



State of Minnesota

Department of Revenue

2018-2020 Affirmative Action Plan

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Executive Summary

This Affirmative Action Plan meets the requirements as set forth in statute, in Administrative Rule, and by Minnesota Management and Budget, and contains affirmative action goals and timetables, as well as reasonable and sufficiently 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: Underutilization Analysis of Protected Groups

Job Categories	Women	Racial/Ethnic Minorities	Individuals with Disabilities
Officials & Administrators		X	
Professionals			
Protected Services: Sworn			
Protected Services: Non-sworn			
Office Clerical Paraprofessional			
Technicians			
Skilled Craft			

Information about how to obtain or view a copy of this Plan will be provided to every employee of the agency. Our intention is to make every employee aware of the Department of Revenue’s commitments to affirmative action and equal employment opportunity. The Plan will also be posted on the agency’s website and maintained in the Office of Equity, Access, and Inclusion.

Affirmative Action Officer: Silvia Vaccaro Date Signed: 8/1/18

Human Resources Director: Katney Zeminiski Date Signed: 8/1/18

Commissioner: Agnes Bundy Date Signed: 8/1/18

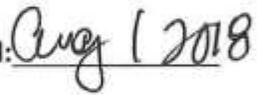
Statement of Commitment

This statement reaffirms that the Department of Revenue 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 minorities, women, 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:  Date Signed: 

Organizational Profile

The Minnesota Department of Revenue manages the state's revenue system and administers state tax laws. Revenue manages over 30 different taxes and collects over \$20.5 billion annually. This money funds education, local government aid, property tax relief, social service programs, highways, economic development incentives and grants for businesses, and other state programs and operations. On average, the Department of Revenue employs 1,500 employees. The Equity, Access, and Inclusion Office is physically located within the Commissioner's suite and reports directly to the Deputy Commissioner, and indirectly to the Commissioner.

Individuals Responsible for Directing/Implementing the Affirmative Action Plan

A. Commissioner

Responsibilities

The Commissioner is responsible for establishing an Affirmative Action Program, including goals, timetables and compliance with all federal and state laws and regulations. The Commissioner, through the Commissioner of Minnesota Management & Budget (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 shall include, but not be limited to, the following:

- Hire the Affirmative Action Officer 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 that such a statement is disseminated to all employees.
- Make such decisions and changes in policies, procedures or physical accommodations as may be 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 plan, and agency's mission.
- Report annually to the Governor and the Legislature through the Commissioner of MMB the department's progress in affirmative action.
- Notify all contractors and sub-contractors with the department of their affirmative action responsibilities.

- Actively promote the enforcement of 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 for the supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.

Accountability

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

Name of individual responsible

Name: Cynthia Bauerly

Email: Cynthia.bauerly@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 department's affirmative action program.

Duties

The duties of the Affirmative Action Officer shall include, but not be limited to, the following:

- 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 on progress in affirmative action and equal opportunity 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 and initiate the development of such training programs with the assistance of internal and external resources, as necessary.
- Review and recommend changes in policies, procedures, programs and physical accommodations to facilitate affirmative action and equal opportunity.
- Develop innovative programs to attract and retain protected group members in the Agency.

- Support and participate in the recruitment of protected class persons for employment, promotion and training opportunities.
- Manage the agency’s pre-hire review process.
- Review requests for non-affirmative non-justified hires in the Monitoring the Hiring process and refer unresolved issues to the Commissioner for final decision.
- Ensure supervisors and managers are making affirmative efforts to recruit and retain protected group candidates and employees.
- Oversee the administration of the Americans with Disabilities Act Title I and Title II.
- Receive requests for ADA accommodations and work with appropriate supervisors, unions, etc. to approve or deny the request, or provide alternative accommodations.
- Maintain records of requests for reasonable accommodations.
- Oversee the administration of the Agency Diversity Recruitment program.

Accountability

The Affirmative Action Officer is accountable to the Deputy Commissioner for program impacts and for ongoing program activities and direction. The Affirmative Action Officer oversees the administration of ADA Title II, and administration of Diversity and Inclusion.

Name of individual(s) responsible

- | | |
|---|--|
| 1. Name: Silvia Vaccaro | Email: silvia.vaccaro@state.mn.us |
| Title: Affirmative Action Officer | Phone: 651-556-6041 |
| 2. Name: Karly Turner | Email: Karly.turner@state.mn.us |
| Title: Equity, Access, and Inclusion Manager | Phone: 651-556-6042 |

C. Diversity and Inclusion Coordinator

Responsibilities

The Diversity and Inclusion Coordinator is responsible for leading the development, coordination, implementation and monitoring of the department’s Diversity and Inclusion Strategic Plan.

Duties

- Lead the development and implementation of a shared vision of respect and inclusion for which all employees are accountable.

- Ensure the implementation of the Diversity and Inclusion Strategic Plan is implemented in a timely and effective manner.
- Coordinate training and resources in the areas of intercultural competency, diversity, and inclusion for the agency
- Advise the iLEAD team.
- Lead the Diversity and Inclusion Advisory team.

Accountability

Diversity and Inclusion Coordinator is accountable to the Deputy Commissioner and Commissioner for program impacts and for ongoing program activities and direction.

The Diversity and Inclusion Coordinator oversees the administration of the Diversity and Inclusion strategic plan and manages the iLEAD committee and the Diversity and Inclusion Advisory Team.

Name of individual(s) responsible

1. Name: Karly Turner

Email: karly.turner@state.mn.us

Title: Equity, Access, and Inclusion Manager

Phone: 651-556-6042

i) iLEAD Committee

Responsibilities

All members work together to further diversity and inclusion throughout all levels of the agency.

Duties

The duties of iLEAD committee members shall include, but are not limited to the following:

- Advocate for diversity and inclusion, integrate them into daily work activities, and continuously model the values of diversity and inclusion.
- Communicate diversity events, initiatives, and other related information to employees.
- Advise department leaders about various diversity issues and make recommendations as appropriate.
- Represent co-workers and department leaders to the iLEAD Team and the iLEAD Team to our coworkers and leaders.
- Provide diversity awareness training and education through quarterly Spotlight sessions, a calendar of diversity activities and a bulletin board celebrating the diversity of the department's employee population.

- Act as a diversity resource to employees and department recruiters, and to other state agency diversity groups.

Accountability

iLEAD committee members are accountable directly to the Equity, Access, and Inclusion Manager and indirectly to the agency’s Commissioner.

ii) Diversity and Inclusion Advisory Team

Responsibilities

All members work together to further the Department of Revenue’s Diversity and Inclusion Strategic Plan and initiative.

