

910359

**DEPARTMENT
OF
ADMINISTRATION**

**AFFIRMATIVE ACTION
PLAN**

1991

TABLE OF CONTENTS

TRANSMITTAL SHEET - DISPARITIES.....1

COMMISSIONER'S STATEMENT OF COMMITMENT.....2

POLICY STATEMENT.....3

43A.19.....3

MAJOR LAWS AND ORDERS.....4

LEGAL BASIS FOR AFFIRMATIVE ACTION.....5

DEFINITIONS.....6

RESPONSIBILITIES AND ACCOUNTABILITIES.....9

DISSEMINATION OF INFORMATION.....14

COMPLAINT PROCEDURES.....15

SEXUAL HARASSMENT POLICY.....16

HARRASSMENT STATEMENT.....17

HARRASSMENT PROCEDURES.....19

IDEAL GOALS.....20

INTERIM GOALS.....21

PROGRAM OBJECTIVES.....24

PRE-EMPLOYMENT REVIEW PROCESS.....28

REASONABLE ACCOMMODATION PROVISIONS.....33

SEVERE WEATHER AND BUILDING EVACUATION ACCOMMODATIONS.....41

WEATHER EMERGENCY NOTIFICATION.....42

AFFIRMATIVE ACTION PLAN
Fiscal Year 1991
For

Department of Administration
 (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	X		X	
Service	X		X	
Health Care Non-Professional				
Health Care Professional				
Clerical				
Technical	X		X	
Correctional Guards				
State University Instructional				
Community College Instructional				
State University Administrative				
Professional Engineering Supervisory	X			
Health Treatment Professional				
General Professional	X		X	
Professional State Residential Instructional				
Supervisory	X		X	
Commissioner's Plan			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.

In the Personnel Services Office, Room 114, Administration Building

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.

Cynthia M. Lazar
 Affirmative Action Officer

October 1, 1990
 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.

Sandra Hale
 Agency Head

October 8, 1990
 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.

Elsa Vega Perez
 Equal Opportunity Division

1-25-91
 Date

COMMISSIONER'S STATEMENT OF COMMITMENT

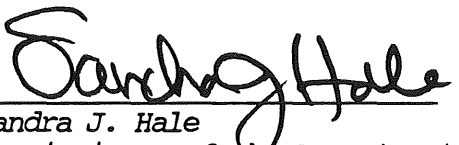
TO AFFIRMATIVE ACTION AND EQUAL EMPLOYMENT OPPORTUNITY

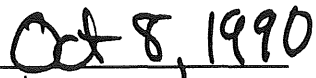
As Commissioner of Administration, I endorse and support the State's affirmative action program and our department's affirmative action plan. To assure that positions are equally accessible to all qualified persons and ensure a balanced workforce, fully representative of all protected groups, the Department of Administration will make every effort to recruit, hire and support qualified protected group members.

Managers and supervisors will be held accountable for ensuring that the Affirmative Action program is implemented since these are the people who can ultimately make the most impact on the program. Each manager and supervisor shall have a statement in his/her position description delineating the affirmative action responsibilities and will be reviewed annually on the basis of their performance in this area.

In order to implement our plan, I have designated Cynthia McLagan to serve as our affirmative action designee. Our plan is posted on the Personnel Office bulletin board at 114 Administration Building.

I strongly encourage all employees to become acquainted with our affirmative action plan. It is the responsibility of the employees to promote and apply the principles of equal opportunity in their work and to cooperate fully with the department's plan of action. Affirmative action is a positive effort to utilize the skills and resources, not only of those who have been denied opportunity in the past, but of all present and potential employees. I urge you to join me in continuing effort to make equal employment opportunity a reality.


Sandra J. Hale
Commissioner of the Department
of Administration


Date

Policy

AFFIRMATIVE ACTION

"TO ASSURE THAT POSITIONS ARE EQUALLY ACCESSIBLE TO ALL QUALIFIED PERSONS AND TO ELIMINATE THE UNDERUTILIZATION OF QUALIFIED MEMBERS OF PROTECTED GROUPS," THE DEPARTMENT OF ADMINISTRATION WILL MAKE EVERY EFFORT TO RECRUIT, HIRE AND SUPPORT QUALIFIED PROTECTED GROUP MEMBERS.

43A.19 AFFIRMATIVE ACTION

Subdivision 1. Statewide Affirmative Action Program. To assure that positions in the executive branch of the civil service are equally accessible to all qualified persons, and to eliminate the underutilization of qualified members of protected groups, the commissioner shall adopt and periodically revise, if necessary, a statewide affirmative action program. The statewide affirmative action program shall consist of at least the following.

- a. Objectives, goals and policies.
- b. Procedures, standards and assumptions to be used by agencies in the preparation of agency affirmative action plans, including methods by which goals and timetables shall be established; and
- c. Requirements for the periodic submission of affirmative action progress reports from heads of agencies.

The commissioner shall designate a state director of equal employment opportunity who may be delegated the preparation, revision, implementation and administration of the program. The commissioner of employee relations may place the director's position in the unclassified service if the position meets the criteria established in section 43A.08, subdivision 1a.

Subdivision 2. Agency Affirmative Action Plans. The head of each agency in the executive branch shall prepare and implement an agency affirmative action plan consistent with this section and rules promulgated pursuant to section 43A.04, subdivision 3. No agency affirmative action plan may be implemented without the commissioner's approval.

Subdivision 3. Exemptions. Implementation of the provisions of this section shall not be deemed a violation of other provisions of Laws 1981, Chapter 210 or Chapter 363.

