

MINNESOTA DEPARTMENT OF REVENUE

AFFIRMATIVE ACTION PLAN

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TO : THE DIRECTOR, FBI
FROM : SAC, NEW YORK (100-100000)
SUBJECT: [REDACTED]

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. 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, 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.

John James, Commissioner
Minnesota Department of Revenue

11-9-21

2000

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DATE

100-443886-100

1. The first group of people who are interested in the results of the study are the researchers themselves. They want to know if the study was successful in achieving its objectives and if the data collected is reliable and valid. They also want to know if the study has contributed to the existing knowledge in the field and if it has any practical implications.

1. NAME _____

2. DATE _____

3. TIME _____

4. LOCATION _____

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6. MOON _____

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8. PLANETS _____

9. COMETS _____

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11. REMARKS _____

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14. CONCLUSION _____

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92. PLANETS _____

93. COMETS _____

94. OTHER _____

95. REMARKS _____

96. SKETCH _____

97. DESCRIPTION _____

98. CONCLUSION _____

99. SIGNATURE _____

100. DATE _____

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AFFIRMATIVE ACTION PLAN
Fiscal Year 1989-1990
For

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	
Technical			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		
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.

Each Division, Section and Unit, the Library and the Affirmative Action 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.

Thelma Andreasson
 Affirmative Action Officer

July 27, 1989
 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

7-31-89
 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

11-6-89
 Date

AFFIRMATIVE ACTION NUMERICAL OBJECTIVES

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

* NO EMPLOYMENT PROJECTIONS

* BUDGET INFORMATION IS AVAILABLE IN EXHIBIT #1 **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	436	38	8.72%	4.69%	****	0	N/A
Technical	47	4	8.51%	4.69%	****	0	N/A
Engineers	2	0	0	2.61%	****	1	0
General Prof.	484	22	4.55%	4.69%	4.69%	1	1
Supervisory	98	4	4.08%	4.40%	4.40%	1	1
Comm. Plan	34	1	2.94%	4.69%	4.69%	2	1
Managerial Plan	40	2	5.00%	4.91%	****	0	N/A

* See Appendix 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	436	388	88.99%	44.57%	**	0	N/A
Technical	47	31	65.96%	44.57%	**	0	N/A
Engineers	2	0	0	7.18%	**	1	0
General prof.	484	157	32.44%	44.57%	34.00%	58	8
Supervisory	98	38	38.78%	40.00%	40.00%	1	1
Comm. Plan	34	15	44.12%	44.57%	44.57%	1	1
Managerial Plan	40	10	25.00%	27.99%	27.99%	1	1

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

** No anticipated turnover.

1. The first step is to identify the problem. This involves understanding the current situation and the goals that need to be achieved.

Figure 1 is a line graph illustrating the percentage of the total sample for various age groups across different years. The y-axis represents the percentage of the total sample, ranging from 0 to 100. The x-axis represents the years, with labels for 1970, 1980, 1990, 2000, 2010, and 2020. The age groups are represented by different line styles and markers: 0-14 (solid line with circles), 15-24 (dashed line with squares), 25-34 (solid line with triangles), 35-44 (dashed line with diamonds), 45-54 (solid line with crosses), 55-64 (dashed line with asterisks), 65-74 (solid line with pluses), and 75+ (dashed line with hash symbols). The graph shows a clear trend of aging over time, with the 0-14 age group decreasing from approximately 25% in 1970 to 10% in 2020, and the 65-74 age group increasing from approximately 10% in 1970 to 25% in 2020.

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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	436	20	4.59%	8.20%	6.00%	15	6
Technical	47	0	0	8.20%	3.45%	4	2
Engineers	2	0	0	8.20%	*	1	0
General Prof.	484	30	6.20%	8.20%	7.00%	10	4
Supervisory	98	9	9.18%	8.20%	*	0	N/A
Comm. Plan	34	3	8.82%	8.20%	*	0	N/A
Managerial Plan	40	3	7.50%	8.20%	8.20%	1	1

* No anticipated turnover.

