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## AFFIRMATIVE ACTION PLAN

Minnesota State Retirement System

1998 - 2000

Suite 300  
175 W. Lafayette Frontage Road,  
St. Paul, MN 55107-1425

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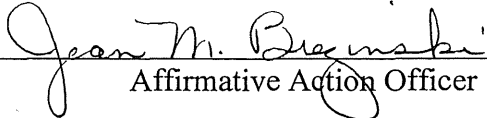
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**Affirmative Action Plan  
Transmittal Form  
1998-2000**  
for  
Minnesota State Retirement System

1. Specific goals were not established for the period; however we believe there is an underutilization of the following protected group(s).


GOAL UNITS	PROTECTED GROUPS		
	Women	Minorities	Disabled
Clerical/Technical		X	X
Professional		X	X

2. The Affirmative Action Plan is distributed in the manner described on page 9 of the Plan, is posted on the agency's main bulletin board in the lunch room, and is available from the Personnel/Affirmative Action Officer. Each employee is made aware of the Minnesota State Retirement System's commitment to affirmative action.
3. This plan contains internal procedures for processing complaints of alleged discrimination from employees, and each employee has been apprised of this procedure.

  
Affirmative Action Officer

10/6/99  
Date

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

  
Executive Director

10/6/99  
Date

5. The plan meets the rules governing affirmative action, MCAR Chapter 3905.0600 Statutory Authority 43A.04.

\_\_\_\_\_  
Director, Office of Diversity and Equal Opportunity

\_\_\_\_\_  
Date

EXECUTIVE DIRECTOR'S STATEMENT OF COMMITMENT  
TO EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

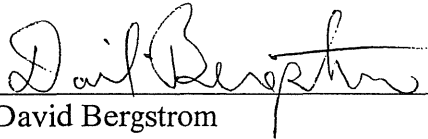
As Executive Director of the Minnesota State Retirement System, I am committed to equal employment opportunity and to the State's affirmative action efforts. I am also committed to the implementation of the agency's affirmative action plan, which is intended to foster a diverse workplace free of discrimination and harassment.

Affirmative action should be viewed as a positive step to tap skills of employees in protected classes. It is the policy of the Minnesota State Retirement System to promote and provide equal employment opportunity and affirmative action throughout the agency. An effective affirmative action program not only benefits those who have been denied equal employment opportunity in the past, but also will benefit the entire agency.

MSRS will not tolerate discrimination on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.

Managers and supervisors are expected to make sure that all positions are equally accessible to qualified persons and to promote qualified members of protected groups. This agency is committed to affirmatively retain protected group employees. I encourage all staff to follow our affirmative action plan.

The purpose of affirmative action is to eliminate present and future practices that may have an unfair, adverse effect on persons with disabilities, minorities, and women. If you feel you are not receiving an equal opportunity, please feel free to talk to me about your concerns.



---

David Bergstrom  
Executive Director

## OUTLINE OF RESPONSIBILITIES

### I. Executive Director of MSRS: David Bergstrom (Phone: 651-296-1510)

The Executive Director of MSRS is responsible for overseeing the agency's affirmative action program and the agency's compliance with state and federal laws, rules, and regulations. The director is directly accountable to the Board of Directors and indirectly accountable to the Commissioner of Employee Relations and the Director of Equal Opportunity for affirmative action matters.

#### Duties:

- A. Designate the agency Affirmative Action Officer.
- B. Monitor progress and provide guidance and support as needed to administer the affirmative action program.
- C. Ensure that the agency's management staff is informed of their individual responsibilities for the agency's affirmative action program and require managers and supervisors to include a responsibility statement for affirmative action in their position descriptions.
- D. Issue a written statement biennially affirming commitment to the State's Affirmative Action Program and to the implementation of the agency's affirmative action plan.
- E. Establish policy as needed to facilitate effective affirmative action.
- F. Ensure that the agency is acting in an affirmative manner in the hiring of protected group members. (See section entitled "Pre-Hire Reviews".)
- G. Ensure that complaints of discrimination or discriminatory harassment are thoroughly investigated and resolved in a fair, timely, and equitable manner.
- H. Make decisions and changes in policy, procedures, or physical accommodations to facilitate effective affirmative action.

### II. Agency Affirmative Action Officer: Jean Brezinski (Phone: 651-296-1512)

The agency's Affirmative Action Officer is responsible for the implementation, direction, and maintenance of the agency's affirmative action program. The Affirmative Action Officer reports directly to the Executive Director of MSRS.