Major Laws and Orders Requiring Equal
Employment Opportunity and Affirmative Action

	<u>INSTITUTIONS COVERED</u>	<u>PROVISIONS</u>	<u>ENFORCING AGENCY</u>
M.S. 43A.19	All state agencies of the executive branch.	Requires affirmative action for minorities, women, handicapped and Vietnam era Veterans. Prohibits discrimination based on race, sex, age disability, religion, & politics.	Equal Opportunity Division, Department of Personnel. Each agency has a complaint procedure.
MINNESOTA HUMAN RIGHTS ACT, M.S. 363	All institutions, including labor organizations.	Prohibits discrimination in employment, based on race, color, creed, religion, age, national origin, sex, marital status, disability and reliance on public assistance.	Minnesota Department of Human Rights.
TITLE VI, CIVIL RIGHTS ACT OF 1964	All institutions receiving federal financial assistance.	Prohibits discrimination in, exclusion from participation in, or denial of benefits of any program or activity receiving federal financial assistance, based on race, color or national origin.	Each federal agency which administers grants, loans, or contracts is responsible for the programs or activities funded through its assistance.
TITLE VII, CIVIL RIGHTS ACT OF 1964 (amended by Equal Employment Opportunity Act of 1972)	All institutions with 15 or more employees.	Prohibits discrimination in all terms and conditions of employment based on race, color, religion, national origin, or sex, and harassment of employees who file complaints.	U.S. Equal Employment Opportunity Commission (EEOC).
EQUAL PAY ACT OF 1963 (amended by Title IX Education Amendments Act of 1972)	All institutions, including labor organizations.	Prohibits discrimination in salaries (including almost all fringe benefits) based on sex.	U.S. Equal Employment Opportunity Commission (EEOC).
AGE DISCRIMINATION IN EMPLOYMENT ACT of 1967 (amended in 1974)	All institutions, including labor organizations.	Prohibits discrimination in compensation, terms, conditions and privileges of employment, and status of employee, based on age (covers ages 40-70).	U.S. Equal Employment Opportunity Commission (EEOC).
PRESIDENT'S EXECUTIVE ORDER #11246 (amended by Executive Order #11375)	All institutions with federal contracts in excess of \$10,000.	Prohibits discrimination in all terms and conditions of employment based on race, color, religion, national origin, and sex.	Office of Federal Contract Compliance Programs (OFCCP) of the U.S. Dept. of Labor.
TITLE IX, EDUCATION AMENDMENTS OF 1972 (Higher Education Act)	All educational institutions receiving federal funds through grants, loans, or contracts.	Prohibits discrimination against students and employees on the basis of sex.	HEW Office for Civil Rights, Higher Education Division.
REHABILITATION ACT of 1973, Section 504.	All institutions receiving federal financial assistance.	Prohibits discrimination based on handicap in employment, in provision of services and in operation of programs.	HEW Office for Civil Rights. When fully promulgated, each federal agency will enforce own provisions.
REHABILITATION ACT of 1973, Section 503.	All institutions with federal contracts in excess of \$2500.	Requires affirmative action for qualified handicapped individuals.	Office of Federal Contract Compliance Programs (OFCCP) of the U.S. Dept. of Labor.
GOVERNOR'S EXECUTIVE ORDER Number 73-15 Effective March 27, 1979	All state agencies.	Requires conduct of state business in barrier-free buildings as soon as feasible.	Equal Opportunity Division of the Minnesota Department of Personnel and the Minnesota Department of Administration.

THE LEGAL BASIS FOR AFFIRMATIVE ACTION

THE HISTORY OF EQUAL EMPLOYMENT OPPORTUNITY

Equal employment has been characterized by two distinct trends for approximately the last twenty years. The first trend, in fact, dates back to 1866 when the first Civil Rights Act designed to provide equality in the employment market place between blacks and whites was passed by congress. This trend progressed over the years and led to what we know today as the Civil Rights Act of 1964, which set forth the concept of "nondiscrimination".

In the early '60's, the President of the United States issued Executive Orders 11246 and 11375 mandating "affirmative action" on the part of anyone doing business or asking to do business with the federal government. This was the start of the second trend affecting equal employment opportunity. No longer would it be acceptable for employers to have a more or less passive stance of nondiscrimination. Contractors and potential contractors were required to take active steps to assure equal opportunity to anyone seeking employment regardless of race, creed, color, national origin or sex.

Specific requirements for the Civil Rights Act of 1954 and the Executive Orders prohibited employment discrimination and detailed the methods through which equal employment opportunity may be achieved. The most comprehensive of these methods is the requirement for affirmative action programs. The State of Minnesota, subject to these requirements, enacted the Minnesota Human Rights Act and various Executive Orders were issued mandating affirmative action for all executive branch agencies.

These Executive orders mandate the establishment of a stateside affirmative action program and created the Governor's Affirmative Action Office to administer and implement the program. Eventually, to conform with the direction of current thought, the Governor's Affirmative Action Office was replaced by the Equal Opportunity Division of the Department of Employee Relations under the leadership of the Director of Equal Opportunity. The concept behind this move is that affirmative action should be an integral part of the personnel process. In 1978, Minnesota Legislators passed a law Chapter 798 amending Minnesota Statutes 43.15. This law requires a statewide affirmative action program and agency affirmative action plans covering all employees in the executive branch.

*Excerpt from the State of Minnesota Affirmative Action Plan.

DEFINITIONS

AFFIRMATIVE ACTION - A management posture or point of view that initial employment and advancement opportunities for person in protected groups shown to be underutilized in an agency's work force should be facilitated so that the imbalance is redressed.

AFFIRMATIVE ACTION OFFICE (AAO) - The individual designated to coordinate and monitor affirmative action activities in the Department.

AFFIRMATIVE ACTION PLAN - Rules governing the statewide affirmative action program.

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

COMPLAINANT - The person who files a complaint of discrimination.

DISABLED PERSON - Any person who: 1) has a physical or mental impairment which substantially limits one or more major life activities, 2) has a record of such an impairment, or 3) is regarded as having such an impairment.

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

DISCRIMINATORY HARASSMENT - Behavior of one or more employees towards another employee based on sex, race, color, religion or national origin which serves to trouble, worry or torment that employee and which has a detrimental effect on the employee's work performance or which creates an intimidating, hostile or offensive working environment.

DISPARITY/UNDERUTILIZATION - The employment of fewer handicapped persons, minorities, and women in the agency's work force that could reasonably be expected based on their availability in the labor 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 race color, religion, sex, age, national origin, disability, political affiliation, or other non-merit factors.

EQUAL OPPORTUNITY OFFICER (EOO) - The Deputy Commissioner designated by the Commissioner to administer the department's affirmative action programs.

GOALS - Good faith quantitative objectives set as the minimum requirement to be met within a certain time period.

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

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

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

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

PROTECTED CLASS/PROTECTED GROUP - Those individuals identifiable as disabled, minority, or women.

