

**DEPARTMENT OF MILITARY AFFAIRS
STATE OF MINNESOTA**

AFFIRMATIVE

ACTION

PLAN

1998 - 2000

Veterans Service Building

20 West 12th Street

St. Paul, MN 55155

**AFFIRMATIVE ACTION PLAN
FY 2000 - 2002**

RECEIVED

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DEPARTMENT OF MILITARY AFFAIRS

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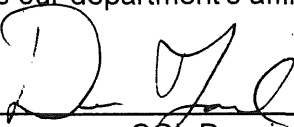
1. This review revealed underutilization of the following protected group(s) in the following goal units: (X indicates underutilization)

GOAL UNITS	PROTECTED GROUPS					
	FEMALES		MINORITIES		DISABLED	
	Metro	NonMetro	Metro	NonMetro	Metro	NonMetro
Craft, Maintenance, Labor 202	X	X	OK	X	X	X
Service 203	X	X	X	OK	X	X
Clerical 206	N/A	N/A	OK	OK	X	X
Technical 207	N/A	X	N/A	OK	N/A	X
Engineering 212	N/A	X	N/A	X	N/A	X
Professional 214	N/A	X	N/A	X	N/A	X
Supervisory 216	N/A	X	N/A	X	N/A	X

2. This annual plan is and will be posted at the following central locations so that every employee is aware of the department's commitments in affirmative action for the year.

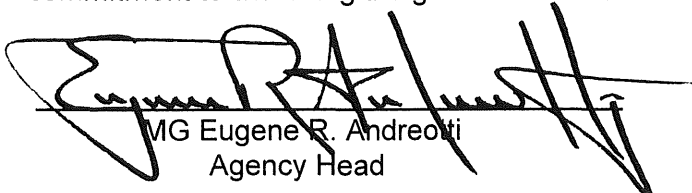
Veterans Service Building, Holman Field, St. Paul & Duluth Air Bases, Camp Ripley, and All Training & Community Centers throughout the state.

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.


COL Dennis J. Lord
Affirmative Action Officer

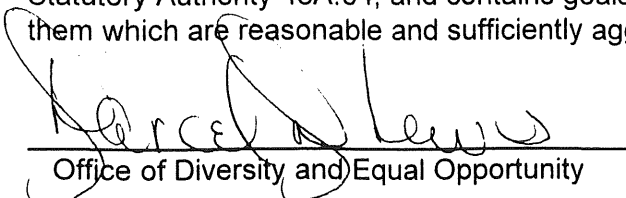
23 Aug 99
Date

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 within.


MG Eugene R. Andreotti
Agency Head

23 AUGUST 99
Date

5. This annual plan meets the rules governing affirmative action, MCAR Chapter 3905.0600 Statutory Authority 43A.04, and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.


Office of Diversity and Equal Opportunity

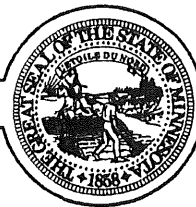
28 October 99
Date

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DEPARTMENT OF MILITARY AFFAIRS

MINNESOTA ARMY AND AIR NATIONAL GUARD



OFFICE OF THE ADJUTANT GENERAL

VETERANS SERVICE BUILDING

STATE OF MINNESOTA

20 WEST 12TH STREET

ST. PAUL, MINNESOTA 55155-2098

STATEMENT OF COMMITMENT TO AFFIRMATIVE ACTION

The policy of the Department of Military Affairs is to take affirmative action to eliminate the underutilization of qualified members of protected groups in the civil service, where such action is not in conflict with the provisions of State law, in order to correct imbalances and eliminate the present effects of past discrimination. Protected groups, for affirmative action purposes, are defined as: 1) females, 2) people with disabilities, and 3) members of racial minority groups.

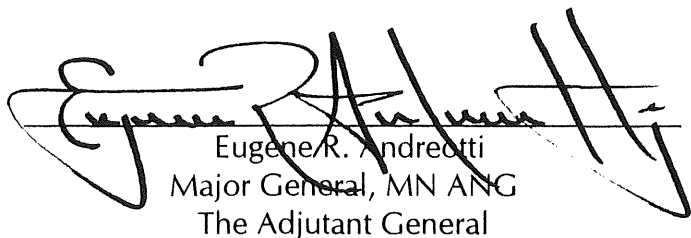
This policy applies to, and must be an integral part of, every personnel policy and practice which includes recruitment, interview, selection, compensation, classification, and retention activities, and also must include employee development programs, agency sponsored training, tuition assistance and use of facilities.

This department will continue to actively pursue a progressive program of affirmative action to insure that equal opportunity is provided on the basis of individual qualifications and to encourage all persons to seek employment and strive for advancement.

I herewith affirm the appointment of COL Dennis J. Lord as this agency's Affirmative Action Officer. He is delegated full authority for the administration for the department's plan. He will report directly to me on all matters pertaining to affirmative action.