Duties

The duties of Advisory Team members shall include, but are not limited to the following:

- Advise the Equity, Access, and Inclusion Manager regarding the Department of Revenue’s Diversity and Inclusion Strategic Plan.
- Advocate for diversity, integrate it into daily work activities, and continuously model the values of diversity.
- Advise department leaders about various diversity and inclusion issues and make recommendations as appropriate.
- Represent co-workers and department leaders to the Advisory Team and the Advisory Team to our coworkers and leaders.
- Act as a diversity resource to employees and department recruiters, and to other state agency diversity groups.

Accountability

Diversity and Inclusion Advisory Team members are accountable directly to the Equity, Access, and Inclusion Manager.

D. Human Resources Director

Responsibilities

The Human Resources Management Office is responsible for ensuring equitable and uniform administration of all personnel policies. Human Resources Directors assist managers and supervisors in human resources management activities.

Staff within Human Resources who work on affirmative action and diversity issues are accountable to the Human Resources Director or designee.

Duties

The duties of Human Resources shall include, but not be limited to, the following:

- Maintain effective working relationships with agency affirmative action officers 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 utilization of selection criteria to ensure they are objective, uniform, and job related.
- Assist in recruitment and retention of protected class persons 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 by working effectively with the affirmative action officer.
- Initiate and report on specific 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 reasonable accommodation.
- Assist supervisors, managers and the Affirmative Action Officer in affirmative recruitment of protected group members through career and job fairs and other recruitment efforts, as well as in selection and retention of protected group members.
- Request recruitment assistance from MMB's Statewide Director of Diversity Recruitment and Retention in the diversity recruitment and retention of protected group members in hard to fill or executive level positions.

Accountability

Human Resources Management staff are accountable to the Human Resources Management Director. The Human Resources Management Director is accountable to the Assistant Commissioner for Administration.

Name of individual responsible

Name: Kathy Zieminski

Email: Kathy.Zieminski@state.mn.us

Title: Director of Human Resource Management

Phone: (651)556-6660

E. Americans with Disabilities Act Title I Coordinator

Responsibilities

The Americans with Disabilities Act (ADA) Title I Coordinator is responsible for the oversight of the agency's compliance with the ADA Title I – Employment, in accordance with the ADA - as amended and the Minnesota Human Rights Act. ADA Coordinators are responsible for ensuring timely responses to all Americans with Disabilities Act (ADA) requests for accommodations to remove barriers to equal employment opportunity with the agency.

Duties:

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

- Provide guidance, coordination, and direction to agency management with regard to the ADA in the development and implementation of agency policy, 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 with regard to hiring and retention of 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 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.
- Design and delivering specific ADA training for targeted groups.
- Submit reasonable accommodation reimbursement under the guidelines of the statewide accommodation fund.
- 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 or to perform the essential functions of the job and/or enjoy equal benefits and privileges. The ADA coordinator and the regional human resources director (RHRD) who also serves as the regional ADA coordinator, in consultation with the employee and supervisor, and other individuals who may need to be involved must:
 - Discuss the purpose and essential functions of the particular job and complete a step-by-step job analysis;
 - Determine the precise job-related limitations;
 - Identify the potential accommodations and assess the effectiveness each would have in allowing the employee to perform the 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.

Accountability

The ADA Title I Coordinator is accountable to Deputy Commissioner.

Name of individual responsible

Name: Silvia Vaccaro

Email: silvia.vaccaro@state.mn.us

Title: Affirmative Action Officer

Phone: (651)556-6041

F. Americans with Disabilities Act Title II Coordinator

Responsibilities

The Americans with Disabilities Act (ADA) Title II Coordinator is responsible for the oversight of 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 shall include, but not limited to, the following:

- Provide guidance, coordination, and direction to agency management with regard to the ADA in the development and implementation of agency policy, procedures, and practices to ensure agency services and programs are accessible and nondiscriminatory for the public.
- 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 to visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing agency services, and 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 keep up to date on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Design and deliver specific ADA training for Agency employees providing 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 in consultation with the member of the public in need of a modification shall:

- Discuss the purpose and essential functions of a particular reasonable modification;
- Identify the potential modifications and assess the effectiveness of each request.
- After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the Agency. This review shall be documented and reported in the State ADA Annual Report.

Accountability

The ADA Title II Coordinator is accountable to the Deputy Commissioner.

Name: Silvia Vaccaro

Email: silvia.vaccaro@state.mn.us

Title: Affirmative Action Officer

Phone: (651)556-6041

G. Diversity Recruitment Coordinator

Responsibilities

The responsibilities of the Diversity Recruitment Coordinator are to be determined. As of the date of publication of the Affirmative Action Plan, the Department of Revenue was in the process of hiring a Diversity Recruitment Coordinator. This information will be updated when available.

Duties

The duties of Diversity Recruitment Coordinator are to be determined. As of the date of publication of the Affirmative Action Plan, the Department of Revenue was in the process of hiring a Diversity Recruitment Coordinator. This information will be updated when available.

Accountability

The Diversity Recruitment Coordinator is accountable to the Director of Human Resource Management. As of the date of publication of the Affirmative Action Plan, the Department of Revenue was in the process of hiring a Diversity Recruitment Coordinator. This information will be updated when available.

Name: TBD

Email: TBD

Title: TBD

Phone: TBD

H. Senior Managers, Managers, and Supervisors

Responsibilities

Agency senior managers, managers, and supervisors 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, managers, and supervisors shall include, but not be limited to, the following:

- Identify problem areas and eliminate barriers that inhibit equal employment opportunity within their divisions, units, and the agency.
- Communicate the equal opportunity employment policy and the affirmative action program and plan to all employees assigned to their divisions and units.
- Assist the Affirmative Action Officer in conducting periodic audits of hiring and promotion patterns to remove impediments to attaining affirmative action goals and objectives.
- Hold regular discussions with supervisors and employees to ascertain that 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.
- Demonstrate and practice a discrimination and harassment free work environment for all employees.

Accountability

Senior managers, managers, and supervisors are accountable directly to the appropriate Director, Assistant Commissioner, the Deputy Commissioner, and 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 by refraining from any actions that would subject any employee to negative treatment on the basis of that individual's 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 shall include, but are not limited, to the following:

- Foster an environment of inclusion by welcoming individual differences and similarities, respecting others, treating people equitably, and forming meaningful connections, so that every person's contributions are recognized, accepted, and incorporated.
- Refrain from any actions that would adversely affect a coworker on the basis of their race, sex, color, creed, religion, age, national origin, disability, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or membership or activity in a local human rights commission.

Accountability

Employees are accountable to their designated supervisor and indirectly to the agency's Commissioner. Employees are responsible for maintaining an environment free from harassment and discrimination. All employees are responsible for conducting themselves in accordance with the Affirmative Action Plan.

