



State of Minnesota

Minnesota Department of Revenue

Affirmative Action Plan for July 1, 2022 – June 30, 2024

Minnesota Department of Revenue

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Table of Content

Statement of Commitment	3
Executive Summary	4
Organizational Profile	5
Our Mission.....	5
Our Vision.....	5
Our Values.....	5
Our Strategies	5
Organizational chart:	5
Minnesota Department of Revenue Organizational Chart Individuals Responsible for Directing/Implementing the Affirmative Action Plan	5
A. Commissioner	6
B. Affirmative Action Officer	7
D. Human Resources Director.....	8
E. Americans with Disabilities Act Title I Coordinator	10
F. Americans with Disabilities Act Title II Coordinator	11
G. Talent Recruiter	12
H. Senior Managers and Senior Executive Team Leaders	13
I. All Employees.....	14
Communication of the Affirmative Action Plan	15
Internal Methods of Communication	15
External Methods of Communication.....	16
Job Category Analysis	16
Determining Availability	16
Utilization/Comparing Employees to Availability, Goal Establishment, and Timetables	17
Identification of Areas for Further Monitoring	19
Progress Reports.....	19
Women, Racial/Ethnic Minorities, and People with Disabilities	19
Separations	19
Corrective Actions, Action-Oriented Programs, and Timetable	20
Corrective Actions.....	20
Action-Oriented Programs	22
Action-Oriented Program 1.....	22
Action Oriented Program 2.....	22
Action-Oriented Program 3.....	23
Action-Oriented Program 4.....	23
2020-2022 AAP Action-Oriented Programs Progress Report	23
Action-Oriented Program 1.....	23
Action Oriented Program 2.....	24
Action-Oriented Program 3.....	25
Action-Oriented Program 4.....	26
Action-Oriented Program 5.....	26

Action-Oriented Program 6.....	27
Barriers.....	28
Recruitment and Processes	28
Retention	29
Training	31
Methods of Auditing, Evaluating, and Reporting Program Success	32
Pre-Employment Review Procedure/Monitoring the Hiring Process.....	32
The Pre-Employment Review.....	32
Pre-interview.....	32
Post-interview.....	33
Pre-Review Procedure for Layoff Decisions.....	34
Pre-Review Procedure for Layoff Decisions.....	34
Other Methods of Program Evaluation	35
Policies, Procedures, and Notice.....	36
A. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436 (issued 6/12/2019)	36
B. Statewide Sexual Harassment Prohibited Policy Statewide HR/LR Policy #1329: Sexual Harassment Prohibited (revised 6/12/2019).....	43
C. Complaint Procedure for Processing Complaints Under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy:	48
Who May File:	49
D. Revenue’s Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form	51
E. Statewide ADA Reasonable Accommodation Policy Statewide HR/LR Policy #1433: ADA Reasonable Accommodation Policy.....	53
F. Revenue’s Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form.....	66
G. Notice Under the Americans with Disabilities Act.....	68
H. Revenue’s Grievance Procedure Under Title II of the Americans with Disabilities Act	69
I. Americans with Disabilities Act (“ADA”) Title II (non-employee) Reasonable Accommodation/Modification in Public Services, Programs or Activities Request Form.....	70
J. Evacuation Procedure for Individuals with Disabilities or Otherwise in Need of Assistance.....	72
Other Relevant Information	Error! Bookmark not defined.
Appendices	i
Appendix A: Progress Report	i
Appendix B: Separation Analysis	iv
Appendix C: Job Category Analysis	vii
Appendix D: Feeder Jobs.....	xi
Appendix E: Determining Availability	xvi
Appendix F: Utilization-Goal Analysis	xx
Definitions of Terms Used in This Affirmative Action Plan.....	xxii

Statement of Commitment

Minnesota Administrative Rules, part 3905.0400, subpart 1, item C

This statement reaffirms Minnesota Department of Revenue, (hereafter “the agency”) is committed to Minnesota’s statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

I affirm my personal and official support of these policies which provide that:

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities, or subject to harassment, on the basis of race, sex (including pregnancy), color, creed, religion, age, national origin, sexual orientation, gender expression, gender identity, disability, marital status, familial status, status with regard to public assistance, or membership or activity in a local human rights commission.
- The prohibition of discrimination on the basis of sex precludes sexual harassment, gender-based harassment, and harassment based on pregnancy.
- This agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include, but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to employees and applicants with disabilities.
- This agency will continue to actively promote a program of affirmative action, wherever women, racial/ethnic minorities, and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.
- This agency will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this agency will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

It is the agency’s policy to provide an employment environment free of any form of discriminatory harassment as prohibited by federal, state, and local human rights laws. I strongly encourage suggestions as to how we may improve. We strive to provide equal employment opportunities and the best possible service to all Minnesotans.

Commissioner or Agency Head: *Paul Marquart*

Date Signed 6/27/23

Executive Summary

Minnesota Administrative Rules, part 3905.0400, subpart 1, item A

This Affirmative Action Plan meets the requirements as set forth in statute, in Administrative Rule, and by Minnesota Management and Budget (MMB). The Plan outlines:

- Affirmative action goals
- Timetables
- Reasonable and assertive hiring and retention methods for achieving these goals

This Affirmative Action review revealed underutilization of the following protected group(s) in the following job categories:

Table 1 Workforce Underutilization Analysis of Protected Groups

(x indicates the job categories and protected groups that have underutilization.)

Job Categories	Women	Racial/Ethnic Minorities	Individuals with Disabilities
Officials & Administrators	-	-	-
Professionals	x	-	-
Technicians	x	-	-
Paraprofessionals	x	-	-
Office/Clericals	-	-	-

Once complete, information about how to obtain or access a copy of this Plan is provided to every employee of the agency. Our intention is to make every employee aware of the **Minnesota Department of Revenue's** commitments to affirmative action and equal employment opportunity. The completed Plan is also posted on the agency's website and maintained in the **Office of Equity, Access, and Inclusion**.

Affirmative Action Officer or Designee: *Felicia Okali* Date Signed 6/27/23

Human Resources Director or Designee: *Suzanne Tillman* Date Signed 6/27/23

Commissioner or Agency Head: *Paul Marquart* Date Signed 6/27/23

Organizational Profile

The Minnesota Department of Revenue (DOR) manages the state’s revenue system and administers state tax laws. The department manages over 30 different taxes and collects over \$25.2 billion annually.

Our Mission

Working together to fund the future for all of Minnesota.

Our Vision

Everyone reports, pays, and receives the right amount: no more, no less.

Our Values

Our core values are the foundation of the high standards of performance and behavior.

- **Integrity:** We are honest and ethical because trust is the foundation of our reputation and relationships.
- **Service:** We value all customers by serving them with respect, appreciation, inclusion, and a high expectation of excellence.
- **Excellence:** We expect and reward innovation, flexibility, accuracy, timeliness, and collaboration.
- **Inclusion:** We are committed to an inclusive work environment that values each employee and works to continually address the needs of the communities we serve.
- **Accountability:** We ensure the fair and efficient administration of Minnesota's revenue system.

Our Strategies

1. Provide customers with information, education, and services.
2. Create operational efficiencies and leverage technology to secure customer information, and to meet customer and employee needs.
3. Enforce the tax laws by identifying and addressing patterns of non-compliance.
4. Listen to our customers, identify, and develop improvements to the revenue system.
5. Foster a productive, innovative, and healthy work environment that provides opportunities for growth and development.

Organizational chart:

Minnesota Department of Revenue Organizational Chart

Individuals Responsible for Directing/Implementing the Affirmative Action Plan

Minnesota Administrative Rules, part 3905.0400, subpart 1, item B

A. Commissioner

Responsibilities

The Commissioner is responsible for establishing an Affirmative Action Plan, including goals, timetables, and compliance with all federal and state laws and regulations. Quarterly, the Commissioner reports the agency's progress in meeting its affirmative action goals and objectives to the Commissioner of Minnesota Management & Budget (MMB). The Commissioner, through the Commissioner of MMB, will report annually to the Governor and the Legislature the agency's progress in meeting its affirmative action goals and objectives

Duties

The duties of the Commissioner include, but are not limited to:

- Appoint the Affirmative Action Officer or designee and include accountability for the administration of the agency's Affirmative Action Plan in his or her position description.
- Take action, if needed, on complaints of discrimination and discriminatory harassment.
- Issue a statement affirming the department's commitment to affirmative action and equal employment opportunity and ensure the statement is shared with all employees.
- Make decisions and changes in policies, procedures or physical accommodations as needed to implement effective affirmative action in the agency.
- Actively promote equal employment opportunity and incorporate diversity and inclusion principles in annual business plans, strategic plans, and the agency's mission.
- Notify all contractors and sub-contractors with the department of their affirmative action responsibilities.
- Enforce equal employment opportunity in affirmative and non-affirmative hiring decisions reviewed in the hiring process.
- Require that all agency directors, managers, and supervisors include responsibility statements to support affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The Commissioner is accountable directly to the Governor and indirectly to the Commissioner of MMB for affirmative action matters.

Name of individual(s) responsible

Name: Paul Marquart _____

Email: paul.marquart@state.mn.us _____

Title: Commissioner _____

Phone: 651-556-6003 _____

B. Affirmative Action Officer

Responsibilities

The Affirmative Action Officer is directly responsible for developing, coordinating, implementing, and monitoring the agency's affirmative action plan.

Duties

The duties of the Affirmative Action Officer include, but are not limited to:

- Develop and administer the agency's Affirmative Action Plan.
- Develop and set agency-wide affirmative action hiring goals.
- Monitor agency compliance and fulfill all affirmative action reporting requirements.
- Disseminate the affirmative action policy to employees in the agency.
- Inform the Commissioner of progress on affirmative action and equal opportunity goals and report potential concerns.
- Act as the affirmative action liaison between the agency, MMB, and the Governor's Office.
- Determine the need for affirmative action training within the agency. Develop training goals and content with internal and external resources.
- Review and recommend changes in policies, procedures, programs, and physical accommodations to implement affirmative action and equal opportunity.
- Develop innovative programs to attract and retain individuals from protected groups in the agency.
- Support and recruit racial/ethnic minorities, individuals with disabilities, and women for employment, promotion, and training opportunities.
- Manage the agency's pre-hire review process.
- Review requests for non-affirmative hires in the Monitoring the Hiring process and refer unresolved issues to the Commissioner for final decision.
- Ensure supervisors and managers are making good faith efforts to recruit and retain qualified candidates and employees from protected groups.
- Oversee the administration of the Americans with Disabilities Act Title I and Title II.

- Maintain records of requests for reasonable accommodations.
- Oversee the administration of the Agency Diversity Recruitment program.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The Affirmative Action Officer is accountable to the Commissioner for program impacts and for ongoing program activities and direction. The Affirmative Action Officer oversees the administration of ADA Title II, manages diversity and inclusion initiatives, and other equal opportunity related matters. In addition, the AAO ensures that aggregate data and trends of complaints of illegal discrimination in hiring are provided and shared with the Human Resources Director on a quarterly basis.

Name of individual(s) responsible

Name: Felicia Okoli _____

Email: felicia.okoli@state.mn.us _____

Title: Affirmative Action Officer _____

Phone: 651-556-4001 _____

D. Human Resources Director

Responsibilities

The Human Resource (HR) Office is responsible for ensuring equitable and uniform administration of all personnel policies.

The HR Director is responsible, in conjunction with the agency ADA Coordinator, for ensuring timely responses to all Americans with Disabilities Act (ADA) requests for reasonable accommodations to remove barriers to equal employment opportunity with the agency. The HR Director is responsible for assisting managers and supervisors in human resources management activities.

Staff within HR who work on affirmative action and diversity issues are accountable to the HR Director or Designee.

Duties

The duties of HR Director include, but are not limited to:

- Maintain effective working relationships with the agency Affirmative Action Officer and designees.

- Provide leadership to HR staff and others to ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles.
- Provide guidance in the development and use of selection criteria to ensure they are objective, uniform, and job related.
- Assist in recruitment and retention of protected groups and notify managers and supervisors of existing disparities.
- Ensure an Affirmative Action Pre-hire Review process is implemented and followed by hiring managers and supervisors in collaboration with the Affirmative Action Officer.
- Initiate and report on progress made with program objectives contained in the Affirmative Action Plan.
- Ensure that the reasonable accommodation process is implemented and followed for all employees and applicants in need of a reasonable accommodation.
- Assist supervisors, managers, and the Affirmative Action Officer in the recruitment of protected group members through career and job fairs and other efforts, as well as in selection and retention of protected group members.
- Assist supervisors, managers, the Affirmative Action Officer, and HR staff in the creation of supported worker positions. These positions help reduce agency costs by diverting supportive employment duties from higher skilled workers to supported worker positions. This can improve employee morale and retention of individuals with disabilities in integrated employment.
- Request assistance from MMB to support diversity recruitment efforts, as well as the retention of protected group members in hard-to-fill or executive level positions.
- Include responsibility statements for affirmative action/equal employment opportunity in position descriptions and annual performance objectives.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

HR staff are accountable to the HR Director or Designee.

Name of individual(s) responsible

Name: Suzanne Tillman_____

Email: suzanne.tillman@state.mn.us_____

Title: Human Resources Director_____

Phone: 651-556-6662_____

E. Americans with Disabilities Act Title I Coordinator

Responsibilities

The Americans with Disabilities Act (ADA) Title I Coordinator is responsible for ensuring the agency's compliance with the ADA Title I – Employment, in accordance with the ADA - as amended, and the Minnesota Human Rights Act.

Duties

The duties of the ADA Title I Coordinator include, but are not limited to:

- Provide guidance, coordination, and direction to agency management on the ADA. The agency develops and implements policies, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to agency management and staff on compliance and best practices for hiring and retaining individuals with disabilities, as well as the provision of reasonable accommodations to employees and job applicants.
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing agency services and report reasonable accommodations annually to MMB.
- Research case law rules and regulation and update Human Resources (HR) Directors on evolving ADA issues. Meet bi-annually with ADA Coordinators and provide updates on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering specific ADA training for targeted groups.
- Submit reasonable accommodation reimbursement under the guidelines of the state-wide accommodation fund.
- Receive requests for ADA accommodations and work with appropriate supervisors, unions, etc. to approve or deny the request, or provide alternative accommodations.
- Provide reasonable accommodations to qualified individuals (as defined by ADA) with known physical or mental disabilities, to enable them to compete in the selection process, perform essential functions of the job, and/or enjoy equal benefits and privileges. The ADA Coordinator and the Regional Human Resources Director (RHRD) who also serve as the Regional ADA Coordinator, in consultation with the employee and supervisor, and other individuals involved must:
 - Discuss the purpose and essential functions of the job and complete a step-by-step job analysis;
 - Determine the precise job-related limitations;

- Identify potential accommodations and assess the effectiveness each would have in allowing the employee to perform essential functions of the job; and
 - After discussion and review, select and implement the accommodations that are appropriate for both the employee and the employer using the Reasonable Accommodation Agreement.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The ADA Title I Coordinator is accountable to the Commissioner.

Name of individual(s) responsible

Name: Felicia Okoli _____

Email: felicia.okoli@state.mn.us _____

Title: ADA Coordinator _____

Phone: 651-556-4001 _____

F. Americans with Disabilities Act Title II Coordinator

Responsibilities

The Americans with Disabilities Act (ADA) Title II Coordinator is responsible ensuring the agency’s compliance with the ADA Title II – Public Services, in accordance with the ADA as amended, and the Minnesota Human Rights Act.

Duties

The duties of the ADA Title II Coordinator include, but are not limited to:

- Provide guidance, coordination, and direction to agency management on the ADA. The agency develops and implements policies, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to the agency’s management and staff on compliance and best practices with regards and obligations to members of the public with disabilities, as well as the provision of reasonable modifications for visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing agency services. Report reasonable modifications annually to MMB.
- Research case law rules and regulation and update Executive team on evolving ADA issues. Meet bi-annually with state ADA Coordinators and learn updates and share practices on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.

- Assist the Affirmative Action Officer in designing and delivering training for Agency employees assisting ADA modifications for the public.
- Provide reasonable modifications to members of the public (as defined by ADA) with known physical or mental disabilities to ensure equal access and privileges to programming and services. The ADA Title II Coordinator will consult with the member of the public in need of a modification and:
 - Discuss the purpose and essential functions of the reasonable modification.
 - Identify the potential modifications and assess the effectiveness each request.
 - After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the agency.
 - Document this review and reported in the State ADA Annual Report.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The ADA Title II Coordinator is accountable to the Commissioner.

Name of individual(s) responsible

Name: Felicia Okoli_____

Email: felicia.okoli@state.mn.us_____

Title: ADA Coordinator_____

Phone: 651-556-4001_____

G. Talent Recruiter

Responsibilities

The Talent Recruiter is responsible for the creation and coordination of the recruitment activities outlined in this document.

Duties

The duties of the Talent Recruiter include, but are not limited to:

- Develop a proactive recruitment plan focused on attracting and retaining a high quality and diverse workforce.
- Monitor technology changes to ensure that recruitment and staffing goals support the department’s strategic plan.
- Work collaboratively to develop short and long-term recruitment and retention strategies to meet department staffing needs.

- Work with and partner with Community leaders to develop recruitment pathways and tools to attract qualified applicants.
- Work with Educational Institutions to prepare curriculum and build outreach programs for building and attracting qualified candidates.
- Support and implement diversity and inclusion initiatives into the recruiting process including reviewing all aspects of the recruiting process from a lens of equity.
- Develop and implement a process to effectively monitor the hiring process to ensure active and successful recruitment of women, people of color, people with disabilities and Veterans.
- Collect and analyze employee demographics and local, state, and national labor market data for targeted recruitment efforts.
- Facilitate meetings with stakeholders for the purpose of identifying recruitment issues, developing recommendations, and supporting current services and programs.
- Develop and present information on a variety of topics for purposes of recruitment, training, education, and recommending changes to current processes.
- Attend job fairs and other activities to recruit prospective employees.
- Work with Communications to develop recruitment materials.
- Review vacancy posting language and interview questions; collaborate with managers and supervisor in the development of position requirements and ensuring the use of inclusive language and removal of unintended barriers.