Duties:

- A. Coordinate and monitor the day-to-day activities of the agency's affirmative action program.
- B. Distribute relevant affirmative action information to appropriate staff.
- C. Complete all affirmative action reporting requirements.
- D. Ensure that all staff members are informed of the agency's affirmative action plan.
- E. Monitor the agency's exit interview process to determine if there are discrimination factors interfering with retaining protected group members.
- F. Inform supervisors of their affirmative action responsibilities when vacancies occur and to review with the Executive Director the appropriateness of any supervisor's decision not to hire a protected group candidate if the goal for that occupational category has not been met. (See section entitled "Pre-Hire Reviews".)
- G. Investigates complaints of discrimination.

III. Managers and Supervisors

The agency's managers and supervisory staff are responsible for ensuring that their unit/division is operated in compliance with the agency's affirmative action plan. They will be held accountable by the Executive Director for this responsibility.

Duties:

- A. Assist the agency's Affirmative Action Officer who is representing their agency in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- B. Hire and promote qualified protected group members in cases where an affirmative action goal has not been met, or submit written rationale to the Executive Director if a protected group member is not selected for a position in which a disparity exists and one or more members of this group are on the eligible list and are available. This rationale shall be submitted prior to making an employment offer and shall specify reasons why the available protected group applicant(s) is/are not acceptable. (See section entitled "Pre-Hire Reviews".)
- C. Communicate the agency's affirmative action plan, as well as any other affirmative action information to assigned staff.

- D. Facilitate staff participation in Affirmative Action Committee meetings.
- E. Include responsibility statements for affirmative action/equal employment opportunity in their position descriptions.
- F. Periodically review his/her own recruiting, hiring, promotion, and training practices to attain equal employment opportunity.
- G. Provide guidance to staff, particularly protected group employees, and to facilitate growth and development of these employees' skills through training, encouragement, varied job assignments, etc.
- H. Attend affirmative action related training sessions.

IV. Personnel Officer:

The agency's personnel officer is responsible for ensuring that employment activities are conducted in a non-discriminatory manner and are in compliance with the MSRS affirmative action plan. He/she will be held accountable by both the Commissioner of Employee Relations and the Executive Director of MSRS for this responsibility.

Duties:

- A. Accurately report information to the Department of Employee Relations concerning an employee's race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.
- B. Maintain records of personnel activities as indicated on the page titled "Internal Audit and Reporting System" and to submit reports quarterly, or as requested, to the Department of Employee Relations' Equal Opportunity Division.
- C. Identify and resolve problems which inhibit equal employment opportunity.
- D. Help develop and use employment selection criteria to ensure that it is objective, standardized, and job related.
- E. Ensure that all job opportunity and training notices are properly posted and made available to all staff.

## PRE-HIRE REVIEWS

### MSRS POLICY

#### INTRODUCTION

MSRS is an equal opportunity employer. The agency's affirmative action plan states that it is a policy of the agency to:

- A. Provide equal opportunity to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.
- B. Comply with the Statewide Affirmative Action Program. As stated in the State of Minnesota's Equal Employment Opportunity Policy:

"The State of Minnesota will implement and maintain a program of affirmative action to eliminate internal barriers to equal employment opportunity and to provide for the employment and advancement of qualified disabled persons, minorities, and women in accordance with their occurrence in the labor work force."

State rules governing a Statewide Affirmative Action Program specify that a procedure must be developed in each agency which "requires pre-employment review of all hiring decisions for occupational categories with unmet affirmative action goals."

#### POLICY

When an established affirmative action goal for a specific occupational category is not being met and vacancy occurs, the supervisor's hiring recommendation shall be reviewed by the Executive Director if the supervisor wishes to hire an individual who is not a member of the protected group for which the disparity exists.

No offer for employment shall be made until the Executive Director and the agency's Affirmative Action Officer, are satisfied that the reasons for not hiring a member of the protected class for which a disparity exists are not related to the person's, race, sex, or disability status.