Communication of the Affirmative Action Plan

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

- A memorandum detailing the location of the Affirmative Action Plan and the responsibility to read, understand, support, and implement equal opportunity and affirmative action will be sent from the agency's leadership or alternatively, the Affirmative Action Officer, to all staff on an annual basis.
- The agency's Affirmative Action Plan is available to all employees on the agency's internal website within the Equity, Access, and Inclusion Office RSpace page at <http://exec/public/OEAI/default.aspx> or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- A physical copy of the Agency's Affirmative Action Plan will be available to employees at the following address:

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

- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented and accessible to employees.

External Methods of Communication

- The agency's Affirmative Action Plan is available on the agency's public website at http://www.revenue.state.mn.us/about_us/Pages/mission.aspx or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- The agency's website homepage, letterhead, publications, and all job postings, will include the statement "an equal opportunity employer" and "women, minorities, and individuals with disabilities are encouraged to apply." The agency will also ensure a representative ratio of diversity is on all diversity marketing materials.
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented by and accessible to members of the public. 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 will be available to contractors, vendors, and members of the public at the following address:

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

Underutilization Analysis and Affirmative Action Goals

Through the utilization analysis, the Department of Revenue has determined which job categories are underutilized for women, minorities, and individuals with disabilities within the agency and has set the following hiring goals for the next two years (Reference Table 2).

Table 2. Underutilization Analysis and Hiring Goals for 2018-2020

The second, third, and fourth columns of this chart show the number of underutilized individuals of each group in each category at this agency. The fifth, sixth, and seventh columns show the agency's hiring goals for each group in each category.

Job Categories	Underutilization - # of Individuals			Hiring Goals for 2018-2020		
	Women	Racial/Ethnic Minorities	Individuals with Disabilities	Women	Racial/Ethnic Minorities	Individuals with Disabilities
Officials/Administrators	-4	1	-3	0	1	0
Professionals	0	-15	-9	0	0	0
Office/Clerical	-33	-23	-1	0	0	0
Technicians	-57	-16	-3	0	0	0

Availability

The Department of Revenue defined the recruitment area as the Minneapolis-St. Paul Metropolitan Area. While the Department of Revenue has several offices outside of the Metro area, over 90 percent of hiring occurs within the area.

In conducting its underutilization analysis, the Department of Revenue used a two-factor analysis. This type of analysis was used because a large number of overall hires are internal. In some job groups, internal hires outweigh external hires.

Underutilization Analysis worksheets are attached in the appendix. Numbers less than 10 are indicated with “<10” in accordance with Minnesota Management and Budget’s guidance on data privacy.

Women

At Revenue, the population of women has improved in the Officials/Administrators and Technicians categories, but has not improved in Professionals or Office/Clerical. Women make up 57.5 percent of the workforce and hold positions at every level throughout the agency. Revenue has not had an underutilization of women in any category for the past 6 years, so no efforts have been tailored to specifically recruit women. The decrease in women hired during the 2016-2018 plan years indicate a need to revisit our hiring efforts. However, since there is no underutilization, there are no hiring goals.

Minorities

At Revenue, the population of minorities has improved in the Professionals, Office/Clerical, and Technicians job categories and stayed the same in the Officials/Administrators job category. Minorities make up 16.7 percent of the workforce. There is underutilization only in the Officials/Administrators job category. Due to the small number of employees in the Officials/Administrators category, a slight change in the number of minorities in the category can change underutilization. The Officials/Administrators category positions are typically filled internally as the positions often require specific tax knowledge. The number of minority employees in the Professionals category is growing. Revenue will continue to work with the statewide Executive Recruiter to increase the number of external applicants. A hiring goal of 1 was set in the Officials and Administrators category.

Individuals with Disabilities

At Revenue, the population of individuals with disabilities has improved in all job categories. Employees with disabilities make up 8.07% of the workforce. One of our plan objectives in 2016-2018 was to increase the number of individuals with disabilities employed by the Department. During the plan years, Revenue participated in the Connect 700 program, made a concerted effort to hire individuals with disabilities, and provided training to supervisors and managers. There is no underutilization, so there are no hiring goals.

Separation and Retention Analysis by Protected Groups

The agency is committed to the retention of all employees, including women, racial/ethnic minorities, and individuals with disabilities. The agency will strive to ensure equal employment opportunities by retaining a diverse, talented and qualified workforce, with emphasis on under-represented individuals.

To be successful, the responsibility for retention lies with all employees. The agency's retention strategy is a multi-faceted approach, guided by agency management, the Human Resources Director, and Equity, Access, and Inclusion Office.

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

Table 2 Person's Responsible for Agency Retention Programs/Activities

Name	Title	Contact Information
Karly Turner	Equity, Access, and Inclusion Manager	651-556-6042
Silvia Vaccaro	Affirmative Action Officer	651-556-6041
Kathy Zieminski	Director of Human Resources Management	651-556-6660

The agency will continue to analyze and review separation data for disparate impact on protected group employees. This includes reviewing non-certification trends, layoff trends, resignation trends, and disciplinary discharges.

The appendix will include a separation report broken down by EEO4 job category. Below is a snapshot of agency separations from past two years.

Table 3 Type of Separation

Type of Separation FY2016-2018	Total Number	Total Percent	Percent of Women	Percent of Minorities	Percent of Individuals w/Disabilities
Dismissals/Non Certification	49	17.75%	44.90%	28.57%	10.20%
Resignations	123	44.57%	52.85%	30.08%	5.69%
Retirement	79	28.62%	72.15%	10.13%	8.86%
Death	0	0%	0%	0%	0%
Lay Off	0	0%	0%	0%	0%
Termination w/o Rights	25	9.06%	36.00%	32.00%	16.00%

Type of Separation FY2016-2018	Total Number	Total Percent	Percent of Women	Percent of Minorities	Percent of Individuals w/Disabilities
Total Separations	276	100%	55.43%	24.28%	8.33%

Women

Women represent approximately 57.5 percent of the total agency workforce. This is a decrease of 2.5 percent from previous years and is due to an agency-wide decrease in hires and increase in separations.

The agency saw a total of 276 separations from FY 2016 to FY 2018. Women were 55.43 percent of all separations. Women made up 70 percent of all retirements and 44.9 percent of all non-certifications. The rate of separation for women decreased from the previous plan years, indicating an overall positive trend.

While Revenue saw a decrease in retirements overall, the percentage of women who retired increased by approximately 8 percent. This increase in retirements is consistent with the increase in retirements expected enterprise-wide.

Non-certifications for women increased compared to previous years. The ratio of hires to non-certifications indicates that further examination is needed to determine the cause.

Table 4 Women at Revenue

Group	Percentage of Total (Number of Employees)		
	2012-2014	2014-2016	2016-2018
Workforce	60.00% (901)	60.00% (829)	57.50% (877)
Hires	52.50% (188)	55.00% (125)	49.00% (89)
Separations	49.40% (129)	58.26% (134)	55.43% (153)

Minorities

Minorities represent approximately 16.7 percent of the total agency workforce. The number of employees who identify as minorities has steadily increased over the past 6 years.

