legislation rules or procedures which strengthen the Affirmative Action Program.

Accountability: The committee members are directly accountable to the Affirmative Action Officer and indirectly accountable to the Commissioner.

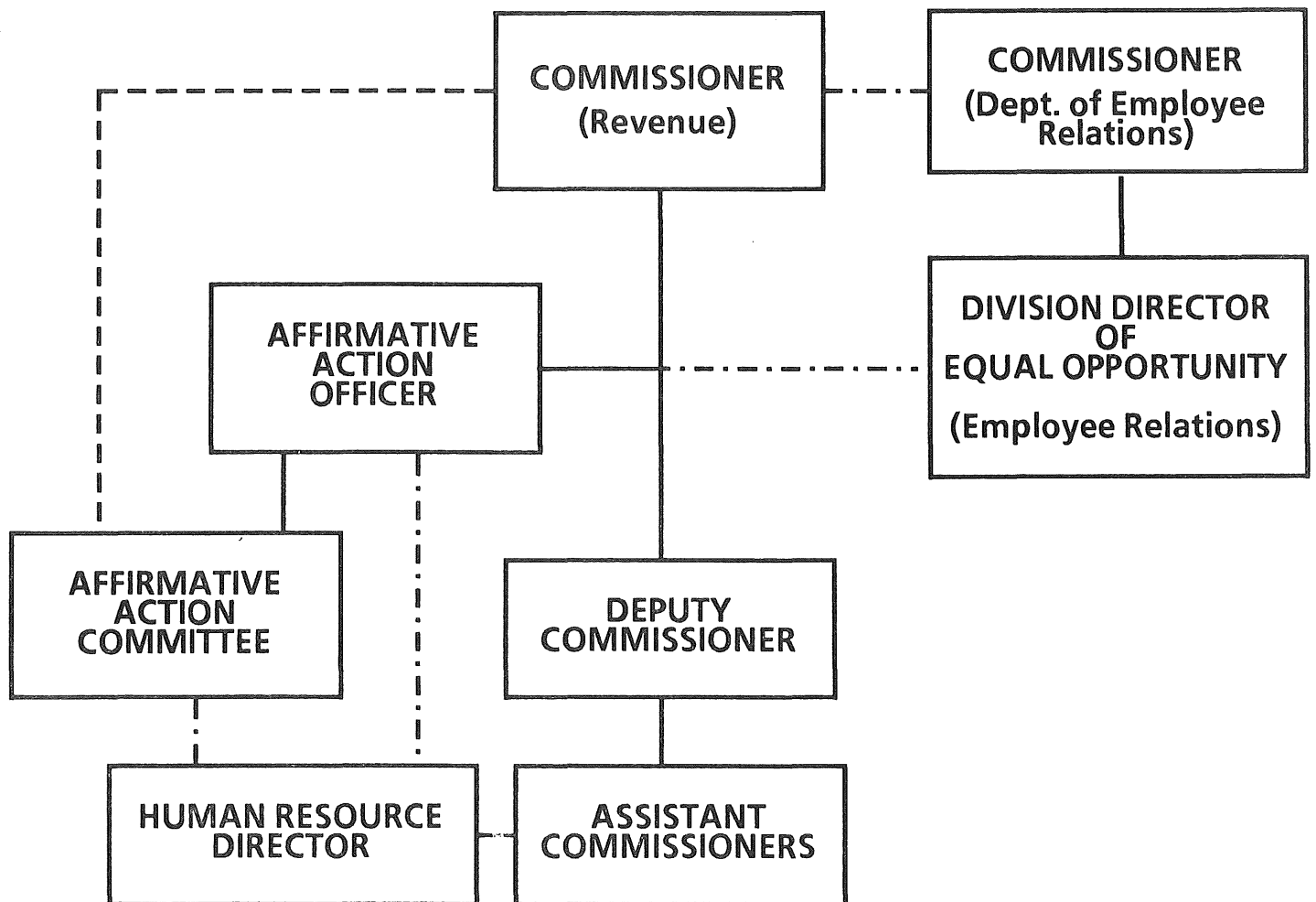
COMMITTEE MEMBERSHIP

1. The Affirmative Action Advisory Committee shall consist of as many members as deemed necessary by the Affirmative Action Officer to carry out program objectives.
2. It is recommended that members serve a maximum of four years in two year increments unless an extension is requested by the member and approved by the Committee. Extension of membership may be considered in order to maintain continuity and provide adequate representation from all sections of the Department.
3. Recommendations for appointments to the Affirmative Action Advisory Committee shall be solicited from divisions of the Department by the Affirmative Action Officer who will submit the names of prospective appointees to the Commissioner. The appointment shall be made by the Commissioner upon the recommendation of the Affirmative Action Officer. Members shall include representatives from all relevant compensation schedules and protected classes. Only persons who have shown a personal commitment to affirmative action will be recommended for appointment.