RESPONDENT - A person or an entity against whom a discrimination complaint has been filed.

SEXUAL HARASSMENT - Unwelcome sexual advance, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: 1) submission to such conduct is made a term or condition of an individual's employment, 2) submission to, or rejection of, such conduct is used as the basis for employment decisions affecting an 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.

VIETNAM ERA VETERANS - Those persons who served in the military service of this country during the period of August 4, 1964 to May 7, 1975, and were separated under honorable conditions: a) after having served on active duty for 181 consecutive days, or b) by reason of disability incurred while in service on active duty, and who are permanent residents of the State of Minnesota.

RACE/ETHNIC CATEGORIES

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

- A. White, not of Hispanic origin -- persons having origins in any of the original peoples of Europe, North Africa, or the Middle East.*
- B. Black, not of Hispanic origin -- persons having origins in any of the black racial groups of Africa.*
- C. Hispanic -- persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origins, regardless of race.*
- D. 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.*
- E. Asian or Pacific Islander -- persons having origins in any of the original peoples of Far East, South East, Asia, in the Indian subcontinent, or the Pacific Islands. This area includes, for example China, Japan, the Philippine Islands, and Samoa.*

COMMISSIONER

The Commissioner of Administration is responsible for the Department's equal employment and affirmative action programs and the Department's compliance with federal and state laws, rules and regulations. She is accountable to the governor, the Legislature, the Commissioner of Employee Relations and the Director of Equal Opportunity for affirmative action matters.

RESPONSIBILITIES:

- A. To direct the Executive Team to uphold and support the affirmative action policies and program in order to remove barriers to equal employment opportunities for minority, female, and handicapped group members.
- B. To be accountable for affirmative action compliance.
- C. To be responsible for the agency's commitment to meet affirmative action goals.
- D. To designate an affirmative action officer/designee.
- E. To approve and implement the department's affirmative action plan.
- F. To hold members of the staff responsible for the effectiveness of affirmative action activities under their respective jurisdictions by a specific program objective.
- G. To issue a written statement to staff affirming support of the State's equal opportunity policy and affirmative action program.
- H. To take action on complaints of discrimination.

*EQUAL OPPORTUNITY OFFICER
(Deputy Commissioner)*

The Equal Opportunity Officer is responsible for administration of the Department's affirmative action policies, provisions and programs and is accountable to the Commissioner.

RESPONSIBILITIES:

- A. To ensure that Administration's affirmative action policies, program and directives are carried out.*
- B. To coordinate in partnership with the Affirmative Action Officer, the affirmative action efforts of all bureaus and to advise and assist management to comply with federal and state regulations impacting Equal Employment Opportunity and Affirmative Action.*
- C. To Chair Administration's Affirmative Action Committee (when active) ensuring that the committee implements the Affirmative Action Program.*

EXECUTIVE TEAM

The Executive Team is responsible to administer the Department's Affirmative Action Plan in the Bureaus and is accountable to the Commissioner and the Deputy Commissioner.

RESPONSIBILITIES:

- A. To enforce AA/EEO rules, regulations and other related projects assigned by the Commissioner.*
- B. To review compliance by division directors relative to their adherence with policies and procedures stipulated in the Department of Administration's affirmative action program.*
- C. To offer support and technical resources, whenever feasible, to the Commissioner to achieve affirmative action goals, creating opportunities for upward mobility to enhance the careers of protected class members.*
- D. To be accountable for Bureau affirmative action hires through an annual performance review.*
- E. To assist the Affirmative Action Officer/Designee in making hiring decisions for the Bureaus when an exception has been requested.*

AFFIRMATIVE ACTION OFFICER/DESIGNEE

The Affirmative Action Officer is responsible to implement and maintain the Department's Affirmative Action Program and is accountable to the Equal Opportunity Officer, the Commissioner and the Director of Equal Opportunity.

RESPONSIBILITIES:

- A. To develop for the Commissioner's approval the Department of Administration's written Affirmative Action Plan.*
- B. To serve as the Department of Administration's liaison with the State Equal Opportunity Division in the design, implementation, and monitoring of the Department of Administration Affirmative Action Plan.*
- C. To assist in the design and implementation of internal audit and report procedures that will measure the effectiveness of the Department of Administration Affirmative Action Program, indicate need for remedial action, and determine the extent to which the Department goals and objectives have been attained.*
- D. To coordinate efforts of various Department of Administration bureaus to effectively reach all employees with information on affirmative action and provide training in affirmative action as needed.*
- E. To assist the Department of Administration and staff of all levels in identifying and arriving at solutions to problems of equal employment opportunity, including complaint resolutions.*
- F. To maintain files on affirmative action related materials in order to assure documentation on good faith efforts in the area.*
- G. To serve as liaison between the Department of Administration and organizations representing the protected classes in order to develop and maintain a protected class recruitment network to provide for better recruitment from these groups.*
- H. To coordinate the Department of Administration disabled program as 504 coordinator.*
- I. To keep the Commissioner and Department informed of the latest developments in the area of equal employment opportunity.*

MANAGERS AND SUPERVISORS

The managers and supervisors are responsible to ensure their unit operates in compliance with the Department's Affirmative Action Plan. They are accountable to the Commissioner, the Executive Team and the Affirmative Action Officer/Designee.

RESPONSIBILITIES:

- A. To ensure compliance with all equal opportunity and affirmative action policies and programs.
- B. To assist the Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal opportunity.
- C. To participate in a pre-hiring review process of all staffing decisions when protected groups are underrepresented.
- D. To participate in a pre-review of all layoffs to determine their effect on affirmative action goals.
- E. To communicate the equal opportunity/affirmative action policy to assigned staff.
- F. To respond within time constraints of the complaint procedure to any alleged complaints of discrimination or requests for information from the Affirmative Action Officer.
- G. To perform such other specific duties as may be assigned in the Affirmative Action Plan.

DISSEMINATION OF AFFIRMATIVE ACTION INFORMATION

The impact of the Affirmative Action Plan can be fully realized only to the extent that its provisions are known by those who must apply it and those who are to benefit by it. With this in mind the following describes methods to be used to disseminate information both internally and externally.