Accountability

The Talent Recruiter is accountable to the Human Resources Director.

Name of individual(s) responsible

Name: Nicole Genord _____

Email: Nicole.genord@state.mn.us _____

Title: Talent Recruiter _____

Phone: 651-556-3256 _____

H. Senior Managers and Senior Executive Team Leaders

Responsibilities

Agency senior managers and executive team leaders are responsible for implementing all aspects of the agency Affirmative Action Plan and the agency’s commitment to affirmative action and equal opportunity.

Duties

The duties of senior managers and executive team leaders include, but are not limited to:

- Identify problem areas and eliminate barriers that prevent equal employment opportunity within the agency.
- Communicate the equal opportunity employment policy and the affirmative action plan to all employees.
- Assist the Affirmative Action Officer in periodic audits of hiring and promotion patterns to remove obstacles to attaining affirmative action goals and objectives.
- Hold regular discussions with supervisors and employees to ensure the agency's equal employment opportunity policies are being followed.
- Inform and evaluate managers and supervisors on their equal employment opportunity efforts and results, in addition to other job performance criteria.
- Comply with statewide and agency anti-discrimination and anti-harassment policies.

Accountability

Senior managers and executive team leaders are accountable directly to the appropriate Assistant Commissioner, the Deputy Commissioner, or the Commissioner.

I. All Employees

Responsibilities

All employees are responsible for conducting themselves in accordance with the State of Minnesota's policy of equal employment opportunity. This includes refraining from any actions that would subject any employee to negative treatment on the basis of race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance, membership or activity in a local human rights commission, religion, political opinions, or affiliations. Employees who believe they have been subjected to such discrimination or harassment are encouraged to use the agency's complaint procedure.

Duties

The duties of all employees include, but are not limited to:

- Exhibit an attitude of respect, courtesy, and cooperation toward colleagues and the public.
- Refrain from any actions that would adversely affect a colleague on the basis of their race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance,

membership or activity in a local human rights commission, religion, political opinions, or affiliations.

- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

Employees are accountable to their designated supervisor and indirectly to the agency's Commissioner. All employees are responsible for conducting themselves in accordance with the Affirmative Action Plan.

Communication of the Affirmative Action Plan

Minnesota Administrative Rules, part 3905.0400, subpart 1, item D and Minnesota Administrative Rules, part 3905.0400, subpart 1, item E

The following information describes the methods that the agency takes to communicate the Affirmative Action Plan to employees and the general public:

Internal Methods of Communication

- **Internal memorandum.** Agency leadership or the Affirmative Action Officer will send an internal memo to agency employees each year. This message identifies the location of the Affirmative Action Plan and the employee's responsibility to read and understand it. It also indicates the employee's responsibility to support and implement equal opportunity and affirmative action.
- **Intranet.** The agency's Affirmative Action Plan is available to all employees on the agency's internal website at [Affirmative Action Plan rSpace site](#) and in print to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- **Printed copy.** A physical copy of the Agency's Affirmative Action Plan is available to employees at the following address:

**600 N. Robert St.
St. Paul, MN 55146**
- **Signage.** Nondiscrimination and equal opportunity statements and posters are prominently displayed in areas frequently used by employees.

External Methods of Communication

- **Public website.** The agency's Affirmative Action Plan is available on the agency's public website at [Affirmative Action Plan Public Website](#). Printed copies are available to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- **Equal opportunity employer language.** The agency's website homepage, letterhead, publications, and all job postings include the statement "**The Minnesota Department of Revenue** is an equal opportunity employer." The agency will also ensure a representative ratio of diversity is on all marketing materials.
- **Signage.** Nondiscrimination and equal opportunity statements and posters are prominently displayed in common public areas. Examples of posters displayed include Equal Employment Opportunity is the law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.
- A physical copy of the Agency's Affirmative Action Plan is available to contractors, vendors, and members of the public at the following address:

**600 N. Robert St.
St. Paul, MN 55146**

Job Category Analysis

Minnesota Administrative Rules 3905.0600 Subp 3.A and Minnesota Administrative Rules 3905.0600 Subp 3.B

The agency conducted a Job Category Analysis to determine the percent of protected group employees in each job category. The job category analysis lists job class titles in each Equal Employment Opportunity (EEO) job category at the agency. A job classification is a group of one or more positions with similar duties and responsibilities. These classifications help clarify positions within the class so the same schedules of pay can be applied with equity to all positions in the class that fall under the same, or substantially the same, employment conditions.

Determining Availability

MS 43A.19(b), MS 43A.19(c), Minnesota Administrative Rules 3905.0600 Subp 1, Minnesota Administrative Rules 3905.0600 Subp 2, Minnesota Administrative Rules 3905.0600 Subp 3C, and Minnesota Administrative Rules 3905.0600 Subp 3D

The agency used the United States Census Bureau's EEO Tabulation 2014-2018 American Community Survey (ACS) statistical data for external availability, which is the most current statistical information available at the time of developing this affirmative action plan. The feeder job statistics of employees are used for internal availability (refer to Appendix D. Feeder Jobs for details).

These external and internal factors are weighted according to the agency's past hiring patterns and/or future recruitment focus to obtain the final availability (Refer to Appendix E. Determining Availability for details).

Utilization/Comparing Employees to Availability, Goal Establishment, and Timetables

Minnesota Administrative Rules 3905.0400 Subp 1 Item G, Minnesota Administrative Rules 3905.0600 Subp 3, Minnesota Administrative Rules 3905.0600 Subp 4, and Minnesota Administrative Rules 3905.0600 Subp 5.

Utilization is an analysis of affirmative action and equal opportunity employment data used to assess the available workforce for a given state.

Underutilization Analysis worksheets are attached in the appendices. Numbers less than 10 are indicated with "<10" in accordance with Minnesota Management and Budget's guidance on data privacy.

Through the utilization and availability analysis, the agency has determined which job categories are underutilized for women, racial/ethnic minorities, and individuals with disabilities in the agency and has set hiring goals for the next two years. Hiring goals are objective and used for making good faith efforts for all aspects of the affirmative action plan. Effective hiring goals are strategic, actionable, and measurable efforts the agency is committed to pursuing and implementing in 2022-2024.

The goals are not quotas, nor do they require protected group status-based hiring preferences. They are aspirational goals so that the agency makes good faith efforts to remove barriers to equal employment opportunity.

The agency used the whole person rule to establish a hiring goal. This means when the actual representation percentage of women, racial/ethnic minorities, or individuals with disabilities is less than reasonably would be expected given the workforce participation in the labor market area/reasonable recruitment area and that difference is at least one whole person (more than 1), then a goal is established for that job category.

When a hiring goal for a job category is established, a percentage goal equals to the final availability percentage is calculated for women, racial/ethnic minorities, and individuals with disabilities in that job category.

In Appendix F. the Utilization Goals indicates if a job category by protected group is underutilized.

Area(s) in the agency's workforce that require further monitoring appear in the "Establish Goals?" column as:

- "Yes": there is underutilization.
- "Monitor": the agency needs to monitor the job it may be underutilized where employee movement occurs.

In Table 2. Hiring Goals by Job Category and Protected Group, if a protected group in a job category shows “Monitor,” the agency will proactively make good faith efforts to recruit external qualified protected groups. The agency will also train and retain employees in the job category to help prevent underutilization due to an employee move or attrition.

Refer to Appendix F. Utilization-Goals for details for underutilization and hiring goals.

Table 2. Hiring Goals by Job Category and Protected Group is a summary of hiring goals by job category and protected group. The actions the agency will take to address these hiring goals will be described in Corrective Actions and Action-Oriented Programs section.

Table 2. Hiring Goals by Job Category and Protected Group

Job Categories	Women Establish Goals?	Women If Yes, Goals for FY 2022-2024	Racial/Ethnic Minorities Establish Goals?	Racial/Ethnic Minorities If Yes, Goals for FY 2022-2024	Individuals with Disabilities Establish Goals?	Individuals with Disabilities If Yes, Goals for FY 2022-2024
Officials/Administrators	-	-	-	-	-	-
Professionals	Yes	57.29%	-	-	-	-
Technicians	Yes	67.88%	-	-	-	-
Paraprofessionals	Yes	63.10%	-	-	-	-
Office/Clerical	-	-	-	-	-	-

Identification of Areas for Further Monitoring

Minnesota Administrative Rules 3905.0400 Subp. 1 Item H, Minnesota Administrative Rules 3905.0600 Subp 6, and MS 43A.19 Subd. 1(a)(3) for separations

Monitoring personnel activities can serve as a means of measuring the agency's progress toward achieving the established goals in the absence of discrimination and effectiveness of the agency's good faith efforts.

Progress Reports

The progress report examines hiring goals established in the prior Affirmative Action Plan. As a part of the agency's monitoring practices, the agency evaluated if it met the hiring goal(s) established in the prior Affirmative Action Plan (refer to [Appendix A. Progress Report](#)).

[Appendix A. Progress Report](#) includes only job categories that have hiring goal(s) established in the prior Affirmative Action Plan and it evaluates if the agency attained the hiring goal(s).

Where the indication of the "Goal Met?" column is:

- "Yes": the agency met the goal established in the prior Affirmative Action Plan.
- "No": the agency did not attain the goal established in the prior Affirmative Action Plan.
- "No Hire/Prom": there were no opportunities in the prior Affirmative Action Plan period.

Women, Racial/Ethnic Minorities, and People with Disabilities

In the 2020-2022 Affirmative Action plan, Revenue had a limited number of persons in the paraprofessional category. There were only four employees in this category, three of whom were student workers. Revenue had a hiring freeze that created barriers for future student internship opportunities. Revenue will expand opportunities in this area by partnering with programs like Step-Up, Star of the North, Urban Scholar, Pathways to Employment, Pride in Living, and Project Surge. The HR division is also expanding so there might opportunities for growth in this job category. Revenue will also continue to provide presentations to local area State Colleges and Universities to encourage women, racial/ethnic minorities, and individuals with disabilities to consider these internship opportunities.

Separations

[Appendix B. Separation Analysis](#) shows the results by separation type and the protected group during the prior affirmative action plan period to evaluate and identify potential action area(s) for retention strategies for the 2022-2024 plan year.

The separation percentages were derived within the separation type by protected group to identify impact on protected group members. There are two examinations in this worksheet:

1. The total percentage indicates the percentage by separation type. For example, there were 1,000 separations in total. Of those separations, 150 employees separated due to dismissal or non-certification. The dismissal or non-certification percentage is 15.00% (150 divided by 1,000).
2. The “percentage type¹” indicates percentage by protected group type within a separation type. For example, there were 150 separations by dismissal or non-certification in total. Of those separations, 80 were female employees. The female dismissal or non-certification separation is 53.33% (80 divided by 150). Therefore, the “percentage type¹” analyzes the percent of protected group compromised in each separation type.
3. The “percentage type²” indicates percentages by separation type within the protected group. For example, there were 500 female separations in total. Of those separations, 80 female employees separated due to the dismissal or non-certification reason. The female dismissal or non-certification separation is 16.00% (80 divided by 500). Therefore, the “percentage type²” analyzes the percent of separation type within the protected group.

Corrective Actions, Action-Oriented Programs, and Timetable

Minnesota Administrative Rules 3905.0400 Subp 1 Item H.

The agency’s affirmative action plan is designed to implement the provisions of this affirmative action plan and meet requirements found in Minnesota Statutes, section 43A.191 Subdivision 2. These Action-Oriented Programs are carried out throughout this affirmative action plan period.

Corrective Actions

This section identifies ways the agency will eliminate barriers, provide corrective actions, and make good faith efforts toward the affirmative action goals for underutilized protected groups (broken down by specific job categories).

The agency developed the below action-oriented programs specific to the job category/protected group(s) identified in the “Identification of Areas for Further Monitoring” section supported by the “Utilization/Availability Analysis, Establishment of Statement of Goals, and Timetable” and “Personnel Activities” sections.

Table 3. Areas of Further Monitoring and Corrective Actions

Areas for Further Monitoring	Corrective Actions Specific to the Further Monitoring Areas Identified
<p>Professionals, Technicians, and Paraprofessionals:</p> <ul style="list-style-type: none"> • Data shows Revenue is underutilized in representation of women in this job category. • Separation data shows the need to focus strong efforts on the retention of women. 	<ul style="list-style-type: none"> • By December 31, 2022, conduct interviews with women employees to gather information on reasons for separating from the department. • By June 30, 2023, assess the roll out of our new ERG process and if a Revenue Women ERG is created, solicit feedback about specific barriers or ideas for improving our hiring and retention of women. • By December 31, 2023, partner with HR to develop talent pipelines for positions in this job category. Evaluate the success of these activities at the end of this plan biennium.
	<ul style="list-style-type: none"> • By July 31, 2023, evaluate the following ongoing activities to address underutilization in the three job categories: <ul style="list-style-type: none"> ○ Monitor the hiring process to ensure equal access for women in every job category. ○ Ensure our female employees are valued and supported. ○ Emphasize open and honest communication, respect in the workplace, and ask for employee input on processes. ⊖ Consistently adhere to salary compensation guidelines to ensure equal pay for equal work.

Areas for Further Monitoring	Corrective Actions Specific to the Further Monitoring Areas Identified
	<ul style="list-style-type: none"> ○ Provide opportunities for promotion and education with career growth in mind ○ Actively develop women as leaders providing support and resources. ○ Gather exit and/or separation data. ○ Educate leadership on issues in need of improvement based on gathered data and analysis.

Action-Oriented Programs

Revenue will continue Action Oriented Programs for women, racial/ethnic minorities, and people with disabilities that encourage career development and retention. This biennium we will concentrate our efforts on addressing primarily our underutilization of women in the previously stated three job categories: Professionals, Technicians, and Paraprofessionals. However, our commitment to develop a culture that also supports all work opportunities for racial/ethnic minorities, and people with disabilities will continue.

Action-Oriented Program 1

Ensure the equitable representation of women in Revenue’s Leadership Academy. Revenue’s Leadership Academy is a program which cultivates valuable leadership skills in a learning community of 24-30 non-supervisory employees from across the department. Cohort members gain:

- A foundation of leadership skills which will benefit their work, community, and personal life
- Access and connections to well-renowned guest speakers in the leadership development field
- A mentor who will help them process and apply what they learn
- A cross-division network of supportive and collaborative peers
- An opportunity to apply lessons they learn toward the improvement of a product, service, process, or work environment at Revenue

Action Oriented Program 2

Monitor Revenue’s Diversity and Inclusion Strategic Plan. Our first planned step is to implement the Intercultural Development Inventory (IDI) assessment for 25% of the agency’s current employees and 100% of all new employees with the intent of building intercultural competence at Revenue. This

project includes debriefing our employees and identifying a plan for moving towards proficiency in intercultural competence. Additionally, we have a proposal to include twenty percent of D&I work for employees interested in advancing diversity, equity, and inclusion initiatives at Revenue.

Action-Oriented Program 3

Develop pipelines with external organizations that represent women such as University Young Women, Accountant & Financial Women’s Alliance, MN Indian Women Project Center, American Indian OIC, Project for Pride in Living, Step-Up, Urban Scholar, Star of the North Fellows, and other local training programs.

Action-Oriented Program 4

Explore additional flexible work arrangements to support women who are working from home and facing difficulties with having to perform the duties of a caretaker for family members and having to fulfill the responsibilities of their profession.

2020-2022 AAP Action-Oriented Programs Progress Report

This section provides an overview of the agency’s general efforts and actions to ensure equal employment opportunity. Agencies have reviewed barriers to hiring during the previous plan period and identified recruitment strategies, processes, and training to address underutilization for this plan year.

Action-Oriented Program 1

Onboarding at the Department of Revenue assists and supports newly hired employees during the first year of employment. The onboarding program introduces the Department of Revenue and its culture, allows new employees to make connections with one another, integrates new hires into the work culture, provides opportunities to explore ways to get involved, increases new hire engagement and retention.

Table 4. Steps, Timeline and Results

STEPS	TIMELINE	RESULTS
Expand agency onboarding programs as a foundation of	Implementation in FY 2022	Expanded a robust agency onboarding program as a foundation of inclusion

STEPS	TIMELINE	RESULTS
inclusion and high performance.		and high performance rolling out fall of 2022.
Add D&I sessions to Supervisor/Manager Onboarding program that expands beyond annual required/compliance training.	Third quarter of 2021	Developed and rolling out fall of 2022.
Add D&I sessions to all employees Onboarding program that expands beyond annual required/compliance training.	Third quarter of 2021	Developed and rolling out fall of 2022.
Develop orientation sessions to the Minnesota Accessibility Standards.	On-going	Conduct an audit of agency intranet pages, documents, and use of guidelines for inclusive meetings. Following accessibility standards.
Research, develop, and recommend Stay surveys in FY2021	Implementing approved recommendations in FY 2022.	Developed and rolling out fall of 2022.

Action Oriented Program 2

Ensure senior management, managers, supervisors, lead workers, and training staff demonstrate continued commitment and accountability for diversity and inclusion at the Department of Revenue.

Table 5. Steps, Timeline and Results

STEPS	TIMELINE	RESULTS
Expand available tools and resources to leverage training offered in the areas of inclusive leadership, intercultural competency, conflict engagement and management, and building collaborative teams	Third quarter of 2021	Rolling out fall of 2022.

STEPS	TIMELINE	RESULTS
Develop a D&I Resource Center page for all employees to expand their inter-cultural competencies.	Second quarter of 2021	Launched a D&I Resource Center with books, articles, podcasts, and training opportunities that the Revenue community may use to expand awareness of different cultures and impacts for diverse groups.
Provide employee development for lead workers and training coordinators in D&I.	Second quarter of 2022	Training in inclusive leadership, intercultural competency, conflict engagement and management, and building collaborative teams rolling out fall of 2022.

Action-Oriented Program 3

Ensure a workplace that respects all employees through education, training, and accountability.

