

## MINNESOTA · REVENUE

### THE COMMISSIONER'S STATEMENT OF COMMITMENT TO EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

I affirm the Department of Revenue's continuing commitment to the state's affirmative action and equal employment opportunities. I will continue to encourage, support, and participate in this Department's growing involvement in creating a diverse workforce. We will continue to strive to provide a workplace environment where our individual differences are accepted, even celebrated, and where all employees are empowered to deliver quality services to our customers.

As employment opportunities become available, we will renew our commitment to seek qualified applicants who are ethnic/racial minorities, women, or persons with disabilities. We seek the advice of our employees on how to better serve our diverse customers and how to retain these members of our workforce. We are committed to affirmatively retaining protected group employees. We value our diversity as a workforce and we strive to assist all Revenue employees to succeed in our work environment.

We are committed to the implementation of the Department of Revenue's Affirmative Action Plan. The Department's Equal Employment Opportunity and Affirmative Action Program affects all employment practices including; recruitment, testing, certification, hiring, transfer, promotion, training, compensation, benefits, layoff, termination, and retention. We will conduct employee development activities to aid retention, improve performance, and provide promotion opportunities. I designate Wende O'Brien to serve as our Affirmative Action Officer.

The Department will continue its commitment to provide leadership in the statewide arena on equal employment opportunities and affirmative action. We recognize that not only must we be aggressive within our agency, but we must encourage other agencies and local governments to support these efforts as well. We seek support from them to strengthen our own program.

The Department of Revenue will not tolerate discrimination on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, membership or activity in a local commission, or age. Therefore, I urge all Revenue employees to reacquaint themselves with our Affirmative Action Plan and reaffirm a personal commitment to equal treatment of all individuals, both to make Revenue a better place to work for each of us, as well as to successfully meet the needs of our customers.

Ward Einess  
Commissioner  
July 2008

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## Department of Revenue Affirmative Action Plan 2008-2010 Responsibilities, Duties, and Accountabilities

### Commissioner Responsibilities

To oversee and ensure implementation of the Department of Revenue's Equal Opportunity Policy and Affirmative Action Program.

### Duties

To appoint or designate an Affirmative Action Officer.

To include accountability for the administration of the Agency's Affirmative Action Plan in his/her position description.

To require managers and supervisors to include responsibility statements for affirmative action in their position description and annual objectives.

To take action on complaints of discrimination as outlined in the Affirmative Action Plan complaint procedures.

To issue a written statement to all employees affirming support of the State of Minnesota's Equal Opportunity Policy and the Department of Revenue Affirmative Action Program.

To make decisions and changes in policy, procedures, or physical accommodations as may be needed to facilitate effective affirmative action.

To serve, or designate a representative, as ex-officio member of the Valuing Diversity Steering Committee

### Accountability

Governor, directly; and indirectly, to the Commissioner of Employee Relations.

### Affirmative Action Officer

### Responsibilities

To administer the Department of Revenue's Affirmative Action Plan

### Duties

1. To monitor the daily activities of the Affirmative Action Program.

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2. To assist managers and supervisors in their Affirmative Action responsibilities.
3. To advise the Commissioner on all matters related to Affirmative Action and Equal Employment Opportunities.
4. To investigate alleged discrimination and harassment complaints and submit written summaries of these issues, findings, and conclusions to the Commissioner.
5. To establish annual hiring goals and revise the Department of Revenue's Affirmative Action Plan as required by the Department of Employee Relations.
6. To manage, guide, and participate on the Valuing Diversity Steering Committee.
7. To ensure that the Affirmative Action Plan is communicated to the Agency Staff.
8. To oversee the Department of Revenue's pre-hire review process.
9. To monitor employee exit interviews, to investigate identified complaints of employment practices within the Department of Revenue and to determine the impact on protected group members.
10. To act as the liaison between the Department of Revenue and the Department of Employee Relations on matters concerning affirmative action.
11. To determine the need for affirmative action and cultural diversity training and to initiate the development of appropriate training programs.
12. To review Department of Revenue policies, procedures, programs, and reasonable accommodations for disabled individuals and to recommend changes to the Commissioner as the individual responsible for compliance with the Americans with Disability Act (ADA).
13. To participate in the recruitment of protected class persons for employments, promotion, and training opportunities.