The agency saw a total of 276 separations from FY 2016 to FY 2018. Minorities were 24.28 percent of all separations, an increase from previous years. The rate of separation compared to the number hired indicates difficulty in retaining minority employees.

In 2017, Revenue conducted an agency-wide climate assessment in relation to engagement and diversity and inclusion. The results indicated that minority employees were less satisfied and engaged than non-minority employees.

Based on the assessment results and separation numbers, further examination of the reasons behind the separations rates is necessary. Revenue has developed a Diversity and Inclusion Strategic Plan, which will examine this and other issues of diversity and inclusion, over the next four years.

Table 5 Minorities at Revenue

Group	Percentage of Total (Number of Employees)		
	2012-2014	2014-2016	2016-2018
Workforce	13.00% (199)	14.78% (208)	16.70% (255)
Hires	22.30% (80)	31.00% (66)	26.70% (99)
Separations	14.50% (37)	17.39% (40)	24.28% (67)

Individuals with Disabilities

Individuals with disabilities represent approximately 8.07 percent of the total agency workforce, a steady increase over the past six years. This is due to training and inclusion efforts, as well as Revenue’s participation in the Connect 700 program.

The agency saw a total of 276 separations from FY 2016 to FY 2018. Individuals with disabilities were 8.33 percent of all separations. The rate of separation is less than the percentage hired, indicating an overall positive trend.

Table 6 Individuals with Disabilities at Revenue

Group	Percentage of Total (Number of Employees)		
	2012-2014	2014-2016	2016-2018
Workforce	4.80% (64)	6.33% (89)	8.07% (123)
Hires	3.00% (5)	10.00% (23)	9.43% (35)
Separations	7.28% (19)	8.26% (19)	8.33% (23)

Program Objectives, Identified Barriers, and Corrective Action to Eliminate Barriers

The agency's Affirmative Action Program is designed to implement the provisions of this Affirmative Action Plan and meet requirements found in Minnesota Statutes, section 43A.191, subdivision 2.

This section will identify ways the agency has determined to eliminate barriers, provide corrective actions, and achieve affirmative action goals for underutilized protected group applicants/employees (broken down by specific job categories.) These objectives have been developed as strategic, actionable, and measurable efforts the agency has committed to pursuing and implementing from 2018-2020.

Overall Program Objectives

Revenue is meeting its hiring objectives. According to our workforce analysis, we are only underutilized for minorities in the Officials/Administrators category.

While we are meeting our hiring goals, our separation analysis indicates that retention of current employees, especially women, minorities and individuals with disabilities, requires attention. Therefore, our program objectives for 2018-2020 focus on engagement and retention.

Objective 1

Ensure senior management, managers, and supervisors demonstrate commitment and accountability for diversity and inclusion at the Department of Revenue.

Action Steps

1. Provide resources (training, coaching, and tools) for senior management, supervisors, and managers on inclusion best practices, including inclusive leadership, intercultural competency, conflict engagement and management, and building collaborative teams.
2. Develop a resource guide for senior management, supervisors, and managers on diversity and inclusion (rationale, organizational plan, FAQs, and talking points).

Evaluation

To evaluate the effectiveness of the action steps, the Equity, Access, and Inclusion Office, in concert with Human Resource Management, will:

- Review exit surveys
- Monitor and track employee engagement via agency-wide engagement surveys
- Evaluate the usefulness of resources to determine effectiveness

Objective 2

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

Action Steps

1. Develop and communicate a clear and shared vision and value of diversity, inclusion, and intercultural competency at Revenue.
2. Maintain the Diversity and Inclusion Advisory Team to oversee diversity and inclusion efforts.
3. Review and recommend updates to Leadership Academy/leadership development at Revenue.

Evaluation

To evaluate the effectiveness of the action steps, the Equity, Access, and Inclusion Office, in concert with Human Resource Management, will:

- Monitor and track employee engagement via agency-wide engagement surveys
- Review demographics of Leadership Academy participants
- Track and monitor employee feedback provided to the Diversity and Inclusion Advisory Team

Objective 3

Build teams that foster intercultural competency, diversity, collaboration, and inclusion.

Action Steps

1. Provide training and resources to senior management, supervisors, managers, and lead workers regarding inclusive leadership and intercultural competency.

Evaluation

To evaluate the effectiveness of the action steps, the Equity, Access, & Inclusion Office, in concert with Human Resource Management, will:

- Monitor and track employee engagement via agency-wide engagement surveys
- Evaluate the usefulness of training and resources to determine effectiveness
- Conduct stay interviews

Objective 4

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

Action Steps

1. Develop an impact assessment toolkit to evaluate structures, policies, and practices and their impact on diversity and inclusion.

Evaluation

To evaluate the effectiveness of the action steps, the Equity, Access, and Inclusion Office, in concert with Human Resource Management, will:

- Track the number of updated policies and track their resulting effects
- Track the number of employee complaints to determine if there is a decrease in complaints
- Monitor and track employee engagement via agency-wide engagement surveys

Program Objectives for Women

No job categories have been identified as underutilized for women.

Although there is no underutilization identified, the Department of Revenue (MDOR) will continue to work to achieve equal access, inclusion, promotion, and retention for all our female employees.

Actions

- Monitor the hiring process to ensure equal access for females 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,
- 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.

Program Objectives for Minorities

The table below identifies job categories underutilized for minorities

Job Category	Percent of Minority Employees	Percent of Minorities Hired	Percent of Minorities Separated
Officials/Administrators	10.81%	16.66%	40%

Actions for Minorities in Category

Revenue would like to increase the number of minorities in the Officials/Administrators job category. Revenue will continue to work with MMB and the statewide executive recruiter to fill positions within the category.

Since much of our hiring for the Officials/Administrators job category is from our internal applicant pool, the 2018-2020 program objectives described above are designed to increase the number of minority employees with the skills necessary to fill jobs within the category.

In addition, Revenue will review and recommend updates to Leadership Academy/leadership development, research best practices in mentorship programs, and explore ways to incorporate mentorship into agency programs.

Barriers for Minorities in this Category

While Revenue has developed succession planning and promoted leadership and skills development for all employees, we have not focused specifically on the needs of minority employees.

By promoting leadership opportunities, such as Emerging Leaders Institute, Senior Leaders Institute, leadership training, Revenue's Leadership Academy, and opportunities to work on projects with agency impact, we can increase the number of minority employees with the leadership skills needed to serve in leadership roles.

Research shows that providing mentorship to minority employees increases engagement and retention. By incorporating mentorship into agency programs, Revenue can ensure the number of minority employees at all levels of the organization is proportional, thereby increasing the number with the skills necessary to fill jobs within the Officials and Administrator category.

Future Evaluation

Program objectives for minorities will be overseen by the Equity, Access, and Inclusion Office. In addition, the department's Diversity and Inclusion Strategic Plan has specific action items related to measuring success.