As Adjutant General, I am strongly committed to the principles and policies of affirmative action. All employees, including managers and supervisors, both federal and state, must always act responsibly and be proponents of progressive affirmative action in their positions, and I solicit employee input and assistance in an effort to achieve the goals and objectives of the Affirmative Action Plan.

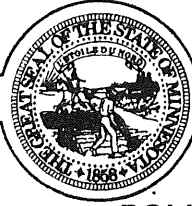
Military Affairs will not tolerate discrimination on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, membership or activity in a local commission, sexual orientation, age, veterans status, political affiliation, or any belief or attribute unrelated to job performance.


Eugene R. Andreotti
Major General, MN ANG
The Adjutant General

10/26/99
Date

DEPARTMENT OF MILITARY AFFAIRS

MINNESOTA ARMY AND AIR NATIONAL GUARD



OFFICE OF THE ADJUTANT GENERAL

VETERANS SERVICE BUILDING

STATE OF MINNESOTA

20 WEST 12TH STREET

ST. PAUL, MINNESOTA 55155-2098

POLICY STATEMENT ON DISCRIMINATION AND HARASSMENT

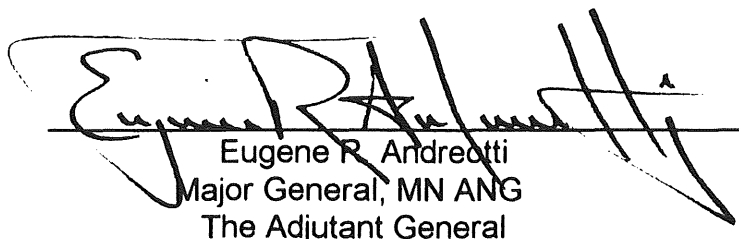
In order to provide and maintain a productive work environment consistent with merit principles, free of discriminatory practices and in accordance with Minnesota Statute 43A.01, Subd.2, it is necessary to remove and eliminate all forms of discrimination and harassment.

Harassment is a form of discrimination and, in general, is the display of behavior by one employee toward another employee which has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Of particular concern is sexual harassment which is defined as "unwelcome sexual advances by an employee toward another employee, request for sexual favors, and other verbal or physical conduct of sexual nature when: 1) an employee's submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, 2) an employee's submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual".

This department will continue to prohibit harassment of any kind by assuring a work environment free of verbal or physical harassment based on race, color, creed, sexual orientation, membership or activity in a local commission, religion, national origin, sex, disability, age, marital status, status with regard to public assistance, veterans status, political affiliation, or any belief or attribute unrelated to job performance.

The complaint procedure contained in the Department of Military Affairs State Affirmative Action Plan provides the method whereby any employee, applicant or eligible who feels they have been subject to general harassment, sexual harassment or other forms of discriminatory harassment may seek assistance from the department's Affirmative Action Officer (651-282-4671).

All employees, applicants and eligibles are to be treated with respect, courtesy and tact. Conduct that is personally offensive will not be tolerated. Abusing the dignity of anyone through ethnic, sexist or racial slurs, or other derogatory or objectionable comments is cause for disciplinary action.


Eugene R. Andreotti
Major General, MN ANG
The Adjutant General

23 AUGUST 99
Date

"AN EQUAL OPPORTUNITY EMPLOYER"

DELEGATION OF AUTHORITY AND RESPONSIBILITY

ADJUTANT GENERAL

Responsibilities:

The Adjutant General is responsible for the administration of the department's Affirmative Action Program and for ensuring that the department complies with all state and federal laws, rules and regulations regarding equal employment opportunity.

Duties:

1. Designate the department's Affirmative Action Officer.
2. Hold members of his staff responsible for the effectiveness of affirmative action activities within their respective jurisdiction, especially those charged with recruitment, interviewing, selection and retention responsibilities.
3. Insure that guidance is published that provides clear procedures for filing complaints of alleged discrimination.
4. Communicate to his staff, through written statements, his commitment to the state's affirmative action and equal employment opportunity policy. Communicate to the public that our agency is an Equal Opportunity Employer by a statement at the bottom of agency letterhead stationery for all correspondence and in all employment advertising.
5. Make decisions and changes in policy, procedures or physical accommodations as may be needed to facilitate effective affirmative action.
6. Provide a work environment free of verbal or physical harassment based upon race, creed, color, status with regard to public assistance, veterans status, religion, national origin, sex, age, disability, marital status, sexual orientation or membership or activity in a local commission.

Accountability:

The Adjutant General is directly accountable to the Governor and the Legislature.

AFFIRMATIVE ACTION OFFICER

The Affirmative Action Officer (AAO), who is also responsible for agency retention activities for the Department of Military Affairs, is:

COL Dennis J. Lord, Assistant Adjutant General - Army
Veterans Service Building
20 West 12th Street
St. Paul, MN 55155 (651) 282-4671

Responsibilities:

To implement, direct and monitor the department's Affirmative Action Program and all related activities as directed by the Adjutant General.