Table 6. Steps, Timeline and Results

STEPS	TIMELINE	RESULTS
Develop and communicate the core expectations of Revenue employees that reflect the behaviors that support cultural competency.	Third quarter of 2021	Relaunched core values of Revenue as: Integrity, Respect, Excellence, and Accountability.
Provide learning opportunities such as panels, book, film, and community discussions to understand social justice issues.	On-going	Quarterly presentations at Revenue ranging in topics from spotlights on the ADA to Race relations, to social justice issues.
Maintain the Diversity and Inclusion Advisory Team to	On-going	The DEI Steering Committee (new name) is integral for effective

STEPS	TIMELINE	RESULTS
oversee diversity and inclusion efforts		implementation of the D&I Strategic Plan and provides input towards becoming more diverse and inclusive.
Business notices highlighting all the federal and state diverse observances.	On-going	Business notices published on a monthly basis covering a wide range of subjects under diversity and inclusion.

Action-Oriented Program 4

Ensure internal policies and procedures affecting employees support the organizational values of diversity and inclusion.

Table 7. Steps, Timeline and Results

STEPS	TIMELINE	RESULTS
Evaluate structures, policies, and practices for impact on employees of the agency.	Third quarter of 2021	Evaluation not completed. Break in leadership. Retaking evaluation for new biennium.
Create an agency policy for the application of the Minnesota Accessibility Standards	Second quarter of 2022	Policy not created internally yet but following Minnesota Accessibility Standards.

Action-Oriented Program 5

Make Work Out of Class (WOOC) opportunities available to all employees for equitable access to career progression within the department.

Table 8. Steps, Timeline and Results

STEPS	TIMELINE	RESULTS
With input from senior leaders and management, a procedure will be developed and implemented to ensure equitable access to WOOC opportunities.	Third quarter of 2022	Procedure finalizing development and possible implementation by second quarter of 2022.
Meetings with stakeholders will occur fall 2020 to gather their input for this program.	Third quarter of 2020	Meetings were conducted and input received.
New WOOC procedure will be implemented Spring of 2021.	Second quarter of 2021	Procedure finalizing development and possible implementation by second quarter of 2022.

Action-Oriented Program 6

Revenue recognizes that the majority of hires for Officials/Administrators and half of hires for Professionals is internal to the agency. Appendix D. Feeder Jobs demonstrates this movement of employees within Revenue. To ensure equal opportunity for women, racial/ethnic minorities, and individuals with disabilities, career exploration sessions will be created. These sessions will enable employees to understand possible internal career paths. These sessions are open to all and will also benefit all employees who seek promotional opportunities.

Table 9. Steps, Timeline and Results

STEPS	TIMELINE	RESULTS
Career exploration sessions are designed to provide networking opportunities, build employee engagement, and cross division collaboration.	Third quarter of 2021	Sessions were halted due to COVID pandemic. Revisiting idea for 2022-2024 plan.
Survey Revenue employees in winter 2020 and early spring 2021.	Second quarter of 2021	Surveys to roll out third quarter of 2022.

Barriers

The agency had constraints to address underutilization and areas for monitoring identified in the previous section.

- 2020-2022 Statewide hiring freeze in response to budgetary constraints imposed by the pandemic.
- 2020-2022 Revenue did not have the recruiter position filled. Limited outreach initiatives due to budget deficiencies, reduced hiring, and no recruitment activity.
- Rehiring fairs attendance numbers had dropped significantly because they went from in-person to virtual. Virtual ones were also significantly down.
- Lost staffing team members made it hard to fill positions.
- Quantity of applicant pools made us look at minimum qualifications differently. HR is piloting using job experience in lieu of a bachelor's degree for some positions unless that position requires licensure.
- Limited staff in the Equity, Access, and inclusion Office.
- Pay rates for state employees remain below the private sector.
- Geographical location for state employees, they can only live and work in Minnesota, North Dakota, South Dakota, Iowa, and Wisconsin. Applicants might want the ability to work from other states.
- Lack of flexibility for teleworking arrangements: for example, working only in the State of Minnesota or surrounding states.
- Unwillingness of employees to self-identify, including individuals with disabilities. This will affect the representation of employees in these protected groups.

Recruitment and Processes

The agency takes the following actions to improve recruitment and increase the number of qualified women, racial/ethnic minorities, and individuals with disabilities in the applicant pool:

The agency will continue to place advertisements of job opportunities through [the State of MN Career site](https://mn.gov/mmb/careers/search-for-jobs/) (<https://mn.gov/mmb/careers/search-for-jobs/>).

- Utilize recruitment and retention monetary incentives proposed by MMB at HRDP.
- Attend women leadership groups
- Continue to consider female, racial/ethnic minorities, and individuals with disability applicants for all positions for which they qualify.
 - Participate in the following additional job fairs to recruit women, racial/ethnic minorities, and individuals with disabilities:

- *Dress for Success events*
- *Disability Job Fair in November*
- *People of Color Career Fair*
- *Professional Diversity Network Career Fair*
- *Diversity College and Career Fair*
- *Continue the Onboarding Mixer pilot to assist and support newly hired employees.*
- Continue to participate in virtual job fairs that are successful to obtain qualified protected group applicants.
- Use LinkedIn job posting feature to search for applicants, which we have been successful in obtaining qualified protected candidates.
- Establish relationships with tribal communities and tribal students
- Establish relationships with communities and students who identify as having a disability to recruit for entry-level positions.
- Advertise the Connect 700 program to attract qualified individuals with disabilities by providing a link to MMB's web site.
- Continue to use the EEO tag line on all job postings and advertisements.
- Continue to publish recruitment materials and media depicting individuals representing protected groups.
- Review/evaluate job postings to eliminate non-inclusive language.
- Develop a pipeline for entry-level jobs across job categories by using Statewide internship opportunities like Right Track, Step Up, Urban Scholar, and Star of the North Fellows.
- Continue the partnership with Project for Pride and Living Pathway Program.

Retention

The agency will utilize effective retention strategies to decrease turnover of all employees especially of women, racial/ethnic minorities, and individuals with disabilities:

1. Onboarding orientation:

New hires will participate in a robust onboarding program that provides role clarity, understanding of work culture, policies, procedures, resources and supports. This new onboarding program is slated to roll out in August of 2022.

2. Leadership Academy

The Leadership Academy program is designed to help a cohort of 30 employees in learning community build leadership skills to use in their current positions and prepare them for future formal or informal leadership roles at Revenue.

3. Employee Development Services (EDS)

EDS provides learning opportunities and support to all Revenue employees.

4. Mentoring

Encourage the use of mentor-mentee programs within the agency.

5. Management Training

Ensure management support all new hires and existing staff to access training that promotes their career development, inclusive workplace strategies, conflict resolution, D&I skills development, and understanding of accessibility standards for an inclusive workplace.

6. Employee Resource Groups (ERGs)

Employee-led groups foster a diverse and inclusive work environment. Employees participate in groups that share a specific characteristic and provide support, encourage development, and are a safe space for employees to share and learn.

7. Performance Reviews

New staff will participate in a mid-probationary review, a probationary review at the end of their probation period, and a yearly review at twelve months of employment thereafter to discuss their personal and professional growth within Revenue.

8. Rewards and Recognition programs

Ensure all employees know about our rewards and recognition programs including On-Boarding Mixers, Achievement awards, Length of Service awards, Revenue Star awards, Friendly division competitions, Annual Employee Recognition events, and others.

9. Employee Promotion

Develop and communicate career path options for all employees, announce all promotion and transfer opportunities, and provide equitable access to WOOC opportunities.

10. LinkedIn Learning

Training in an online learning platform available for all Revenue employees.

11. Tuition Reimbursement and Professional certifications lump sum bonuses

Employees are eligible for tuition reimbursement. Additionally, MAPE union members in good standing can receive lump sum bonuses for passing examinations in CPA, Certified Fraud Examiner, Certified Internal Auditor, and Project Management Professional examinations.

12. Employee Compensation

Inform all employees of salary progressions, bonuses, paid time off, health benefits, and retirement plans.

13. Work Balance

Ensure all employees can foster a culture of engagement and collaboration by participating in

groups like iLead, Leadership Academy, Health and Wellness Committee, Safety Committee, ClubRev, RevNews and other division offerings.

14. Teleworking/hybrid flexibility

Employees can choose to telework or work a hybrid work arrangement. This might be job specific but a great benefit at the State of Minnesota.

15. Life Balance

Widely publicize the new Employee Assistance program, Deer Oaks. EAP resources are provided in health and wellness, credit counseling, legal assistance, crisis management, and others.

16. Employee Assistance

Inform employees how to connect with the Office of Equity, Access, and Inclusion when reasonable accommodations are needed or when they do not experience a fair or inclusive work experience, and Human Resource Management when they have concerns about a respectful workplace.

17. Evaluation

Conduct a 90-day New Hire Survey experience by emailing all new employees for their feedback during the hiring process, onboarding, and 90 days at Revenue. After, conduct Stay surveys, exit surveys and State/agency engagement surveys to identify trends and to focus on improvements.

Training

The agency will take the following actions to improve retention of women, racial/ethnic minorities, and individuals with disabilities:

- Announce training opportunities to all employees.
- Support leaders to build coaching and interpersonal skills to develop their employees.
- Provide Insights Discovery courses to promote understanding and appreciation of others.
- Provide StrengthsFinder courses to promote awareness of one's talents and how to build on their strengths.
- Provide interpersonal skills development courses in the areas of self-awareness, communication, conflict management, and emotional intelligence.
- Customize training solutions for unit teams based on their needs and goals.
- Collaborate with division training teams to share learning and development trends, best practices, and to develop training guidelines around diversity and inclusion.
- Implement cross-learning programs to develop employee's skill and competencies.
- Provide quality on-boarding orientations.

Methods of Auditing, Evaluating, and Reporting Program Success

Minnesota Administrative Rules 3905.0400, subpart 1, item I

Pre-Employment Review Procedure/Monitoring the Hiring Process

The Affirmative Action Officer sets hiring goals for the agency through the data contained in the Affirmative Action plan and supports Human Resources Management staff to advise hiring managers and supervisors of protected class disparities when opportunities for new hires and promotional opportunities become available.

The Pre-Employment Review

1. The hiring supervisor completes and submits a personnel requisition and a position description for the vacancy to be filled to their Human Resources contact in the Human Resources Management Division.
2. Human Resources Management staff provides consultation with the hiring supervisor to ensure that:
 - a. All position descriptions contain the essential functions of the job and related criteria (knowledge, skills, and abilities) that are required to perform the identified job.
 - b. Job related minimum qualifications (and preferred qualifications) are clearly defined and documented on the vacancy announcement. Consultation occurs so the hiring supervisor understand proper screening and application of preferred qualifications through the hiring process.
 - c. External recruitment efforts are made when appropriate and include resources that have contacts with protected class candidates.

Pre-interview

1. Human Resource staff consult regarding the agency's current distribution of women, racial/ethnic minorities, and individuals with disabilities and reinforces the agency goal of ensuring equitable access to employment and the merit process.
2. Human Resource staff will review the interview panelists to ensure they have completed Equity in the Selection Process training.
3. Prior to the commencement of the interview process, the hiring supervisor shall submit a list of uniform job-related interview questions to Human Resource staff for review. Interview questions will be reviewed to determine:

1. Will the answers to these questions, if used in making the selection, have a disparate effect in screening out protected groups of people?
2. Do the questions judge only an applicant's competence or qualification for the job in question?
3. Is the question culturally neutral?
4. Are the questions within the legal parameters of Equal Employment Opportunity guidelines?
4. Hiring supervisors will ensure that each candidate is asked the same structured interview questions. Leeway is allowed for follow-up questions for clarity.
5. Human Resources staff, in concert with the hiring supervisor, will review the resumes to determine which candidates meet the minimum qualifications as defined in the vacancy announcement. Candidates who meet the minimum qualifications will constitute the final eligible list of candidates to be considered in this selection process.
6. If the number of candidates on the eligible list is large and needs to be more narrowly defined to select a "reasonable" number to interview, the hiring supervisor may pre-determine and equally apply the specific preferred qualifications to screen across all applicants to identify candidates to interview. Candidates are ranked based upon the required and consistently applied preferred qualifications as defined on the vacancy announcement.
7. Applicants selected for interview will receive information about the hiring process, including whether testing will be included so the applicant can assess if reasonable accommodations will be required for them to fully participate in the selection process. If reasonable accommodations are requested, the agency ADA Coordinator will be contacted to support the applicant's disability related needs.

Post-interview

1. The interview team will compare the qualifications of candidates based on interview scores, test scores, writing samples, and the requirements of the job.
2. If the hiring authority wishes to select a candidate from a group that is not underutilized, and if a hiring goal exists for the EEO4 category's positions, the hiring supervisor shall complete the Pre-Hire Justification form and submit it to the Affirmative Action Officer for approval prior to any offer being considered. The Pre-Hire Justification form documents how the preferred candidate is more qualified than the underutilized group candidate(s). The Affirmative Action Officer shall review the justification, job posting, job description, applicant interview scores and notes, and applicant resumes, to determine whether the hire is justified. Until that review is complete no offer of employment can be made to any candidate.

If it is concluded that the reasons for the non-selection do not demonstrate the preferred candidate is more qualified, and the Affirmative Action Officer is unable to resolve the matter with the supervisor, the Affirmative Action Officer will arrange an appointment for the Supervisor to meet with the Commissioner to explain the reasons for the selection. The decision of the Commissioner is final. If a manager or Supervisor fails to follow these parameters prior to making the job offer, he/she will be held accountable.

3. Supervisors and managers are not to disclose information about the candidate's protected group status. This includes whether the candidate is a female, a racial/ethnic minority, an individual with a disability, or a participant in the Connect 700 program. The protected group status of an individual is identified as private data in accordance with the Minnesota Government Data Practices Act which governs the collection and disclosure of all government data, including personnel data. Minnesota Statutes 13.43, subd. 2.
4. Human Resources Management will keep documentation on the selection process for all appointments for at least four (4) years. The Director of Equity, Access, and Inclusion will keep Monitor the Hire Process forms and Pre-Hire Justification forms for every appointment in an EEO4 category where there is an underutilization to explain the justification for the hiring decision according to agency record retention schedules.
5. Hiring supervisors will maintain documentation on the selection process including the identification of job-related qualifications, the ranking of resumes to determine who met minimum qualifications and which preferred qualifications were consistently applied, who was invited to interview, as well as interview notes and documentation for at least one year.

Pre-Review Procedure for Layoff Decisions

1. The Affirmative Action Officer in conjunction with the Director of Human Resources Management, shall be responsible for reviewing all pending layoffs to determine their effect on the agency's affirmative action goals and timetables. The Human Resources Management Director shall inform the Affirmative Action Officer of pending layoffs, including where ADA affects a layoff bumping eligibility.
2. If it is determined that there is an impact on protected groups, the agency will document the reasons why the layoff is occurring, such as positions targeted for layoff, applicable personnel policies or collective bargaining agreement provisions, or other relevant reasons. The agency will determine if other alternatives are available to minimize the impact on protected groups.

Pre-Review Procedure for Layoff Decisions

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Director shall inform the Affirmative Action Officer of pending layoffs, including where ADA affects a layoff bumping eligibility.

2. If it is determined that there is an impact on protected groups, the agency will document the reasons why the layoff is occurring, such as positions targeted for layoff, applicable personnel policies or collective bargaining agreement provisions, or other relevant reasons. The agency will determine if other alternatives are available to minimize the impact on protected groups.

Other Methods of Program Evaluation

The Affirmative Action Officer submits the following compliance reports to MMB as part of the efforts to evaluate the agency's affirmative action program:

- Quarterly Monitoring the Hiring Progress Reports
- Biannual Affirmative Action Plan
- Annual Americans with Disabilities Act Report
- Annual Internal Complaint Report
- Disposition of Internal Complaint (submitted to MMB within 30 days of final disposition)

The Affirmative Action Officer also evaluates the Affirmative Action Plan in the following ways:

- Monitors progress toward stated goals by job category
- Analyzes employment activity (hires, promotions, and terminations) by job category to determine if there is disparate impact
- Analyzes compensation program to determine if there are patterns of discrimination
- Reviews the accessibility of online systems and websites, and ensures that reasonable accommodations can be easily requested
- Discusses progress with agency leadership on a periodic basis and makes recommendations for improvement

Policies, Procedures, and Notice

A. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436 (issued 6/12/2019)

OVERVIEW

Objective

To create a work environment free from harassment and discrimination based on protected class.

Policy Statement

Any form of harassment or discrimination based on protected class is strictly prohibited. Individuals who believe they have been subject to harassment/discrimination based on protected class or retaliation as described in this policy, are encouraged to file a report with an appropriate authority, as set forth in Section II of this policy.

Any form of retaliation directed against an individual who opposes, or reports protected class harassment/discrimination, or who participates in any investigation concerning protected class harassment/discrimination, is strictly prohibited, and will not be tolerated.

Violations of this policy by State employees will be subject to discipline, up to and including discharge. Violations of this policy by third parties will be subject to appropriate action.

Sexual harassment is specifically addressed by HR/LR Policy #1329 Sexual Harassment Prohibited.

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies and the classified employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Terms

Complainant: An individual who reports protected class harassment, discrimination, or retaliation.

Third party: Individuals who are not State employees, but who have business interactions with State employees, including, but not limited to:

- Applicants for State employment
- Vendors
- Contractors
- Volunteers
- Customers
- Business partners
- Unpaid interns

- Other individuals with whom State employees interact in the course of employees' work for the State, such as advocates, lobbyists, and representatives of individuals or entities with business with any branch of Minnesota state government

Protected class harassment or harassment based on protected class: Unwelcome conduct or communication that is based on actual or perceived membership in a protected class, including stereotypes of protected classes, that has a negative effect or is likely to have a negative effect on the complainant and/or on the workplace or public service environment.