The Equity, Access, and Inclusion Office, as well as the Human Resources Management Office, will monitor the hiring process when working with the statewide executive recruiter to hire within the Officials/Administrators category.

Revenue will continue to evaluate the demographics of the participants of Leadership Academy and adjust recruitment efforts as necessary.

Past Evaluation

Revenue set the same hiring goal in the Officials/Administrators category for the 2016-2018 Affirmative Action Plan.

During the 2016-2018 Plan, Revenue posted all positions for the Officials/Administrators job category externally in an effort to recruit a diverse pool of applicants. Revenue actively worked with the statewide executive recruiter.

The number of employees in the Officials/Administrators category is small and there is not much movement within the job category. Therefore, Revenue also focused on developing leadership within the agency to ensure our internal applicant pool remained diverse. Revenue hired affirmatively when possible and will continue to do so when job openings become available.

Persons Responsible

- **Karly Turner, Equity, Access, and Inclusion Manager**
- **Employee Development Services**
- **Human Resources Management Director**
- **Senior Managers**

Target Dates

Target Date	Action	Notes
August 2019	Review and recommend updates to Leadership Academy/leadership development at Revenue.	Review of Leadership Academy has started in preparation for the 2019 cohort. Participant demographics will be analyzed during the application, selection, and graduation phases. Program components will be reassessed at completion of the Leadership Academy.

June 2020	Research best practices in mentorship programs and explore ways to incorporate mentorship into agency programs.	Mentorship program research will be completed and recommendations implemented by the end of fiscal year 2020.
Ongoing	Work with statewide executive recruiter	Work with the statewide executive recruiter and evaluation of our efforts is ongoing.

Program Objectives for Individuals with Disabilities

No job categories have been identified as underutilized for individuals with disabilities.

Although there is no underutilization identified for individuals with disabilities at the Department of Revenue, the Office of Equity, Access, and Inclusion will continue to work to achieve equal access, inclusion, promotion, and retention for all our employees with disabilities.

Actions

- Monitor the hiring process to ensure equal access for individuals with disabilities in every job category.
- Ensure our employees with disabilities are valued and supported.
- Emphasize open and honest communication, respect in the workplace, and ask for employee input on processes.
- Provide opportunities for promotion and education with career growth in mind.
- Actively develop individuals with disabilities as leaders providing support and resources.
- Gather exit and separation data.
- Educate our leadership on issues in need of improvement based on gathered data and analysis.

Methods of Auditing, Evaluating, and Reporting Program Success

Pre-Employment Review Procedure/Monitoring the Hiring Process

The Equity, Access, and Inclusion Manager and Human Resources Management staff will 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 works closely with the hiring supervisor to ensure that:
 - a. All position descriptions contain job related criteria (knowledge, skills, and abilities) that are required to perform the essential functions of the identified tasks.
 - b. Job related minimum qualifications (and preferred qualifications) are clearly defined and documented on the vacancy announcement.
 - c. External recruitment efforts are made when appropriate and include resources that have contacts with protected class candidates.

Pre-interview

1. Prior to the commencement of the interview process, the hiring supervisor shall submit a list of uniform job related interview questions to Human Resource Management staff for review. Interview questions will be reviewed to determine:
 - a. Will the answers to these questions, if used in making the selection, have a disparate effect in screening out protected groups of people?
 - b. Do the questions judge only an applicant's competence or qualification for the job in question?
 - c. Is the question culturally neutral?
 - d. Are the questions within the legal parameters of Equal Employment Opportunity guidelines?
2. Hiring supervisors will ensure that each candidate is asked the same structured interview questions. Leeway is allowed for follow-up questions of clarity.
3. Human Resources Management, 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 pre-hire process.

4. If the number of candidates on the eligible list (as defined in 4 above) is large and needs to be more narrowly defined to come up with a "reasonable" number to interview, the hiring supervisor may further rank the candidates based upon the required and preferred qualifications as defined in the vacancy announcement.
5. When hiring via Revenue-hosted job fairs and in large numbers, the percentage of protected class group members in the applicant pool who met the minimum qualifications will be reflected in the final interview applicant pool to the greatest extent possible. For example, if minority applicants who meet the minimum qualifications make up 20% of the eligible applicant pool, the percentage of minorities in the interview pool should be 20% as well. However, the primary consideration in determining the interview pool will be the required qualifications required of the position to be filled.

Post-interview

1. The interview team will compare the qualifications of candidates based on available evidence (interview scores, test scores, writing samples, etc.) and the requirements of the job. Only in the final selection process will the affirmative action goals and current underutilization be considered.
2. If the hiring team wishes to select a non-protected class group candidate where there is an underutilization, the hiring supervisor shall provide the Affirmative Action Officer with a written justification of hire outlining the reasons, with sufficient specificity, why the preferred candidate is more qualified than the protected class group candidate(s). The Affirmative Action Officer shall review the justification, and, if needed the job posting, job description, applicant interview scores and notes, and applicant resumes, to determine whether or not 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 substantially 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. 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 Equity, Access, and Inclusion Manager will keep data on every appointment 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 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 Revenue's Human Resources Management office, 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 where ADA affects a layoffee bumping eligibility.
2. If it is determined that there is an adverse 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

1. Temporary unclassified positions are posted when possible and affirmative action hiring goals are considered during the hiring process.
2. Revenue reviews the accessibility of online systems and websites, and ensures that reasonable accommodations can be easily requested.
3. Revenue discusses progress with agency leadership on a periodic basis and makes recommendations for improvement.
4. Periodic review of reasonable accommodation requests to determine patterns and improvements needed at the Department of Revenue.
5. The agency submits the following compliance reports to Minnesota Management and Budget as part of the efforts to evaluate the agency's affirmative action program:

- a. Quarterly Monitoring the Hiring Process Reports
- b. Biannual Affirmative Action Plan
- c. Annual Americans with Disabilities Act Report
- d. Annual Internal Complaint Report
- e. Disposition of Internal Complaint (within 30 days of final disposition)

Appendix

Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436

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.

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.

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 or 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.

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/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/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

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.

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

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

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 or retaliation, and will take prompt and appropriate action. When conducting an investigation, 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 Enterprise Human Resources, 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/discrimination, who reports protected class harassment/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/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.

Statewide Sexual Harassment Prohibited Policy, HR/LR Policy #1329

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 are encouraged to file a complaint with an appropriate authority. Any form of retaliation directed against an individual who complains about 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

Exclusions

N/A

Statutory References

42 U.S.C. § 2000e, et al.

M.S. Ch. 363A

M.S. Ch. 43A

Minn. Rule 3905.0500

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:

- Unwelcome sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, degrading sexual remarks, threats;
- Unwelcome sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, obscene gestures;
- 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;
- 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;
- Negative treatment or threats of negative treatment for refusing to submit to sexual conduct;
- 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 with:

- An agency supervisor;
- The agency's affirmative action officer;
- An agency's human resource office;
- Agency management, up to and including the commissioner.