Duties:

1. Work closely with Division Managers, hereinafter defined, on pre-employment reviews to insure that qualified protected class members are interviewed and, wherever possible, selected to satisfy disparities.
2. Be directly involved in handling complaints of alleged discrimination including all forms of harassment as outlined elsewhere in this plan.
3. Complete all affirmative action reports as required.
4. Insure that the Adjutant General's statement of commitment and copies of the department's Affirmative Action Plan are distributed to all division managers and supervisors.
5. Act as liaison between the department and the Minnesota Department of Employee Relations, Office of Diversity and Equal Opportunity.
6. Determine the need for affirmative action training and develop appropriate training programs.
7. Continually review policies, procedures, programs, and physical accommodations and recommend, to the Adjutant General, changes to enhance the department's affirmative action program.
8. Conduct pre-hiring reviews of selection recommendations for all vacancies.

Accountability:

The Affirmative Action Officer reports to and is directly accountable to the Adjutant General.

DIVISION MANAGERS

Definition:

Division Managers, for affirmative action purposes, are the Civil Engineers and Deputy Commanders for Support at the Airbases, Post Commander at Camp Ripley, Facilities Management Officer at Camp Ripley, Flight Facilities Commander at the Army Aviation Flight Facility and Finance & Accounting Officer at the Adjutant General's Office.

Responsibilities:

To insure compliance with the department's Affirmative Action Plan and to undertake such action as may be deemed necessary to make progress towards meeting the equal employment opportunity goals and objectives set forth in this plan.

Duties:

1. Insure that subordinate supervisors interview, recommend for selection and promote qualified, protected class members where disparities exist whenever possible by conducting pre-hiring reviews. Division Managers will also be required to provide specific reasons when a protected class member was available but was not recommended for selection.
2. Assist the department's AAO in identifying and resolving problems and eliminating barriers that inhibit reduction of disparities.
3. Insure that all subordinates are familiar with and comply with all provisions of the department's Affirmative Action program. Insure plan is posted in all employee work locations.
4. Insure prompt and efficient responses to any complaints of alleged discrimination.
5. Hold subordinate supervisors responsible for the effectiveness of the affirmative action efforts within their areas of jurisdiction.
6. Provide informal training and counseling to supervisors and encourage subordinate supervisors to attend formal affirmative action training as may be offered.

Accountability:

Division Managers are directly responsible to the Affirmative Action Officer.

SUPERVISORS:

Definition:

Supervisors, for affirmative action purposes, are the Military Personnel Management Officer at the Adjutant General's Office, Airfield Firefighter Chief at Duluth Fire Station, Architectural Supervisor, Physical Plant Manager, Contracts Officer and Environmental Administrative Planning Director at Facilities Management Office, Environmental Planning Supervisor at Camp Ripley Training Site, Chiefs of Security at the air bases and Camp Ripley, Building Maintenance Supervisors at the Duluth and St. Paul Airbases and Area Building Maintenance Supervisors for the Training & Community Centers.

Responsibilities:

Insure that equal opportunity for employment is accorded to all job applicants and that all employees within their jurisdiction are treated fairly.

Duties:

1. Whenever possible, interview, recommend for selection or promote qualified protected group members to a vacancy where a disparity exists.
2. Insure that their immediate work area environment is free from any form of harassment or discrimination.
3. Respond promptly and efficiently to all complaints of alleged discrimination.
4. Communicate the department's Affirmative Action policy to assigned staff. Post our commitment statement and discrimination complaint procedures on employee bulletin boards in all common work areas.
5. Indicate to the public that Military Affairs is "An Equal Opportunity Employer" by placing that phrase in all employment advertisements. Agency letterhead has provided this information for many years.
6. Perform such other specific duties as may be outlined elsewhere in this plan.

Accountability: Supervisors are directly accountable to their Division Managers.

SPECIFIC PROGRAM OBJECTIVES

OBJECTIVE NUMBER 1:

Reinforce policies of affirmative action that will assist the department in achieving hiring goals for females, minorities, and people with disabilities.

<u>Action Steps</u>	<u>Proponent</u>	<u>Target</u>
1. When the opportunity exists, select protected group members for employment where disparities exist.	Division Mgrs Supervisors	At time of hire
2. Conduct pre-hire reviews on all hiring opportunities to insure hiring goals are considered and protected group members are selected when possible.	Supervisor Division Mgr AA Officer	Before hiring decision is made

3. Fully justify and document reasons for failure to fill vacancies with a protected group member when the opportunity is available.	Supervisor	When protected group member is not recommended
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Responsibility

The Affirmative Action Officer is responsible for accomplishment of the action steps listed above. However, the affirmative action process is a combined responsibility of the hiring chain and all must embrace the letter and spirit of this directive. The AAO must work closely with Division Managers and Supervisors during the pre-hiring process to insure a concerted effort is made to hire a protected group member whenever possible.

Evaluation Process

Close analysis of bi-weekly goal achievement reports confirms the continued efforts of the department to act affirmatively. Our internal tracking system enables us to monitor progress on a continuous basis.

OBJECTIVE NUMBER 2:

To increase staff knowledge, through formal and informal training and internal communications on the following subjects: 1) Affirmative Action and the interview and selection process; 2) Disability awareness training to include reasonable accommodations for people with disabilities.