Protected class: Protected classes under this policy are as follows:

- Race
- Color
- Creed
- Religion
- National origin
- Sex* (includes pregnancy and pregnancy-related conditions)
- Marital status
- Familial status
- Receipt of public assistance
- Membership or activity in a local human rights commission
- Disability
- Age
- Sexual orientation
- Gender identity
- Gender expression
- For employees, genetic information

*See HR/LR Policy #1329 Sexual Harassment Prohibited for specific information on harassment based on unwelcome conduct or communication of a sexual nature.

Age: The prohibition against harassment and discrimination based on age prohibits such conduct based on a person's age if the person is over the age of 18.

Marital status: Whether a person is single, married, remarried, divorced, separated, or a surviving spouse, and includes protection against harassment and discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.

Familial status: The condition of one or more minors living with their parent(s) or legal guardian, or the designee of the parent(s) or guardian with the written permission of the parent(s) or guardian. This also protects those who are pregnant or those who are in the process of securing legal custody of a minor from being harassed or discriminated against on that basis.

Disability: A physical, sensory, or mental impairment which materially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment.

Genetic information: Includes information about an individual's or their family members' genetic tests, family medical history, an individual's request for, or receipt of, genetic services, or the participation in

clinical research that includes genetic services by the individual or their family member, and the genetic information of a fetus carried by an individual or a pregnant family member, and the genetic information of any embryo legally held by the individual or their family member using an assisted reproductive technology.

Public service environment: A location where public service is being provided.

Membership or activity in a local human rights commission: Participation in an agency of a city, county, or group of counties that has the purpose of dealing with discrimination on the basis of race, color, creed, religion, national origin, sex, age, disability, marital status, status with regard to public assistance, sexual orientation, or familial status, as defined by Minn. Stat. § 363A.03, subd. 23.

Exclusions

N/A

Statutory References

M.S. Ch. 43A

M.S. Ch. 363A

GENERAL STANDARDS AND EXPECTATIONS

Prohibition of Protected Class Harassment and Discrimination

Harassment of or discrimination against any employee or third party based on protected class in the workplace or public service environment, or which affects the workplace or public service environment, is strictly prohibited. Harassment of or discrimination against an individual because of their relationship or association with members of a protected class is also strictly prohibited. Protected class harassment and discrimination may take different forms including verbal, nonverbal, or physical conduct or communication. Conduct based on protected class may violate this policy even if it is not intended to be harassing. Protected class harassment and discrimination under this policy includes, but is not limited to, the following behavior when it is based on actual or perceived membership in a protected class, including stereotypes of protected classes:

- Offensive jokes, slurs, derogatory remarks, epithets, name-calling, ridicule or mockery, insults, or put-downs
- Display or use of offensive objects, drawings, pictures, or gestures
- Physical assaults or threats
- Inappropriate touching of body, clothing, or personal property
- Following, stalking, intimidation
- Malicious interference with work performance
- Implicit or explicit preferential treatment or promises of preferential treatment for submitting to the conduct or communication
- Implicit or explicit negative treatment or threats of negative treatment for refusing to submit to the conduct or communication
- Discriminatory conduct based on an individual's actual or perceived protected class that segregates, separates, limits, or restricts the individual from employment opportunities,

including, but not limited to, hiring, promotion, compensation, disciplinary action, assignment of job duties, benefits, or privileges of employment

I. Employee and Third-Party Responsibilities and Complaint Procedure

Harassment or discrimination based on protected class will not be tolerated. All employees and third parties are expected to comply with this policy.

Employees and third parties are strongly encouraged to report all incidents of protected class harassment or discrimination, whether the individual is the recipient of the behavior, an observer, or is otherwise aware of the behavior. Individuals are encouraged to report incidents as soon as possible after the incident occurs. Individuals may report to any of the following:

1. Any of the agency's managers or supervisors
2. The agency's affirmative action officer
3. The agency's human resources office
4. Agency management, up to and including the agency head

If the report concerns an agency head, the complainant may contact Minnesota Management and Budget, Enterprise Human Resources, Office of Equal Opportunity, Diversity, and Inclusion.

To ensure the prompt and thorough investigation of a report, the complainant may be asked to provide information in writing, which may include, but is not limited to:

1. The name, department, and position of the person(s) allegedly causing the harassment/discrimination
2. A description of the incident(s), including the date(s), location(s), and the identity of any witnesses
3. The name(s) of other individuals who may have been subject to similar harassment/discrimination
4. What, if any, steps have been taken to stop the harassment/discrimination
5. Any other information the complainant believes to be relevant

Individuals are encouraged to use the agency's internal complaint procedure but may also choose to file a complaint externally with the Equal Employment Opportunity Commission (EEOC), the Minnesota Department of Human Rights (MDHR), or other legal channels.

II. Manager/Supervisory Responsibility

Managers and supervisors must:

1. Model appropriate behavior
2. Treat all reports of protected class harassment/discrimination seriously
3. Appropriately respond to a report or problem when they receive a report of protected class harassment/discrimination, or when they are otherwise aware a problem exists
4. Immediately report all allegations or incidents of protected class harassment/discrimination to human resources or the agency Affirmative Action Officer

5. Comply with their agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan

Managers and supervisors who knowingly participate in, allow, or tolerate harassment, discrimination, or retaliation are in violation of this policy and are subject to discipline, up to and including discharge.

III. Human Resources Responsibilities

Agency human resources must:

1. Model appropriate behavior
2. Distribute the Harassment and Discrimination Prohibited Policy to all employees, through a method whereby receipt can be verified
3. Treat all reports of protected class harassment/discrimination seriously
4. Comply with the agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan

IV. Affirmative Action Officer or Designees Responsibilities

Agency Affirmative Action Officer/designee must:

1. Model appropriate behavior
2. Treat all reports of protected class harassment/discrimination seriously
3. Comply with the agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan
4. Keep the agency apprised of changes and developments in the law and policy

Investigation and Discipline

State agencies will take seriously all reports of protected class harassment, discrimination, and retaliation, and will take prompt and appropriate action. When conducting an investigation, managers and supervisors, human resources, and Affirmative Action Officers must follow their agency's investigation procedures.

State agencies will take prompt and appropriate corrective action when there is a violation of this policy.

Employees who are found to have engaged in conduct in violation of this policy will be subject to disciplinary action, up to and including discharge.

Third parties who are found to have engaged in conduct in violation of this policy will be subject to appropriate action. Appropriate action for policy violations by third parties will depend on the facts and circumstances, including the relationship between the third party and the agency. Agencies may contact MMB's Office of Equal Opportunity, Diversity, and Inclusion for assistance in determining appropriate action for third parties. MMB may refer agencies to the appropriate resources, which may include, for example, the Department of Administration with respect to policy violations by vendors or contractors.

Employees who knowingly file a false report of protected class harassment/discrimination or retaliation will be subject to disciplinary action, up to and including discharge.

Non-Retaliation

Retaliation against any person who opposes protected class harassment or discrimination, who reports protected class harassment or discrimination, or who participates in an investigation of such reports, is strictly prohibited. Retaliation also includes conduct or communication designed to prevent a person from opposing or reporting protected class harassment or discrimination or participating in an investigation. Retaliation will not be tolerated. Any employee who is found to have engaged in retaliation in violation of this policy will be subject to discipline, up to and including discharge. Third parties who are found to have engaged in retaliation in violation of this policy will be subject to appropriate action.

RESPONSIBILITIES

Agency Responsibility

Agencies are responsible for the following:

1. Adopting this policy as the agency HR policy.
2. Disseminating this policy to agency employees through a method whereby receipt can be verified.
3. Posting this policy in a manner that can be accessed by all employees and third parties.
4. Including this policy in their Affirmative Action Plan.
5. Implementing this policy, which includes:
 - a. Implementing an educational program
 - b. Developing and implementing a procedure for reporting complaints
 - c. Communicating the complaint procedure to employees
 - d. Developing and implementing a procedure under which reports will be addressed promptly.
6. Enforcing this policy.
7. Reporting annually dispositions of reports of protected class harassment or discrimination using the Affirmative Action Report.

MMB Responsibility

Ensuring that state agencies carry out their responsibilities under this policy, developing training, and updating this policy as necessary.

FORMS AND SUPPLEMENTS

Documents are available on [the MMB Equal Opportunity, Diversity, and Inclusion website](#), including [Affirmative Action resources](#) for state agencies.

Harassment Complaint Form

Acknowledgement – The below form may be used to verify receipt by agency employees

I acknowledge that I have received and read the policy, HR/LR Policy #1436, Harassment and Discrimination Prohibited, including the policy's complaint procedure.

I understand that harassment and discrimination based on protected class, and retaliation, are strictly prohibited. I understand that if I engage in conduct in violation of the policy toward any State employee, or any “third party” as defined by the policy, I will be subject to disciplinary action, up to and including discharge.

I understand that if I believe that I have been subjected to harassing, discriminatory, or retaliatory conduct as defined by the policy by any State employee, or by any “third party” as defined by the policy, I am encouraged to report that behavior. I understand that I can make a report to any of my agency’s managers or supervisors, the agency’s affirmative action officer, the agency’s human resources office, or agency management, up to and including the agency head. I understand that if my report concerns an agency head, I may contact Minnesota Management and Budget.

Signed: _____ Date: _____

Employee Name: _____

REFERENCES

- For issues related to sexual harassment, please refer to HR/LR Policy #1329: Sexual Harassment Prohibited. For issues not related to sexual harassment, or harassment or discrimination based on protected class, please see HR/LR Policy #1432 Respectful Workplace.
- MMB Equal Opportunity, Diversity, and Inclusion Office.
- Consult your agency’s Affirmative Action Plan, or in the absence of an Agency Affirmative Action Plan, review [Affirmative Action resources](#) for state agencies.

CONTACTS

MMB Enterprise Employee Relations

[Office of Equal Opportunity, Diversity, and Inclusion](#)

Any appropriate authority, as set forth in Section II of this policy.

B. Statewide Sexual Harassment Prohibited Policy Statewide HR/LR Policy #1329: Sexual Harassment Prohibited (revised 6/12/2019)

OVERVIEW

Objective

To create a work environment free from sexual harassment of any kind.

Policy Statement

Sexual harassment in any form is strictly prohibited. Individuals who believe they have been subject to sexual harassment as described in this policy are encouraged to file a report with an appropriate authority, as set forth in Section II of this policy.

Any form of retaliation directed against an individual who opposes or reports sexual harassment, or who participates in any investigation concerning sexual harassment, is strictly prohibited, and will not be tolerated.

Violations of this policy by State employees will be subject to discipline, up to and including discharge. Violations of this policy by third parties will be subject to appropriate action.

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies and the classified employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Key Terms

Complainant

An individual who complains about sexual harassment or retaliation.

Public service environment

A location that is not the workplace where public service is being provided.

Sexual harassment

Unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome verbal, written, or physical conduct or communication of a sexual nature.

Third party

Individuals who are not State employees but who have business interactions with State employees, including, but not limited to:

- Applicants for State employment
- Vendors
- Contractors

- Volunteers
- Customers
- Business Partners
- Unpaid Interns
- Other individuals with whom State employees interact in the course of employees' work for the State, such as advocates, lobbyists, and representatives of individuals or entities with business with any branch of Minnesota state government

Exclusions

N/A

Statutory References

42 U.S.C. § 2000e, et al.

M.S. Ch. 363A

M.S. Ch. 43A

General Standards and Expectations

I. Prohibition of Sexual Harassment

Sexual harassment of any employee or third party in the workplace or public service environment, or which affects the workplace or public service environment, is strictly prohibited.

Sexual harassment under this policy is any conduct or communication of a sexual nature which is unwelcome. The victim, as well as the harasser, can be of any gender. The victim does not have to be of the opposite sex as the harasser. Sexual harassment includes, but is not limited to:

1. Unwelcome sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, degrading sexual remarks, threats;
2. Unwelcome sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;
3. Unwelcome physical contact, such as rape, sexual assault, molestation, or attempts to commit these assaults; unwelcome touching, pinching, or brushing of or by the body;
4. Preferential treatment or promises of preferential treatment for submitting to sexual conduct, including soliciting or attempting to solicit an individual to submit to sexual activity for compensation or reward;
5. Negative treatment or threats of negative treatment for refusing to submit to sexual conduct;
6. Subjecting, or threatening to subject, an individual to unwelcome sexual attention or conduct.

II. Employee and Third-Party Responsibilities and Complaint Procedure

Sexual harassment will not be tolerated. All employees and third parties are expected to comply with this policy.

Employees and third parties are encouraged to report all incidents of sexual harassment. Individuals are encouraged to report incidents of sexual harassment as soon as possible after the incident occurs. Individuals may make a complaint of sexual harassment to any of the following:

1. Any agency's managers or supervisors
2. The agency's affirmative action officer
3. An agency's human resource office
4. Agency management, up to and including the agency head

If the report concerns an agency head, the complainant may contact Minnesota Management and Budget's Office of Equal Opportunity, Diversity, and Inclusion.

To ensure the prompt and thorough investigation of a report of sexual harassment, the complainant may be asked to provide information in writing, which may include, but is not limited to:

1. The name, department, and position of the person(s) allegedly causing the harassment
2. A description of the incident(s), including the date(s), location(s), and identity of any witnesses
3. The name(s) of other individuals who may have been subject to similar harassment
4. What, if any, steps have been taken to stop the harassment
5. Any other information the complainant believes to be relevant

Individuals are encouraged to use the agency's internal complaint procedure but may also choose to file a complaint or charge externally with the Equal Employment Opportunity Commission (EEOC) and/or the Minnesota Department of Human Rights (MDHR), or other legal channels.

III. Manager/Supervisor Responsibility

Managers and Supervisors must:

1. Model appropriate behavior
2. Treat all reports of sexual harassment seriously
3. Appropriately respond to a report or problem when they receive a report of sexual harassment, or when they are otherwise aware a problem exists
4. Immediately report all allegations or incidents of sexual harassment to human resources or the agency Affirmative Action Officer
5. Comply with their agency's complaint and investigation procedures and/or the agency's Affirmative Action Plan

Managers and supervisors who knowingly participate in, allow, or tolerate sexual harassment or retaliation are in violation of this policy and are subject to discipline, up to and including discharge.

IV. Human Resources Responsibilities

Agency human resources must:

1. Model appropriate behavior
2. Distribute the sexual harassment policy to all employees, through a method whereby receipt can be verified
3. Treat all complaints of sexual harassment seriously
4. Comply with the agency's complaint and investigation procedures and/or their Affirmative Action Plan

V. Affirmative Action Officer or Designee Responsibilities

Agency Affirmative Action Officer/designee must:

- Model appropriate behavior
- Treat all complaints of sexual harassment seriously
- Comply with the agency's complaint and investigation procedures
- Keep the agency apprised of changes and developments in the law and policy

VI. Investigation and Discipline

State agencies will take seriously all reports of sexual harassment and retaliation and will take prompt and appropriate action. When conducting an investigation, managers and supervisors, human resources, and Affirmative Action Officers must follow their agency's investigation procedures.

State agencies will take prompt and appropriate corrective action when there is a violation of this policy.

Employees who are found to have engaged in conduct in violation of this policy will be subject to disciplinary action, up to and including discharge.

Third parties who are found to have engaged in conduct in violation of this policy will be subject to appropriate action. Appropriate action for policy violations by third parties will depend on the facts and circumstances, including the relationship between the third party and the agency. Agencies may contact MMB's Office of Equal Opportunity, Diversity, and Inclusion for assistance in determining appropriate action for third parties. MMB may refer agencies to the appropriate resources, which may include, for example, the Department of Administration with respect to policy violations by vendors or contractors.

Employees who knowingly file a false report of sexual harassment or retaliation will be subject to disciplinary action, up to and including discharge.

VII. Non-Retaliation

Retaliation against any person who opposes sexual harassment, who reports sexual harassment, or who participates in an investigation of such reports, is strictly prohibited. Retaliation also includes conduct or communication designed to prevent a person from opposing or reporting sexual harassment or participating in an investigation. Retaliation will not be tolerated. Any employee who is found to have engaged in retaliation in violation of this policy will be subject to discipline, up to and

including discharge. Third parties who are found to have engaged in retaliation in violation of this policy will be subject to appropriate action.

RESPONSIBILITIES

Agencies are responsible for:

- Adopting this policy.
- Disseminating this policy to agency employees through a method whereby receipt can be verified.
- Posting this policy in a manner that can be accessed by all employees and third parties.
- Including this policy in their Affirmative Action Plan.
- Implementing this policy, which includes:
 - Implementing an educational program
 - Developing and implementing a procedure for reporting complaints
 - Communicating the complaint procedure to employees
 - Developing and implementing a procedure under which reports will be addressed promptly
- Enforcing this policy.
- Reporting annually dispositions of reports of sexual harassment using the Affirmative Action Report.

MMB is responsible for:

- Ensuring that state agencies carry out their responsibilities under this policy, developing training, and updating this policy as necessary.

FORMS AND SUPPLEMENTS

For a sample investigation procedure, please review the documents available on the [MMB Equal Opportunity, Diversity, and Inclusion website](#), including:

- Agency AAP Planning Guide
- For agencies with more than 25 employees
- For agencies with 25 or fewer employees

Harassment Complaint Form

Acknowledgment Form (below) – This form may be used to verify receipt by agency employees.

Acknowledgement

I acknowledge that I have received and read the policy, HR/LR Policy #1329, Sexual Harassment Prohibited, including the policy's complaint procedure.

understand that sexual harassment and retaliation are strictly prohibited. I understand that if I engage in conduct in violation of the policy toward any State employee, or any “third party” as defined by the policy, I will be subject to disciplinary action, up to and including discharge.

I understand that if I believe that I have been subjected to sexually harassing or retaliatory conduct as defined by the policy by any State employee, or by any “third party” as defined by the policy, I am encouraged to report that behavior. I understand that I can make a report to any of my agency’s managers or supervisors, the agency’s affirmative action officer, the agency’s human resources office, or agency management, up to and including the agency head. I understand that if my report concerns an agency head, I may contact Minnesota Management and Budget.