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14. To maintain contacts with protected class resources for recruitment purposes, and to hold membership in community organizations to keep abreast of new developments in the area of affirmative action.
15. To provide the Valuing Diversity Steering Committee with informational data and documents necessary to perform Committee functions
16. To initiate and report on specific Affirmative Action Program objectives which are incorporated into the Affirmative Action Plan.
17. To aid in the recruitment of members of protected classes and notify managers and supervisors of existing disparities, at the time of the employment interview.
18. To work with the Human Resources Division to promote affirmative action in hiring and promotions.

### **Accountability:**

The Deputy Commissioner, directly, and the Commissioner, indirectly.

### **Directors, Managers and Supervisors**

#### **Responsibilities**

To ensure compliance with the Department of Revenue's Affirmative Action Program and provide equitable treatment of all employees

#### **Duties**

1. To assist the Affirmative Action officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunities.
2. To hire and promote qualified protected class members where a disparity exists and to ensure equal treatment in all aspects of employment for each protected group.
3. To communicate and demonstrate a personal commitment to the Department of Revenue's Affirmative Action Plan to all employees in their unit.
4. To ensure that sufficient time is allowed for employees in their unit to participate in Valuing Diversity Steering Committee meetings and/or diversity activities.

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- 5 To consult with the Affirmative Action Officer on human resource actions involving work out of class appointments, disciplinary action resulting in discharge of protected class employee, and the review of all interview questions.
- 6 To follow the pre-hire processes when appointing a non disparate applicant.
- 7 To assist and make recommendations to the Affirmative Action Officer in recruitment activities.
- 8 To discuss and document training needs and career planning goals with each employee during the scheduled performance evaluations.
- 9 To ensure the Department of Revenue's Affirmative Action Plan is communicated to all employees in their unit.

### **Accountability:**

The Deputy Commissioner, directly, and the Commissioner, indirectly

### **Human Resource Management Director**

#### **Responsibilities**

The Human Resource Management Director is responsible to ensure that personnel policies are administered fairly and are uniformly applied to all employees, and shall take positive action to remove all barriers to equal employment opportunity within the Department of Revenue.

#### **Duties:**

1. To make available to the Affirmative Action Officer all records and informational data necessary to perform affirmative action duties and responsibilities.
2. To provide the Valuing Diversity Steering Committee with informational data and documents necessary to perform Committee functions.
3. To allow the Affirmative Action Officer to participate in the decision making process of all personnel actions such as hiring and promotion, disciplinary actions, reallocations, transfers, and terminations, department and division wide studies.
4. To initiate and report on specific Affirmative Action Program objectives which are incorporated into the Affirmative Action Plan.

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5. To serve, or designate a representative, as ex-officio member of the Valuing Diversity Steering Committee
6. To aid in the recruitment of members of protected classes and notify managers and supervisors of existing disparities, at the time of the employment interviews.

### **Accountability:**

The Deputy Commissioner, directly; and the Commissioner, indirectly

### **All Employees**

### **Responsibilities:**

All employees shall be responsible for conducting themselves in accordance with the policies and procedures of this plan. Employees will refrain from any actions that would adversely affect the performance of a co-worker with respect to their race, color, creed, sex, national origin, age, marital status, sexual orientation, disability, religion, or reliance on public assistance.

### **Valuing Diversity Steering Committee (VDSC)**

#### **Authorization:**

The Committee is authorized by the Commissioner of Revenue.

#### **Mission:**

To lead the Department of Revenue in establishing an environment where the diversity of our workforce and customers is valued.

#### **Function:**

1. To act as a steering committee to develop strategies that will link the Department of Revenue's diversity plan vision to reality.
2. To initiate and implement projects and educational opportunities which serve as a basis for developing a work environment which values and respects diversity.
3. To serve as a forum for transmitting employee concerns to the Senior Management Team.

### **Accountability:**

The Affirmative Action Officer, directly, and the Commissioner, indirectly.

### **Committee Membership:**

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1. The Valuing Diversity Steering Committee shall consist of the following members: representatives of each division in the Department of Revenue as general members.