MEETINGS AND PROCEDURES

1. Meetings shall be called bi-monthly with written announcements made to all Committee members and posted on all Department bulletin boards one week prior to the meetings. Interested employees can attend meetings with supervisory permission.
2. Attendance is a very important element towards the conduct of Committee business. Therefore, if a Committee member is absent from three consecutive meetings, the Committee shall inquire into the reason for absence and determine whether or not the member should be retained on the Committee.
3. Copies of the minutes will be posted on bulletin boards in each operating location within a reasonable time after each Committee meeting.

**DEPARTMENT OF REVENUE
AFFIRMATIVE ACTION
ORGANIZATIONAL CHART**



- Direct Accountability
- - - - Indirect Accountability
- . . . Working Relationship

DISSEMINATION OF POLICY

The following steps will be undertaken to ensure that all employees are advised of, and understand, the Department of Revenue's policy of nondiscrimination and its interest in actively and affirmatively providing equal opportunity in all employment practices.

INTERNAL

1. Copies of the Affirmative Action Plan will be furnished to all assistant commissioners, division directors, managers and supervisors. It will be the responsibility of management personnel to disseminate the Affirmative Action Policy to all employees under their supervision.
2. The Equal Employment Opportunity Policy will be included in the Department's Annual Report.
3. The Plan will be prominently displayed on the employee bulletin boards in each work location.
4. The Department's employee newsletter will include notification of revisions in the Affirmative Action Plan. Other items regarding Departmental affirmative action activities will be included as determined by the Affirmative Action Officer or the Affirmative Action Advisory Committee.
5. Managers/supervisors shall conduct orientation sessions for all new employees and shall include information on the Affirmative Action Plan. All employees will also receive an annual affirmative action program update, conducted by managers/supervisors and assisted by the Affirmative Action Officer when requested. Immediately following each session supervisors shall report to the Affirmative Action Officer the date the meeting was conducted, the number of employees in attendance and the subject matter discussed.
6. Affirmative action training sessions will be conducted for managers, supervisors, the Human Resource Management staff and all members of the Affirmative Action Advisory Committee. This will be coordinated by the Training Coordinator and the Affirmative Action Officer with the cooperation of the Human Resource Management Director.

EXTERNAL

1. A copy of the Affirmative Action Plan will also be furnished to employee bargaining units.
2. Job application forms, job opening advertisements, and Department stationery shall bear the masthead "An Equal Opportunity Employer."
3. A policy statement will be provided to recruitment sources and organizations working with protected classes with a letter encouraging referrals and applications.

4. Publications prepared for distribution outside the Agency will contain periodic references to the Policy in order to enhance the employment of protected classes.
5. The Affirmative Action Officer will be identified in the Agency section of the State Telephone Directory.

PROGRAM OBJECTIVES

MISSION STATEMENT:

To establish a workforce in all occupational categories which is representative of the labor market population within the Department's jurisdiction and to ensure an equal opportunity work environment for all employees.

SPECIFIC PROGRAM OBJECTIVES:

1. To remove all unnecessary barriers to employment practices and policies within the Department.

ACTION STEPS

- a. Provide information to managers and supervisors to assist them in objectively ensuring equal employment opportunity for applicants and employees.
- b. Monitor and evaluate the selection and promotional processes used by managers and supervisors.
- c. Recommend corrective action as deemed necessary.

EVALUATION

- a. Provide information to managers and supervisors on Affirmative Action policies through periodic staff meetings and/or distribution of informational literature.
- b. Managers and supervisors will follow the pre-employment review process (see pages 21-22) in hirings and promotions. Quarterly Protected Group Reports will be reviewed to determine if protected class members are being hired and promoted.
- c. Reports will be made to the Commissioner as needed, recommending changes where hiring and promotional barriers exist.