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

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

- The name, department, and position of the person(s) allegedly causing the harassment;
- A description of the incident(s), including the date(s), location(s), and the presence of any witnesses;
- The name(s) of other individuals who may have been subject to similar harassment;
- What, if any, steps have been taken to stop the harassment;
- 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) and/or the Minnesota Department of Human Rights (MDHR) or other legal channels.

III. Supervisor Responsibility

Supervisors are responsible for the following:

- Modeling appropriate behavior;
- Treating all complaints of sexual harassment seriously, regardless of the individuals or behaviors involved;
- When a complaint of sexual harassment has been made to the supervisor, or when the supervisor is otherwise aware that a problem exists, the supervisor must appropriately respond to the complaint or problem;
- Immediately report all allegations or incidents of sexual harassment to human resources or the agency Affirmative Action Officer so that prompt and appropriate action can be taken;
- Complying with their agency's complaint and investigation procedures and/or their Affirmative Action Plan to ensure prompt and appropriate action in response to complaints of sexual harassment.

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 offices are responsible for the following:

- Modeling appropriate behavior;
- Distributing the sexual harassment policy to all employees, through a method whereby receipt can be verified;
- Treating all complaints of sexual harassment seriously, regardless of the individual(s) or behaviors involved;
- Complying with the agency's complaint and investigation procedures and/or their Affirmative Action Plan to ensure prompt and appropriate action in response to complaints of sexual harassment.

V. Affirmative Action Officer or Designee Responsibilities

Agency Affirmative Action Officer/designee is responsible for the following:

- Modeling appropriate behavior;

- Treating all complaints of sexual harassment seriously, regardless of the individual(s) or behaviors involved;
- Complying with the agency's complaint and investigation procedures to ensure the prompt and appropriate action in response to complaints of sexual harassment;
- Keeping the agency apprised of changes and developments in the law.

VI. Investigation and Discipline

All complaints of sexual harassment will be taken seriously, and prompt and appropriate action taken. When conducting an investigation, supervisors, human resources, and Affirmative Action Officers must follow their agency's investigation procedures. 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

Timely and appropriate corrective action will be taken when there is a violation of this policy. Employees who are found to have engaged in sexual harassment 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 sexual harassment 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 Enterprise Human Resources, 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 complaint of sexual harassment will be subject to disciplinary action, up to and including discharge.

VII. Non-Retaliation

Retaliation against any person who reports sexual harassment or participates in an investigation of such reports is strictly prohibited. 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 third parties.
- Including this policy in their Affirmative Action Plan.
- Implementing this policy, including developing:
 - An educational program;
 - A process for reporting complaints; and
 - A procedure under which complaints will be addressed promptly.
 - Enforcing this policy.

MMB is responsible for:

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

FORMS AND SUPPLEMENTS

See acknowledgement form, below, which can be used to verify receipt by agency employees.

Acknowledgement

I acknowledge that I have received and read the policy, Sexual Harassment Prohibited, and accompanying complaint procedure. I 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, applicant for employment, vendor, contractor, volunteer, customer, or business partner, 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 this policy by any State employee, applicant for employment, vendor, contractor, volunteer, customer or business partner, I am encouraged to report that behavior. I understand that I can make a report to agency managers/supervisors, agency human resources, or agency management, up to and including the commissioner. I understand that if my complaint concerns an agency head, I may contact Minnesota Management & Budget.

Signed: _____ Date: _____

Employee Name: _____

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

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.

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.

If the individual chooses, a complaint can be filed externally with the Minnesota Department of Human Rights (MDHR), the U.S. Equal Employment Opportunity Commission (EEOC), or through other legal channels. The MDHR, EEOC and other legal channels have time limits for filing complaints; individuals may contact the MDHR, EEOC, or a private attorney for more information.

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. 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 in filling 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 refer the complaint to the Human Resources Management office and inform the complainant, in writing, within ten (10) business days.

- 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 according to agency record retention schedules.
 8. In extenuating circumstances, the employee or applicant may contact the Assistant Director of Equal Opportunity in the Enterprise Human Capital Office of 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).

**Department of Revenue's Harassment and Discrimination
Prohibited/Sexual Harassment Prohibited Policies Complaint Form
COMPLAINT OF HARASSMENT/DISCRIMINATION**



Harassment and Discrimination/ Sexual Harassment Complaint Form

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. **NON-RETALIATION:** 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

THE COMPLAINT

Basis of Complaint ("X" all that apply):

- | | | | |
|--|---|--|--|
| <input type="checkbox"/> Age | <input type="checkbox"/> Color | <input type="checkbox"/> Creed | <input type="checkbox"/> Disability |
| <input type="checkbox"/> Familial Status | <input type="checkbox"/> Gender Expression | <input type="checkbox"/> Gender Identity | <input type="checkbox"/> Genetic Information |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Membership or Activity in a
Local Human Rights Commission | <input type="checkbox"/> National Origin | |
| <input type="checkbox"/> Race | <input type="checkbox"/> Reliance on Public Assistance | <input type="checkbox"/> Religion | |
| <input type="checkbox"/> Retaliation | <input type="checkbox"/> Sex | <input type="checkbox"/> Sexual Harassment | <input type="checkbox"/> Sexual Harassment |

Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, give the 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. Use additional paper if needed and attach to this form. Attach any documents you believe may be relevant.

INFORMATION ON WITNESSES WHO CAN SUPPORT YOUR CASE

Name	Agency/Division	Work Telephone
1.		()
2.		()
3.		()
4.		()

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

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.	
Complainant Signature:	Date
Complaint Received by: (Affirmative Action Officer Signature)	Date

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

Statewide ADA Reasonable Accommodation Policy

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

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.

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 14-14, 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 via ADA.MMB@state.mn.us

Request for Reasonable Accommodation Form

State of Minnesota – Department of Revenue Employee Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form

The State of Minnesota 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 or not an accommodation can be made.

Employee/Applicant Name:	Job Title:
Division/Location:	Phone Number:
Supervisor:	Have you discussed your need for an accommodation with your supervisor? <p style="text-align: center;">Yes No</p>

Data Privacy Statement: This information may be used by your agency human resources representative, ADA Coordinator or designee, your agency legal counsel, 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. The provision of this information is strictly voluntary; however, if you refuse to provide it, your agency may refuse to provide a reasonable accommodation.

A. Questions to clarify accommodation requested.

1. What specific accommodation are you requesting?

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

YES NO

a. If yes, please explain.

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

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

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

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

4. 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 authorization 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/Applicant Signature: _____

Date: _____

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

Knowledge and preparation by both individuals needing assistance and those who don't is key to reducing the impact of emergencies. When developing a plan, safety needs should be determined on a case-by-case basis because it varies with each individual and building.