Also within the membership will be representation from each of the respective bargaining units within the Department of Revenue, AFSCME, MAPE, MMA, Commissioners Plan, and Managers Plan, along with an executive sponsor. The Affirmative Action Officer shall serve as a non-rotating member of the committee.

2. It is recommended that the members serve a maximum of four years in two-year increments unless the member requests an extension, which is approved by the Committee and the employee supervisor. Extension of membership may be considered in order to maintain continuity and provide adequate representation from all sections of the Department.
3. The Valuing Diversity Steering Committee Chair shall solicit recommendations for appointments to the Valuing Diversity Steering Committee from divisions of the Department. Only those who have demonstrated a personal commitment to valuing diversity will be recommended for appointment.

### **Member Duties:**

1. To attend all Committee meetings and to devote the necessary time for active participation in project activities.
2. To participate in training sessions and conferences pertaining to equal employment opportunity and affirmative action, and cultural diversity programs.

### **Meeting and Procedures**

1. Meetings shall be called monthly with written announcements made to all Committee members one week prior to the meetings.
2. Agendas shall be posted electronically for all employees at least five days prior to the meeting.
3. Attendance is very important towards the conduct of Committee business. Therefore, if a Committee member is absent from three consecutive meetings, the Committee shall inquire into the reason for the absence and determine whether or not the member should be retained on the Committee.

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4. Copies of the minutes will be posted electronically within a reasonable time after each Committee meeting.

### **Program Objectives**

To promote and sponsor diversity training and activities which support a workplace environment where diversity is respected and enhanced.

1. Sponsor monthly “brown bag” luncheon speakers to present sessions on various diversity topics. Videotapes are made of these presentations and made available to employees.
2. “Revenews” and Lotus Notes/ R-Space will be utilized as tools for promoting and advertising diversity events to increase diversity awareness among employees.
3. VDSC members shall develop program and committee objectives at the yearly planning session.
4. To promote and serve as a role model for the values of a diverse, respectful workforce for the rest of the Department of Revenue.



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## Dissemination of Affirmative Action Plan

The following steps will be undertaken to ensure that all employees are advised of, and understand, the Department of Revenue's policy of nondiscrimination and its interest in actively and affirmatively providing equal opportunity in all employment practices.

### **Internal**

1. Copies of the Affirmative Action Plan will be furnished to all assistant commissioners, division directors, managers and supervisors electronically. It will be the responsibility of management personnel to disseminate the Affirmative Action Policy to all employees in their unit.
2. The Plan will be prominently displayed on the employee bulletin boards on each floor of the Department of Revenue and in the Department of Revenue's library on the fourth floor.
3. New employees will be informed of the Department's Affirmative Action Program, the name of their Affirmative Action Officer and the availability of the Affirmative Action Plan. Additionally, each new employee will receive the Preventing Harassment pamphlet.
4. The Affirmative Action Officer will coordinate and conduct Affirmative Action training sessions for managers and supervisors.
5. The Plan will be posted in the HR database accessible by all employees

### **External**

1. A copy of the Affirmative Action Plan will be furnished to employee bargaining units.
2. Job application forms, job opening advertisements, and Department stationary shall bear the masthead, "An Equal Opportunity Employer".
3. A policy statement (in the form of a letter) will be provided to recruitment sources and organization working with protected classes to encourage referrals and applications.
4. Publications prepared for distribution outside the agency will contain periodic references to the policy in order to enhance the employment of protected classes.
5. The Affirmative Action Officer will be identified in the Agency section of the State Telephone Directory.
6. The Agency plan will be posted on the Agency's internet website

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## Program Objectives

**2008-2010**

1. The Affirmative Action Officer (AAO) will make every effort to maintain current information of EEOC guidelines, new policies, procedures and trends within the field in order to effectively implement Affirmative Action at the Minnesota Department of Revenue.