<u>Action Steps</u>	<u>Proponent</u>	<u>Target</u>
1. Require appropriate staff to attend AA/EEO training sponsored by the DOER Office of Diversity and Equal Opportunity.	AA Officer	When scheduled
2. Insure all new employees are made aware of our agency's Affirmative Action Program.	Supervisor	At in-briefing
3. During staff visits to training/community centers and other facilities, insure that all employees are aware of their obligations and rights under the department plan.	AA Officer Supervisor	Concurrent with other visits
4. Distribute changes to the Affirmative Action Plan and insure (through visits) that the plan is posted in employee work areas.	AA Officer Supervisor	As changes occur or biennially

- | | | |
|---|-------------|----------------|
| 5. Formally brief new employees on all department policies, to include AA topics, complete in-briefing checklist and forward to MNAG-FIN. | Supervisors | At in-briefing |
| 6. ADA training is required for all division managers and supervisors. | AA Officer | As needed |

Due to numerous staff changes in the past 2 years, several new managers are in need of training. The "Train the Trainer" course was completed by agency personnel several years ago, and we believe that our training materials may be outdated. We have contacted ODEO to request any new or updated information issued since the initial training. An attempt will be made to offer ADA training on a regular basis within the priorities of agency commitments.

The Affirmative Action Officer is responsible for accomplishment of the action steps listed above. However, the affirmative action process is a combined responsibility of the hiring chain and all must embrace the letter and spirit of this directive.

Evaluation Process:

The evaluation process in OBJECTIVE NUMBER 1 will best measure our success in the accomplishment of Action Steps 1 and 6 of this objective. Completion of training is indicated by attendance at classes. Success of training translated to affirmative action is measured by goal achievement. By requiring supervisors to document Action Steps 2 and 5, we can verify that department employees are aware of their rights and responsibilities under this plan.

The individuals responsible for ADA compliance are:

Main Office	Terrence J. Palmer
St. Paul Airbase	CPT Robert Niesen
Duluth Airbase	CMS Brian Richardson
Camp Ripley	Richard Post

OBJECTIVE NUMBER 3:

To provide a work environment free of verbal or sexual harassment.

<u>Action Steps:</u>	<u>Proponent</u>	<u>Target</u>
1. Require supervisors and Division Managers to attend appropriate training addressing prevention of sexual, racial and disability harassment/discrimination	AA Officer	Note (1) below

2. Through internal communications, insure that supervisors and Division Managers are reminded to be on the watch for actions by employees that could undermine this objective.

AA Officer

Continual

3. Insure all new employees are trained in prevention of Sexual Harassment and know what constitutes harassment.

AA Officer

Within 6 months
of hire

(1) All Division Managers and Supervisors have completed sexual harassment training. Those who receive annual update training are noted by asterisk (*). When new managers or supervisors are appointed, they will be scheduled for training as soon as possible. Names of current managers and supervisors are as follows:

DIVISION MANAGERS

LTC Joel Manns *
CPT Robert Niesen *
LTC Gary Moe *
LTC Lewis Wolf *
MAJ Jama Davidson *
CW4 Gary B. Bloedel *
LTC Grant Zachary *
COL Rick Erlandson *

SUPERVISORS

COL Thomas Cochran *	Harold White
1LT Ryan Wedlund *	Michael Zbaracki
MAJ Dale Slimmer *	Suzanne Krueger
TSGT David Dodge *	Thomas Bong
2LT Tyler Rule *	Thomas Vesely
Richard Post *	William Kuesel
John Ebert *	Douglas Tangwall
Martin Skoglund	James McArdell

Responsibility

It is the responsibility of the lowest level supervisor to monitor his or her work area for signs of tension that may be caused by sexual harassment. It is the responsibility of each Division Manager to constantly stress this objective with his or her subordinates.

Evaluation Process

Knowledge of the department's harassment policy by all employees and training of supervisors for awareness of potential problems and how to properly deal with them should keep problems to a minimum.

OBJECTIVE NUMBER 4:

To encourage troubled employees to seek supervisor assistance and, when appropriate, refer those employees to the State Employee Assistance Program (EAP).

Action Steps

Proponent

Target

Assist in identifying, counseling and referring employees to the State Employee Assistance Program.

AA Officer

As needed

Responsibility:

Immediate supervisors need to be especially watchful for signs of troubled employees as they are closest to them. Ignoring a problem that effects an employee's work performance is a disservice to the employee as well as negligence on the part of the supervisor.

Evaluation Process

When a troubled employee is identified, counseled and offered the confidential services of EAP, and if that employee avails him/herself of the assistance provided by EAP, our obligations to the employee have been met.