#### PROCEDURE

When a vacancy occurs in a category which has unmet affirmative action goals, the following procedures shall be followed:\*



<u>Responsibility</u>	<u>Action</u>
Agency Affirmative Action Officer	1. Notifies supervisor if a disparity exists for one or more protected group(s). The Affirmative Action Officer shall also advise supervisor of his/her affirmative action responsibility and of the procedure below.
Supervisor	2. Notifies Affirmative Action Officer, in writing, of reason for not selecting a protected group individual for which a disparity exists and one or more members of this group(s) is on the certification list and available if an individual from a protected group is not selected. No offer of employment will be made until after the Affirmative Action Officer and the Executive Director review the rationale.
Executive Director	3. Reviews rationale with the Affirmative Action Officer and denies or approves justification. Notifies supervisor of the decision.

\*Exception to the above procedure: In cases of promotion, when the union contract specifies seniority as the determining factor, or when we are required to hire from the layoff list.

#### ADDITIONAL INFORMATION

Questions regarding this policy should be directed to the agency's Affirmative Action Officer.

#### EFFECTIVE DATE

Immediately.

## COMMUNICATIONS/DISSEMINATION OF INFORMATION

The following methods will be used to internally disseminate equal employment opportunity/affirmative action information.

- A. The Executive Director will send a statement to each employee annually reaffirming his/her official commitment to the State's Affirmative Action Program, the name of their agency Affirmative Action Officer, the existence of affirmative action committees, and the availability of the affirmative action plan.
- B. The Executive Director will annually review the affirmative action plan with all managers, supervisors, and staff.
- C. During the agency's new employee orientation session, new employees will be informed of the agency's affirmative action program, the name of the agency Affirmative Action Officer, the existence of affirmative action committees, and the availability of the affirmative action plan. Additionally, each new employee will receive copies of the Executive Director's Statement of Commitment.
- D. The following items will be posted on the main agency bulletin board in the lunch room: "Affirmative Action Plan" and "Statement of Commitment".
- E. All job postings, both internal and external, will include the statement: "Equal Opportunity Employer".

## INTERNAL DISCRIMINATION COMPLAINT PROCEDURE

This procedure is designed as an attempt to resolve discrimination problems internally before seeking help from an outside authority. The agency encourages all employees, applicants, or eligibles to use the internal procedure before filing complaints with any other agency, although it is not required. Those filing a complaint or serving as a witness under this procedure shall do so without fear of coercion, reprisal, or intimidation.

### Who May File

Any MSRS employee, applicant, or eligible who believes that he/she has been discriminated against by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age may file a complaint. Complaints under this procedure will not be accepted later than 90 days after an individual has terminated employment with the agency. Complaints from applicants or eligibles under this procedure will not be accepted later than 90 days after the occurrence of the event with lead to the complaint.

### Filing Procedure

1. The employee, applicant, or eligible completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer. Employees should file the formal complaint within 90 days of the occurrence of the event giving rise to the complaint. The Affirmative Action Officer will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer determines if the complaint falls under the purview of the Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local commission, disability, sexual orientation, age, or political affiliation. The Affirmative Action Officer shall also discuss other options for resolution.
  - A. If it is determined that the complaint is not related to discrimination, but rather to general personnel concerns, the Affirmative Action Officer will inform the complainant within ten working days.
  - B. If the complaint is related to discrimination, the Affirmative Action Officer will contact all parties named as respondents within ten working days and outline the basic facts of the complaint. The respondents will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Officer shall investigate the complaint and provide a written answer within 60 days after the formal complaint is filed. The complainant will be notified should extenuating circumstances prevent completion of the investigation within 60 days.

## PROGRAM OBJECTIVES

1. To provide equal employment opportunity to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age.
2. To increase awareness of sexual harassment and diversity issues for agency managers, supervisors, and staff.

### Action Steps:

### Target Date

#### A. Staff Training

- |  |                            |
|--|----------------------------|
| 1. All staff will take Preventing Sexual Harassment seminar offered by DOER's Training & Development Division.   | Within one year of hire.   |
| 2. Managers and supervisors will participate in affirmative action and preventing sexual harassment training as part of the Supervisory CORE training offered by DOER's Training and Development Division.                                 | Within six months of hire. |
| 3. Agency Affirmative Action Plan will be posted on the main agency bulletin board in the lunch room by the Affirmative Action Officer. The Plan will be discussed by the Executive Director at a general staff meeting for all employees. | November 15, 1999          |
| 4. Sample Affirmative Action Responsibility statement will be distributed to managers and supervisors by the Personnel Officer with instructions to include it in their position descriptions.   | December 1, 1999           |

#### B. Recognition of special accomplishments by persons of color, women, and persons with disabilities.

- |   |                 |
|---|-----------------|
| 1. The Affirmative Action Officer will identify dates or events which specifically recognize or honor persons of color, women, and persons with disabilities.                                       | January 1, 2000 |
| 2. Announcements regarding these dates or events will be posted on the agency bulletin board in the lunch room and/or on the agency wide computer bulletin board by the Affirmative Action Officer. | Ongoing         |

## Evaluation

Feedback from employees who attend these training sessions will be gathered by the Training Officer and compiled annually for inclusion as part of the agency's annual affirmative action program evaluation.