NOTE: The stated numerical affirmative action goals for handicapped (8.2%) are general statewide goals. Statistical information about the number of handicapped 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 handicapped employees.

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 include accountability for the administration of the Agency's Affirmative Action Plan in his/her position description.
 3. To require managers and supervisors to include responsibility statements for affirmative action in their position descriptions and annual objectives.
 4. To take action on complaints of discrimination as outlined in the Affirmative Action Plan complaint procedure.
 5. To issue a written statement to all employees affirming support of the State's Equal Opportunity Policy and the Department's Affirmative Action Program.
 6. 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 Committee.
7. To ensure that the Affirmative Action Plan is communicated to the Agency staff.
8. To oversee the Department's pre-hire review process (see pages 21-22).
9. To monitor all employee exit interviews and investigate identified complaints of employment with the Department of Revenue.
10. To act as the liaison between the Department and the Equal Opportunity Division, Department of Employee Relations.
11. To determine, in consultation with the Affirmative Action Committee, the need for affirmative action training and to initiate the development of appropriate training programs.
12. To review Department policies, procedures, programs, and reasonable accommodations for handicapped persons and to recommend changes to the Commissioner.
13. To participate in the recruitment of protected class persons for employment, promotion, and training opportunities.
14. 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 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 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, 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 Committee

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

Responsibilities: To assist the Affirmative Action Officer in developing and implementing program objectives.

Duties: The general duties of the Affirmative Action Committee is to assist the Affirmative Action Officer in a Department-wide affirmative action program development. 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 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 Committee shall be solicited from divisions of the Department by the Affirmative Action Officer. The appointment shall be made by 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.