OBJECTIVE NUMBER 5:

Recruitment:

To attract qualified protected group members as applicants for vacant positions, the following efforts will be made:

1. Notices of job opportunities in trade journals, professional publications, bulletins, postings, mailings and any other means of making vacancies known to groups which may not otherwise be aware of them.
2. Advertisements will be taken out in local newspapers to insure protected groups have knowledge of vacant positions. 1998 advertisements were placed in the following newspapers: Duluth News-Tribune, Chisholm Tribune-Press, Grand Rapids Herald-Review, Itasca Shopper, Hibbing Daily Tribune, Faribault Daily News, Fairbault Area Shopper, Owatonna People's Press and Owatonna Area Shopper. An insert was also placed in the MN Recreation & Parks Association Job Bulletin. Applicants totalled 47, including 2 minority, 2 disabled and 16 females. No protected group candidates were hired due to the exceptional qualifications of the selected applicants. Cost for advertising totalled \$868.21.
3. For this affirmative action plan period we anticipate possible retirements in the following classes: Carpenter Supervisor (1), Plumber Supervisor (1), Refrigeration Mechanic (1), Office & Administrative Specialist Senior (1), Carpenter (1), General Maintenance Worker (2), Building Utilities Mechanic (1) and Airfield Firefighter (1). It is unknown whether these positions will be filled at the same level as they are now classified.

4. Job fairs: None were attended during the past year and we do not anticipate attendance at fairs for the current affirmative action plan period.

5. In 1998 three Internship positions were created; opportunities were provided to 3 students from Central Lakes College (CLC) in Staples for CADD drafting, printing and archive research. The interns are paid while fulfilling academic requirements and gaining work experience. Three interns will be hired for the 1999-2000 school year and possibly three others for 2000-2001. CLC polls students in the mechanical drafting program for interest in the Internship program. We requested that protected group members in that program be encouraged to apply. CLC interviews and selects the students who best fit our needs.

6. Methods will be identified for recruitment and possible hire of persons with disabilities. 73% of Military Affairs positions are physically demanding maintenance, trades and service positions; in 50 locations there is a single state employee who must be able to perform all essential functions of the position. We will continue to request Minnesota Workforce Center referrals of protected group members. Qualified persons with disabilities will always be considered for vacant positions.

7. No positions have yet been identified which might be used for supported work employment - budget cuts have significantly reduced the number of entry-level jobs. Job tasks will be reviewed and consideration will be given to all future vacancies to determine whether they could be filled by a Supported Worker. If we identify and establish a viable Supported Worker position, the Statewide ADA/Disability Coordinator will be contacted for recruitment assistance and/or available candidates.

Action Steps and Evaluation are as stated under Objective #1. For example: the statewide ODEO recruiter was contacted for referrals for an architectural/engineering position vacancy. The recruiter contacted 5 qualified individuals to inform them of the opportunity to apply for the position. When the Certification List was received from DOER, none of those individuals were on the list. It is not known why none applied. This method of trying to reach protected groups will continue to be used for all applicable positions.

Protected group members are always the first considered for all vacancies unless former Military Affairs employees in layoff status are qualified and available.

Our agency will actively participate in seminars and education dealing with diversity, affirmative action and human rights to gain better understanding of protected group issues and will encourage recognition of different cultures and participation in diversity programs.

Retention:

Long term retention of protected group employees is hindered by lack of opportunity for upward mobility because most supervisors are military personnel. There is limited opportunity for advancement, especially to supervisory and managerial positions; this pertains to non-protected group employees as well.

Because of budget reductions, reorganization and downsizing of the National Guard as a whole, there are few competitive hires from the general public, and every effort is made to retain current agency employees.

1. All vacancies are reviewed to determine if any Military Affairs employees may qualify for advancement. Employees are informed of opportunities for promotions or transfers as soon as they are approved to be filled. Any positions targeted for layoff will be studied to determine their effect on affirmative action goals and timetables. If they will affect our goals, further consideration will be given to the targeted positions to determine if others might be eliminated instead.

2. We anticipate drawing up individual training plans for each employee and career progression will be monitored as part of the formal evaluation program.

3. Establishment of support groups will be considered along with better access to managers for career development counseling.

4. Continuing customer service outreach programs to better serve all agency employees throughout the state.

Analysis of Separation and Layoff Patterns:

1. FY 98 produced 42 separations; of this number 16 were Insufficient Work Time (IWT) employees and 8 were layoffs. Protected group member separations: one minority employee transferred to another state agency and one female was laid off.

2. In FY 99, 28 separations were counted; 13 were IWT employees. Protected group member separations: no minority employees and no females in underrepresented units left our employment. One person with a disability qualified for a disability leave of absence and subsequent disability retirement.

PRE-HIRING REVIEW

The pre-hiring review or pre-employment review is the single most important tool available to the AAO in accomplishing the goal of increasing protected group representation in the department.

When a vacancy exists, a certification list and associated applications will be forwarded to the appropriate Division Manager. A Pre-employment Review form will be used to transmit the list; it will indicate whether or not a disparity exists in the particular bargaining unit. Every effort will be made to solicit interviews and interview protected group members appearing on the list. At no time during the interview process will any commitments of employment be made to any person.