Managers will monitor the position descriptions of supervisory personnel to assure that the Affirmative Action responsibility statement is included.

Recognition of events and accomplishments will be evaluated annually by the Executive Director and Affirmative Action Officer as part of the agency's affirmative action program evaluation.

## METHODS OF AUDITING, EVALUATING, AND REPORTING PROGRAM SUCCESS

To ensure that progress in implementing the agency's affirmative action plan can be monitored and evaluated, the following methods will be used:

The following documentation will be maintained by the agency's Affirmative Action Officer and retained for at least five years. (All documentation will contain, at a minimum, information regarding an individual's job classification, race, sex, and handicap.)

1. Copy of the affirmative action plan.
2. Copies of all certification lists used to fill positions during the preceding twelve month period.
3. A record of all promotions, transfers, new hires, and terminations, along with a record of all temporary, seasonal, or provisional hires
4. A record of any disciplinary actions taken.
5. A record of all discrimination complaints filed.

The Affirmative Action Officer will annually review and analyze the above documentation to determine compliance with affirmative action goals and prepare a summary of hiring practices and disciplinary action to be included in the agency's annual affirmative action report to the Department of Employee Relations.

The Affirmative Action Officer will report any internal complaints to the Commissioner of the Department of Employee Relations within 30 days of final determination.

Any layoff decisions will be reviewed by the Executive Director and Personnel Officer/Affirmative Action Officer prior to implementation to determine their effect on agency affirmative action goals and timetables.

## REASONABLE ACCOMMODATION PROVISION

### Policy

It is the policy of the Minnesota State Retirement System to encourage the employment and promotion of any qualified person, including the persons with disabilities. The MSRS Americans with Disabilities Act (ADA) Coordinator is Jean Brezinski (phone: 651-296-1512). 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 an employee or job applicant with a disability, it must be demonstrated that:

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

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

This agency will provide accommodations to qualified employees/job applicants with disabilities when such accommodations are directly related to performing a job or competing for a job on an equal basis. Accommodations will not be provided for non-job related personal needs. In such cases, questions may arise as to whether the accommodation is personal or job related. The primary factors in evaluating an accommodation is whether the accommodation will help the person to perform the job on an equal basis in the most cost effective manner.

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

### Scope

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

### Definitions

#### Person with a Disability

A person with a disability, for purposes of this policy, is anyone who meets the definition as stated in the Section 504 regulations of the 1973 Rehabilitation Act as amended in 2978, Subpart A, Section 84.3 j1-2 and k104 and Chapter 363 of the State's Human Rights

Act and the federal Americans with Disabilities Act. A person with a disability 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 history of or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.
3. Is regarded as having such an impairment which means:
  - a. Has a physical or mental impairment that may not substantially limit major life activities but the employer considers the person's condition as handicapped.
  - b. Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
  - c. Has no impairment, but is treated by an employer as having such impairment.

#### 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 employee with a disability consult to determine the need for the accommodation and to discuss alternatives such as job restructuring, job site modification, and assistive devices.
- C. The supervisor or the employee submits a written request form obtained from the Affirmative Action Officer for reasonable accommodation. The request includes a justification for the accommodation, and includes a statement of the limitations.
- D. The supervisor submits the request to the Affirmative Action Officer within three working days upon receipt of the request. The Affirmative Action Officer will notify the Executive Director of the request and gather information regarding availability and cost within five working days of receipt of the request.
- E. The Affirmative Action Officer may request medical documentation to support the request.
- F. The Affirmative Action Officer reports to the Executive Director with a recommendation.



The Executive Director considers alternatives and decides whether or not to grant an accommodation and determines what accommodation should be provided. The decision is then provided, in writing, to the supervisor within three working days after the Executive Director makes his/her determination.