Signed: _____ Date: _____

Employee Name: _____

C. Complaint Procedure for Processing Complaints Under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy:

Complaint Procedure for Complaints of Harassment and Discrimination

The Department of Revenue has established the following complaint procedure to be used by all individuals alleging harassment, discrimination, or retaliation in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. Coercion, retaliation, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

Revenue employees or persons interacting with Revenue staff who have experienced behavior that is covered under the Sexual Harassment Prohibited policy or the Statewide Discrimination Harassment Prohibited policy are strongly encouraged to contact:

Felicia Okoli
Office: (651)556-4001 Fax: (651)556-5103
Email: Revenue.EAI@state.mn.us

Who May File:

Any individual who believes that they have been subject to harassment, discrimination, or retaliation in violation of the Harassment and Discrimination Prohibited Policy, or the Sexual Harassment Prohibited Policy is encouraged to use this internal complaint procedure.

Retaliation against any person who has filed a complaint either internally through this complaint procedure or through an outside enforcement agency or other legal channels is prohibited.

Individuals who knowingly file a false complaint will be subject to disciplinary or corrective action.

The following are the procedures for filing a complaint:

1. The individual may, but is not required to, complete the “Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form” provided by the Affirmative Action Officer or designee. This form can be found on Rspace under the Office of Equity, Access, and Inclusion. Individuals are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. The Affirmative Action Officer or designee will, if requested, provide assistance to fill out the form.
2. The Affirmative Action Officer or designee determines if the complainant is alleging conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy; or if the complaint instead is of a general personnel concern or a general concern of respect in the workplace.
 - If it is determined that the complaint is not related to conduct that would violate the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy, but rather involves general personnel concerns or general concerns of respect in the workplace, the Affirmative Action Officer or designee will inform the complainant, in writing, within ten (10) business days. If the individual filing the complaint disagrees, the Affirmative Action Officer will meet with the individual and the Director of Human Resources to discuss their concerns and relevant state policies to ensure their concerns are addressed.
 - If it is determined that the complaint is related to conduct that would violate the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy, the Affirmative Action Officer or designee will determine whether corrective action may be taken without an investigation. If it is determined that an investigation is necessary, the Affirmative Action Officer or designee shall investigate the complaint.
3. The Affirmative Action Officer or designee shall create a written investigation report of every investigation conducted. If the investigation shows sufficient evidence to substantiate the complaint, appropriate corrective action will be taken.

4. Within (60) days after the complaint is filed, the Affirmative Action Officer or designee shall provide a written answer to the complainant, unless reasonable cause for delay exists. The complainant will be notified if the written answer is not expected to be issued within the sixty (60) day period. The written answer to the complainant must comply with the data privacy restrictions of the Minnesota Government Data Practices Act.
5. Disposition of the complaint will be filed with the Commissioner of Minnesota Management and Budget within thirty (30) days after the final determination.
6. The status of the complaint may be shared with the complainant(s) and respondent(s). All data related to the complaint are subject to the provisions of the Minnesota Government Data Practices Act.
7. The Affirmative Action Officer or designee shall maintain records of all complaints, investigation reports, and any other data or information the Affirmative Action Officer or designee deems pertinent for seven (7) years after the complaint is closed.
8. In extenuating circumstances, the employee or applicant may contact the State Affirmative Action Officer in the Office of Equal Opportunity at Minnesota Management and Budget for information regarding the filing of a complaint (for example, if the complaint is against the agency head or the agency Affirmative Action Officer).
9. The Minnesota Department of Human Rights (MDHR), The Equal Employment Opportunity Commission (EEOC) and other legal channels have time limits for filing complaints; individuals may contact the MDHR, EEOC, or a private attorney for more information.

D. Revenue’s Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form

The Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form shown below can be found at: [Minnesota Department of Revenue Harassment and Discrimination Complaint Form](#)



Harassment and Discrimination Complaint Form

Equity, Access, and Inclusion Office
 600 N. Robert St., St Paul, MN 55146
 (651)-556-6041

Please Read Before Completion of Form

Any complaint of harassment/discrimination is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. This information may only be released to the Affirmative Action Officer designee, the complainant, the respondent, and appropriate personnel.

Retaliation against any person who reports conduct under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy is strictly prohibited and will not be tolerated. If you believe that you have been subjected to retaliation, you are encouraged to report such behavior.

Complainant (You)		
Name	Job Title	
Work Address	Agency	Telephone
City, State, ZIP Code	Division	Supervisor
Respondent (Person Who Harassed/Discriminated Against You)		
Name	Job Title	
Work Address	Agency	Telephone
City, State, ZIP Code	Division	Supervisor
Other pertinent information:		

The Complaint	
Basis of Complaint ("X" all that apply):	
<input type="checkbox"/> Age	<input type="checkbox"/> Color
<input type="checkbox"/> Familial Status	<input type="checkbox"/> Gender Expression
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Membership or Activity in a Local Human Rights Commission
<input type="checkbox"/> Race	<input type="checkbox"/> Reliance on Public Assistance
<input type="checkbox"/> Retaliation	<input type="checkbox"/> Sex
<input type="checkbox"/> Creed	<input type="checkbox"/> Disability
<input type="checkbox"/> Gender Identity	<input type="checkbox"/> Genetic Information
<input type="checkbox"/> National Origin	<input type="checkbox"/> Religion
<input type="checkbox"/> Sexual Harassment	<input type="checkbox"/> Sexual Orientation
Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, name of that agency:
Describe, in as much detail as possible, the conduct that you believe violates the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. List dates, locations, names and titles of people involved. Explain why you believe the conduct was based on the item(s) checked in the "Basis of Complaint" section above. Attach additional paper, if needed, and any documents you believe may be relevant.	

Witnesses Who Can Support Your Case		
Name	Agency/Division	Work Telephone

Additional witnesses may be listed in on a separate sheet attached to this form.

<i>This complaint is being filed based on my honest belief that I have been subjected to conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge.</i>	
Complainant Signature	Date

Complaint Received by: (Affirmative Action Officer Signature)	Date
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Note: Retaliation against any person who reports conduct under the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy is strictly prohibited and will not be tolerated. If you believe that you have been subjected to retaliation, you are encouraged to report such behavior.

This material is available in alternative formats for individuals with disabilities by contacting Silvia Vaccaro at 651-556-6041 or Silvia.vaccaro@state.mn.us

E. Statewide ADA Reasonable Accommodation Policy Statewide HR/LR Policy #1433: ADA Reasonable Accommodation Policy

OVERVIEW

Objective

The goals of this policy are:

- To ensure compliance with all applicable state and federal laws;
- To establish a written and readily accessible procedure regarding reasonable accommodation, including providing notice of this policy on all job announcements;
- To provide guidance and resources about reasonable accommodations;
- To provide a respectful interactive process to explore reasonable accommodations; and
- To provide a timely and thorough review process for requests for reasonable accommodation.

Policy Statement

State agencies must comply with all state and federal laws that prohibit discrimination against qualified individuals with disabilities in all employment practices. All state agencies must provide reasonable accommodations to qualified applicants and employees with disabilities unless to do so would cause an undue hardship or pose a direct threat. Agencies must provide reasonable accommodation when:

- A qualified applicant with a disability needs an accommodation to have an equal opportunity to compete for a job;
- A qualified employee with a disability needs an accommodation to perform the essential functions of the employee's job; and
- A qualified employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., trainings, office sponsored events).

Scope

This policy applies to all employees of the Executive Branch and classified employees in the Office of Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement System, and Teachers' Retirement System.

Definitions

Applicant - A person who expresses interest in employment and satisfies the minimum requirements for application established by the job posting and job description.

Americans with Disabilities Act (ADA) Coordinator - Each agency is required to appoint an ADA coordinator or designee, depending on agency size, to direct and coordinate agency compliance with Title I of the ADA.

Direct Threat - A significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodation.

The determination that an individual poses a direct threat shall be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job.

Essential Functions - Duties so fundamental that the individual cannot do the job without being able to perform them. A function can be essential if:

- The job exists specifically to perform the function(s); or
- There are a limited number of other employees who could perform the function(s); or
- The function(s) is/are specialized, and the individual is hired based on the employee's expertise.

Interactive Process - A discussion between the employer and the individual with a disability to determine an effective reasonable accommodation for the individual with a disability. To be interactive, both sides must communicate and exchange information.

Individual with a Disability - An individual who:

- Has a physical, sensory, or mental impairment that substantially limits one or more major life activities; or
- Has a record or history of such impairment; or
- Is regarded as having such impairment.

Qualified Individual with a Disability - An individual who:

- Satisfies the requisite skill, experience, education, and other job-related requirements of the job that the individual holds or desires; and
- Can perform the essential functions of the position with or without reasonable accommodation.

Major Life Activities - May include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working.

Major life activities also include the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

Medical Documentation - Information from the requestor's treating provider which is sufficient to enable the employer to determine whether an individual has a disability and whether and what type of reasonable accommodation is needed when the disability or the need for accommodation is not obvious. Medical documentation can be requested using the standardized [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#).

Reasonable Accommodation - An adjustment or alteration that enables a qualified individual with a disability to apply for a job, perform job duties, or enjoy the benefits and privileges of employment. Reasonable accommodations may include:

- Modifications or adjustments to a job application process to permit a qualified individual with a disability to be considered for a job; or
- Modifications or adjustments to enable a qualified individual with a disability to perform the essential functions of the job; or
- Modifications or adjustments that enable qualified employees with disabilities to enjoy equal benefits and privileges of employment.

Modifications or adjustments may include, but are not limited to:

- Providing materials in alternative formats like large print or Braille;
- Providing assistive technology, including information technology and communications equipment, or specially designed furniture;
- Modifying work schedules or supervisory methods;
- Granting breaks or providing leave;

- Altering how or when job duties are performed;
- Removing and/or substituting a marginal function;
- Moving to a different office space;
- Providing telework;
- Making changes in workplace policies;
- Providing a reader or other staff assistant to enable employees to perform their job functions, where a reasonable accommodation cannot be provided by current staff;
- Removing an architectural barrier, including reconfiguring work spaces;
- Providing accessible parking;
- Providing a sign language interpreter; or
- Providing a reassignment to a vacant position.

Reassignment - Reassignment to a vacant position for which an employee is qualified is a “last resort” form of a reasonable accommodation. This type of accommodation must be provided to an employee, who, because of a disability, can no longer perform the essential functions of the position, with or without reasonable accommodation, unless the employer can show that it will be an undue hardship.

Support Person - Any person an individual with a disability identifies to help during the reasonable accommodation process in terms of filling out paperwork, attending meetings during the interactive process to take notes or ask clarifying questions, or to provide emotional support.

Undue Hardship - A specific reasonable accommodation would require significant difficulty or expense. Undue hardship is always determined on a case-by-case basis considering factors that include the nature and cost of the accommodation requested and the impact of the accommodation on the operations of the agency. A state agency is not required to provide accommodations that would impose an undue hardship on the operation of the agency.

Exclusions

N/A

Statutory References

- [Rehabilitation Act of 1973, Title 29 USC 701](#)
- [Americans with Disabilities Act \(1990\)](#)
- [29 C.F.R. 1630, Regulations to Implement the Equal Employment Provisions of the Americans with Disabilities Act](#)

GENERAL STANDARDS AND EXPECTATIONS

Individuals who may request a reasonable accommodation include:

- Any qualified applicant with a disability who needs assistance with the job application procedure or the interview or selection process; or
- Any qualified agency employee with a disability who needs a reasonable accommodation to perform the essential functions of the position; or
- A third party, such as a family member, friend, health professional or other representative, on behalf of a qualified applicant or employee with a disability, when the applicant or employee is unable to make the request for reasonable accommodation. When possible, the agency must contact the applicant or employee to confirm that the accommodation is wanted. The applicant or employee has the discretion to accept or reject the proposed accommodation.

The agency must abide by the [Minnesota Government Data Practices Act, Chapter 13](#), in obtaining or sharing information related to accommodation requests.

How to request a reasonable accommodation

An agency applicant or employee may make a reasonable accommodation request to any or all of the following:

- Immediate supervisor or manager in the employee's chain of command;
- Agency Affirmative Action Officer/Designee;
- Agency ADA Coordinator;
- Agency Human Resources Office;
- Any agency official with whom the applicant has contact during the application, interview and/or selection process.

Timing of the request

An applicant or employee may request a reasonable accommodation at any time, even if the individual has not previously disclosed the existence of a disability or the need for an accommodation. A request is any communication in which an individual asks or states that he or she needs the agency to provide or change something because of a medical condition.

The reasonable accommodation process begins as soon as possible after the request for accommodation is made.

Form of the request

The applicant or employee is responsible for requesting a reasonable accommodation or providing sufficient notice to the agency that an accommodation is needed.

An initial request for accommodation may be made in any manner (e.g., writing, electronically, in person or orally).

The individual requesting an accommodation does not have to use any special words and does not have to mention the ADA or use the phrase "reasonable accommodation" or "disability."

Oral requests must be documented in writing to ensure efficient processing of requests.

Agency request forms can be found at: "[Employee/Applicant Request for Reasonable Accommodation Form](#)".

When a supervisor or manager observes or receives information indicating that an employee is experiencing difficulty performing the job due to a medical condition or disability, further inquiry may be required. Supervisors or managers should consult with the agency ADA Coordinator for advice on how to proceed.

When an employee needs the same reasonable accommodation on a repeated basis (e.g., the assistance of a sign language interpreter), a written request for accommodation is required the first time only. However, the employee requesting an accommodation must give appropriate advance notice each subsequent time the accommodation is needed. If the accommodation is needed on a regular basis (e.g., a weekly staff meeting), the agency must make appropriate arrangements without requiring a request in advance of each occasion.

The interactive process entails

Communication is a priority and encouraged throughout the entire reasonable accommodation process. The interactive process is a collaborative process between the employee and/or applicant and the agency to explore and identify specific reasonable accommodation(s). (For information on the Interactive Process see the U.S. Department of Labor, Job Accommodation Network at <http://askjan.org/topics/interactive.htm>). This process is required when:

- The need for a reasonable accommodation is not obvious;
- The specific limitation, problem or barrier is unclear;
- An effective reasonable accommodation is not obvious;
- The parties are considering different forms of reasonable accommodation;
- The medical condition changes or fluctuates; or,
- There are questions about the reasonableness of the requested accommodation.

The interactive process should begin as soon as possible after a request for reasonable accommodation is made or the need for accommodation becomes known.

The process should ensure a full exchange of relevant information and communication between the individual and the agency. An individual may request that the agency ADA Coordinator, a union representative, or support person be present.

The agency ADA Coordinator shall be consulted when:

- Issues, conflicts, or questions arise in the interactive process; and
- Prior to denying a request for accommodation.

Agency responsibilities for processing the request

As the first step in processing a request for reasonable accommodation, the person who receives the request must promptly forward the request to the appropriate decision maker. At the same time, the recipient will notify the requestor who the decision maker is.

Commissioner

The commissioner of the agency or agency head has the ultimate responsibility to ensure compliance with the ADA and this policy and appoint an ADA Coordinator.

ADA Coordinator

The agency ADA Coordinator is the agency's decision maker for reasonable accommodation requests for all types of requests outside of the supervisors' and managers' authority. The agency ADA Coordinator will work with the supervisor and manager, and where necessary, with agency Human Resources, to implement the approved reasonable accommodation.

Supervisors and Managers

Agencies have the authority to designate the level of management approval needed for reasonable accommodation requests for low-cost purchases. For example:

Requests for standard office equipment that is needed as a reasonable accommodation and adaptive items costing less than \$100. [Agencies can adjust the dollar amount based on their needs]; and

Requests for a change in a condition of employment such as modified duties, or a change in schedule, or the location and size of an employee's workspace. [Agencies can choose to delegate specific requests to supervisors or managers or require these types of requests to work through the agency ADA Coordinator].

Analysis for processing requests

Before approving or denying a request for accommodation, the agency decision maker with assistance from the agency ADA Coordinator will:

1. Determine if the requestor is a qualified individual with a disability;
2. Determine if the accommodation is needed to:
 - Enable a qualified applicant with a disability to be considered for the position the individual desires;
 - Enable a qualified employee with a disability to perform the essential functions of the position; or
 - Enable a qualified employee with a disability to enjoy equal benefits or privileges of employment as similarly situated employees without disabilities;
3. Determine whether the requested accommodation is reasonable;
4. Determine whether there is a reasonable accommodation that will be effective for the requestor and the agency; and

5. Determine whether the reasonable accommodation will impose an undue hardship on the agency's operations.

An employee's accommodation preference is always seriously considered, but the agency is not obligated to provide the requestor's accommodation of choice, so long as it offers an effective accommodation, or determines that accommodation would cause an undue hardship.

Obtaining medical documentation in connection with a request for reasonable accommodation

In some cases, the disability and need for accommodation will be reasonably evident or already known, for example, where an employee is blind. In these cases, the agency will not seek further medical documentation. If a requestor's disability and/or need for reasonable accommodation are not obvious or already known, the agency ADA Coordinator may require medical information showing that the requestor has a covered disability that requires accommodation. The agency ADA Coordinator may request medical information in certain other circumstances. For example, when:

- The information submitted by the requestor is insufficient to document the disability or the need for the accommodation;
- A question exists as to whether an individual is able to perform the essential functions of the position, with or without reasonable accommodation; or
- A question exists as to whether the employee will pose a direct threat to himself/herself or others.

Where medical documentation is necessary, the agency ADA Coordinator must make the request and use the [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#). The agency ADA Coordinator must also obtain the requestor's completed and signed [Authorization for Release of Medical Information](#) before sending the Letter to, or otherwise communicating with, the medical provider. The employee may choose not to sign the Authorization. However, if the employee chooses not to sign the Authorization, it is the employee's responsibility to ensure that the agency receives the requested medical information.

Only medical documentation specifically related to the employee's request for accommodation and ability to perform the essential functions of the position will be requested. When medical documentation or information is appropriately requested, an employee must provide it in a timely manner, or the agency may deny the reasonable accommodation request. Agencies must not request medical records; medical records are not appropriate documentation and cannot be accepted.