When interviews have been completed, the Division Manager and interviewing supervisor will objectively review the interview results to determine if selection of a protected group member could be made from among the qualified interviewees. If a disparity exists and qualified protected group members were interviewed, the Division Manager should make the decision to recommend the hire of a protected group member. If a protected group member is not recommended for hire, specific reasons for nonselection must be detailed.

If the recommended individual is not a protected group member and protected group members were interviewed and available for hire, the Division Manager will forward all interview results with the Pre-employment Review form to the Affirmative Action Officer. The AAO will then confer with the Division Manager to determine if a protected group member could be selected without jeopardizing department missions and operations. The AAO, through the Adjutant General, will make the ultimate decision to hire.

As a courtesy, all individuals interviewed and not selected will be provided a standard, personal letter from the Division Manager highlighting the qualifications of the person selected.

REASONABLE ACCOMMODATIONS FOR PEOPLE WITH DISABILITIES

The term "reasonable accommodations for people with disabilities" means actions by the Department of Military Affairs that provide the individuals a barrier free atmosphere to seek employment and, when employed, provides a work atmosphere that has been reasonably tailored to minimize hindrances to job performance because of a disability.

The Adjutant General directs that all federal and state employees of the Department of Military Affairs comply with the policies and procedures herein.

POLICY

This agency is committed to encouraging the employment of people with disabilities. We will make reasonable accommodations to the physical or mental limitations of a qualified applicant, employee with a disability or employee with a disability seeking promotion, unless the accommodation would impose an undue hardship on the agency.

Accommodations will be provided to qualified individuals, whether an employee, job applicant or employee with a disability seeking promotion, when such accommodations are directly related to performing a job or competing for a job. Accommodations will not be provided for non-job related personal needs, such as transportation to and from work.

An individual with a disability is defined as:

1. A person who has a physical, sensory or mental condition that significantly limits one or more major life activities.
2. A person who has a record of such a condition; or

3. A person who is regarded as having such a condition.

EXAMPLES OF REASONABLE ACCOMMODATION MAY INCLUDE BUT ARE NOT LIMITED TO:

1. Modification of equipment or assistive devices. Purchase of or modification to existing equipment such as special telephone equipment, talking calculators, one-handed typewriters, and/or specifically designed desk and files.
2. Job site modifications - may include adjustments to equipment height, addition of electrical outlets, reallocation of job site to an accessible area, special parking facilities or other types of similar modifications.
3. Job restructuring - which might include flexible work hours and/or restructuring job duties while retaining the essential job duties.
4. Support services such as interpreters for individuals with hearing impairments, readers for people who are blind or special attendants.
5. Reassignment to a vacant position of equal status when possible and appropriate.

REQUEST FOR REASONABLE ACCOMMODATIONS FOR EMPLOYEES

The steps to request reasonable accommodation are:

1. The supervisor and the employee with a disability discuss the need for the accommodation and discuss alternatives such as job restructuring, job modification and accessible devices.
2. The supervisor must inform the Affirmative Action Officer (AAO) of the request and submit an Employee Request for Reasonable Accommodation form. The request will include justification for the request including a statement of the limitations, the suggested accommodation, approximate cost, and any other pertinent information. The AAO will assist the supervisor by providing the necessary resources and information.
3. Upon approval, the supervisor will forward the request form and supporting information to the AAO within 7 working days upon receiving the request.
4. The AAO will review the request and assist the supervisor in making the accommodation. If the accommodation will cost a significant amount (Over \$120.00) the AAO will forward it along with his or her recommendation to the agency head within 3 working days.
5. The decision is provided in writing to the supervisor, manager and employee within 5 working days after the determination is made by the agency head.

6. The AAO will maintain all documents pertaining to the accommodation.

FUNDING FOR REASONABLE ACCOMMODATION:

Funding will be provided for reasonable accommodations and the availability of funds varies with each agency. The expenditure of funds for the accommodations over the amount determined to be significant must be approved by the agency head. When determining whether or not to make the accommodation without imposing undue hardship on the agency, the following factors must be considered:

- a. Size of the agency budget
- b. Nature and cost of the accommodation
- c. Ability to finance the accommodation in relationship to the site(s) where there may be a need
- d. Documented good faith effort to explore a less restrictive or less expensive alternative.

REQUEST FOR REASONABLE ACCOMMODATIONS FOR JOB APPLICANTS

1. All initial communication between a job applicant or employee with a disability seeking promotion and a supervisor or personnel office regarding a position in the agency shall indicate the willingness of the agency to make a reasonable accommodation upon request, prior to the job interview.
2. The supervisor or personnel office shall contact the AAO immediately to indicate that an accommodation is needed. In order to ensure that the accommodation is provided at the interview, requests shall be handled in a timely manner.
3. The AAO shall contact the applicant to discuss the needed accommodation and discuss possible alternatives if necessary.
4. The agreed upon accommodation shall be provided if the cost does not cause an undue hardship on the agency.
5. If approved, the AAO shall take the necessary steps to see that the accommodation is provided.