- F. Reasonable Accommodations Agreement Forms are completed and signed.
- G. The Affirmative Action Officer submits forms to purchase approved equipment.

#### Methods of Providing Reasonable Accommodation

The following are some methods of providing reasonable accommodations to qualified individuals with disabilities. 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, specifically designed desks 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 individuals with disabilities to work in them. Modifications may include adjustments to equipment height including desks, chairs, etc.; addition of electrical outlets; rearrangement of furniture and equipment; widening doorways; reallocation of the job site to an accessible area; provision of special parking facilities; modifications of ventilation, heating, cooling, and lighting systems; and other types of similar modifications

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 and temporary employment. Job sharing and flexible work hours may permit employees with disabilities to meet such needs as medical appointments and dietary requirements.

D. Support services.

Support services such as interpreters for individuals with hearing impairments, readers for blind, special attendants, etc. may be provided when it is demonstrated that these services are required for an employee's performance and can be provided at a reasonable cost.

Support services may also be needed for job applicants during an interview. This agency may provide the training necessary to allow staff members to provide support services when such training and the provisions of such support services are feasible and reasonable.

### Undue Hardship

In determining whether or not the making of a reasonable accommodation would impose an "undue hardship" on the organization, the overall cost of the accommodation and the ability of the facility to handle the requested accommodation will be considered. Documented good faith efforts to explore less restrictive or less expensive alternatives will also be considered.

### Funding for Reasonable Accommodation

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

### Purchase and Maintenance of Accommodations

- A. This agency is free to choose the specific accommodation provided to qualified persons with disabilities. The person requesting reasonable accommodation can make suggestions. This agency may provide another accommodation if more practical and cost effective as long as it is effective.
- B. All accommodations purchased by this agency will be the property of the State of Minnesota and shall be used only for job related functions. The maintenance of equipment will be the responsibility of the department and projected maintenance costs will be a factor in the initial decision to provide accommodations. Example: repair special office equipment, etc.

### Denial of Accommodation

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

### Appeals

An employee who is dissatisfied with the reasonable accommodation decision can appeal directly to the Executive Director within ten working days of the decision. The Executive Director will, within three working days of the individual's appeal, appoint a reasonable accommodation

review committee which shall consist of persons previously not involved. For example, 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 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 first meets unless more time is needed to obtain information from outside sources.

The Executive Director will make a final determination within three working days after receiving the committee's recommendation. The Affirmative Action Officer will then provide written copies of the Executive Director's decision to the employee and supervisor. If the employee is still dissatisfied with the decision, he/she may file with federal, state, local human rights offices. The department's Affirmative Action Officer will provide employees and compliance agencies with information and assistance needed in the appeals process. Information will be provided in compliance with the Minnesota Government Data Privacy Act. Compliance agencies which are investigating complaints will be provided with documentation relating to the denial of a request for reasonable accommodation.

#### Assistance with Reasonable Accommodation Compliance

All requests for information or assistance in determining reasonable accommodation for qualified employees with disabilities and employees/job applicants may be directed to the department's Affirmative Action Officer, the Council on Disability, or the Director of Equal Opportunity. That person also assists in locating resources or interpreting reasonable accommodation requirements.

#### Request for Reasonable Accommodations for Job Applicants

- A. All initial communication with job applicants about job vacancies shall indicate the willingness of the agency to make reasonable accommodation to accommodate physical or mental handicaps 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 Officer

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 Officer shall contact the job applicant to discuss the needed accommodation and possible alternatives.
- D. The Affirmative Action Officer shall request approval of the accommodation from the Executive Director.
- E. If the accommodation is approved, the Affirmative Action Officer will take the necessary steps to see that the accommodation is provided.

#### Denial of Accommodation

If the requested accommodation is denied, the Affirmative Action Officer shall inform the applicant of his/her right to file a complaint with the Department of Human Rights, EEOC, or other legal channels alleging violation of the Minnesota Human Rights Act.

## RECRUITMENT

During the previous year, MSRS advertised agency jobs open for testing in the Minnesota Career Opportunities Bulletin published and distributed by the Department of Employee Relations. In addition, information technology positions were posted by DOER on Job Keys, an Internet source for technical jobs, and temporary positions were listed with the Minnesota Workforce Center and by word of mouth. None of these sources result in additional expense to the agency. With the exception of hard to fill computer technology positions, these recruiting processes have resulted in a substantial number of qualified applicants. MSRS has not in the past and does not plan to participate in job fairs as a recruiting mechanism.