RESPONSIBILITIES: Affirmative Action Officer
Human Resource Management Director
Affirmative Action Advisory Committee Members

TARGET DATE: July 1988
October 1988
January 1989
April 1989

SPECIFIC PROGRAM OBJECTIVE:

2. To identify disparities in protected classes by bargaining units within the Department.

ACTION STEPS

- a. Analyze the Department's workforce by protected class status and bargaining (goal) unit.
- b. Make projections of the number of positions to be filled to eliminate existing disparities.

EVALUATION

- a. Conduct a bi-weekly analysis of workforce and prepare a monthly report to managers and supervisors identifying unit disparities and hiring goals.
- b. As part of the Department's Affirmative Action Plan, a report will be prepared showing the Department's hiring objectives for the next fiscal year.

ASSIGNMENT: Affirmative Action Officer
Human Resource Management Director

TARGET DATE: August 1, 1989

SPECIFIC PROGRAM OBJECTIVE:

3. To set goals and take steps to eliminate disparities.

ACTION STEPS

- a. Establish long and short range goals and time tables for the Department to correct disparities among protected group members.
- b. Establish a recruitment program designed to attract qualified applicants and encourage them to apply for examinations.
- c. Maintain a sufficient number of qualified protected class applicants on eligible lists.
- d. Hire and promote qualified protected class applicants where disparities exist.
- e. Provide job counseling to protected class employees to improve their opportunities for upward mobility.
- f. Develop and promote an Internship Program to promote DOR as a future employer for protected class persons.

EVALUATION

- a. "Annual goals" will be determined in conjunction with "ideal goals" and anticipated turnover for that FY.
- b. DOER-EOD will be notified, educational institutions, employment and community agencies will be contacted, with recruiting emphasis on protected class applicants showing the greatest disparity.
- c. Eligible lists will be reviewed prior to filling a Department position to assure that protected class applicants are available for consideration.
- d. Qualified protected class applicants will be hired or promoted, except where in conflict with bargaining unit agreements.
- e. Managers, supervisors, training coordinators, and/or the Affirmative Action Officer will counsel employees and assist them in career development planning.
- f. Managers and supervisors will be encouraged to hire protected class interns.

ASSIGNMENT: Managers, Supervisors
Affirmative Action Officer
Human Resource Management Director
Training Coordinator
Affirmative Action Advisory Committee Members
Department of Employee Relations, Equal Opportunity Division

TARGET DATE: July 1988
October 1988
January 1989
April 1989

SPECIFIC PROGRAM OBJECTIVE:

4. To develop a planned approach to educate and train all department employees on Affirmative Action policies, procedures, and program objectives.

ACTIONS STEPS

- a. Identify and implement training relevant to ensuring an effective department-wide Affirmative Action Program.
- b. Identify the training needs appropriate to ensure a nonbiased work environment.
- c. Design Affirmative Action educational materials.

EVALUATION

- a. Employees will receive training on Affirmative Action topics as deemed appropriate.
- b. Targeted audience will be identified for training related to sexual harassment, discrimination, cultural diversity, and reasonable accommodation.
- c. News articles, brochures, posters, reports, etc. will be prepared for distribution.

ASSIGNMENT: Affirmative Action Officer
Affirmative Action Advisory Committee Members
DOER-Equal Opportunity Division Liaison

TARGET DATE: July 1988
October 1988
January 1989
April 1989

PROCEDURE FOR PRE-EMPLOYMENT REVIEW

OBJECTIVE: To establish action steps to be taken during the selection process in order to meet the Department's Affirmative Action goals when filling classified and unclassified vacancies.

1. Consultation with Managers

The Affirmative Action Officer will advise managers and supervisors of protected class disparities for all goal units.

2. The Pre-Employment Review

- a. A personnel requisition is submitted to the Human Resource Management Office.
- b. If a disparity exists, the Affirmative Action Officer works closely with the Human Resource Management staff, in an effort to eliminate the disparity in the following manner.
 - (1) A job analysis is completed for the vacant job.
 - (2) The position description will be revised as needed.
 - (3) Job-related criteria (knowledge, skills, and abilities) needed to perform the tasks will be determined.
 - (4) The Human Resource Management Director ascertains whether there exists an appropriate Certification List or if a job announcement should be made.
 - (5) If a job announcement is made, the Affirmative Action Officer will focus recruitment efforts through recruitment resources who have contacts with protected class candidates.
 - (6) If an appropriate certified list exist, telephone calls will be made and letters sent by certified mail to all applicants on the certified list announcing the job vacancy. Interviews will be scheduled for interested persons who respond to the announcements.
 - (7) A list of uniform job related questions will be devised by the Supervisor and submitted to the Division Director or Staff Manager for a technical review. The questions will then be reviewed and approved by the Affirmative Action Officer to ensure that they are within the legal perimeter of the Equal Employment Opportunity guidelines.
 - (8) An interview is scheduled for each candidate using uniform questions and structured format.
 - (9) Interviews will be conducted by the Supervisor and/or others. Results of the interview will be kept for at least one year.