DENIAL OF ACCOMMODATION

All denials of requests for accommodation will be documented and kept on file by the AAO. The AAO shall notify the employee of his/her right to file a complaint of discrimination under the affirmative action plan complaint procedure. He shall inform the

employee of the right to file a complaint with the Minnesota Department of Human Rights, the U.S. Equal Employment Opportunity Commission (EEOC) or a private attorney.

If the requested accommodation made by a job applicant is denied, the AAO shall notify the job applicant of the decision and inform him/her of the right to file a complaint with the Minnesota Department of Human Rights, the U.S. EEOC or a private attorney.

ACCOMMODATIONS PROVIDED

In the event the Veterans Service Building is closed due to a weather or other emergency, the deaf or hard of hearing employees working in the Veterans Service Building will be personally contacted, by telephone, by their immediate supervisor and apprised of the building closure. Other work areas containing employees with disabilities who would not be advised of emergencies through normal public notification methods will be telephoned or otherwise contacted by their immediate supervisor. Employees requiring special notification procedures will so alert their supervisors.

PROCEDURES FOR COMPLAINTS OF DISCRIMINATION

GENERAL:

The goal of the Department of Military Affairs is to provide policies, procedures, and a work environment that is conducive to excellent employer/employee relations. The Adjutant General's policy statement on discrimination and harassment that appears earlier in this plan will be removed from the plan and conspicuously posted on all employee bulletin boards in their work areas. Local reproduction may be necessary if additional copies are needed.

The affirmative action complaint procedure within this plan affords only an administrative remedy and is designed to be simple so that complaints can be resolved expeditiously within the department with the utmost regard for data privacy.

It should be noted that Minnesota Statute 363.06, Subd. 1, affords the grieving employee the right to "bring civil action as provided in section 363.14 subdivision 1, clause (a), or may file a verified charge with the commissioner (of Human Rights) or his designated agent, stating the name and address of the person alleged to have committed an unfair discriminatory practice, setting out the detail of the practice complained of and, if applicable, providing witnesses, documents, and other information required by the commissioner".

COMPLAINT PROCEDURE:

Informal

An employee, applicant or eligible who has a complaint of alleged discrimination may bring it to the attention of his or her immediate supervisor, Division Manager, or AAO in an attempt to reach a satisfactory resolution by administrative remedy.

Formal

If an employee, applicant or eligible (complainant) alleging discrimination does not feel that the complaint has been resolved, or if the complaint is against a supervisor, the following procedure will apply:

Step 1:

- a. The complainant shall give the complaint in writing, setting forth the nature of the complaint, the facts upon which it is based and the relief requested, to the AAO. The Department of Military Affairs Complaint Form that is part of this plan will be used. No complaint shall be accepted more than 30 calendar days after the occurrence of the event or the latest occurrence or within 30 calendar days after the complainant, through the use of reasonable diligence, should have knowledge of the event.
- b. Within 7 calendar days of receipt of the complaint, the Affirmative Action Officer will determine if the complaint is properly a discrimination complaint and, if not, shall immediately notify the employee registering the complaint of the decision in order that the employee may use other remedies if necessary. The AAO can make a determination as to whether or not the employee is suffering irreparable loss in the absence of immediate action. If the Affirmative Action Officer determines the need for immediate action, he will go directly to Step 3 for immediate action by the Adjutant General.
- c. Within 14 calendar days after receiving the written complaint, the Affirmative Action Officer will investigate the complaint and will arrange a meeting with the supervisor and/or Division Manager, with or without the complainant, in an attempt to resolve the complaint by administrative remedy. The supervisor will give his or her written answer to the AAO within 3 days following the meeting.
- d. The employee, through the Affirmative Action Officer, may use Step 2 if dissatisfied with the supervisor's written response.

Step 2:

- a. The Affirmative Action Officer will arrange a meeting within 3 calendar days from receipt of supervisor's written response with the next level supervisor or Division Manager, with or without the complainant, to resolve the complaint.
- b. If, as a result of this meeting, the complaint still remains unresolved by administrative remedy, the next level supervisor or Division Manager will give a written response to the AAO within 5 calendar days of the meeting.

- c. The complainant, through the AAO, may go to Step 3 if still dissatisfied.

Step 3:

- a. The Affirmative Action Officer will arrange a meeting with the Adjutant General. All parties involved will be present to allow for a fair account of the issues. The AAO will prepare and present a summation of the issues and a recommendation for remedy.
- b. Within 60 calendar days from the filing of the written complaint, the Adjutant General will respond to the complainant, in writing, with the final answer or remedy.
- c. If, as a result of this response, the complainant remains dissatisfied, the complainant, through the Affirmative Action Officer, will be advised of his or her right to file a charge of discrimination within one year of the occurrence, with the Commissioner of the Minnesota Department of Human Rights.

All dispositions of complaints will be filed with the Commissioner of Employee Relations within 30 days of final determination. The Affirmative Action Officer will prepare a written report of the nature of the complaint, the manner in which it was resolved, and the resolution. The report will be approved by the Adjutant General.

