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## **AFFIRMATIVE ACTION PLAN**

**August 1, 2002 - July 31, 2004**

**CAMPAIGN FINANCE AND PUBLIC DISCLOSURE BOARD**

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**Affirmative Action Plan**

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## STATEMENT OF COMMITMENT

The Campaign Finance and Public Disclosure Board (Board) is committed to the State of Minnesota's Equal Employment Opportunity Policies and Statewide Affirmative Action for its employees and the public it serves. I affirm my personal and official support of these policies, which provide:

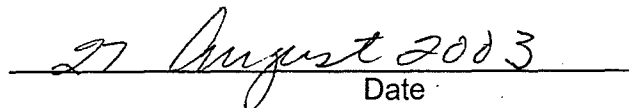
- That all employees and potential employees are to be treated equally and that all personnel actions are to be carried out without regard to race, sex, marital status, sexual orientation, color, creed, national origin, religion, disability, age, status with regard to public assistance, or membership or activity in a local commission.
- That the Board will further strive to ensure equal access and opportunity in the services it provides to the public.
- That the Board will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce.

Managers and supervisors will be held accountable for ensuring that Affirmative Action Programs are implemented since these are the individuals who can ultimately make the most impact on this program. Each manager and supervisor shall have a statement in his or her position description on his or her affirmative action responsibilities.

In order to administer the plan most effectively, I have delegated this responsibility to the Affirmative Action Designee, the Office Manager, who will act as the Board's Affirmative Action Officer and is responsible for monitoring the day-to-day activities of the program.

Anyone interested in reviewing the Board's Affirmative Action Plan or who has concerns about affirmative action or equal opportunity issues may contact our Affirmative Action Officer. A copy of the plan will be located on the Board's official bulletin board.

  
Executive Director

  
Date

## **INTERNAL DISCRIMINATION/HARASSMENT COMPLAINT PROCEDURE**

The Board establishes the following discrimination/harassment complaint procedure to be used by all employees, applicants or eligibles. This procedure is designed as an attempt to resolve problems internally before seeking redress from an outside authority. The Board urges employees to use this internal procedure before filing a charge with the Department of Human Rights or other agencies. If the employee chooses, s/he may file a complaint externally with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. Anyone filing a complaint, or serving as a witness, under this procedure shall do so without fear of coercion, reprisal, or intimidation.

### Who May File

Any employee of the Board or applicant for employment with the Board or eligible who believes that the employee or applicant has been discriminated against or harassed by reason of race, sex, marital status, sexual orientation, color, creed, national origin, religion, disability, age, status with regard to public assistance, membership or activity in a local commission may file a complaint.

Complaints based on veteran status or political opinion or affiliation are not legally protected traits and are not covered by the Affirmative Action Plan. These complaints will be handled through a separate policy procedure. The Agency's Executive Director and Office Manager will handle complaints based on these traits on a case-by-case basis.

Employees who have terminated are encouraged to file their internal complaint prior to their actual separation; however, complaints will be taken for a reasonable period of time subsequent to the actual separation date.

### Responsibility of Employees

All employees shall respond promptly to any and all requests by the Office Manager for information and for access to data and records for the purpose of enabling the Office Manager to carry out the Office Manager's responsibilities under this complaint procedure. The failure of any employee to comply with the requests of the Office Manager shall be reported to the Executive Director.

### Complaint Procedure

The complaint must be filed in writing with the Office Manager. In the event that the respondent is the Office Manager, the complaint may be filed with the Executive Director or the Office of Diversity and Equal Opportunity, Department of Employee Relations (DOER).

1. The employee, applicant or eligible completes a Complaint of Discrimination form, provided by the Office Manager. The Office Manager will, if requested, provide assistance in filling out the form.
2. The Office Manager determines if the complaint falls within the area of affirmative action, i.e., the complainant is alleging a violation of the right to equal employment on the basis of race, sex, marital status, sexual orientation, color, creed, national origin, religion, disability, age, status with regard to public assistance, membership or activity in a local commission.

recommendation(s) and shall take appropriate actions. The Executive Director will contact all parties as to the final determination of the complaint and any corrective action to be taken.

- C. Information communicated to the parties will be in accordance with the Minnesota Government Data Practices Act.
- 6. If the Office Manager believes there is insufficient evidence to support the complaint, a letter will be sent to complainant, the respondent(s) and the Executive Director dismissing the complaint.
- 7. The Office Manager shall maintain records of all complaints and any pertinent information or data for three years after the case is closed.
- 8. The entire complaint procedure should be completed within 60 working days of the filing of the formal complaint.
- 9. Dispensation of the complaint will be filed with the Commissioner of DOER, within 30 days of final determination.
- 10. All documentation associated with a complaint shall be confidential information during the course of an investigation. The status of the complaint shall be communicated to the complainant(s) and respondent(s).

Addendum: Complaint of Discrimination

## **OBJECTIVE TO HIRE PROTECTED GROUP MEMBERS**

When the Board has a staff vacancy and is underrepresented for females, minorities, or persons with disabilities, the Board will make an effort to recruit protected group members.