- (10) The qualification of candidates will be compared, based on all available evidence of qualification and the requirements of the job. The Affirmative Action goals and current disparities will be considered in the selection process.
- (11) When a Supervisor rejects a protected group member where there is a disparity, the Supervisor must explain in writing, with sufficient specificity, why such protected group person was not selected. The written rejection shall be reviewed by the Affirmative Action Officer, and no selection will be made until such written reasons have been reviewed. Where the Affirmative Action Officer believes that the reasons for rejection are insufficient, and the matter is not satisfactory resolved, these views shall be transmitted to the Commissioner for appropriate action.
- (12) All candidates will be notified of the hiring decision.
- (13) Documentation will be kept on the selection process for all appointments for at least one year. Data on every appointment where there is a disparity will explain what the Department did to remedy the disparity.

SEXUAL HARASSMENT

Harassment on the basis of sex is a form of discrimination and is a violation of Section 703 of Title VII of the Civil Rights Act of 1964 as amended in 1972. It is a clear violation of Equal Employment Opportunity and is illegal.

Harassment is any behavior which is not welcome, which is personally offensive, and which, therefore, may affect morale and interfere with the employee's work performance.

Sexual Harassment has been specifically defined by the Equal Employment Opportunity Commission (EEOC), as follows.

"Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2), submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

Sexual harassment may include such actions as:

1. Sex-oriented verbal kidding or abuse;
2. Subtle or overt pressure for sexual activity;
3. Physical contacts such as patting, pinching, or constant brushing against another's body;
4. Demands for sexual favors which affect an individual's employment status or consideration.

Therefore, there are two levels of seriousness in sexual harassment violations--those included in the EEOC definition which are most serious, punishable in the civil courts, and requiring serious levels of progressive discipline; and those which are annoying and perhaps insulting and which should be corrected early and firmly in the interest of maintaining a barrier-free workplace.

Employees who experience sexual harassment from co-workers should either make it clear that such behavior is offensive to them or bring the matter to the attention of their supervisors or the Affirmative Action Officer. In fulfilling our obligation to maintain a positive and productive work environment, supervisors are expected to halt such harassment between co-workers through appropriate disciplinary action based on the seriousness of the incident. They are also expected to protect a harassed employee who initiates a complaint from reprisal.

A form of sexual harassment which may be more difficult for employees to cope with occurs when people offer or threaten to use the power of their position to control, influence, or affect the career, salary, or job of another employee (or prospective employee such as an applicant) in exchange for sexual favors. Individuals who instigate

this type of harassment are subject to the most serious disciplinary actions, including suspensions, demotions, transfer, or termination. Complaints of sexual harassment involving misuse of an individual's official position should be made to the Commissioner or the Affirmative Action Officer.

SEXUAL HARASSMENT STATEMENT OF POLICY

It is the Department of Revenue policy to prohibit verbal and physical harassment of its employees based on sex. Guidelines which have been established by EEOC will be used in implementing this policy. Any employee subjected to such harassment should file a complaint with the Affirmative Action Officer.

The Commissioner is responsible for the application of this policy within the Department and each manager and supervisor within their units. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance within the framework of this policy. All employees must be informed that harassment is unacceptable behavior, and each supervisor will be responsible for orienting his/her staff to the Department's policy. The Affirmative Action Officer will be expected to keep the Department apprised of any changes in the law or its interpretation regarding this form of discrimination. More specifically the Commissioner will be responsible for:

1. Making certain that each individual in the Agency who makes or recommends employment and other personnel decisions is fully aware of and complies with this policy;
2. Notifying all employees within the Department and orienting each new employee who is hired of this policy;
3. Establishing a complaint procedure to investigate all complaints promptly and carefully, the provisions of which shall be disseminated to all employees.

DISCRIMINATION COMPLAINT PROCEDURE

The Equal Employment Opportunity complaint process applies to complaints which allege discrimination because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability or age.