Internal

- I. The Affirmative Action Plan shall be posted on the Personnel Office bulletin board at 114 Administration Building.
- II. The Affirmative Action Policy and the Commissioner's Statement of Commitment will be circulated in writing to all employees of the Department of Administration.
- III. The Department's Affirmative Action Policy and the Commissioner's Statement of Commitment will be included in new employee orientation presentations.
- IV. The Affirmative Action Plan will be given to each member of the Executive Team, Management Team and Operations Team. In addition, the Plan shall be available to anyone upon request.
- V. All managers and supervisors will be annually informed of their affirmative action responsibilities as outlined in the Affirmative Action Plan.
- VI. Each manager and supervisor reviewing the Affirmative Action Plan shall be responsible for communicating to his/her staff any relevant portions of the Plan as well as other relevant affirmative action information disseminates throughout the year.

External

- I. The commitment of the Department of Administration to affirmative action will be publicized through a wide variety of media so that minorities, females, and the disabled are encouraged to seek employment and promotion in our agency.
- II. The statement "An Equal Opportunity Employer" will appear on all stationery, job announcements and advertisements.
- III. Copies of the Affirmative Action Plan will be made available to the public upon request.

COMPLAINT PROCEDURE

1. INFORMAL

- A. An employee who has a complaint of discrimination or harassment may bring it to the attention of his/her supervisor or affirmative action officer in an attempt to reach a satisfactory resolution without the necessity of further action.

2. FORMAL

Step 1:

Failing resolution through the informal process, the employee alleging discrimination/harassment (complainant) may submit a written complaint to the affirmative action officer setting forth the nature of the complaint, the facts upon which it is based and the remedy requested. The complaint must be submitted within a reasonable period of time, not to exceed 30 calendar days, of the occurrence of the event giving rise to the complaint. If the affirmative action officer determines that the complaint is not a complaint based on discrimination, but rather a general personnel concern, the employee alleging discrimination shall be notified and advised of other complaint procedures.

If the affirmative action officer determines the complaint would suffer a reparable loss in the absence of immediate action, he or she may proceed directly to step 2.

Within 7 calendar days after receiving the written complaint, the affirmative action officer shall meet with the supervisor with or without the complainant, in an attempt to resolve the complaint. The supervisor shall give a written answer to the affirmative action officer within five calendar days following the meeting. If dissatisfied with the supervisor's response, the complainant may, by written request within 5 calendar days, proceed to step 2.

Step 2:

The affirmative action officer shall arrange a meeting with the appointing authority within 10 calendar days of the request to proceed to step 2. The affirmative action officer shall prepare a summation of the issues and the recommendation of remedy to the appointing authority prior to the scheduled meeting. All parties should be present to allow for a full discussion of the issue.

Within 60 calendar days of the filing of a formal complaint, the appointing authority shall respond in writing with the final answer or remedy. If the complainant is not satisfied, he/she shall be advised by the affirmative action officer of the right to file a charge of discrimination with the Minnesota Department of Human Rights. All disposition of complaints shall be filed with the Commissioner of Employee Relations within 30 days of final disposition.

STATE DEPARTMENT OF ADMINISTRATION POLICY REGARDING SEXUAL HARASSMENT

The Minnesota State Department of Administration believes that sexual harassment has no place in the work environment. Additionally, under federal and state law, sexual harassment of employees is illegal. Therefore, it is against Department policy for any employee or other person to subject another employee or other person to sexual harassment. Any acts of sexual harassment should be immediately reported. After investigation, appropriate disciplinary action, up to and including termination, will be instituted against anyone found to have violated this policy.

1. Acts of sexual harassment, which are prohibited by this policy, include but are not limited to: unwelcome sexual advances; requests, demands, or subtle pressure for sexual favors or sexual activity of another employee; and other verbal or physical conduct of a sexual nature (e.g., lewd comments or gestures; unwanted, intentional physical contact of a sexual nature, and subjecting fellow employees to written or pictorial materials of a sexual nature) when:
 - (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
 - (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
 - (c) such conduct is offered in order to receive special treatment or in exchange for or in consideration of any personnel action;
 - (d) 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.
2. Retaliation against any employee for refusing a sexual advance, for refusing a request, demand, or subtle pressure for sexual favors or activity, or for reporting an incident of possible sexual harassment to the Personnel Department is also prohibited.

Sexual harassment is strictly prohibited. If anyone engages in any such conduct, let the offending person know immediately and firmly that you find the conduct offensive, and report the matter to your supervisor, the Department's Affirmative Action, a Union steward, your Division Director, or the Personnel Director. The Personnel Division will make a complete investigation, and appropriate disciplinary action will be taken.

HARASSMENT STATEMENT

It is the department's policy to prohibit any behavior of co-workers or supervisors which is unwelcome, personally offensive, insulting or demeaning.

Harassment may take the following forms:

- 1) Exclusion from orientation or teamwork
- 2) Repeated disparaging, belittling, demeaning, insulting remarks
- 3) Repeatedly making the employee, or a characteristic unique to the employee, the butt of jokes
- 4) Repeated ridicule of an employee
- 5) Sabotage of an employee's character, reputation, work efforts or property
- 6) Unequal assignment of the "dirty work", less responsible or less challenging duties, not based on ability
- 7) Unequal application of performance standards, discipline or work rules

Behavior may include harassment in the following areas:

I. Sexual - (See the State Department of Administration Policy Regarding Sexual Harassment)

- 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, petting 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 and men in work areas
- 6) Use of language implying inferiority or an employee based on sex such as "girl" or "boy", rather than "woman" or "man"

II. Racial and Heritage

- 1) Any behavior previously listed in this statement 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.*

III. Religion, Disability, and Age

- 1) Any behavior previously listed in this statement 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 position 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 statement. 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 position.

PROCEDURES

RESPONSIBILITIES

Managers and Supervisors

1. Take all steps necessary to prevent harassment from occurring, such as affirmatively raising the subject, expressing strong disapproval, informing employees of their rights to raise the issue of harassment and to make it known that disciplinary action will be taken against employees who engage in any form of harassment of other employees.
2. Contact the Department of Administration Affirmative Action Officer immediately when they become aware of a harassment complaint.
3. Fully investigate complaints of harassment in conjunction with the Affirmative Action Officer and Personnel Director.
4. Maintain a file or written documentation regarding complaints.
5. Prohibit retaliation by others against any employee who files a harassment complaint.
6. Review, as necessary, with subordinates, the Department of Administration Harassment Guidelines.