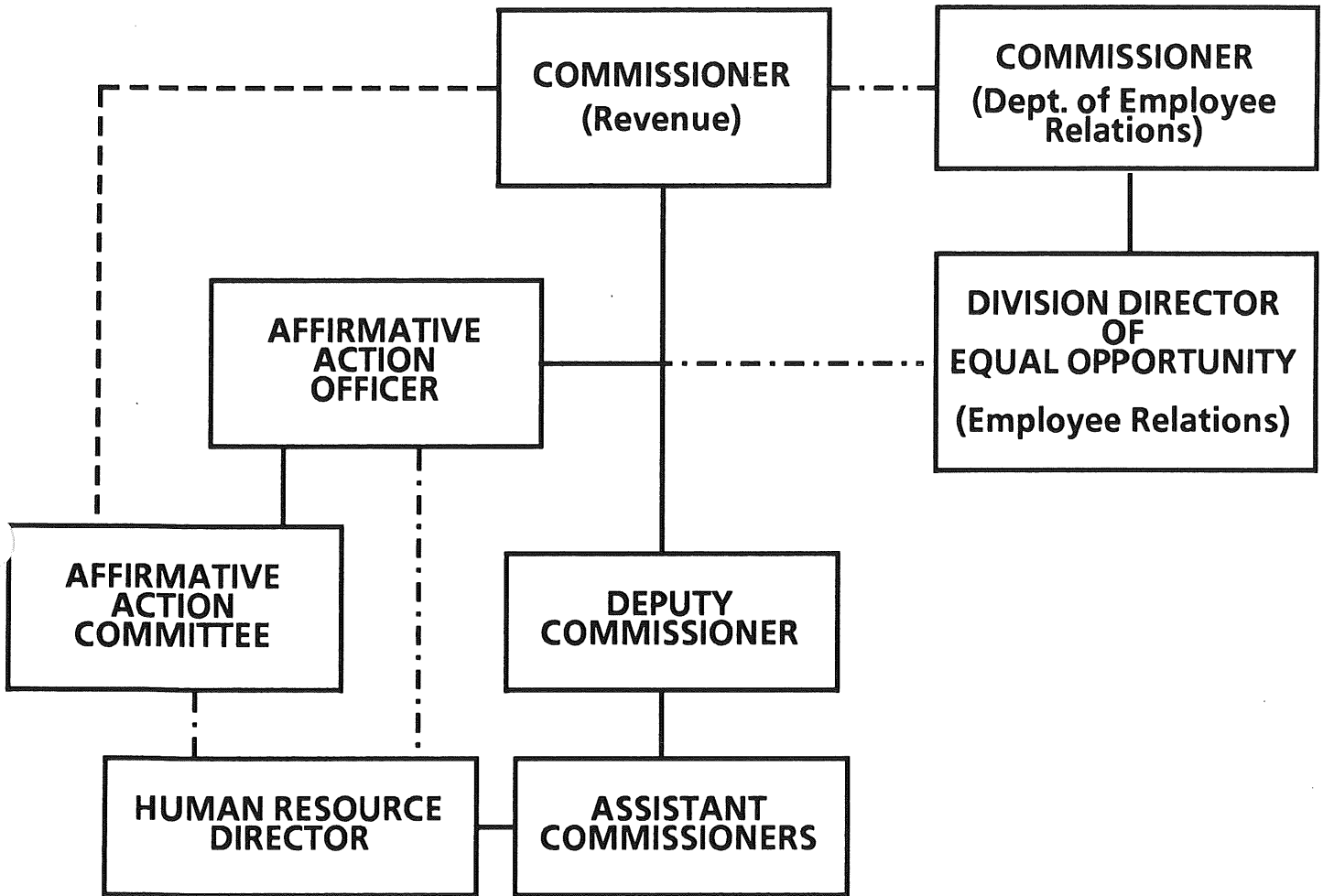
MEETINGS AND PROCEDURES

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 AFFIRMATIVE ACTION PLAN

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 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 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:

The mission of the Affirmative Action Program is to correct the effects of discrimination, whether that discrimination is intentional or unintentional, and to identify and eliminate discriminatory practices which may adversely affect employees or applicants.

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 Committee Members

TARGET DATE: July 1989
October 1989
January 1990
April 1990

SPECIFIC PROGRAM OBJECTIVE:

2. To improve and expand training that will create interest and understanding of the Affirmative Action Policies and Procedures among all Department of Revenue employees.

ACTION STEPS

- a. Provide new employee orientation training that includes the basic principles of Affirmative Action, preventing harassment and Department of Revenue Affirmative Action Program.
- b. Information (orally and verbally) will be provided to all supervisors and managers on new Equal Employment Opportunity laws and Department policies and procedures.
- c. Provide training to supervisors and managers on disability awareness and reasonable accommodation.
- d. Preventing sexual harassment training sessions will be offered.

EVALUATION

- a. Ensure that all new employees receive information on the Department of Revenue Affirmative Action Program and know their rights and obligations under the Department's Affirmative Action Plan.
- b. Managers and supervisors will be kept abreast on new Equal Employment Opportunity developments, policies and procedures to assist them in carrying out their Affirmative Action responsibilities.
- c. Supervisors and managers will receive training on disability issues and be made aware of their responsibility to provide reasonable accommodation.
- d. Training sessions offered to all employees. The training sessions are a requirement for new employees.

**ASSIGNMENT: Affirmative Action Officer
Human Resource Management Director**

**TARGET DATE: October 1989
January 1990
April 1990
August 1990**

SPECIFIC PROGRAM OBJECTIVE:

3. To recruit protected group members for entry level professional positions.

ACTION STEPS

- a. Develop recruitment packet to include brochure and entry level position fact sheets, applications, etc. for use in recruiting.
- b. Survey colleges to determine protected class enrollment.
- c. Provide intern opportunities for college students in business degree majors.

EVALUATION

- a. Recruitment packets will be available for colleges, career centers, job fairs and interested applicants.
- b. Colleges with high protected class enrollment will be targeted for recruitment.
- c. The number of interns will increase from previous year.