GENERAL PROVISIONS

1. All documentation associated with a complaint shall be considered as private information during an investigation. The status of the complaint, however, is public.
2. The disposition of all formal complaints shall be filed with the Commissioner of Employee Relations within 30 days of final determination.
3. Those filing a complaint or serving as a witness shall do so without fear of coercion, reprisal or intimidation.
4. Complaints will not be accepted after an individual terminates employment with the Department or if the same matter is being pursued simultaneously through another formal grievance or appeal process, unless the complaint is directly related to the employee's separation from the Department.
5. Employees may elect to directly file a formal or informal complaint with the Commissioner in lieu of with their supervisor(s) or the Affirmative Action Officer.

1. INFORMAL

An employee who has a complaint of discrimination (complainant) may bring it to the attention of his/her supervisor(s) in an attempt to reach a satisfactory resolution by administrative remedy. The complainant should report the incident to the Supervisor within 5 calendar days after the event giving rise to the grievance. The Supervisor must give an oral or written answer within 5 calendar days in an effort to resolve the grievance by mutual agreement.

If the complaint is against the supervisor or if the complainant feels uncomfortable discussing the complaint with the Supervisor, he/she may present the complaint orally to the Affirmative Action Officer. This should be done within 5 days after the occurrence of the event. This initial step shall provide for a determination as to whether the complaint is properly a discrimination complaint and, therefore, appropriate for address by the Affirmative Action Officer. Every effort shall be made to resolve the matter through the informal process.

2. FORMAL

If the complainant does not believe the complaint has been resolved through the informal process and the complainant wishes to pursue the matter, he/she shall place the complaint in writing using the "Complaint of Discrimination" (Appendix A) for setting forth its nature, the facts upon which it is based and the relief requested. The written complaint is submitted to the Department's Affirmative

Action Officer. The complaint shall be filed within 21 calendar days after the occurrence or within 21 calendar days after the complainant, through the use of reasonable diligence, should have had knowledge of the event giving rise to the complaint. Complaints may be accepted after the 21 day period providing the complainant can demonstrate that due to extenuating circumstances it was impracticable to adhere to the established time limits. Complaints filed after 21 days will be reviewed and submitted to the Commissioner for appropriate action.

Step 1: Within 5 calendar days after receipt of a formal complaint, the Affirmative Action Officer shall determine whether or not it falls within the area of equal employment opportunity, i.e., the complainant is alleging a violation of his/her right to equal employment on the basis of race, creed, color, sex, age, marital status, national origin, disability, religion and reliance on public assistance.

If the complaint is timely and proper for resolution through this complaint procedure, it shall, within 5 calendar days of receipt, be brought to the attention of the Commissioner who shall appoint the Affirmative Action Officer or another impartial qualified person(s) to investigate it. If the complainant is suffering irreparable harm in the absence of immediate action, the Commissioner, upon the recommendation of the Affirmative Action Officer, may take whatever action is deemed appropriate to remedy the situation while the complaint is being investigated.

Step. 2: Within 30 calendar days after the receipt of a formal complaint, the person designated shall investigate it. The investigation may include interviews with or statements from all parties involved including the complainant, respondent, complainant's supervisors, witnesses or department officials as well as a review of all pertinent records or documents relating to the complaint.

Every effort will be made to resolve the complaint during the investigation. If a resolution is reached, it shall be reduced to writing by the investigator and signed by the parties involved.

Step 3: If the complaint is not resolved as the result of Step 2 above, the investigator shall, within 45 calendar days of receipt of the formal complaint, present his/her written summary of the issues, findings, conclusions and recommendations to the Commissioner.

The Commissioner shall review these findings and may meet with all parties involved. Within 60 calendar days of receipt of the formal complaint, the Commissioner shall respond in writing to the complainant with the final answer or remedy.

If after this response, the complainant remains dissatisfied, the complainant, through the Affirmative Action Officer, shall be advised of his/her right to file a charge of discrimination within 300 days after the occurrence with the Commissioner of the Minnesota Department of Human Rights, the Equal

Opportunity Division of the Department of Employee Relations, the Equal Employment Opportunity Commission, or an attorney in private practice.

NOTE:

The discrimination complaint procedure outlined above shall apply to complaints of alleged sexual harassment. Certain modifications to this procedure exist in the collective bargaining agreement covering employees represented by AFSCME - Council 6.