The Harassed Employee

1. Immediately inform the person causing the harassment that their behavior is objectionable and ask that it cease.
2. If the harassment does not cease, report it to your Supervisor or Division Director.
3. Maintain a written record of the instances of harassment and the names of any witnesses.
4. If, after taking the complaint to an immediate Supervisor or Division Director, the harassment continues, contact the Department of Administration Affirmative Action Officer.

NOTE: Employees have the right to report a harassment complaint directly to the Affirmative Action Officer in circumstances where they feel uncomfortable reporting it to their immediate Supervisor or the Division Director. However, if at all possible, it is advised to go directly through the chain of supervision.

This procedure does not replace the right of any employee to file a formal complaint with the Department of Human Rights.

AFFIRMATIVE ACTION PLAN

Ideal Goals

Fiscal Year 1991

DEPARTMENT OF ADMINISTRATION

(Agency or Agency Subdivision)

1. This annual review revealed underutilization of the following protected group(s) in the following units:

GOAL UNITS	PROTECTED GROUPS		
	WOMEN	MINORITIES	HANDICAPPED
Law Enforcement			
Craft, Maintenance, Labor Service	9		4
Health Care Non-Professional	18		1
Health Care Professional			
Clerical			
Technical	1		1
Correctional Guards			
State University Instructional			
Community College Instructional			
State University Administration			
Professional Engineering Super.	1		
Health Treatment Professional			
General Professional	7		2
Prof. State Res. Instructional			
Supervisory	9		2
Commissioner's Plan			2
Managerial Plan		2	3
Other			

Anticipated Opportunities and Proposed Goals

FY 91

The following chart indicates the number of total anticipated hires, the number of anticipated opportunities to hire affirmatively and the number of protected group class people we might expect to actually hire in 1990-1991.

<u>Unit Name</u>	<u>Anticipated total hires FY 1990</u>	<u>Anticipated Opportunities</u>	<u>FY 1990 Goals</u>
CRAFT	2	1	F-0 H-1
SERVICE	12	7	F-6 H-1
CLERICAL	20	0	
TECHNICAL	10	4	F-3 H-1
ENGINEERS	1	0	
PROFESSIONAL	25	15	F-12 H-3
SUPERVISORY	3	2	F-1 H-1
MANAGERIAL	2	1	H-1 M-1
<hr/>			
TOTALS	76	30	F-22 H-8 M-1

AFFIRMATIVE ACTION PLAN
CHANGE IN STATUS SINCE 7/89

<i>UNIT</i>	<i>FEMALES</i>	<i>MINORITIES</i>	<i>HANDICAPPED</i>
<i>Craft</i>			
<i>Service</i>	+3	-2	-1
<i>Clerical</i>		-2	-2
<i>Technical</i>	-5	-2	-2
<i>Engineers</i>			
<i>Professional</i>	+13	-5	+1
<i>Supervisory</i>	-9	-1	-1
<i>Commissioner's</i>	+2	+3	
<i>Managers</i>	+2		+1

AFFIRMATIVE ACTION GOAL ACHIEVEMENT & SPECIAL HANDLING REPORT
DATA AS OF APRIL 24, 1990

NAME=ADMINISTRATION GOALUNIT=001

BARG	NUMBER FEMALE FEMALE	MIN GRP	NUMBER	HAND	HAND	NUMBER	VET	VETERAN	TOTAL	BARG	SPEC	
	FEMALES	EMPL GOAL	MIN_GRP	EMPL	GOAL	HANDICAP	EMPL	GOAL	UNIT	UNIT	HAND	
		PCT PCT	EMPLYS	PCT	PERCENT	EMPLYS	PCT	PERCENT	EMPLYS		CODE	
CRAFT	0	0.00 22.55	9	2	5.13 4.69	0	0.00	8.20	4	10	25.64 9.00	39 202 6
SERVICE	32	28.57 44.57	18	16	14.29 4.69	9	8.04	8.20	1	13	11.61 9.00	112 203 6
OFFICE	171	70.37		21	8.64 4.69	22	9.05	8.20		12	4.94 9.00	243 206 8
TECHNCL	29	43.28 44.57	1	8	11.94 4.69	5	7.46	8.20	1	6	8.96 9.00	67 207 E
ENGRS	0	0.00 7.18	1	1	12.50 2.61	1	12.50	8.20		1	12.50 9.00	8 212 2
PROFSNL	83	41.50 44.57	9	11	5.50 4.69	15	7.50	8.20	2	18	9.00 9.00	200 214 6
SUPVRS	23	26.74 37.04	9	5	5.81 1.53	5	5.81	8.20	2	10	11.63 9.00	86 216 6
COM PLN	17	62.96 45.10		4	14.81 4.69	1	3.70	8.20	2	2	7.41 9.00	27 9CP C
MGRS	18	31.58 24.60		2	3.51 6.95	2	3.51	8.20	3	9	15.79 9.00	57 9MP 5

OBJECTIVE: Research, develop and present segments on affirmative action and workplace diversity for Administration's all employee orientation program.

<u>ACTION STEPS</u>	<u>RESPONSIBILITY</u>	<u>TARGET DATE</u>
1. Research presentations on diversity provided by other agencies, companies, organizations	Chuck MacDonald Cynthia McLagan	September 1990
2. Research departmental employee profile.	Cynthia McLagan	September 1990
3. Design segment and determine appropriate format.	Cynthia McLagan Chuck MacDonald	November 1990
4. Present first orientation program.	Chuck MacDonald Cynthia McLagan other assigned staff	Third quarter

EVALUATION: Orientation program will be evaluated by Chuck MacDonald, Cynthia McLagan, Karen Hanson and Karen Carpenter following each presentation. Presentation format can be revised if needed.