The current Department of Revenue weather and emergency evacuation plans are available in Rspace at: <http://workspaces/Emergency/Employee%20Emergency%20Information/Emergency%20Plan.pdf>

Everyone has a responsibility to develop their own personal emergency evacuation plan, this includes individuals with disabilities or individuals who will need assistance during evacuation. The Americans with Disabilities Act Coordinator or designee in each agency will work to develop a plan and consult the appropriate building and safety personnel.

Directors, managers, and supervisors should review with staff the emergency evacuation procedures and what to do if additional assistance is needed. All staff should be informed that any individuals with disabilities should notify the agency contact(s) below of the type of assistance they may need.

Kyle Jenner, Minnesota Revenue Physical Security, 651-556-6211, kyle.jenner@state.mn.us
Kelly Sullivan, Physical Security Analyst & Emergency Manager, 651-556-6664,
Kelly.sullivan@state.mn.us

The process for discussing and implementing evacuation procedures for employees with disabilities is:

1. Managers and Supervisors will meet individually with employees with known physical disabilities (mobility or sensory) – including those with a temporary disability – to discuss emergency and evacuation procedures.
2. Managers and supervisors will address issues related to emergency procedures for individuals with physical disabilities by ensuring that employees have the opportunity to inform the agency of any special needs they may have. They will ensure the selection of Assistants and consult with persons with physical disabilities to determine appropriate emergency procedure.
3. Managers and Supervisors should assign two Assistants to each individual with physical disabilities to ensure that, in an emergency, the employee will be able to comply with the instructions given by the Stassen Building Emergency Director, Building Emergency Staff, or Capitol Security Staff.
4. Managers and supervisors will instruct persons with physical disabilities and their Assistants to move to the main elevator lobby stairwell in the case of fire and wait for emergency personnel. They will also instruct persons with physical disabilities to move into the stairwell and wait for emergency personnel if they feel threatened at any time during a fire alarm.

5. In the event of an emergency, the floor warden will confirm the location of employees with physical disabilities and report their location to the Stassen Building Emergency Director, Emergency Staff, or Capitol Security staff.
6. During evacuations, if safe, Assistants will find the employee they are assigned to help, evacuate him/her to the evacuation area or main elevator lobby, and wait for the emergency personnel. If at any time the assistant or the employee feels threatened, they will move into the stairwell. One Assistant should stay with the employee. The second Assistant should evacuate and report the location of the employees with disabilities and Assistants to the Stassen Building Emergency Director located in the main lobby, or to the Building Emergency Staff at the exit doors or ramp.
7. During relocations, employees with disabilities should move to the nearest relocation area. If safe, Assistants will find the employee requiring assistance and help them to the relocation area. Assistants should not try to return to their work area if danger is imminent.

Evacuation Options

Individuals with disabilities have four basic evacuation options:

- **Horizontal evacuation:** Use building exits to the outside ground level or going into unaffected wings of multi-building complexes.
- **Stairway evacuation:** Use 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. Dial 911 immediately and report their location to emergency services, who will relay that information to on-site responders.

This 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:** Go to an identified area of rescue assistance for individuals with disabilities and wait for emergency responders. At Revenue, the areas of rescue assistance are the stairwells.

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): Individuals using wheelchairs should be accompanied to an area of rescue assistance by an employee. A floor warden or emergency staff member will respond to each of the elevator lobby areas of rescue assistance every time a building evacuation is initiated to identify the

individuals in these areas and notify the Building Emergency Director how many individuals need assistance to safely evacuate.

- **Mobility disabilities** (individuals who do not use wheelchairs): Individuals with mobility disabilities, who can walk independently, may be able to use 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 in the stairwell until emergency responders arrive to assist them.
- **Hearing disabilities:** The agency's buildings are equipped with fire alarm horns and strobe lights to notify people of the need to evacuate. The strobe lights will alert individuals who are deaf or hard of hearing.
- **Visual disabilities:** The agency's buildings are equipped with fire alarm horns and strobe lights to notify people of the need to evacuate. The horns will alert individuals who are blind or have visual disabilities; they may not be familiar with the evacuation route and need assistance in evacuating. Their Assistant should offer to help and, if accepted, guide them through the evacuation route.

Severe Weather Relocation Options

Individuals with disabilities or who are in need of assistance during a relocation have two options based on their location in their building:

- **Horizontal relocation:** If located on the ground or basement floor, seek shelter in one of the severe weather shelter areas are located throughout each floor.
- **Shelter in Place:** Seek shelter in an interior hallway or conference room and remain there until the all clear given.

Utilization Analysis Tables

Department of Revenue									
JOB CATEGORY AVAILABILITY/UTILIZATION/UNDERUTILIZATION ANALYSIS & ANNUAL GOALS									
Worksheet for comparing incumbency to availability and setting goals to correct underutilization.									
WOMEN									
Job Categories	Total Employees in Job Group	Total Number of Women in Group	% of Women in the Group	Availability %	Availability Number	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	37	23	62.16%	50.04%	19	-4	-2	Improved	-2
Professionals	1175	631	53.70%	53.70%	631	0	-8	Not Improved	8
Office/Clerical	222	166	74.77%	59.71%	133	-33	-39	Not Improved	6
Technicians	90	57	63.33%	51.40%	46	-11	-3	Improved	-8
Totals	1524	877	57.55%						
MINORITIES									
Job Categories	Total Employees in Job Group	Total Number of Minorities in Group	% of Minorities in the Group	Availability %	Availability Number	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	37	<10	XX	12.37%	5	1	1	Same	0
Professionals	1175	177	15.06%	13.75%	162	-15	-6	Improved	-9
Office/Clerical	222	58	26.13%	15.74%	35	-23	-16	Improved	-7
Technicians	90	16	17.78%	17.60%	16	0	-1	Not Improved	1
Totals	1524	255	16.73%						
INDIVIDUALS WITH DISABILITIES									
Job Categories	Total Employees in Job Group	Total Number of Individ./ with Disabilities in Group	% of Individ. w/ Disabilities in the Group	Availability %	Availability Number	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	37	<10	XX	7.00%	3	-3	-1	Improved	-2
Professionals	1175	91	7.74%	7.00%	82	-9	10	Improved	-19
Office/Clerical	222	17	7.66%	7.00%	16	-1	1	Improved	-2
Technicians	90	<10	XX	7.00%	6	-3	-1	Improved	-2
Totals	1524	123	8.07%						
Source: American Fact Finder, operated by the U.S. Census Bureau. Labor Statistics for women and minorities compiled from the American Community Survey (2006-2010), released in March of 2013. Statistics for individuals with disabilities are taken from OFCCP (Office of Federal Contract Compliance Programs) and are based upon data derived from the American Community Surveys (2006-2010).									