APPENDIX A

COMPLAINT OF DISCRIMINATION

Information on the Complainant (You)

Name: _____ Job Title: _____

Home Address: _____ Phone: _____

Work Address: _____ Phone: _____

Agency: _____ Division: _____ Supervisor: _____

Information on the Respondent (person who discriminated against you)

Name: _____ Job Title: _____

Home Address: _____ Phone: _____

Work Address: _____ Phone: _____

Agency: _____ Division: _____ Supervisor: _____

Others who discriminated against you: _____

Information on the Complaint

Basis (check all that apply):

Race _____ Sex _____ Color _____ Creed _____ Religion _____ Handicap _____ Marital Status _____

Age _____ National Origin _____ Reliance on Public Assistance _____

Date most recent act of discrimination took place: _____

If you 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

	<u>Names</u>	<u>Addresses</u>	<u>Phone Numbers</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____
5.	_____	_____	_____
6.	_____	_____	_____

APPENDIX B
PROTECTED GROUP CATEGORIES

Race/Ethnic Categories:

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 Mexican, Puerto Rican, Cuban, Central or South America or other Spanish Culture or origin, regardless of race.
4. American Indian or Alaskan Native -- Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
5. Asian or Pacific Islander -- Persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent, or the Pacific Islands. This area includes, for example, China, India, Korea, Japan, the Philippine Islands, and Samoa.

With regard to the Statewide Affirmative Action Plan, the term "minority" includes all of the aforementioned categories except the first, "White." Persons of mixed racial/ethnic background would choose the category with which they most closely identify. Agencies must use these categories when preparing employment status by race or ethnic origin.

Handicapped/Disabled Category:

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

Vietnam Era Veteran Category (until 1989):

Those persons who served in the military service of this country during the period August 5, 1964 to May 7, 1975 and separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or because of disability incurred while serving on active duty and who are permanent residents of the State of Minnesota.

APPENDIX C

MINNESOTA DEPARTMENT OF REVENUE REASONABLE ACCOMMODATIONS POLICY

Introduction

Reasonable accommodations are efforts made by an employer to remove barriers which prevent or limit the employment of qualified handicapped persons. Employers provide reasonable accommodations for persons with many different types of disabilities.

When providing reasonable accommodations, staff are not required to alter essential job functions, change the basic nature of the job, or create positions that do not exist.

Legal Basis

The Minnesota Human Rights act requires employers with 50 or more permanent full-time employees to make reasonable accommodation to the known disability of a qualified disabled person unless to do so would impose an undue hardship on the business, agency, or organization (Section 363.03).

Scope

This policy establishes the Department's Standards for reasonable accommodations for handicapped employees and applicants.

Policy

It is the policy of the Department of Revenue to encourage and promote employment of all qualified persons including handicapped persons. If the reason for denial of employment is the need to make reasonable accommodations to the physical or mental needs of a handicapped applicant or employee, it must be demonstrated:

1. That the accommodations would impose an undue hardship on the agency; or,
2. That the accommodation does not overcome the effects of the person's handicap.

This policy applies to all persons in employment status and also applicants who are seeking employment.

The Department of Revenue will provide reasonable accommodations to qualified handicapped employees or applicants when such accommodations are directly related to performing a job. Accommodations will not be made for non-job-related requirements of individuals. In some cases, questions may arise as to whether the accommodation is personal or job-related. The primary factor 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, disabled or non-disabled. The Department will not purchase or provide means of transportation to and from work as a form of reasonable accommodation.

DEFINITIONS

Handicapped Persons

A handicapped person for purposes of this policy 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 impairments; or
3. Is regarded as having such impairment.

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 means: 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 such an impairment means:

1. 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;
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 no impairment, but is treated by an employer as having such an impairment.

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

Qualified Handicapped Person

With respect to employment: A person with a disability who, with reasonable accommodation to that disability, is capable of performing the essential functions of the job or jobs.

Essential Functions

Essential functions are those 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 anticipated job performance.

Undue Hardship

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

1. The overall size of the business or organization with respect to number of employees or members and the number and type of facilities;
2. The type of the operation, including the composition and structure of the work force, and the number of employees at the location where the employment would occur;
3. The nature and cost of the needed accommodation;
4. The reasonable ability to finance the accommodation at 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.

In the case of an accommodation for a job applicant, the employer must make reasonable accommodations unless it causes an undue hardship.