### Action Steps:

- Regularly visit the EEOC/DOJ/DOHR, etc. websites to research policy changes
- Regularly attend ACCESS ( Alliance for Cooperation and Collaboration in Employment and State Service, formerly Affirmative Action Coordinators group )
- Review training materials (i.e. discrimination, harassment, sexual harassment, affirmative action and the Americans with Disabilities Act) to ensure accuracy and compliance with current law.
- Develop a relationship with Finance/DOER to facilitate interactions and support with any questions or concerns pertaining to the above topics

### Target Date:

- Annually

### Assignment

- Affirmative Action Officer

2. Minnesota Department of Revenue will continue to hire affirmatively and include affirmative action consideration in the hiring process where a disparity exists.

### Action Steps:

- The AAO will maintain and provide information pertaining to disparities upon request of the Senior Management Team
- All hires in which a disparity exists, HRM/AAO will conduct a pre-hire review prior to the interview process
- The AAO will research and develop a database that lists publications that the Department should consistently place employment notices

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### Target Date:

- Annually

### Assignment

- Affirmative Action Officer

3. The AAO will monitor Minnesota Department of Revenue's pre-employment review procedure in a consistent and fair manner, ensuring that hiring personnel do **not** have access to protected group information.

### Action Steps:

- Meet with hiring personnel to review and suggest recruitment methods and identify whether there is a disparity for any of the three protected groups
- Continually meet with hiring personnel and monitor the hiring process for job groups in which there are disparities
- Review hiring responsibilities and procedures with hiring managers

### Target Date:

- Annually

### Assignment

- Affirmative Action Officer

4. The AAO will educate all hiring personnel regarding their affirmative action responsibilities.

### Action Steps:

- Develop curriculum to train hiring personnel about AAO responsibilities related to DOR's Affirmative Action Plan and affirmative action procedures
- Develop educational materials outlining the hiring process for vacancies in which a disparity exists directly addressing the role of the hiring personnel
- Develop educational materials specifically addressing the hiring manager's role in implementing the Affirmative Action Plan and specific supervisory responsibilities that contribute to the retention of protected group members

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- Inform all hiring personnel of external training pertaining to Affirmative Action/Equal Employment Opportunity and Americans with Disabilities Act and discrimination/harassment training

### Target Date:

Annually

### Assignment

- Affirmative Action Officer/ Human Resources Unit

5. To enhance the appreciation and recognition of diversity at the Minnesota Department of Revenue by offering a wide variety of programs, conferences, discussions, and presentations which feature diversity related topics.

### Action Steps

- Research possible speakers, performers, and trainers in diversity
- Invite speakers, performers, and trainers to the Department of Revenue

### Target Date

- Annually

### Assignment

- Affirmative Action Officer and Valuing Diversity Steering Committee

6. Maximize employment opportunities for Protected Group members.

### Action Steps

- Advertise in publications serving protected group members when job openings become available

### Target Date

Annually

### Assignment

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- Affirmative Action Officer and HRM
7. Develop and maintain positive working relationships with underutilized communities and recent immigrant populations in order to actively recruit protected group members for job openings.

### Action Steps

- Ensure that vacancy notices are communicated to those organizations/individuals with whom we have established relationships
- Recruit temporary workers in the underutilized communities to assist with income tax preparation

### Target Date:

2008 – 2010

### Assignment:

- Individual Income Tax Division

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### Department of Revenue Affirmative Action Plan 2008-2010 Pre-employment review of hiring decisions

#### **Objective:**

To establish action steps to be taken during the selection process in order to meet the Department's Affirmative Action goals when filling classified and unclassified vacancies.

- **Consultation with Managers/Supervisors**

The Affirmative Action Officer and HRM staff will advise the 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 Personnel Representative in Human Resources Management Division.
  