OBJECTIVE: Provide sexual harassment and diversity workshops to the employees of the InterTechnologies Group

<u>ACTION STEPS</u>	<u>RESPONSIBILITY</u>	<u>TARGET DATE</u>
1. Consult with InterTech staff to discuss purpose and content.	Cynthia McLagan Chuck Macdonald Judy Cochran Pat Herndon	November, 1990
2. Complete needs analysis of bureau.	Judy Cochran	December 1990
3. Design workshop formats based on results of determined needs and purpose.	Chuck MacDonald Cynthia McLagan Judy Cochran Pat Herndon	February 1991
4. Determine presenter/s, either internal or external.	Judy Cochran Chuck MacDonald Cynthia McLagan Pat Herndon	March 1991
5. Provide initial workshops to selected employees.	Chosen presenter/s	May 1991

EVALUATION: Workshop participants will be asked to complete workshop evaluation forms. Collect data from training participants on usefulness of training and evaluate relevant comments and concerns

1. Evaluate effectiveness of workshops.	Judy Cochran Shirley Stone Cynthia McLagan Chuck MacDonald Pat Herndon	May 1991
2. Revise workshop formats if needed.	Judy Cochran Chuck MacDonald Pat Herndon Cynthia McLagan Chosen presenter/s	July 1991

OBJECTIVE: Provide Supervisory and Management Team half day update on affirmative action/EO issues using external expert/consultant.

<u>ACTION STEPS</u>	<u>RESPONSIBILITY</u>	<u>TARGET DATE</u>
1. Select date for presentation to Supervisors/Management Team	Chuck MacDonald Cynthia McLagan Management Program Committee	November 1990
2. Determine areas to be covered.	Committee, et al	November 1990
3. Contact experts for interest/availability	Chuck MacDonald	December/ January
4. Consult with selected expert for specific subject matter	Chuck MacDonald Committee	February/ March
5. Present update.	Selected expert	March or April

EVALUATION: Participants will be asked to complete evaluation forms following the presentation. The evaluation forms and comments will be used to measure effectiveness of this objective.

OBJECTIVE: Utilize recruitment opportunities to generate pools of candidates for vacancies in bargaining units where disparities exist

<u>ACTION STEPS</u>	<u>RESPONSIBILITIES</u>	<u>TARGET DATES</u>
1. Participate in the Affirmative Action Job/Career Fair at the St. Paul Armory	Cynthia McLagan Pat Herndon Nancy Olson Cathy Myhye	September 27, 1990
2. Place ads in appropriate newspapers to attract protected class candidates for delegated vacancies.	Nancy Olson Cathy Myhre	For all vacancies where disparities exist at time of announcements
3. Contact specific recruitment sources to publicize vacancies where appropriate.	Cynthia McLagan Pat Herndon Nancy Olson Cathy Myhye	At time of vacancy advertisement
4. Advertize vacancies directly to internal protected class members when appropriate.	Nancy Olson Cathy Myhre	At time of vacancy

EVALUATION: Monitor biweekly Special Handling Reports from DOER Equal Opportunity Division. The report will show where we have disparities; this can be used as an indicator for targeting recruitment publicity. The decline in disparities on Special Handling Reports will be used as a tool to measure the effectiveness of this objective.

PRE-EMPLOYMENT REVIEW

PURPOSE:

The rules governing statewide affirmative action programs require that methods of auditing, evaluating and reporting program success be established for all agencies. This includes a procedure that requires a pre-employment review of all hiring decisions for goal units with unmet affirmative action goals and pre-review of all layoff decisions to determine their effect on the department's goals. The purpose of this section is to provide managers and supervisors with information about the pre-employment review process.

PROCEDURE

When a vacancy occurs in a goal unit which has unmet affirmative action goals, the following procedures shall be followed:

ACTOR

ACTION

Transaction
Coordinator

1. Obtains list of eligibles for vacancy, applications of eligibles and a Protected group report from the Department of Employee Relations.

Personnel Rep/
Transactions
Coordinator

2. Determines if applicable labor agreement provides for selection on the basis of seniority provided the senior employee's ability and capacity to perform the job are relatively equal to that of other applicants.
- 2a. If yes, records seniority unit dates on the list and processes selection as prescribed by the labor agreement provisions.
3. Reviews Administration records to verify if goals have been met, i.e. whether disparities exist in the bargaining unit for which the department is hiring.
4. Indicates protected class candidates on list.

ACTOR

ACTION

Supervisor

5. Sends paperwork to supervisor.
6. Follows up with discussion with the supervisor to inform him/her of the the department's policy on Affirmative Action.
7. Conducts interviews:
 - 7a. of all candidates in disparate classes and any other candidates who possess the desired qualifications for the specific vacancy;
 - 7b. in accordance with objective interview techniques using structured interview questions;
 - 7c. ensuring that applicants are aware of conditions of employment (full time, part time, permanent, shift, etc.) salary range and physical requirements (pre-employment physicals) of the job.
8. Makes preliminary and final ratings of applicants after all interviews are conducted.
9. (Optional) Conducts reference checks.
10. Decides on a qualified person, considering any contractual, statutory, and Affirmative Action obligations.
11. Discusses candidate selection with Personnel Representative or Affirmative Action Designee prior to making any job offer.
12. If selection is in violation of applicable labor agreement, discusses rationale and ramifications of such action with the supervisor.
 - 12a. If selection is in violation of law, rules, or contract, advises supervisor of the situation and possibly over-rules the selection decision after discussion with the division director and the Personnel Director.

Personnel Rep/
Affirmative Action
Officer/Designee

NOTE: Steps 13-23 are applicable only if decision is made to hire a non-protected group member for reasons other than compliance with a labor agreement, lack of protected group candidates or no disparity exists. Otherwise continue with the normal hiring process.

ACTOR

Personnel Rep/
Affirmative Action
Officer/Designee

ACTION

13. If selection is not in accordance with Administration's Affirmative Action policy, listens to supervisor's reasons for selecting non-protected group member.
14. If the supervisor and Affirmative Action Designee agree that the protected candidate is clearly not qualified, supports the supervisor's decision in discussion with the Bureau Assistant Commissioner.
15. If the supervisor and Affirmative Action Designee agree the protected applicant would be qualified by the end of the probationary period, the Affirmative Action Designee strongly urges the supervisor to hire the protected candidate.

Supervisor

16. If unwilling to hire the qualified protected applicant, must ask his/her Assistant Commissioner for an exception to the department policy on Affirmative Action by providing the following information:
 - 16a. A statement explaining the reasons the protected candidates were not suited for the position, and explaining the exceptional qualifications for the non-protected candidate.
 - 16b. A list of employees who work for him/her in the classification of the vacancy by race, sex, and disability depending on the disparity.
 - 16c. A list of employees in the whole series by protected group. (For example, if the vacancy is an entry level Management Analyst, the list would be all MA's, MA 2's, MA 3's etc.)