All ads placed for vacant positions shall include the statement that the Campaign Finance and Public Disclosure Board is an equal opportunity employer.

## REASONABLE ACCOMMODATION POLICY

### Policy

The Board is committed to encouraging the employment of people with disabilities. The Board will make reasonable accommodations to the physical or mental limitations of a qualified applicant, current employee, and employees seeking promotional opportunities with a disability unless the accommodation would impose an undue hardship on the Board.

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

For purposes of determining eligibility for a reasonable accommodation a person with a disability is defined as someone who has a physical or mental impairment that substantially or materially limits one or more major life activities.

Examples of reasonable accommodation may include, but are not limited to:

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

### Requests for Reasonable Accommodations for Employees/Employees Seeking Promotions:

The steps to request a reasonable accommodation are:

1. Supervisor and the individual with a disability discuss the need for the accommodation and discuss alternatives such as job restructuring, job modification and accessible devices.
2. Supervisor must inform the Office Manager of the request and submit a Request for Accommodation form. The request will include justification for the request including a statement of the limitation(s), the suggested accommodation, approximate cost, and any other pertinent information. The Office Manager will assist the supervisor by providing the necessary resources and information.
3. Upon approval, the supervisor will forward the request form and supporting information to the Office Manager within seven working days upon receiving the request.

Denial of Accommodations:

All denials of requests for accommodation for employees/employees seeking promotion will be documented and kept on file by the Office Manager. The Office Manager shall notify the employee of the denial and inform the employee of the right to file a complaint of discrimination under the affirmative action plan complaint procedure and advise the employee of the right to file a complaint with the Minnesota Department of Human Rights or the U.S. Equal Employment Opportunity Commission (EEOC).

Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the agency head, within a reasonable period of time, for a final decision. If the individual believes the decision is based on discriminatory reasons, they may file a complaint internally through the agency's complaint procedure as outlined in this plan.

Supported Worker Program:

Based on the size of the Board staff, there is no opportunity at this time to participate in the Supported Worker Program. Staff will work with the Department of Employee Relations if an opportunity arises in the future to use this program.

Addendum

Employee Request for Reasonable Accommodation  
Reasonable Accommodation Agreement



## WEATHER EMERGENCIES

Notices of weather-related threats are initiated by the national Weather Service (NWS). NWS and local broadcasts are monitored by Capitol Complex Security who in the event of an emergency will inform employees and issue relocation orders. Relocation will take place according to the Emergency Evacuation Plan for the Centennial Office Building.

All present employees who are deaf/hard of hearing will receive notification, by the supervisor or designated backup staff in the case of an emergency.

In the case of winter storms, all employees are asked to monitor local radio and television stations for the closure of state offices.

All employees who are deaf/hard of hearing or speech impaired that use TTY's and are not at work when an emergency is called, will be informed of the emergency by their supervisor through the Minnesota Relay Service 800/627-3529.

## BUILDING EVACUATION

Board staff follows the emergency evacuation plan for the Centennial Office Building created by the Department of Public Safety Capitol Security and Department of Employee Relations, ~~June 1994~~ revised February, 2001.

Each employee is provided with a copy of the emergency evacuation procedures upon employment. The emergency plan is reviewed with staff, annually, at a staff meeting.

~~Employees who are mobility or sensory impaired are assigned an assistant to assist them in the evacuation.~~

## HARASSMENT/DISCRIMINATION POLICY

### Statement of Policy

It is the policy of the Board to prohibit verbal and physical harassment/discrimination against its employees based on race, sex, marital status, sexual orientation, color, creed, national origin, religion, disability, age, status with regard to public assistance, or membership or activity in a local commission. This prohibition with respect to sexual harassment includes both overt and subtle acts as defined by the U.S. Equal Employment Opportunity Commission (EEOC) and petty and annoying acts, which create a negative work environment. Any employee subjected to such harassment should file a complaint with the Office Manager. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

Each manager is responsible for the application of this policy. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance within the framework of this policy. All employees must be informed that harassment is unacceptable behavior, and each supervisor will be responsible for orienting their staff to the Board's policy. The Office Manager will be expected to keep the organization apprised of any changes in the law or its interpretation regarding this form of discrimination. More specifically, each manager will be responsible for:

- A. Making certain that each individual in the manager's division who makes or recommends employment and other personnel decisions is fully aware of and complies with this policy;
- B. Notifying all employees and orienting each new employee who is hired of this policy;
- C. Informing all employees in the division of the complaint procedure and ensuring that all complaints will be investigated promptly and carefully.

### Definitions

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Harassment is any behavior which is not welcome, which is personally offensive, which, therefore, may affect morale and interfere with the employee's ability to perform. When the basis of harassment is race, sex, marital status, sexual orientation, color, creed, national origin, religion, disability, age, status with regard to public assistance, or membership or activity in a local commission it is illegal. For example, harassment based on national origin has been defined by the EEOC as "Ethnic slurs and other verbal or physical conduct relating to an individual's national origin."

Sexual harassment has also been specifically defined by the EEOC, as: "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- A. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- B. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or