Supervisors and managers *must not* request medical information or documentation from an applicant or employee seeking an accommodation. Such a request will be made by the agency ADA Coordinator, if appropriate.

Confidentiality requirements

Medical Information

Medical information obtained in connection with the reasonable accommodation process must be kept confidential. All medical information obtained in connection with such requests must be collected and

maintained on separate forms and in separate physical or electronic files from non-medical personnel files and records. Electronic copies of medical information obtained in connection with the reasonable accommodation process must be stored so that access is limited to only the agency ADA Coordinator. Physical copies of such medical information must be stored in a locked cabinet or office when not in use or unattended. Generally, medical documentation obtained in connection with the reasonable accommodation process should only be reviewed by the agency ADA Coordinator.

The agency ADA Coordinator may disclose medical information obtained in connection with the reasonable accommodation process to the following:

- Supervisors, managers, or agency HR staff who have a need to know may be told about the necessary work restrictions and about the accommodations necessary to perform the employee's duties. However, information about the employee's medical condition should only be disclosed if strictly necessary, such as for safety reasons;
- First aid and safety personnel may be informed, when appropriate, if the employee may require emergency treatment or assistance in an emergency evacuation;
- To consult with the State ADA Coordinator or Employment Law Counsel at MMB, or the Attorney General's Office about accommodation requests, denial of accommodation requests or purchasing of specific assistive technology or other resources; or
- Government officials assigned to investigate agency compliance with the ADA.

Whenever medical information is appropriately disclosed as described above, the recipients of the information must comply with all confidentiality requirements.

Accommodation Information

The fact that an individual is receiving an accommodation because of a disability is confidential and may only be shared with those individuals who have a need to know for purposes of implementing the accommodation, such as the requestor's supervisor and the agency ADA Coordinator.

General Information

General summary information regarding an employee's or applicant's status as an individual with a disability may be collected by agency equal opportunity officials to maintain records and evaluate and report on the agency's performance in hiring, retention, and processing reasonable accommodation requests.

Approval of requests for reasonable accommodation

As soon as the decision maker determines that a reasonable accommodation will be provided, the agency ADA Coordinator will process the request and provide the reasonable accommodation in as short of a timeframe as possible. The time necessary to process a request will depend on the nature of the accommodation requested and whether it is necessary to obtain supporting information. If an approved accommodation cannot be provided within a reasonable time, the decision maker will inform the requestor of the status of the request before the end of 30 days. Where feasible, if there is a delay in providing the request, temporary measures will be taken to provide assistance.

Once approved, the reasonable accommodation should be documented for record keeping purposes and the records maintained by the agency ADA Coordinator.

Funding for reasonable accommodations

The agency must specify how the agency will pay for reasonable accommodations.

Procedures for reassignment as a reasonable accommodation

Reassignment to a vacant position is an accommodation that must be considered if there are no effective reasonable accommodations that would enable the employee to perform the essential functions of his/her current job, or if all other reasonable accommodations would impose an undue hardship.

The agency ADA Coordinator will work with agency Human Resources staff and the requestor to identify appropriate vacant positions within the agency for which the employee may be qualified and can perform the essential functions of the vacant position, with or without reasonable accommodation. Vacant positions which are equivalent to the employee's current job in terms of pay, status, and other relevant factors will be considered first. If there are none, the agency will consider vacant lower-level positions for which the individual is qualified. The EEOC recommends that the agency consider positions that are currently vacant or will be coming open within at least the next 60 days.

Denial of requests for reasonable accommodation

The agency ADA Coordinator must be contacted for assistance and guidance prior to denying any request for reasonable accommodation. The agency may deny a request for reasonable accommodation where:

- The individual is not a qualified individual with a disability;
- The reasonable accommodation results in undue hardship or the individual poses a direct threat to the individual or others. Undue hardship and direct threat are determined on a case-by-case basis with guidance from the agency ADA Coordinator; or
- Where no reasonable accommodation, including reassignment to a vacant position, will enable the employee to perform all the essential functions of the job.

The explanation for denial must be provided to the requestor in writing. The explanation should be written in plain language and clearly state the specific reasons for denial. Where the decision maker has denied a specific requested accommodation, but has offered a different accommodation in its place, the decision letter should explain both the reasons for denying the accommodation requested and the reasons that the accommodation being offered will be effective.

Consideration of undue hardship

An interactive process must occur prior to the agency making a determination of undue hardship. Determination of undue hardship is made on a case-by-case basis and only after consultation with the agency's ADA Coordinator. In determining whether granting a reasonable accommodation will cause

an undue hardship, the agency considers factors such as the nature and cost of the accommodation in relationship to the size and resources of the agency and the impact the accommodation will have on the operations of the agency.

Agencies may deny reasonable accommodations based upon an undue hardship. Prior to denying reasonable accommodation requests due to lack of financial resources, the agency will consult with the State ADA Coordinator at MMB.

Determining direct threat

The determination that an individual poses a “direct threat,” (i.e., a significant risk of substantial harm to the health or safety of the individual or others) which cannot be eliminated or reduced by a reasonable accommodation, must be based on an individualized assessment of the individual's present ability to safely perform the essential functions of the job with or without reasonable accommodation. A determination that an individual poses a direct threat cannot be based on fears, misconceptions, or stereotypes about the individual's disability. Instead, the agency must make a reasonable medical judgment, relying on the most current medical knowledge and the best available objective evidence.

In determining whether an individual poses a direct threat, the factors to be considered include:

- Duration of the risk;
- Nature and severity of the potential harm;
- Likelihood that the potential harm will occur; and
- Imminence of the potential harm.

Appeals process in the event of denial

In addition to providing the requestor with the reasons for denial of a request for reasonable accommodation, agencies must designate a process for review when an applicant or employee chooses to appeal the denial of a reasonable accommodation request. This process:

- Must include review by an agency official;
- May include review by the State ADA Coordinator; and/or
- Must inform the requestor of the statutory right to file a charge with the Equal Employment Opportunity Commission or the Minnesota Department of Human Rights.

Information tracking and records retention

Agencies must track reasonable accommodations requested and report once a year by September 1st to MMB the number and types of accommodations requested, approved, denied and other relevant information.

Agencies must retain reasonable accommodation documentation according to the agency's document retention schedule, but in all cases for at least one year from the date the record is made, or the personnel action involved is taken, whichever occurs later. 29 C.F.R. § 1602.14.

RESPONSIBILITIES

Agencies are responsible for the request:

- Adoption and implementation of this policy and development of reasonable accommodation procedures consistent with the guidance in this document.

MMB is responsible for:

- Provide advice and assistance to state agencies and maintain this policy.

FORMS AND INSTRUCTIONS

Please review the following forms:

- [Employee/Applicant Request for ADA Reasonable Accommodation](#)
- [Authorization of Release of Medical Information for ADA Reasonable Accommodations](#)
- [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#)

REFERENCES

- [U.S. Equal Employment Opportunity Commission, *Enforcement Guidance*](#)
- Pre-employment Disability-Related Questions and Medical Examinations at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995).
- Workers' Compensation and the ADA at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996).
- The Americans with Disabilities Act and Psychiatric Disabilities at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997).
- Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (October 17, 2002), (clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodation and undue hardship).
- Disability-Related Inquiries and Medical Examinations of Employees (explains when it is permissible for employers to make disability-related inquiries or require medical examinations of employees).
- Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 at 6-9, 8 FEP Manual (BNA) 4055:7371.

The [Genetic Information Nondiscrimination Act \(GINA\) of 2008](#) and [M.S. 181.974](#) prohibit employers from using genetic information when making decisions regarding employment.

[Minnesota Human Rights Act \(MHRA\)](#) prohibits employers from treating people differently in employment because of their race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance, age, sexual orientation, or local human rights commission activity. The MHRA requires an employer to provide reasonable accommodation to qualified individuals with

disabilities who are employees or applicants for employment, except when such accommodation would cause undue hardship or where the individual poses a direct threat to the health or safety of the individual or others. The MHRA prohibits requesting or requiring information about an individual's disability prior to a conditional offer of employment.

The [Family and Medical Leave Act](#) is a federal law requiring covered employers to provide eligible employees twelve weeks of job-protected, unpaid leave for qualified medical and family reasons.

[Executive Order 19-15, Providing for Increased Participation of Individuals with Disabilities in State Employment](#), directs agencies to make efforts to hire more individuals with disabilities and report on progress.

CONTACTS

Equal Opportunity Office at Minnesota Management and Budget

F. Revenue’s Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form

The Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form shown below can be found at: [Reasonable Accommodation request form](#)



Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form

The Department of Revenue is committed to complying with the Americans with Disabilities Act (“ADA”) and the Minnesota Human Rights Act (“MHRA”). To be eligible for an ADA accommodation, you must be 1) qualified to perform the essential functions of your position and 2) have a disability that limits a major life activity or function. The ADA Coordinator/Designee will review each request on an individualized case-by-case basis to determine whether an accommodation can be made.

Data Privacy Statement: This information may be used by your agency human resources representative, ADA Coordinator or designee, your, or any other individual who is authorized by your agency to receive medical information for purposes of providing reasonable accommodations under the ADA and MHRA. This information is necessary to determine whether you have a disability as defined by the ADA or MHRA, and to determine whether any reasonable accommodation can be made. Signing this form and providing this information is strictly voluntary; however, if you refuse to provide it, your agency may not have enough information to provide a reasonable accommodation.

Employee Name	Division
Position	Email Address
Phone Number	Supervisor Name

Is your supervisor aware of your request for accommodation? Yes No

Questions to clarify accommodation requested

What specific accommodation are you requesting?

If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore?

Yes No

If yes, please explain.

Questions to document the reason for the accommodation request *(please attach additional pages if necessary)*.

What, if any, job function are you having difficulty performing?

What, if any, employment benefits are you having difficulty accessing?

What limitation, as result of your physical or mental impairment, is interfering with your ability to perform your job or access an employment benefit?

If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?

Information Pertaining to Medical Documentation: In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee has a disability covered by the ADA and to assist in identifying an effective accommodation. The ADA Coordinator or designee in each agency is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the medical provider follows through on requests for medical information.

This form does not cover, and the information to be disclosed should not contain, genetic information. "Genetic Information" includes: Information about an individual's genetic tests; information about genetic tests of an individual's family members; information about the manifestation of a disease or disorder in an individual's family members (family medical history); an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; and genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

Employee Signature: _____

Date: _____

Contact Information:

Silvia Vaccaro
Office of Equity, Access, and Inclusion 600 North Robert St.
St. Paul, Minnesota 55146 651-556-6041
Revenue.EAI@state.mn.us

G. Notice Under the Americans with Disabilities Act

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (“ADA”), the **Minnesota Department of Revenue** will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

Employment: The **Minnesota Department of Revenue** does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under title I of the ADA.

Effective Communication: The **Minnesota Department of Revenue** will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in the **Minnesota Department of Revenue** programs, services, and activities, including qualified sign language interpreters, documents in Braille, and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Modifications to Policies and Procedures: The **Minnesota Department of Revenue** will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in the **Minnesota Department of Revenue** offices, even where pets are generally prohibited.

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the **Minnesota Department of Revenue** should contact **Felicia Okoli** at felicia.okoli@state.mn.us or **651-556-4001** as soon as possible but no later than 48 hours before the scheduled event.

The ADA does not require the **Minnesota Department of Revenue** to take any action that would fundamentally alter the nature of its programs or services or impose an undue financial or administrative burden.

Complaints that a program, service, or activity of the **Minnesota Department of Revenue** is not accessible to persons with disabilities should be directed to **Felicia Okoli** at felicia.okoli@state.mn.us or **651-556-4001**

The **Minnesota Department of Revenue** will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

H. Revenue's Grievance Procedure Under Title II of the Americans with Disabilities Act

This Grievance Procedure is established to meet the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"). It may be used by anyone who wishes to file a complaint alleging discrimination on the basis of disability in the provision of services, activities, programs, or benefits by the **Minnesota Department of Revenue**. The Statewide ADA Reasonable Accommodation policy governs employment-related complaints of disability discrimination.

The complaint should be in writing and contain information about the alleged discrimination such as name, address, phone number of complainant and location, date, and description of the problem. Alternative means of filing complaints, such as personal interviews or a tape recording of the complaint, will be made available for persons with disabilities upon request.

The complaint should be submitted by the grievant and/or his/her designee as soon as possible but no later than 60 calendar days after the alleged violation to:

Felicia Okoli

Minnesota Department of Revenue ADA Coordinator

**600 N. Robert St.
St. Paul, MN 55146**

Within 15 calendar days after receipt of the complaint, **Felicia Okoli** will meet or communicate with the complainant to discuss the complaint and the possible resolutions. Within 15 calendar days of the meeting or communication, **Felicia Okoli** will respond in writing, and where appropriate, in a format accessible to the complainant. The response will explain the position of the **Minnesota Department of Revenue** and offer options for substantive resolution of the complaint.

If the response by **Felicia Okoli** does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the **Commissioner, Paul Marquart, or his designee**.

Within 15 calendar days after receipt of the appeal, the **Commissioner, Paul Marquart, or his designee** will meet with the complainant to discuss the complaint and possible resolutions. Within 15 calendar days after the meeting, the **Commissioner, Paul Marquart, or his designee** will respond in writing, and, where appropriate, in a format accessible to the complainant, with a final resolution of the complaint.

All written complaints received by **Felicia Okoli** or appeals to the **Commissioner, Paul Marquart or his designee** and responses from these two offices will be retained by the **Minnesota Department of Revenue** for at least three years.

**I. Americans with Disabilities Act (“ADA”) Title II (non-employee)
Reasonable Accommodation/Modification in Public Services, Programs
or Activities Request Form**

A fillable form is available at <https://mn.gov/mmb-stat/equal-opportunity/ada/ada-accommodation-request-form-title-ii.pdf>.



Minnesota Department of Revenue
Americans with Disabilities Act ("ADA") Title II (non-employee)
Reasonable Accommodation/Modification in Public Services, Programs or Activities
Request Form

The Minnesota Department of Revenue is committed to complying with the Americans with Disabilities Act ("ADA") and the Minnesota Human Rights Act ("MHRA"). The ADA Coordinator/Designee will review each request on an individualized, case-by-case, basis to determine whether an accommodation or modification can be made. Please do NOT send copies of medical records. The agency is not authorized to have medical records and is not qualified to interpret medical records.

General Information

Date of Request: _____

Person needing accommodation/modification

Name: _____

Address: _____

Email: _____ Phone: _____

Person making request (if different from person needing accommodation/modification)

Name: _____

Email: _____ Phone: _____

Relationship to person needing accommodation/modification: _____

Accommodation Information

Date accommodation/modification is needed: _____

Address and/or room of accommodation/modification: _____

Type of accommodation/modification requested (please be specific):

How would you like to be notified of the status of your request?

Phone Email Writing Other (specify): _____

If someone else has completed this form on your behalf and you want that person to be notified of the status of your request, please initial here: _____

Updated 08/21/2019

J. Evacuation Procedure for Individuals with Disabilities or Otherwise in Need of Assistance

The current Department of Revenue weather and emergency evacuation plans are available in Rspace at: [Revenue's Weather and Emergency Plans](#)

EVACUATION PROCEDURES:

If you see fire or smoke - If fire or smoke is observed and no alarm has been sounded, move to a safe area, and immediately call 9–911. State your name, location (street address and floor) and explain the problem. After calling 9-911 call 556-5557 to notify the Stassen Building Security Desk. If 556-5557 is not answered after two rings the call will automatically forward to Capitol Security Emergency at 9-651-296-2100. Evacuate the building!

If you hear the fire alarm – Don't hesitate, evacuate the building!

- Don't hesitate to begin the evacuation; everyone is expected to leave their area. Do so quickly, calmly, carefully, quietly, and proceed quickly to the pre-assigned Evacuation Check-in Area in the 14th street ramp.
- Exit using the established evacuation route and exit. If your normal route is blocked or congested with people use an alternate route so you can evacuate quickly (know alternate evacuation routes and exits).
- Take only personal items within immediate reach. Do not take time or detour to pick up personal belongings.
- **Don't try to return** to your office.
- **Don't use the elevators.**
- **Before opening any closed door, first touch it;** if it's hot, use an alternate exit. If the door is not hot, open slightly to check for fire, odor, or smoke. If moderate amounts of odor or smoke are detected, have a volunteer check that the route is clear before having others go on. If there are strong odors, smoke, or fire, close the door and move to the alternate exit. At some time, it may be necessary to move through a smoky area. Smoke rises, so stay low to the floor, keep a shoulder to a wall and move quickly to the exit. Know your exits.

Wardens will:

- Check the floor (not just their division) ensuring it has been evacuated, including conference rooms, offices, and restrooms. Close office doors. If possible, verify with the other Floor Wardens on your floor that the floor is clear.
- While checking and clearing the floors, instruct physically disabled employees requiring assistance to move to the main elevator lobby on their floor.
- After clearing the floor report that your area/floor is clear and the location of any physically disabled employees to the Stassen Building Emergency Director or the Building Emergency Staff located in the lobby, at the evacuation exits or ramp entrance.

Employees with visitor will show them to the Evacuation Check-in Area and have them report into the monitor. Other visitors should be assisted by the first employee encountering them.

Employees with physical disabilities: If you are physically unable or have difficulty going down the stairs, move to the main elevator lobby. If threatened at any time, move into the stairwell, and wait for the emergency personnel. Tell your name to the floor warden, monitor or one of your “Assistants” so they can report your name and location to the Emergency Staff.

Assistants assigned to a physically disabled employee: if safe, find the employee and evacuate him or her to the main elevator lobby and wait for the emergency personnel. If at any time you or the employee feel threatened move into the stairwell. One Assistant should stay with the physically disabled employee. The other should evacuate and report the location of the physically disabled employee and Assistant to the Emergency Staff.