ACTOR

Affirmative Action
Designee

Assistant
Commissioner

Deputy Commissioner

ACTION

17. Provides the following information to the appropriate Assistant Commissioner
 - 17a. A statement that the Affirmative Action Designee feels that the protected candidate is qualified to do the job or could be qualified within the probationary period.
 - 17b. A statement about the progress the department has made toward meeting the numerical goal for that bargaining unit.
 - 17c. A history of recent new hires in that bargaining unit.
 - 17d. A history of that supervisor's hiring over the last few hires.
18. Meets with Assistant Commissioner and supervisor if desired.
19. Makes a decision to approve or disapprove the exception.
20. If approves the exception, discusses the request for the exception with the Deputy Commissioner for final approval.
21. If disapproves the exception, tells the supervisor to select the protected applicant. Notifies the AA Designee of the decision.
22. Considers all of the following in deciding whether to grant an exception to the department's affirmative action policy:
 - 22a. There is an exceptionally well qualified applicant on the list who is not a member of a protected group for which there is a disparity;
 - 22b. The vacancy is in a bargaining unit where the last few hires have been protected applicants;

ACTOR

ACTION

22c. Admin has made considerable progress toward meeting the Affirmative Action goals for the bargaining unit;

22d. The supervisor with the current vacancy has recently filled several vacancies in the same bargaining unit and has selected a protected applicant each time.

22e. The vacancy is an entry level position and Admin has enough protected employees in the whole series to ensure enough protected applicants for promotions, so that this one vacancy will not greatly affect the pool for promotions into higher level positions.

Supervisor

23. If an exception is granted, gives all supporting documentation to the Affirmative Action Officer for appropriate filing.

24. Continues with the normal hiring process.

REASONABLE ACCOMMODATION PROVISION

I. POLICY

It is the policy of the Department of Administration to encourage the employment and promotion of any qualified person including the disabled. If the reason for the denial of employment or advancement in employment is the need to make reasonable accommodations to the physical or mental needs of a disabled employee or job applicant, it must be demonstrated that:

- a) the accommodation would impose an undue hardship on the agency;
- b) the accommodation does not overcome the effects of the person's disability; or
- c) the disabled person is not qualified to perform that particular job.

Administration's reasonable accommodations policy applies to all departmental employees with any known physical or mental limitations, and any job applicant requesting accommodation prior to employment interview.

Administration will provide accommodations to qualified disabled employees/job applicants when such accommodations are directly related to performing a job or competing for a job on an equal basis. Accommodation will not be required for non-job related personal needs of individuals even though they may be a qualified disabled individual. In such cases questions may arise as to whether the accommodation is personal or job related. The primary factors in evaluating an accommodations 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. The Department of Administration will not provide transportation to and from work as the part of reasonable accommodation.

II. SCOPE

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

III. DEFINITIONS

A. Disabled Persons

A disabled person for purposes of this policy is anyone who meets the definition as stated in the Section 504 regulation of the 1973 Rehabilitation Act as amended in 1978, Sub-part A, Section 84.3 j1-2 and k104 and Chapter 363 of the state's Human Rights Act. A disabled person is any one who:

1. Has a physical or mental impairment which materially limits one or more of such person's major life activities;
2. Has a record of such impairment which means that a person has a history of or has been misclassified as having a mental or physical impairment that materially limits one or more major life activities;
3. Is regarded as having such an impairment which means:
 - a. Has a physical or mental impairment that may not materially limit major life activities but that is treated by an employer as constituting such a limitation;
 - b. Has a physical or mental impairment that materially limits major life activities only as a result of the attitudes of others toward such impairment; or
 - c. Has no impairment but is treated by an employer as having such an impairment.

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

IV. REQUEST FOR REASONABLE ACCOMMODATIONS

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

- A. The supervisor and the disabled employee consult to determine the need for the accommodation and to discuss alternatives such as job restructuring, job site modification, and assistant devices;
- B. The supervisor submits a written request form obtained from the Affirmative Action Designee for reasonable accommodation. The request includes a justification for the accommodation, and includes a statement of the disability. A medical statement of limitations may be included if the supervisor deems advisable;
- C. The supervisor submits the request to the Affirmative Action Designee within five working days upon receipt of the request. The Affirmative Action Designee and the Supervisor gather information regarding availability and cost within twenty working days;

- D. The Affirmative Action Designee reports to the Commissioner with a recommendation. The Commissioner considers the available alternatives and decides whether or not to grant the requested accommodation and determines what accommodation should be provided. The decision is then provided in writing to the supervisor within five working days after the Commissioner makes his or her determination;
- E. The Affirmative Action Designee fills out the Reasonable Accommodations Agreement Form and obtains necessary signatures;
- F. The Affirmative Action Designee submits appropriate purchasing documents purchasing agent if equipment, furniture, or other assistive devices must be purchased.

V. METHODS OF PROVIDING REASONABLE ACCOMMODATION

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

A. Modification of equipment or assistive devices

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

B. Job site modification

The planning and provisions of accessibility to existing facilities may be required in order for disabled individuals to work in them. Modifications may include adjustments to equipment height including desks, chairs, etc., addition of electrical outlets, rearrangement of furniture and equipment, widening doorways, 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. Administration will negotiate any changes with Real Estate Management Division to determine costs involved.

C. Job restructuring

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

D. Support services

Support services such as interpreters for hearing impaired individuals, readers for blind, special attendants, etc. must be provided when it is clearly demonstrated that these services are required for a disabled employee's performance of the essential functions of the job. Support services may also be needed for job applicants during the interview process. Administration may directly or on a contractual basis of any agency outside the department, provide the training necessary to allow staff members to provide support services when such training and the provisions of such support services are administratively feasible.