METHODS OF PROVIDING REASONABLE ACCOMMODATION

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

Modification of Equipment and Assistive Devices

The provision of equipment may include special telephone equipment, "talking" calculators, one-handed typewriters, closed circuit televisions, specially designed desks and files, TTY/TDD communication equipment, earphones, desk blocks, audiovisual aids 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, custom designed and/or prescription items.

Job-Site Modifications

The planning and provision 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 of doorways; relocation of the job site to an accessible area; provision of special parking facilities; modifications of ventilation, heating, cooling, and lighting systems; and other types of similar modifications.

Job Restructuring

The restructuring of any job may include modifying work hours and/or changing job duties while retaining the basic job functions. Arrangements must be considered for full-time and permanent intermittent employment. Job sharing and flexible hours may

permit handicapped employees to meet such needs as medical appointments and medical dietary requirements. This does not include a change or reduction in number of work hours. The Affirmative Action Officer will be advised prior to the restructuring of any jobs.

Support Services

Support services, such as interpreters for hearing-impaired individuals, readers for blind persons, etc., can be considered:

1. When it is clearly demonstrated that these services are required for a disabled applicant's/employee's satisfactory performance of the essential functions of a job.
2. When resources of the agency are sufficient and permit accommodation without creating undue hardship.

Support services may be provided in either of the following ways:

1. On a contractual basis by a person who is not an employee. This may be an interim procedure to allow for the training of staff to provide support services; or
2. By an outside source at no cost to the disabled individual or the Department.

The Department may provide the training necessary to allow staff members to provide support services when such training and the provision of such support services are administratively feasible.

PURCHASE AND MAINTENANCE OF ACCOMMODATIONS

The person requesting reasonable accommodations will suggest an appropriate accommodation. The Department may provide another accommodation equal to or superior to the one proposed in practicality, usefulness, or cost-effectiveness.

All tangible accommodations purchased by the Department will be the property of the State of Minnesota. The maintenance of equipment will be the responsibility of the Department.

REQUESTS FOR REASONABLE ACCOMMODATION

The steps in requesting reasonable accommodation are:

1. The Supervisor and the handicapped applicant or employee determine the need for the accommodation and discuss alternatives such as job restructuring, job site modification and assistive devices. The Accessibility Coordinator or the Affirmative Action Officer may be consulted if necessary.
2. The employee submits a written request for reasonable accommodation to the Supervisor. The request will include a justification for the request (including a statement of the requestor's disability), the suggested accommodations' approximate cost, and any other pertinent comments or information.

3. The Supervisor obtains all information from the Accessibility Coordinator or the Affirmative Action Officer (including bids if the request is for equipment, or of a significant cost). The Supervisor submits the request to the Division Director or Staff Manager, with a recommendation of the action to be taken.
 - a. If the cost is within reason based on budgetary considerations it is then determined if an accommodation is to be provided, what accommodation will be provided, and the funding source to be used. The decision is then provided in writing (using the attached form Appendix C-7) within 15 working days to the person requesting the accommodation and to the Affirmative Action Officer.
 - b. If the cost exceeds an amount that can be reasonably funded through the unit's budget, the Division Director or Staff Manager submits his/her recommendations to the Assistant Commissioner to look into other funding sources. The decision is then provided in writing (using the attached Employee Request for Reasonable Accommodation form), to the person requesting the accommodation and the Affirmative Action Officer within 10 working days from the time it was submitted by the Division Director or Staff Manager.
 - c. If a request for an accommodation is not approved, the Division Director or Staff Manager will present notification in writing to the employee and to the Affirmative Action Officer, and inform the employee or applicant of his or her right to appeal.

DENIAL OF ACCOMMODATION

All denials for requests for accommodations will be documented and kept on file by the Affirmative Action Officer.

APPEAL PROCESS

An employee or applicant who is dissatisfied with a reasonable accommodation decision can appeal by using the following complaint procedure:

Note: At any point in this procedure, if a resolution is reached, a written copy of the resolution agreement will be signed by and provided to all parties. A complaint is resolved when both the complainant and the Agency indicate satisfaction with the outcome.

- | | |
|--------------|---|
| Complainant | 1. File a written complaint including all pertinent details within 15 working days to the Commissioner of Revenue. |
| Commissioner | 2. Accept complaint and attempt to resolve problem. |
| Commissioner | 3. Direct further investigation including obtaining necessary information from relative sources. |
| Commissioner | 4. Make a final decision as soon as possible but no later than 15 working days after the initial complaint is received. Provide the |

written decision to the complainant and to the Affirmative Action Officer.