The agency is currently at full complement with the exception of one information technology position. It is our present intention to continue recruiting for this position through the same methods used in the past. We are also considering advertising this and other positions that may become available via e-mail postings to other State agency human resource offices.

In that professional positions in MSRS require a high degree of accumulated knowledge and training specific to retirement plans administered by MSRS, we do not feel that Internship positions would be of sufficient value to either the agency or the student and have no plans to include them. In the event that an internship possibility arises, MSRS will follow the methods described in the Internship Administrative Procedure.

When recruiting for positions, MSRS will send copies of postings to agencies listed in Reflections of the Community, the equal opportunity recruitment directory distributed by DOER's Office of Diversity and Equal Opportunity. All job postings will include a statement that MSRS is an Equal Opportunity Employer.

### Supported Work Program

MSRS will seek opportunities to hire Supported Work Employees through an assessment of vacant positions and determination of positions appropriate for Supported Employment Workers.

1. The Personnel Officer, working with the hiring supervisor, will determine whether the job tasks are appropriate for a Supported Employment Worker as defined in the position description.
2. The Personnel Officer will work with the hiring supervisor and with the State Disability Coordinator during the hiring process to ensure that eligible Supported Employment Worker candidates are considered for the position.
3. The Personnel Officer will work directly with the Supported Employment Worker's supervisor and the identified vocational rehabilitation or education job coach who will be working with the Supported Employment Worker to place the worker in the job.

4. The Supported Employment Worker's supervisor and the Personnel Officer, along with the vocational rehabilitation or education job coach will monitor the progress of the worker. The supervisor and Personnel Officer will decide how long the on-the-job test will last, up to a maximum of 700 hours. In addition, the supervisor and the Personnel Officer will determine whether consideration will be given for the Supported Employment Worker to be certified for hire.

## RETENTION

Jean Brezinski, Personnel Officer, and David Bergstrom, Executive Director of MSRS, are responsible for the agency's retention activities.

### Retention Report

MSRS has not experienced a layoff in over eight years.

During the past two years: Two permanent employees left the agency to return to their former State agency within the contractual trial period, and one permanent employee did not complete the probationary period. The remaining permanent employees who left the agency either retired or were promoted to higher classifications in other departments. Temporary employees left either to accept permanent employment with other departments or at the end of their appointment.

None of the separations impacted the percentage of minority employees in the agency as an equal number of minorities were hired, however MSRS lost two people with disabilities which resulted in a greater disparity for persons with disabilities. In an effort to increase recruitment of disabled persons, MSRS will either check with local Workforce Centers or advertise positions in Access Press, a statewide newspaper.

### Retention Plan

MSRS will include the concepts of equal opportunity, affirmative action, and diversity into the position descriptions of agency managers and supervisors. Managers and Supervisors will be held accountable for creating a work environment free from discrimination and harassment and for making a good faith effort to recruit and retain underutilized group members.

In conjunction with the MSRS Health Promotion Committee, an effort will be made to provide information and/or seminars to all employees on diversity and disability issues. In addition, all agency employees in general, and protected group members in particular, will be encouraged by management and supervisory staff to seek out and participate in individual training opportunities to expand and improve their skills and/or to qualify them for promotional opportunities.

## APPENDIX A

### RACE/ETHNIC CATEGORIES DEFINED

- 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 origin, 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 the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, the Philippine Islands, and Samoa.

With regard to the agency's affirmative action plan, the term "minority" includes all of the above categories, except the first, "White".



## APPENDIX B

### DISCRIMINATORY HARASSMENT IN THE WORKPLACE MSRS POLICY

#### Introduction

Harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age is a violation of the Minnesota Human Rights Act. It is a form of discrimination and is punishable under both federal and state laws. Recent court decisions dictate the need for a strict and explicit policy statement on the subject of discriminatory harassment.

Courts have ruled that employers are liable for failure to investigate allegation of harassment and to take prompt remedial action against an employee who is known to be harassing another employee.

An employer is required to take timely and appropriate action to prevent harassment. This may include expressing strong disapproval of harassing acts, developing methods to sensitize employees to the issue, and promoting the development of a cooperative working environment.

#### Definition

Sexual harassment is defined by the Equal Employment Opportunity Commission as unwelcome sexual advances, 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.

Types of discriminatory harassment such as name calling, creating deliberate environmental barriers or in any other way creating a hostile, intimidating or offensive work setting are other examples.