VI. **UNDUE HARDSHIP**

- A. In determining whether or not the making of a reasonable accommodation would impose an "undue hardship" on the operation of a recipient's program, factors to be considered must include:
1. The overall size of the recipient's program (i.e., number and type of facilities, size of budget).
 2. The type of the recipient's operation including the composition and structure of the recipient's workforce.
 3. The nature and cost of the accommodation needed.
 4. The reasonable ability to finance the accommodation and each site of business; and
 5. Documented good faith efforts to explore less restrictive or less expensive alternatives including consultation with the disabled person or with knowledgeable disabled persons or organizations.

VII. **FUNDING FOR REASONABLE ACCOMMODATION**

Administration will make funds available in order to provide reasonable accommodations to disabled employees/job applicants. (The amount will be determined by the Commissioner or Deputy Commissioner and funds will be used only when a reasonable accommodation request has been approved and signed by the Commissioner.

VIII. **PURCHASE AND MAINTENANCE OF ACCOMMODATIONS**

- A. Administration is free to choose the specific accommodation provided to qualified disabled persons. The person requesting reasonable accommodations will suggest appropriate accommodations. Administration may provide another accommodation equal or superior to the one proposed in practicality, usefulness, or cost effectiveness

- B. All tangible accommodations purchased by Administration will be the property of the State of Minnesota and shall be used only for job related functions. The maintenance of equipment will be the responsibility of the department and projected maintenance costs will be a factor in the initial decision to provide accommodations. Example: repair special office equipment, etc.

IX. DENIAL OF ACCOMMODATION

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

X. APPEALS

An employee who is dissatisfied with the reasonable accommodation decision can appeal directly to the Commissioner within thirty working days of the decision. The Commissioner will, within ten working days of the individuals appeal, convene a reasonable accommodation review committee which shall consist of persons previously not involved. For example, an employee in the same job classification as the person requesting accommodation a rehabilitation engineer (or other person knowledgeable of the requested accommodation). This committee will review all pertinent material and steps leading to the decision according to the following criteria:

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

The committee will make a recommendation to the agency within ten working days from the date the committee was convened unless more time is needed to obtain more information from outside sources. The Commissioner will make a final determination within ten working days from receiving the committee's recommendation. The Affirmative Action Designee will then convey written copies of the Commissioner's decision to the employee and supervisor. If the

employee is still dissatisfied with the decision, she/he may file with federal, state, local and human rights organization. The department's Affirmative Action Designee will provide employees and compliance agencies with information in assistance needed in the appeals process. Information will be provided in compliance with the Minnesota Government Data Privacy Act. Compliance agencies which are investigating complaints of request information from the Commissioner will be provided documentation relating to the denial of a request for reasonable accommodation.

XI. ASSISTANCE WITH COMPLIANCE

Assistance with reasonable accommodation compliance, all requests for information or assistance in determining reasonable accommodations for qualified disabled employees and employees/job applicants may be for the disabled or for the Director of equal Opportunity. That person also assists in locating resources or interpreting reasonable accommodation requirements.

XII. REQUEST FOR REASONABLE ACCOMMODATIONS FOR JOB APPLICANTS

- A. All initial communication with job applicant regarding job vacancies shall indicate the willingness of the agency to make reasonable accommodation to the known physical or mental handicap and shall invite the applicant to contact the agency for the needed accommodation.
- B. The individual contacted with the request shall contact the Affirmative Action Designee immediately. In order to ensure that the accommodation is provided at the interview, requests shall be handled in a timely manner.
- C. The Affirmative Action Designee shall contact the job applicant to discuss the needed accommodation and possible alternatives.
- D. If the agreed upon accommodation requested costs no more than \$75.00, the Affirmative Action Designee shall approve the accommodation.
- E. If the accommodation costs more than \$75.00, the Affirmative Action Designee shall request approval of the accommodation from the Commissioner.
- F. If the accommodation is approved, the Affirmative Action Designee will take the necessary steps to see that the accommodation is provided.

XIII. DENIAL OF ACCOMMODATION

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

EMPLOYEE REQUEST FOR REASONABLE ACCOMMODATION

Please Print or Type

Employee Name	Classification	Date of Request
Division	*Statement of Disability (Attach medical statement if requested by manager)	

• Attach Additional Sheets for Questions Below if Necessary.

1. Type of accommodation requested to perform essential function:

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

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

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

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

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

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

REASONABLE ACCOMMODATION AGREEMENT

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

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

ACCEPTED DENIED

Justification for the decision (indicate specific factors considered)

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

Yes No Partially

REASON:

DESCRIBE specific accommodations to be made

COST ESTIMATE _____

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

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

REASONABLE ACCOMMODATIONS

SEVERE WEATHER AND BUILDING EVACUATION

Upon notification by Capitol Security, the Building Emergency Director will make the appropriate announcement over the Public Address System. The Floor Wardens, Area Monitors, and the Handicapped Assistants will then assume their particular responsibilities.

Each person with a disability will be provided with three assistants who will help him/her during emergency procedures.

SEVERE WEATHER

Capitol Security (Department of Public Safety) monitors the National Weather Services Bulletins through the National Air Warning System (NAWAS).

If Capitol Security is informed through the NAWAS systems that St. Paul is in danger, immediately a public address announcement will be made directing personnel to relocate.

In the event of a tornado warning the assistants shall help the disabled persons in moving to the ground floor corridor. If the onset of the severe weather emergency is such that there is insufficient time to relocate to the ground floor, the Area Monitor shall direct the assistants to help the disabled in moving to an inner office, where there are no windows or exit doors to the outside.

BUILDING EVACUATION

In the event of an emergency requiring building evacuation, the Building Emergency Director for Capitol Security will make the appropriate announcement over the public address system.

FIRE

When the building alarm sounds, the three assistants shall help the disabled person as follows:

Relocate mobility impaired employees to a safe area of the building free from smoke or fire. One assistant will then immediately evacuate to the main entrance (or other safe entrance) to await the fire department. Upon arrival of the fire department the assistant will notify them of the handicapped individual's location.

REASONABLE ACCOMMODATIONS

WEATHER EMERGENCY NOTIFICATION

In the event a weather emergency occurs and state officials determine state office will be closed, the Department of Administration will follow this procedure:

The Director of Computer Operations Division, upon hearing of the emergency closing, will contact his designee on shift in the Computer Operations Section (shifts are on around the clock). That designee or an assigned staff person who has been trained on the use of the TDD, will contact Administration employees previously identified as needing special notification, to tell them of the closing.