Separation Analysis Tables

Department of Revenue

SEPARATION ANALYSIS 2016-2018

Worksheet for conducting separation analysis of protected group members as total separations and in each job category.

TOTAL SEPARATIONS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	49	17.75%	22	44.90%	14	28.57%	<10	XX
Resignations	123	44.57%	65	52.85%	37	30.08%	<10	XX
Enhanced Separation	0							
Retirement	79	28.62%	57	72.15%	<10	XX	<10	XX
Deaths	0							
Lay-off	0							
Termination without Rights	25	9.06%	<10	XX	<10	XX	<10	XX
Total Separations	276	100.00%	XX	XX	XX	XX	0	XX

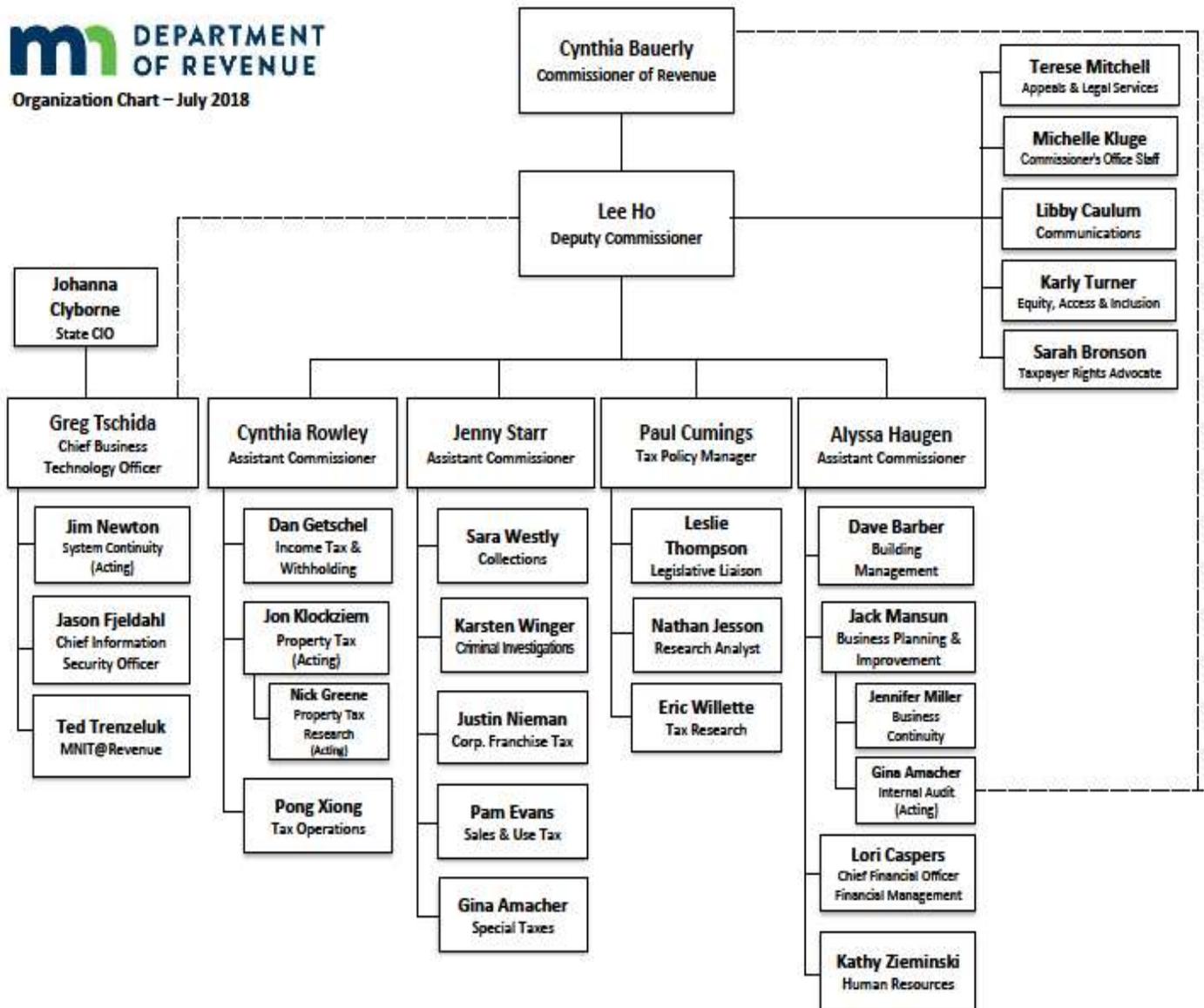
OFFICIALS/ADMINISTRATORS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	<10	XX		XX	<10	XX	0	XX
Resignations	<10	XX	<10	XX		XX	0	XX
Enhanced Separation	0							
Retirement	<10	XX	<10	XX	<10	XX	0	XX
Deaths	0							
Lay-off	0							
Termination without Rights	0							
Total Separations	XX	100.00%	XX	XX	0	XX	0	XX

PROFESSIONALS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	32	17.49%	14	43.75%	<10	XX	<10	XX
Resignations	83	45.36%	36	43.37%	21	25.30%	<10	XX
Enhanced Separation	0							
Retirement	58	31.69%	40	68.97%	<10	XX	<10	XX
Deaths	0							
Lay-off	0							
Termination without Rights	10	5.46%	<10	XX	<10	XX	<10	XX
Total Separations	183	100.00%	XX	XX	XX	XX	0	XX

OFFICE/CLERICAL								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	<10	XX	<10	XX	<10	XX	<10	XX
Resignations	31	54.39%	9	29.03%	7	22.58%		0.00%
Enhanced Separation								
Retirement	11	19.30%	10	90.91%	<10	XX		0.00%
Deaths								
Lay-off								
Termination without Rights	15	26.32%	<10	XX	<10	XX	<10	XX
Total Separations	57	100.00%	XX	XX	XX	XX	XX	XX
TECHNICIANS								
Types of Separation	Total Number	Total Percentage	Total Number of Women	Percentage of Women	Total Number of Minorities	Percentage of Minorities	Total Number of Indiv w/Disabilities	Percentage of Indiv w/Disabilities
Dismissal or Non-Certification	<10	XX	<10	XX	<10	XX	<10	XX
Resignations	<10	XX	<10	XX	<10	XX	<10	XX
Enhanced Separation	0							
Retirement	<10	XX	<10	XX	<10	XX	0	XX
Deaths	0							
Lay-off	0							
Termination without Rights	0							
Total Separations	0	100.00%	XX	XX	XX	XX	XX	XX

Other Relevant Information

Organizational Chart



Department of Revenue Mission, Vision, and Values



Vision

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

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.

Respect

We embrace diversity and respect everyone inside and outside of our agency.

Excellence

We expect and reward innovation, flexibility, accuracy, timeliness, and collaboration.

Accountability

We ensure the fair and efficient administration of Minnesota's revenue system.

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.

January 2017