It is possible for harassment to occur among co-workers or between supervisors and subordinates.

## Policy

Every agency administrator, manager, and supervisor is responsible for maintaining a working environment that is free from harassment.

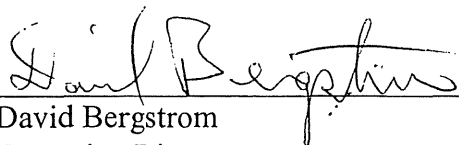
No employee shall engage in harassment of another employee. Employees found to be in violation of the harassment policy will be subject to disciplinary actions, up to, and including termination.

## Procedures

- A. Agency administrators, managers, and supervisors shall be responsible for the development of procedures to comply with this policy.
- B. Agency administrators, managers, and supervisors shall be responsible for notifying all employees of this policy. All employees shall be informed of their rights and responsibilities as outlined in this memo.
- C. All supervisors shall be aware of the potential for harassment in the work setting. They shall strive to prevent harassment from occurring, and if harassment is noticed or reported, shall seek to stop it immediately.
- D. Any employee who feels he/she is being harassed may, but is not required to make it clear to the alleged harasser that such behavior is offensive and bring the matter immediately to the attention of the supervisors or Affirmative Action Officer.
- E. If an incidence of harassment is reported to the supervisor or Affirmative Action Officer, the matter may be pursued through the agency's internal discrimination complaint procedures. This procedure is outlined in the agency's affirmative action plan which is available from the personnel office.
- F. Anyone who brings a complaint under these procedures shall not be subject to retaliation.

## Effective Date

Immediately.



David Bergstrom  
Executive Director

## APPENDIX D

### BUILDING EVACUATION PLAN

The purpose of this plan is to provide guidance to employees where:

- ~ Building evacuation is necessary.
- ~ Shelter within the building is necessary.

All current and future employees will be given a copy of this plan. They should read and be familiar with its contents, especially evacuation routes and the safer internal locations.

The building has an alarm system that is set off for the whole building by fire, smoke, water, and possibly manually, by the bank personnel. If the alarm goes off (other than for annual testing which we are told about), **evacuate the building**.

- ~ Go to the nearest stairway, either in the front or the rear of the building. Do not use the elevator. Know your quickest path to the stairway.

- ~ If one stairway is blocked, use the other.

- ~ Do not collect personal items or rearrange work, files, etc.

- ~ Any visitor to the office should be escorted to the outside by the employee who is in contact with the visitor.

- ~ Any employee with impaired mobility is to be escorted out of the building by at least one of three employees who have been designated to assist the employee. Affected employees and helpers are to be individually notified of specific procedures to follow. MSRS currently has no employees who are sensory impaired. In the future, if we have any employees with sensory impairment, we will discuss evacuation plans with them to determine appropriate and safe evacuation.

- ~ Everyone should clear the building. Go to the far end of the parking lot north of the building and organize by division. Supervisors should account for division employees. If any employee is not accounted for, tell the emergency response personnel.

- ~ No one should return to the building for any reason until authorized by proper authorities.

If an employee becomes aware of an emergency situation that cannot be personally handled (possibly, one that requires evacuation) but the alarms have not sounded, contact a supervisor. If the situation warrants building evacuation, call the Affinity Plus Credit Union (651-291-3700) to manually activate the alarm for the building.

If needed, fire extinguishers are located in the west hallway by the Systems offices and outside the reception area near the elevators.

### **Shelter Within the Building**

In the event of high winds, tornado, etc., employees should not exit the building, but should seek the best shelter within the building. Attached is a list of criteria for selection of the "best available" shelter.

Notification will generally be a warning siren in combination with radio broadcasts and employee observations. When a siren is sounded, employees must be alert to conditions, turn on available radios, and contact a supervisor. Supervisors, in contact with others, will tell employees to seek best shelter. If danger is obvious and imminent, seek the best shelter immediately. When in doubt, move to shelter.

If you have a battery operated radio, bring it with you.

The best shelters, if there is enough time to get there, are the two stairways. The second best shelters are the interior, small, non-windowed rooms, for example:

~ Janitor closet, small storage room, printer room, computer room, large storage room, and lastly, the coat closets.

Do not stay by glass windows, in hallways, or in the file room. If available, get under tables, desks, etc.

Stay in place until you are sure the danger has passed.