Employees report into your Floor Monitor immediately upon arrival to the Evacuation Check-in Area. If you are in a different part of the building at the time of the evacuation you still report into your Floor Monitor immediately. Do not leave your check-in area. (If the ramp is not safe, alternate instructions on where to locate will be issued over the PA system or by the Building Emergency Staff.)

- When in the ramp leave a path next to the cars to allow others to pass through to get to their group.
- Do not sit, lean or touch cars when in the ramp.
- Continue to be quiet in the ramp so instructions from the Emergency Staff can be heard.

Floor Monitors will direct employees to evacuate using the assigned evacuation route or alternate routes. At the Evacuation Check-in Area, the Monitors will:

- Conduct a head count and try to resolve the whereabouts of all personnel assigned to the group.
- Report the status of the group to the Building Emergency Staff at the entrance/exit area of the 14th street ramp.
- Keep employees informed on the status of the emergency.

The **Stassen Building Emergency Director or the Emergency Personnel** will announce the “All Clear” when the emergency personnel deem it safe to return to the building.

Return to the building through the front doors on both sides of the front entrance; be prepared to show your ID badge at the turnstiles or emergency gate.

If you fall, twist an ankle, or become injured in the process of evacuating the building or walking to the evacuation check-in area, move to the side so people can continue to pass. Instruct co-workers to tell the Emergency Staff (with radios at the door exits, in the lobby, or check-in area) where you are located. After the others have passed and if possible, continue to evacuate. If you are unable to walk, wait for assistance from the Emergency Staff or emergency responders.

Second Shift employees do not need to swipe their badge when exiting. When at the turnstiles the emergency exit doors should be pushed open enabling employees to exit without going through the turnstiles. When the emergency exit door is pushed open an alarm will sound, the guard can turn off the alarm.

Evacuations occurring after 5:00 p.m., anytime of the year, employees will exit to the 14th Street ramp elevator lobby, complete the check-in process, and wait for “All Clear.”

Fire Alarms

If the alarm stops abruptly or before you have evacuated the building, continue to evacuate the building.

For more information on these procedures, please contact:

Name: Kyle Jenner

Title: Physical Security

Email: kyle.jenner@state.mn.us

Phone: 651-556-6211

Name: Kelly Sullivan

Title: Physical Security Analyst & Emergency Manager

Email: kelly.sullivan@state.mn.us

Phone: 651-556-6664

Evacuation Options:

Individuals with disabilities have four basics, possibly five, evacuation options

- **Horizontal evacuation:** Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
- **Stairway evacuation:** Using steps to reach ground level exits from building;
- **Shelter in place:** Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire-resistant door. If the individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds;
- **Area of rescue assistance:** Identified areas that can be used as a means of egress for individuals with disabilities. These areas, located on floors above or below the building's exits, can be used by individuals with disabilities until rescue can be facilitated by emergency responders; and/or
- **For agencies equipped with an evacuation chair:** Evacuation chairs or a light-weight solution to descending stairways can be used and generally require single user operation. If an agency is equipped with an evacuation chair, best practice indicates that all employees are trained and have practiced evacuating using an evacuation chair.

Evacuation Procedures for Individuals with Mobility, Hearing, or Visual Disabilities:

Individuals with disabilities should follow the following procedures:

- **Mobility disabilities (individuals who use wheelchairs or other personal mobility devices ("PMDs")):** Individuals using wheelchairs should be accompanied to an area of rescue assistance by an employee or shelter in place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify the individuals in these areas and notify to emergency responders how many individuals need assistance to safely evacuate.
- **Mobility disabilities (individuals who do not use wheelchairs):** Individuals with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue assistance until emergency responders arrive to assist them.

- **Hearing disabilities:** The agency's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for individuals with who are deaf and/or hard of hearing. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.
- **Visual disabilities:** The agency's buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, individuals with visual disabilities may need assistance in evacuating. The assistant should offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

Severe Weather Evacuation Options:

Individuals in need of assistance during an evacuation have three evacuation options based on their location in their building:

- **Horizontal evacuation:** If located on the ground or basement floor, severe weather shelter areas are located throughout each floor;
- **Elevator evacuation:** If there are no safe areas above the ground floor, the elevator may be used to evacuate to the ground or basement levels; and/or
- **Shelter in Place:** Seeking shelter in a designated severe weather shelter and remaining there until the all clear is used.

Appendices

Appendix A: Progress Report

Women (note: Promo = promotion)

Job Category	Prior AAP Total Employee #	Prior AAP Total Women #	Prior AAP Total Women %	Prior AAP Availability Female %	Total Hires & Promo #	Total Hired #	Male Hired #	Women Hired #	Un-known Hired #	Women Hired %	Total Promo #	Male Promo #	Women Promo #	Un-known Promo #	Female Promo %	Actual Female Hiring (%)	Female Had Goals in Prior AAP?	Female Goal Met?
Officials/ Administrators	47	30	63.83%	44.26%	<10	<10	<10	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	66.67%	-	-
Professionals	1246	664	53.29%	51.75%	131	48	25	22	<10	45.83%	83	42	41	<10	49.40%	48.09%	-	-
Technicians	101	60	59.41%	53.94%	32	32	11	21	<10	65.63%	<10	<10	<10	<10	**.**%*	69.44%	-	-
Paraprofessionals	<10	<10	**.**%*	61.06%	<10	<10	<10	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	Yes	No
Office Clerical	154	121	78.57%	66.21%	27	27	<10	18	<10	66.67%	<10	<10	<10	<10	**.**%*	70.00%	-	-
Total	1552	876	56.44%		218	119	53	65	<10	54.62%	99	43	56	<10	56.57%			

Racial/Ethnic Minorities (not: Promo = promotion; Mino = Racial/Ethnic Minorities)

Job Category	Prior AAP Total Employee #	Prior AAP Total Mino #	Prior AAP Total Mino %	Prior AAP Availability Mino %	Total Hires & Promo #	Total Hired #	Non-Mino Hired #	Mino Hired #	Un-known Hired #	Mino Hired %	Total Promo #	Non-Mino Promo #	Mino Promo #	Un-known Promo #	Mino Promo %	Actual Mino Hiring (%)	Mino Had Goals in Prior AAP?	Mino Goal Met?
Officials/ Administrators	47	<10	**.**%*	10.51%	<10	<10	<10	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Professionals	1246	219	17.58%	14.69%	131	48	30	15	<10	31.25%	83	59	21	<10	25.30%	27.48%	-	-
Technicians	101	19	18.81%	13.96%	32	32	20	10	<10	31.25%	<10	<10	<10	<10	**.**%*	33.33%	-	-
Paraprofessionals	<10	<10	**.**%*	21.41%	<10	<10	<10	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Office Clerical	154	41	26.62%	21.87%	27	27	15	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Total	1552	289	18.62%		218	119	74	34	11	28.57%	99	68	25	<10	25.25%			

Individuals with Disabilities (not: Promo = promotion; IwD = Individuals with disabilities)

Job Category	Prior AAP Total Employee #	Prior AAP Total IwD #	Prior AAP Total IwD %	Prior AAP Availability IwD %	Total Hires & Promo #	Total Hired #	IwD Hired #	Non-IwD Hired #	Un-known Hired #	IwD Hired %	Total Promo #	Non-IwD Promo #	IwD Promo #	Un-known Promo #	IwD Promo %	Actual IwD Hiring (%)	IwD Had Goals in Prior AAP?	IwD Goal Met?
Officials/ Administrators	47	<10	**.**%*	8.26%	<10	<10	<10	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Professionals	1246	116	9.31%	5.13%	131	48	41	<10	<10	**.**%*	83	76	<10	<10	**.**%*	7.63%	-	-

Technicians	101	13	12.87%	3.39%	32	32	24	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Paraprofessionals	<10	<10	**.**%*	5.34%	<10	<10	<10	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Office Clerical	154	17	11.04%	6.53%	27	27	22	<10	<10	**.**%*	<10	<10	<10	<10	**.**%*	**.**%*	-	-
Total	1552	155	9.99%		218	119	93	19	<10	15.97%	99	88	<10	<10	**.**%*			

Appendix B: Separation Analysis

Total Separations (note: Sep = Separation; Minority = Racial/Ethnic Minority; lwd = Individuals with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Female % within Sep Type	Sep Type ² Sep Type % within Total Female Sep	Sep Type ¹ Minority % within Sep Type	Sep Type ² Sep Type % within Total Minority Sep	Sep Type ¹ lwd % within Sep Type	Sep Type ² Sep Type % within Total lwd Sep
Dismissal or Non-Certification	<10	**.**%*	<10	**.**%*	**.**%*	<10	**.**%*
Resignation	119	56.94%	66	55.46%	52.80%	33	27.73%
Enhanced Separation	0	0.00%	0	0.00%	0.00%	0	0.00%
Retirement	71	33.97%	51	71.83%	40.80%	<10	**.**%*
Death	<10	**.**%*	<10	**.**%*	**.**%*	0	0.00%
Lay-off	<10	**.**%*	<10	**.**%*	**.**%*	0	0.00%
Termination without Rights	<10	**.**%*	<10	**.**%*	**.**%*	<10	**.**%*
Total Separations	209	100.00%	125	59.81%	100.00%	42	20.10%

Officials/Administrators (note: Sep = Separation; Minority = Racial/Ethnic Minority; lwd = Individuals with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Female % within Sep Type	Sep Type ² Sep Type % within Total Female Sep	Sep Type ¹ Minority % within Sep Type	Sep Type ² Sep Type % within Total Minority Sep	Sep Type ¹ lwd % within Sep Type	Sep Type ² Sep Type % within Total lwd Sep
Dismissal or Non-Certification	0	0.00%	0	0.00%	0.00%	0	0.00%
Resignation	<10	**.**%*	<10	**.**%*	**.**%*	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0.00%	0	0.00%
Retirement	<10	**.**%*	<10	**.**%*	**.**%*	0	0.00%
Death	0	0.00%	0	0.00%	0.00%	0	0.00%
Lay-off	<10	**.**%*	0	0.00%	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0.00%	0	0.00%
Total Separations	<10	100.00%	<10	**.**%*	100.00%	0	0.00%

Professionals (note: Sep = Separation; Minority = Racial/Ethnic Minority; IwD = Individuals with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Female % within Sep Type	Sep Type ² Sep Type % within Total Female Sep	Sep Type ¹ Minority % within Sep Type	Sep Type ² Sep Type % within Total Minority Sep	Sep Type ¹ IwD % within Sep Type	Sep Type ² Sep Type % within Total IwD Sep
Dismissal or Non-Certification	<10	*.***%	<10	**.***%	**.***%	<10	**.***%
Resignation	78	57.78%	41	52.56%	53.25%	21	26.92%
Enhanced Separation	0	0.00%	0	0.00%	0.00%	0	0.00%
Retirement	47	34.81%	32	68.09%	41.56%	<10	**.***%
Death	<10	*.***%	0	0.00%	0.00%	0	0.00%
Lay-off	<10	*.***%	<10	**.***%	**.***%	0	0.00%
Termination without Rights	<10	*.***%	<10	**.***%	**.***%	0	0.00%
Total Separations	135	100.00%	77	57.04%	100.00%	27	20.00%

Technicians (note: Sep = Separation; Minority = Racial/Ethnic Minority; IwD = Individuals with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Female % within Sep Type	Sep Type ² Sep Type % within Total Female Sep	Sep Type ¹ Minority % within Sep Type	Sep Type ² Sep Type % within Total Minority Sep	Sep Type ¹ IwD % within Sep Type	Sep Type ² Sep Type % within Total IwD Sep
Dismissal or Non-Certification	<10	**.***%	<10	**.***%	**.***%	0	0.00%
Resignation	13	59.09%	<10	**.***%	**.***%	<10	**.***%
Enhanced Separation	0	0.00%	0	0.00%	0.00%	0	0.00%
Retirement	<10	**.***%	<10	**.***%	**.***%	0	0.00%
Death	<10	**.***%	<10	**.***%	**.***%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0.00%	0	0.00%
Total Separations	22	100.00%	14	63.64%	100.00%	<10	**.***%

Paraprofessionals (note: Sep = Separation; Minority = Racial/Ethnic Minority; IwD = Individuals with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Female % within Sep Type	Sep Type ² Sep Type % within Total Female Sep	Sep Type ¹ Minority % within Sep Type	Sep Type ² Sep Type % within Total Minority Sep	Sep Type ¹ IwD % within Sep Type	Sep Type ² Sep Type % within Total IwD Sep
Dismissal or Non-Certification	0	0.00%	0	0.00%	0.00%	0	0.00%
Resignation	0	0.00%	0	0.00%	0.00%	0	0.00%
Enhanced Separation	0	0.00%	0	0.00%	0.00%	0	0.00%
Retirement	0	0.00%	0	0.00%	0.00%	0	0.00%
Death	0	0.00%	0	0.00%	0.00%	0	0.00%
Lay-off	0	0.00%	0	0.00%	0.00%	0	0.00%
Termination without Rights	<10	**.**%*	0	0.00%	0.00%	<10	**.**%*
Total Separations	<10	100.00%	0	0.00%	0.00%	<10	**.**%*

Office Clerical (note: Sep = Separation; Minority = Racial/Ethnic Minority; IwD = Individuals with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Female % within Sep Type	Sep Type ² Sep Type % within Total Female Sep	Sep Type ¹ Minority % within Sep Type	Sep Type ² Sep Type % within Total Minority Sep	Sep Type ¹ IwD % within Sep Type	Sep Type ² Sep Type % within Total IwD Sep
Dismissal or Non-Certification	<10	**.**%*	<10	**.**%*	**.**%*	0	0.00%
Resignation	24	58.54%	16	66.67%	55.17%	<10	**.**%*
Enhanced Separation	0	0.00%	0	0.00%	0.00%	0	0.00%
Retirement	14	34.15%	11	78.57%	37.93%	<10	**.**%*
Death	0	0.00%	0	0.00%	0.00%	0	0.00%
Lay-off	<10	**.**%*	<10	**.**%*	**.**%*	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0.00%	0	0.00%
Total Separations	41	100.00%	29	70.73%	100.00%	10	24.39%

Appendix C: Job Category Analysis

Officials/Administrators (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Job Code	Job Title
001424	Human Resources Director 4
001724	Labor Relations Manager
002147	Human Resources Director 2
002695	Agency Chief Financial Officer
003639	State Prog Admin Manager
003679	State Prog Admin Manager Sr
008516	Senior Executive Officer
008893	Dir Community & Media Rltns
003681	Financial Services Director
001841	Admin Officer
002306	Training & Development Mgr 2
003398	Dir Governmental Relations Cl
003697	Revenue Tax System Dir 3
003858	Revenue Tax System Dir 4
002434	Revenue Assistant Director 1
002737	Revenue Legal Leg Aff Dir
008221	Deputy Commr Revenue
008434	Dir Governmental Relations Unc
003857	Revenue Assistant Director 2
008834	Asst Commr Revenue
002923	Revenue Research Director
003333	Revenue Tax System Dir 2
008121	Commissioner-Revenue
002042	Agency Internal Audit Manager

Professionals (note: Minority = Racial/Ethnic minority; IwD = Individuals with Disabilities)

Job Code	Job Title
000006	Management Analyst 1
000141	Buyer 2
000498	Human Resources Specialist 1
000510	Planner Principal State
000577	Information Officer 3
000604	Research Analyst
000633	Accounting Officer Senior
000634	Management Analyst 4
000647	Information Officer 2
000812	Planning Dir State
000837	Planner Senior State
000892	Research Analysis Spec
000893	Management Analyst 3
000979	Accounting Officer Inter
001410	Training & Development Spec 2
001528	Management Analyst 2
002053	Community Svcs Program Spec 2
003017	Human Resources Specialist 3
003171	Agency Policy Specialist
003604	State Prog Admin
003605	State Prog Admin Intermediate
003606	State Prog Admin Sr
003607	State Prog Admin Prin
003608	State Prog Admin Coordinator
003609	State Prog Admin Director
000500	Human Resources Director 1
002390	Accounting Officer Principal
000003	Accounting Director

Job Code	Job Title
001423	Human Resources Specialist 2
000004	Accounting Officer
002115	Management Analyst Supv 2
000659	Research Analysis Spec Sr
001393	Library/Info Res Serv Spec Sr
001449	Affirmative Action Off 3
001411	Training & Development Spec 4
001067	Auditor Principal
002483	Labor Relations Consultant 2
000636	Auditor Senior
002251	Research Analyst Intermediate
002482	Labor Relations Consultant 1
001315	Information Officer 4
000097	Attorney 3
000096	Attorney 2
002773	Revenue Tax Supervisor 3
003482	Revenue Tax Specialist Senior
002764	Revenue Collections Officer 4
002774	Revenue Tax Supervisor 4
002757	Revenue Tax Specialist Int
002760	Revenue Tax Specialist Princ
002765	Revenue Collections Officer 5
003346	Revenue Operations Spec
002763	Revenue Collections Officer 3
003425	Property Tax Compliance Ofc 2
002762	Revenue Collections Officer 2
002772	Revenue Tax Supervisor 2
002480	Revenue Special Invest 2
002756	Revenue Tax Specialist
003706	Revenue Research Asst Div Dir
000023	Property Tax Compliance Ofc 1
000095	Attorney 1
002681	Revenue Special Invest 1

Job Code	Job Title
000024	Appraisal Supervisor

Technicians (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Job Code	Job Title
000774	Accounting Technician
002606	Engineering Specialist Senior
002766	Revenue Examiner 1
002761	Revenue Collections Officer 1

Paraprofessionals (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Job Code	Job Title
001486	Human Resources Technician 2
008599	Student Worker Para Prof Sr

Office Clerical (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Job Code	Job Title
000294	Office Services Supervisor 3
000632	Account Clerk Senior
002118	Office Services Supervisor 2
002192	Office Services Supervisor 1
003626	Office Specialist
003627	Office & Admin Specialist
003628	Office & Admin Specialist Int
003629	Office & Admin Specialist Sr

Job Code	Job Title
003632	Central Svcs Admin Spec Inter
003633	Central Svcs Admin Spec Senior
003637	Customer Svcs Specialist Sr
003631	Central Svcs Admin Spec