ASSIGNMENT: Affirmative Action Committee Members
Affirmative Action Officer
Managers and Supervisors

TARGET DATE: October 1989
January 1990
April 1990
August 1990

SPECIFIC PROGRAM OBJECTIVE:

4. To educate all Department employees to understand and value cultural diversity.

ACTION STEPS

- a. Design a training package for use Department wide to address the need for valuing the diversity of Department of Revenue employees.
- b. Conduct the valuing cultural diversity training throughout the Department.
- c. Sponsor an open house with a valuing diversity theme to introduce the topic Department wide.

EVALUATION

- a. A cultural diversity training package is designed and ready for implementation.
- b. Department employees have a greater understanding and appreciation of coworkers' differences.
- c. An open house is carried out with success (theme will be presented and open house will be attended).

ASSIGNMENT: Affirmative Action Officer
Affirmative Action Committee Members
Training Coordinator

TARGET DATE: October 1989
January 1990
July 1990

PROCEDURE FOR PRE-HIRE 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 exists, 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 satisfactorily 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.

INTERNSHIP PROGRAM

Statutory Reference: 43A.02
ADMIN Procedure: 420.00

Objectives

To provide paraprofessional work opportunities and practical learning experiences for selected students to enhance their academic preparation and expose them to state government employment. Internship positions can provide an excellent means for initiating and implementing Department Affirmative Action efforts.

Policy

An internship is a paraprofessional work experience (paid or unpaid) that is directly related to a specific academic program; only students who are currently pursuing a degree directly related to the internship duties may be selected. To qualify as an internship, the work experience must result in academic credit or fulfill an academic requirement of an accredited educational institution. Normally, an internship lasts one quarter or semester; occasionally, however, there are special circumstances in which an internship would be less than or greater than one quarter or semester. Appointments may be part time or full time as appropriate to meet the academic requirements of the internship, with the supervisor responsible for any intern evaluation requirements.

An intern is not a state employee and, therefore, is not eligible for state benefits (i.e., no insurance, annual leave, sick leave, or holiday pay). Internship positions are not intended to replace or be considered equivalent to the full scope of a permanent state position, and completion of an internship with the Department of Revenue does not imply any future employment commitment.

PROCEDURES

Recruitment and Selection

The recruitment and selection of interns is the responsibility of the supervisor.

The Department of Revenue Internship Program Coordinator (the Affirmative Action Officer) can assist the supervisor in the recruitment of interns in the following ways:

1. By identifying contact individuals at educational institutions with formal internship programs.
2. By making available to the supervisor internship applications that are kept on file.
3. A special effort to recruit and place protected class students will be made.

Compensation and Benefits

Internships may be paid or unpaid. When payment is involved, the rate of pay shall be within the following salary range: State Minimum Wage (\$3.55) to MAPE Salary Range 1, Step 1 (\$9.22).

The supervisor determines the salary within this range by considering the following: the candidate's educational background, the salaries being paid to other interns who are performing similar work, and budget constraints.

If assigned to travel status during an internship, an intern may be reimbursed for expenses in the same manner and amounts as provided in the Commissioner's Plan.

ACTIONS AND RESPONSIBILITIES

<u>Step</u>	<u>Action</u>	<u>Responsibility</u>
1	Review budget to ensure funding is available (if internship is paid) in objective code 03.	Supervisor
2	Identify need and complete "Internship Opportunity" form. Forward to appropriate college placement services for posting on the student job opportunities board. Send a copy to Affirmative Action Officer.	Supervisor
3	Contact Human Resources Management (HRM) office to establish a noncomplement position control number (if internship is a paid position).	Supervisor
4	Ensure that student applicants complete an "Internship Application" form.	Supervisor
5	Interview and select the intern and complete the "Internship Agreement" form. (The form requires the supervisor's signature, the intern's signature, and the intern's faculty advisor's signature prior to the first working day.)	Supervisor
6	Five days in advance of intern's starting date, submit completed "Internship Application" form, "Internship Opportunity" form, and "Internship Agreement" form to the HRM office.	Supervisor
7	Intern must report to HRM office on first working day.	Supervisor
8	The following forms are unique to the employment of interns: Internship Brochure and Application, Internship Opportunity and Internship Agreement.	HRM, Affirm. Action Officer

REASONABLE ACCOMMODATIONS

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 classified 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 job.