If the complainant remains dissatisfied with the Commissioner's final decision, he/she shall be advised through the Affirmative Action Officer of the right to seek redress through Minnesota Department of Human Rights.

ASSISTANCE WITH REASONABLE ACCOMMODATION

Requests for information or assistance in determining reasonable accommodation for qualified handicapped employees or applicants may be directed to the Accessibility Coordinator.

Requests for information or assistance regarding reasonable accommodation compliance may be directed to the Affirmative Action Officer.

**STATE OF MINNESOTA
DEPARTMENT OF REVENUE**

EMPLOYEE REQUEST FOR REASONABLE ACCOMMODATION

Employee name	Classification	Date of Request
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Division	Statement of Disability (attach medical statement if requested)
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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 to employee?

6. Approved _____	Denied _____	Reason for Denial:
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Signature of Employee	Date
-----------------------	------

Signature of of Division Director or Staff Manager	Date
--	------

Signature of Assistant Commissioner	Date
-------------------------------------	------

Signature of Accessibility Coordinator	Date
--	------

Signature of Affirmative Action Officer	Date
---	------

APPENDIX D

Weather Emergencies

In the event of a weather emergency, the Department of Revenue will ensure that all employees, including hearing impaired employees, are properly notified of the weather emergency. This procedure will be governed by the Department of Employee Relations Administrative Procedure 5.4, Subject, Time Off in Emergencies, dated December 23, 1982, and the Department of Revenue Time Off in Emergencies Plan, dated March 28, 1983.

Building Evacuation

In the event of a building evacuation, the Department of Revenue will provide for the safe exit of all disabled employees and all disabled persons visiting the building in accordance with the department's Building Evacuation Plan.

APPENDIX E

EQUAL EMPLOYMENT OPPORTUNITY/ AFFIRMATIVE ACTION GLOSSARY

Affirmative Action--Emphasizes the positive, action steps needed to bring about change rather than a passive attitude of simple nondiscrimination. Affirmative Action can be defined as policies and practices that all barriers to employment opportunity that are not based on specific job requirements should be identified and removed, and that initial employment and advancement opportunities for persons in protected groups shown to be underutilized in an agency's work force should be encouraged so that the imbalance is corrected.

Affirmative Action Plan--A coherent set of policies and procedures designed to find any barriers contributing to imbalance in an agency's work force and to foster the correction of any imbalances which exist.

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

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

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 age, race, creed or religion, color, disability, sex, national origin, marital status, status with regard to public assistance, political affiliation or other non-merit factors.

Goal--A numerical objective for the utilization of protected group members.

Goal Unit--Each of the groups of classifications in an agency that are assigned to one of the fifteen bargaining units, Managerial Plan, Commissioner's Plan, or other compensation plans. Affirmative action goals are established by goal unit.

Handicapped Individual--A person who has a physical or mental impairment that substantially limits one or more major life activity, a person who has a record of such impairment, or a person who is regarded as having such an impairment.

Harassment--Any repeated behavior, or combination of behaviors, by one or more employees toward another employee or group of employees based on race, national origin, religion, sex, veterans 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.

Labor Force Statistics--Figures published by the U.S. Department of Commerce, Bureau of Census, on the estimated number of persons 16 years of age or older who are working or are seeking work or who are unemployed at the time.

Labor Market Area--A geographic area from which an employer recruits workers.

Minority--Persons of Black, Hispanic, Asian, American Indian, or Native Alaskan heritage.

Objectives--A series of specific activities designed to eliminate underutilization of qualified protected group members.

Protected Class/Protected Group--Those individuals identified as handicapped, minorities, women, or Vietnam Era Veterans as defined by M.S. 43A.02, Subd. 33.

Reasonable Accommodation--Architectural, equipment and other changes an employer must take to enable disabled persons to perform the jobs for which they are otherwise qualified.

Timetable--A prescribed reasonable time period in which Affirmative Action goals are expected to be achieved.

Underutilized/Underrepresentation--The employment in a goal unit of fewer qualified protected group members than would reasonably be expected by their availability in the labor market areas.

Vietnam Era Veteran--Those persons who served in the military service of this country during the period August 5, 1964 to May 7, 1975 and separated under honorable conditions from any branch of the armed forces of the United States.