Appendix D: Feeder Jobs

Officials/Administrators (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted lwd %
001424	Officials and Administrators	Human Resources Director 4	1.96%	0.00%	1.96%
001724	Officials and Administrators	Labor Relations Manager	1.96%	0.00%	0.00%
002147	Officials and Administrators	Human Resources Director 2	0.00%	0.00%	0.00%
002695	Officials and Administrators	Agency Chief Financial Officer	1.96%	0.00%	1.96%
003639	Officials and Administrators	State Prog Admin Manager	11.76%	1.96%	1.96%
003679	Officials and Administrators	State Prog Admin Manager Sr	0.00%	0.00%	0.00%
008516	Officials and Administrators	Senior Executive Officer	1.96%	0.00%	0.00%
008893	Officials and Administrators	Dir Community & Media Rltns	0.00%	0.00%	0.00%
003681	Officials and Administrators	Financial Services Director	1.96%	0.00%	1.96%
001841	Officials and Administrators	Admin Officer	1.96%	0.00%	0.00%
002306	Officials and Administrators	Training & Development Mgr 2	1.96%	1.96%	0.00%
003398	Officials and Administrators	Dir Governmental Relations Cl	0.00%	0.00%	0.00%
003697	Officials and Administrators	Revenue Tax System Dir 3	5.88%	0.00%	3.92%

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted lwd %
003858	Officials and Administrators	Revenue Tax System Dir 4	0.00%	0.00%	1.96%
002434	Officials and Administrators	Revenue Assistant Director 1	9.80%	1.96%	3.92%
002737	Officials and Administrators	Revenue Legal Leg Aff Dir	1.96%	0.00%	0.00%
008221	Officials and Administrators	Deputy Commr Revenue	0.00%	1.96%	0.00%
008434	Officials and Administrators	Dir Governmental Relations Unc	0.00%	0.00%	0.00%
003857	Officials and Administrators	Revenue Assistant Director 2	3.92%	1.96%	0.00%
008834	Officials and Administrators	Asst Commr Revenue	5.88%	1.96%	5.88%
002923	Officials and Administrators	Revenue Research Director	0.00%	0.00%	0.00%
003333	Officials and Administrators	Revenue Tax System Dir 2	1.96%	0.00%	0.00%
008121	Officials and Administrators	Commissioner-Revenue	0.00%	1.96%	0.00%
002042	Officials and Administrators	Agency Internal Audit Manager	0.00%	1.96%	0.00%

Professionals (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted lwd %
000006	Professionals	Management Analyst 1	0.55%	0.00%	0.09%
000141	Professionals	Buyer 2	0.00%	0.00%	0.00%
000498	Professionals	Human Resources Specialist 1	0.18%	0.00%	0.00%
000510	Professionals	Planner Principal State	0.09%	0.09%	0.00%
000577	Professionals	Information Officer 3	0.09%	0.00%	0.00%
000604	Professionals	Research Analyst	0.00%	0.00%	0.00%
000633	Professionals	Accounting Officer Senior	0.18%	0.09%	0.18%

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted lwd %
000634	Professionals	Management Analyst 4	1.73%	0.18%	0.45%
000647	Professionals	Information Officer 2	0.27%	0.18%	0.00%
000812	Professionals	Planning Dir State	0.09%	0.00%	0.09%
000837	Professionals	Planner Senior State	0.09%	0.00%	0.00%
000892	Professionals	Research Analysis Spec	0.18%	0.18%	0.18%
000893	Professionals	Management Analyst 3	0.73%	0.18%	0.09%
000979	Professionals	Accounting Officer Inter	0.27%	0.27%	0.09%
001410	Professionals	Training & Development Spec 2	0.18%	0.00%	0.00%
001528	Professionals	Management Analyst 2	0.27%	0.09%	0.00%
002053	Professionals	Community Svcs Program Spec 2	0.18%	0.00%	0.00%
003017	Professionals	Human Resources Specialist 3	0.09%	0.00%	0.00%
003171	Professionals	Agency Policy Specialist	0.18%	0.00%	0.00%
003604	Professionals	State Prog Admin	0.36%	0.36%	0.09%
003605	Professionals	State Prog Admin Intermediate	0.91%	0.18%	0.18%
003606	Professionals	State Prog Admin Sr	1.18%	0.09%	0.36%
003607	Professionals	State Prog Admin Prin	1.46%	0.18%	0.18%
003608	Professionals	State Prog Admin Coordinator	0.91%	0.18%	0.09%
003609	Professionals	State Prog Admin Director	0.27%	0.09%	0.09%
000500	Professionals	Human Resources Director 1	0.09%	0.09%	0.00%
002390	Professionals	Accounting Officer Principal	0.00%	0.00%	0.00%
000003	Professionals	Accounting Director	0.00%	0.00%	0.00%
001423	Professionals	Human Resources Specialist 2	0.18%	0.18%	0.00%
000004	Professionals	Accounting Officer	0.36%	0.36%	0.18%
002115	Professionals	Management Analyst Supv 2	0.00%	0.09%	0.09%
000659	Professionals	Research Analysis Spec Sr	0.45%	0.09%	0.00%
001393	Professionals	Library/Info Res Serv Spec Sr	0.09%	0.00%	0.00%
001449	Professionals	Affirmative Action Off 3	0.09%	0.09%	0.00%
001411	Professionals	Training & Development Spec 4	0.18%	0.09%	0.00%
001067	Professionals	Auditor Principal	0.09%	0.00%	0.00%
002483	Professionals	Labor Relations Consultant 2	0.09%	0.00%	0.00%
000636	Professionals	Auditor Senior	0.00%	0.09%	0.00%
002251	Professionals	Research Analyst Intermediate	0.18%	0.09%	0.00%

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted lwd %
002482	Professionals	Labor Relations Consultant 1	0.09%	0.09%	0.00%
001315	Professionals	Information Officer 4	0.09%	0.00%	0.00%
000097	Professionals	Attorney 3	0.18%	0.00%	0.00%
000096	Professionals	Attorney 2	0.45%	0.09%	0.18%
002773	Professionals	Revenue Tax Supervisor 3	0.64%	0.00%	0.09%
003482	Professionals	Revenue Tax Specialist Senior	9.74%	3.55%	1.73%
002764	Professionals	Revenue Collections Officer 4	2.73%	0.45%	0.45%
002774	Professionals	Revenue Tax Supervisor 4	1.91%	0.82%	0.27%
002757	Professionals	Revenue Tax Specialist Int	6.64%	3.37%	0.91%
002760	Professionals	Revenue Tax Specialist Princ	3.18%	0.73%	0.73%
002765	Professionals	Revenue Collections Officer 5	0.91%	0.09%	0.18%
003346	Professionals	Revenue Operations Spec	0.09%	0.00%	0.09%
002763	Professionals	Revenue Collections Officer 3	4.55%	0.55%	0.36%
003425	Professionals	Property Tax Compliance Ofc 2	0.09%	0.00%	0.09%
002762	Professionals	Revenue Collections Officer 2	5.10%	1.27%	1.18%
002772	Professionals	Revenue Tax Supervisor 2	0.36%	0.18%	0.18%
002480	Professionals	Revenue Special Invest 2	0.27%	0.09%	0.09%
002756	Professionals	Revenue Tax Specialist	3.46%	2.91%	1.36%
003706	Professionals	Revenue Research Asst Div Dir	0.00%	0.00%	0.00%
000023	Professionals	Property Tax Compliance Ofc 1	0.00%	0.00%	0.00%
000095	Professionals	Attorney 1	0.09%	0.00%	0.00%
002681	Professionals	Revenue Special Invest 1	0.18%	0.00%	0.00%
000024	Professionals	Appraisal Supervisor	0.00%	0.00%	0.00%

Technicians (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted lwd %
000774	Technicians	Accounting Technician	0.98%	0.00%	0.00%
002606	Technicians	Engineering Specialist Senior	0.00%	0.00%	0.00%
002766	Technicians	Revenue Examiner 1	44.12%	18.63%	13.73%
002761	Technicians	Revenue Collections Officer 1	17.65%	4.90%	4.90%

Paraprofessionals (note: Minority = Racial/Ethnic minority; IwD = Individuals with Disabilities)

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted IwD %
001486	Paraprofessionals	Human Resources Technician 2	20.00%	20.00%	20.00%
008599	Paraprofessionals	Student Worker Para Prof Sr	0.00%	20.00%	20.00%

Office Clerical (note: Minority = Racial/Ethnic minority; IwD = Individuals with Disabilities)

Job Code	EEO Category	Job Title	Weighted Female %	Weighted Minority %	Weighted IwD %
000294	Administrative Support	Office Services Supervisor 3			
000632	Administrative Support	Account Clerk Senior			
002118	Administrative Support	Office Services Supervisor 2			
002192	Administrative Support	Office Services Supervisor 1			
003626	Administrative Support	Office Specialist			
003627	Administrative Support	Office & Admin Specialist			
003628	Administrative Support	Office & Admin Specialist Int			
003629	Administrative Support	Office & Admin Specialist Sr			
003632	Administrative Support	Central Svcs Admin Spec Inter			
003633	Administrative Support	Central Svcs Admin Spec Senior			
003637	Administrative Support	Customer Svcs Specialist Sr			
003631	Administrative Support	Central Svcs Admin Spec			

Appendix E: Determining Availability

Officials/Administrators (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Factor	Weight Ratio	Raw Statistics Female	Raw Statistics Minority	Raw Statistics lwd	Weighted Statistics Female	Weighted Statistics Minority	Weighted Statistics lwd	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of women, racial/ethnic minorities, or individuals with disabilities with requisite skills in the reasonable recruitment area.	53.33%	42.91%	6.20%	3.71%	22.88%	3.30%	1.98%	State MN	Our two-year historical data shows 53.33% of appointments in this job category are from external hiring and 46.67% from internal movement.
2: Internal - Percentage of women, racial/ethnic minorities, or individuals with disabilities among those promotable, transferable, and trainable with your agency.	46.67%	54.90%	15.69%	23.53%	25.62%	7.32%	10.98%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	blank	blank	Final Avail %	48.51%	10.63%	12.96%		

Professionals (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Factor	Weight Ratio	Raw Statistics Female	Raw Statistics Minority	Raw Statistics lwd	Weighted Statistics Female	Weighted Statistics Minority	Weighted Statistics lwd	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of women, racial/ethnic minorities, or individuals with disabilities with requisite skills in the reasonable recruitment area.	66.67%	84.64%	15.32%	5.00%	56.43%	10.21%	3.33%	State MN	Our two-year historical data shows 66.67% of appointments in this job category are from external hiring and 33.33% from internal movement.
2: Internal - Percentage of women, racial/ethnic minorities, or individuals with disabilities among those promotable, transferable, and trainable with your agency.	33.33%	20.00%		40.00%	6.67%		13.33%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	blank	blank	Final Avail %	57.29%	13.26%	8.60%		

Technicians (note: Minority = Racial/Ethnic minority; lwd = Individuals with Disabilities)

Factor	Weight Ratio	Raw Statistics Female	Raw Statistics Minority	Raw Statistics lwd	Weighted Statistics Female	Weighted Statistics Minority	Weighted Statistics lwd	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of women, racial/ethnic minorities, or individuals with disabilities with requisite skills in the reasonable recruitment area.	88.89%	68.52%	3.32%	6.24%	60.91%	2.96%	0.00%	State MN	Our two-year historical data shows 88.89% of appointments in this job category are from external hiring and only 11.11% from internal movement.
2: Internal - Percentage of women, racial/ethnic minorities, or individuals with disabilities among those promotable, transferable, and trainable with your agency.	11.11%	62.75%	23.53%	18.63%	6.97%	2.61%	2.07%	Employee workforce for the job groups that constitute feeders to this job group.	

The value of weight must equal to 100.00% →	100.00%	blank	blank	Final Avail %	67.88%	5.57%	2.07%
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Paraprofessionals (note: Minority = Racial/Ethnic minority; IwD = Individuals with Disabilities)

Factor	Weight Ratio	Raw Statistics Female	Raw Statistics Minority	Raw Statistics IwD	Weighted Statistics Female	Weighted Statistics Minority	Weighted Statistics IwD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of women, racial/ethnic minorities, or individuals with disabilities with requisite skills in the reasonable recruitment area.	66.67%	84.64%	15.32%	5.00%	56.43%	10.21%	3.33%	State MN	Our two-year historical data shows 66.67% of appointments in this job category are from external hiring and 33.33% from internal movement.
2: Internal - Percentage of women, racial/ethnic minorities, or individuals with disabilities among those promotable, transferable, and trainable with your agency.	33.33%	20.00%		40.00%	6.67%		13.33%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	blank	blank	Final Avail %	63.10%	0.00%	16.67%		

Office Clerical (note: Minority = Racial/Ethnic minority; IwD = Individuals with Disabilities)

Factor	Weight Ratio	Raw Statistics Female	Raw Statistics Minority	Raw Statistics IwD	Weighted Statistics Female	Weighted Statistics Minority	Weighted Statistics IwD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of women, racial/ethnic minorities, or individuals with disabilities with requisite skills in the reasonable recruitment area.	90.00%	69.71%	17.22%	4.04%	62.73%	15.50%	3.64%	State MN	Our two-year historical data shows 90.00% of appointments in this job category are from external hiring and only 10% from internal movement.

2: Internal - Percentage of women, racial/ethnic minorities, or individuals with disabilities among those promotable, transferable, and trainable with your agency.	10.00%	76.92%	25.64%	11.11%	7.69%	2.56%	1.11%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	blank	blank	Final Avail %	70.43%	18.06%	4.75%		

Appendix F: Utilization-Goal Analysis

Female

Job Categories	Total Number of Employee in Job Category	Total Number of Female Employee in the Job Category	% Of Female Employee in the Job Category	Female Availability %	Female Establish Goals?	If Yes, Goals for FY 2022-2024
Officials/Administrators	51	28	54.90%	48.51%		
Professionals	1099	583	53.05%	57.29%	Yes	57.29%
Technicians	102	64	62.75%	67.88%	Yes	67.88%
Paraprofessionals	<10	<10	**. **%	63.10%	Yes	63.10%
Office Clerical	117	90	76.92%	70.43%		
Totals	1374	766	55.75%			

Racial/Ethnic Minorities

Job Categories	Total Number of Employee in Job Category	Total Number of Minority Employee in the Job Category	% Of Minority Employee in the Job Category	Minority Availability %	Minority Establish Goals?	If Yes, Goals for FY 2022-2024
Officials/Administrators	51	<10	**. **%	10.63%		
Professionals	1099	195	17.74%	13.26%		
Technicians	102	24	23.53%	5.57%		
Paraprofessionals	<10	<10	**. **%	0.00%		
Office Clerical	117	30	25.64%	18.06%		
Totals	1374	259	18.85%			

Individuals with Disabilities (note: IwD = Individuals with disabilities)

Job Categories	Total Number of Employee in Job Category	Total Number of IwD Employee in the Job Category	% Of IwD Employee in the Job Category	IwD Availability %	IwD Establish Goals?	If Yes, Goals for FY 2022-2024
Officials/Administrators	51	12	23.53%	12.96%		
Professionals	1099	114	10.37%	8.60%		
Technicians	102	19	18.63%	2.07%		
Paraprofessionals	<10	<10	**.**%*	16.67%		
Office Clerical	117	13	11.11%	4.75%		
Totals	1374	160	11.64%			

Definitions of Terms Used in This Affirmative Action Plan

Applicant: "Applicant" means a person who has satisfied the minimum requirements for application established by the commissioner of management and budget ([M.S. 43A.02, subd. 4](#)).

Availability: an estimated percentage of qualified women, racial/minorities, or individuals with disabilities in the relevant labor market who are available for positions in a given job category at a state agency. The final availability is determined by considering two factors: the statistics from the outside labor market and the internal state agency workforce for the Affirmative Action Plan year.

Connect 700 (C700) Program: an alternative, non-competitive selection process for individuals whose disabilities prevent them from demonstrating their skills in a standard competitive selection process. If selected, this program allows eligible individuals to demonstrate their skills in an on-the-job trial work experience of up to 700 hours. See [Minnesota Statutes, section 43A.15, subdivision 14](#).

Feeder job: staffed positions within the agency that can be promoted and/or transferred into other EEO job categories.

Hiring goal: a numerical objective designed to correct an identified deficiency in the utilization of protected group members. For example, the professional job category has identified underutilization and the availability is 30%, the goal (or hiring goal) for women in the job category is for 30% of the new hires/rehires and promotions for that Affirmative Action Plan year would be women. Goals/hiring goals should never be implemented as quotas, nor should they be used as criteria in decision-making regarding qualifications.

Job category: a group of jobs that are linked by a common purpose and skill set (or sometimes certificates/educational degrees) and are grounded on the job categories identified by the U.S. Equal Employment Opportunity Commission (EEOC).

Labor market area/Reasonable recruitment area: a geographic area in which an agency is seeking a worker in a particular goal unit and where there is an available supply of workers employed or seeking jobs in that goal unit.

Promotion: the appointment of an employee to a position in a class assigned to a salary range which is two or more steps higher at the maximum than the employee's current job class or which requires an increase of two or more steps to pay the employee at the minimum of the new range.

Protected groups: women, persons with disabilities, and members of the following minorities: Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan Native ([M.S. 43A.02, subd. 33](#)).

Snapshot: one particular point in time. A snapshot of a workforce is taken at one particular point in time as the basis for Affirmative Action Plan analyses because the workforce numbers are always fluctuating.

Supported Work Program: The state legislature established the program in 1987 to expand employment opportunities for people with significant disabilities. but has been expanded to include individuals who experience other significant disabilities, including, but not limited to, head injury, mental illness, and deaf blindness. Under the program, a supported worker must require ongoing support and may share a single position with up to two other supported work employees.

Underutilization: the representation of women, racial/ethnic minorities, or individuals with disabilities in a specific job category is less than reasonably would be expected given from workforce participation in the labor market area.