EMPLOYEE RIGHT TO NOTICE

WEATHER EMERGENCY NOTIFICATION

The department recognizes the need for all employees to be able to receive timely notification of building or location closure due to weather or other emergencies as determined by the Commissioner of Employee Relations and announced through the media as prescribed in Department of Employee Relations memorandum dated 11/05/86, subject: Weather Emergencies, and updated each year.

The section on Reasonable Accommodations for People with Disabilities contains special notification provisions made for employees with hearing impairments.

EMERGENCY BUILDING EVACUATION

All buildings under the operational control of the Department of Military Affairs are governed by a locally prepared and posted Building Evacuation Plan to be used when emergency evacuation of a building is required. Special attention must be given to the requirements for employees with hearing impairments and employees with other disabilities requiring assistance in evacuating.

An emergency evacuation plan has been developed for the entire Veterans Service Building. The plan is in writing with specific employees appointed as evacuation staff. The department has two federal employees with hearing impairments working in the Veterans Service Building who would receive evacuation assistance from fellow employees.

EMPLOYEE REQUEST FOR REASONABLE ACCOMMODATION

Employee Name _____ Date of Request _____

Job Classification _____ Division _____

Statement of Limitation(s) (Attach medical statement if requested by manager). Attach additional sheets for questions below if necessary.

1. Type of accommodation requested to perform essential function(s):
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
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_____ Signature of Supervisor	_____ Date
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_____ Signature of Manager	_____ Date
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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 signatures on the bottom of this form indicate an agreement between the employee and the department to the specific accommodation.

Name of Employee

Name of Division Manager

The request for reasonable accommodation to the needs of the above named disabled 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

DISCRIMINATION COMPLAINT FORM

Person Filing Charge _____ Date of Alleged Violation _____

Location of Alleged Violation _____

Basis of Discrimination

____ Race or Color ____ Religion ____ Creed ____ National Origin

____ Sex ____ Age ____ Disability ____ Marital Status

____ Status with Regard to Public Assistance ____ Sexual Orientation

____ Membership or Activity in a Local Commission

Nature of Charge

____ Hiring ____ Wages ____ Job Classification

____ Benefits ____ Referral ____ Public Accommodations

____ Discharge ____ Training ____ Qualification Testing

____ Demotion ____ Layoff ____ Intimidation/Harassment

____ Seniority ____ Recall ____ Other

Describe the alleged discrimination act:

Name/Address of any witness/s:

Have you brought this charge to anyone else's attention: ____ Yes ____ No

If yes, describe the meeting (use reverse side of this form if needed):

Date _____ Signature _____

Address _____

Received by _____ Date _____

AFFIRMATIVE ACTION GOALS - METRO

Ideal and Annual Goals

Department of Military Affairs

TOTAL EMPLOYEES 55

Fiscal Year 2000

As of PPE 07/20/99

GOAL UNIT 091

*** FEMALES ***

*** MINORITIES ***

*** DISABLED ***

Barg Unit	Unit Empl.	Goal %	Goal	Ideal	No. 07/99	Goal %	Goal	Ideal	No. 07/99	Goal %	Goal	Ideal	No. 07/99
Craft - 202	10	8.7%	0	0.9	0	4.5%	0	0.5	1	12.8%	0	1.3	0
Service - 203	30	52.8%	1	14.9	1.75	9.9%	1	2.8	2	12.8%	1	3.6	0
Office - 206	15	0.0%	0	0.0	14	6.9%	0	1.0	1	12.8%	0	1.9	2
Superv'y - 216	1	N/A				N/A				N/A			

No goals are listed for bargaining units in which no vacancies are anticipated.

If positions are vacated, every effort will be made to employ protected group candidates.

AFFIRMATIVE ACTION GOALS - NON-METRO

Ideal and Annual Goals	Total Employees	204
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Department of Military Affairs

Fiscal Year 2000

As of PPE 07/20/99	Goal Unit 186
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*** FEMALES ***

*** MINORITIES ***

*** DISABLED ***

Barg Unit	Unit Empl.	Goal %	Goal	Ideal	No. 07/99	Goal %	Goal	Ideal	No. 07/99	Goal %	Goal	Ideal	No. 07/99
Craft - 202	37	10.9%	1	4.0	0	1.9%	0	0.7	0	12.8%	0	4.7	2
Service - 203	82	35.4%	1	26.2	9.2	2.4%	N/A	1.8	2.75	12.8%	1	9.5	1
Office - 206	20	N/A			15.5	0.9%	N/A	0.2	1	12.8%	1	2.4	0
Technical - 207	26	14.5%	0	3.8	1	2.5%	N/A	0.7	1	12.8%	0	3.3	0
Engineers - 212	5	13.3%	0	0.7	0	4.0%	1	0.2	0	12.8%	0	0.6	0
Profes'nl - 214	17	54.6%	0	9.3	1	0.7%	0	0.1	0	12.8%	0	2.2	1
Superv'y - 216	17	36.6%	1	6.2	1	2.1%	0	0.4	0	12.8%	0	2.2	1

Goals are not set in some areas due to declining budgets and reorganization.
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Protected group candidates will be considered for any vacancies which occur.
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