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

Division Statement of Disability (attach medical statement
if requested)

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.

6. Approved _____ Denied _____ Reason for Denial:

Signature of Employee Date

Signature of Division Director or Staff Manager Date

Signature of Assistant Commissioner Date

Signature of Accessibility Coordinator Date

Signature of Affirmative Action Officer Date

HARASSMENT

Harassment is a form of discrimination and is a violation of Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972 and the Minnesota Human Rights Act, M.S. 363.

It is the DOR policy to prohibit any behavior of co-workers or supervisors which is unwelcome, personally offensive, insulting or demeaning, and when:

1. submission to such conduct is explicitly or implicitly made 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 performance or creating an intimidating, hostile, or offensive working environment.

Harassment may take the following forms:

1. Repeated disparaging, belittling, demeaning, insulting remarks.
2. Repeated jokes about an employee or a characteristic unique to the employee.
3. Sabotage of an employee's character, reputation, work efforts or property.

A. Sexual

1. Any of the previously listed forms of treatment which the employee states is causing discomfort because of one's sex.
2. Unwanted sexual compliments, looks, innuendos or suggestions about one's clothing, body or sexual activity.
3. Unwanted, unnecessary touching, brushing against one's body, patting or pinching.
4. Demanding sexual favors accompanied by implied or overt threats concerning conditions of employment.
5. Displaying pictures or objects depicting nude or scantily-clad women or men in work areas.
6. Use of language implying inferiority of an employee based on sex such as "girl" or "boy," rather than "woman" or "man."

B. Racial and Heritage

1. Any behavior previously listed in this policy which is applied to one's race, color, heritage or national origin.
2. Telling jokes or making derogatory remarks about one's race or national heritage.
3. Use of language implying inferiority of a race or national heritage.

C. Religion, Disability, and Age

1. Any behavior previously listed in this policy which is applied to one's religion, disability or age.
2. Use of demeaning, derogatory names or remarks about an employee's religion, disability or age.

The Commissioner is responsible for the application of this policy within the department; each manager and supervisor has the responsibility within their units. This responsibility includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance with 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.

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. 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 a discrimination complaint and, therefore, appropriate to be addressed 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 365 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 also 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.

Minnesota Department of Revenue
Formal Discrimination Complaint
Please print or type

Information about you

Your name

Job title

Division

Work unit

Phone

Supervisor

Who discriminated against you

Name

Work unit

Job title

Name

Work unit

Job title

Name

Work unit

Job title

Name

Work unit

Job title

Information on your complaint

I was discriminated against because of my following protected class characteristic:

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

Age ☐ National Origin ☐ Reliance on public assistance ☐

When did the most recent incident occur? Date _____ Time _____ Location _____

Did you file this complaint with another agency? yes ☐ no ☐ If yes, which agency? _____

Describe the incident(s) in detail, with most recent incident first (include names, types of behavior, location, dates).
Use back of form if necessary.

Witnesses

1. Name

Work unit

Job title

2. Name

Work unit

Job title

3. Name

Work unit

Job title

Your signature

This complaint is being filed based on my belief that the State of Minnesota discriminated against me. I hereby certify that the information I provided in this complaint is true and correct to the best of my knowledge.

Signature

Date

Received by

Date

74

100

100

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100

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100

100

100

100

APPENDIX D

AFFIRMATIVE ACTION COMMITTEE Department of Revenue

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