  2. If a disparity exists, the Affirmative Action Officer and/or the Human Resource staff works closely with the hiring supervisor in an effort to eliminate the disparity according to the following procedures:
    - a. All position descriptions shall contain job related criteria (knowledge, skills, and abilities) that are required to perform the essential functions of the identified tasks.
    - b. Job related minimum requirements (and desired requirements) must be clearly defined and documented on the vacancy announcement.
    - c. HRM, with input from the hiring supervisor, determines if an external recruitment effort is required.
    - d. If an external recruitment effort is required, efforts will 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 the Affirmative Action Officer. The Affirmative Action Officer shall review and approve all interview questions to determine:

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- a. Will the answers to this question, if used in making the selection, have a disparate effect in screening our protected group people?
  - b. Is this information really needed (is it job related) to judge 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 the 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. Candidate resumes will be referred to hiring supervisors by HR and will include those individuals who self nominated to the vacancy posting, as well as those resulting from conducting a skill search of the resume database (using Resumix).
  4. HR, in concert with the hiring supervisor, will review the resumes (self nominees and skill search 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.
  5. 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 job related qualification required and desired for the position as defined in the vacancy announcement.
  6. To the extent possible, the disparate group percentage will be reflected in the final interview applicant pool. However, the primary consideration in determining the interview pool will be the job related qualifications required (and desired) of the position to be filled.
- **Post interview**
    1. The interview team will compare the qualifications of candidates based on available evidence and the requirements of the job. Only

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in the final selection process will the affirmative action goals and current disparities be considered.

2. If the hiring team wishes to select a non-disparate group candidate where there is a disparity, the hiring supervisor shall provide the Affirmative Action Officer with a written statement of explanation outlining the reasons, with sufficient specificity, why the disparate group members were not hired. The Affirmative Action Officer shall review the documentation. **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 are not satisfactory, and the Affirmative Action Officer is unable to resolve the matter with the supervisor, the AAO 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. Those candidates who self-nominated to the vacancy, and skill search candidates who were invited to interview, are notified of the hiring status/decision.
4. Supervisors and managers are not to disclose information that the candidate selected is of a particular 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. Minn. Stat. §13.43, subd. 2.
5. HRM will keep documentation on the selection process for all appointments for at least one year. The AAO will keep data on every appointment where there is a disparity to explain the justification for the hiring decision.
6. 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.



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## Retention/Recruitment Plan

Statutory Reference: Minn.Stat. §43A.09

Admin Procedure: 9A

### **Objectives:**

To build and retain a culturally diverse workforce through the active recruitment and retention of qualified protected group individuals.

### **Policy:**

It is the policy of the Minnesota Department of Revenue to hire and retain qualified applicants who are protected class members.

### **Responsibility:**

The Affirmative Action Officer/ Human Resource Management are responsible for supervising recruitment and retention activities for the Department.

### **Recruitment/Retention Plan Goals:**

- Provide training on discrimination, harassment, ADA, and recruitment/retention efforts to all Division Directors, Managers, and Supervisors.
- Identify development needs and appropriate training opportunities for all staff in coordination with management such as dealing with conflict and employment law issue spotting.
- Partner with other state agencies to develop a network of resources for affirmative action issues.

### **Summary of Past Actions**

Extensive recruiting for seasonal employees included the utilization of various resources. In 2008, the Department placed job announcements in the Mesabi Daily News, the Ely Echo, and the Timber Jay Newspaper. In addition the Department of Revenue sponsored 1 major job fair and two mini job fairs. The major job fair resulted in over 70 applicants. Each mini job fair had fewer than 25 applicants. At the job fair, the Department of Revenue invited individuals to schedule an appointment and interview all at the same time. For the jobs located at the St. Paul location, the Department posted job announcements on the DOER website.

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In 2007, recruitment for full time positions included job announcements in on line services such as Monster .com, Career Builder.com, Pioneer Press online, Tax Express, WSCPA.org, Craigs list, ASTD web, and the State HR email list.

We listed job announcements with the private colleges Career Services network, William Mitchell Law School, Hamline University Law School, U of M Law School, St. Thomas Law School, job post @ St Cloud State, MSU, Globe College, and St. Paul College.

Recruiting for numerous vacancies utilized local newspapers such as: Detroit Lakes Tribune, Lake Area Press, Becker County Register, and the Seattle Times.

We utilized professional associations like the Mn Black Attorneys Association, the Hispanic Bar Association, MN State Bar Association, the American Indian Bar Association, California Society of CPA, TDRC, Association of Minnesota Counties, the League of MN Cities, ISC2, and Security Focus.

We held one job fair in 2006 and four job fairs in 2007. These internal job fairs invited candidates, who applied for professional level positions, to come to the Department of Revenue for information, testing, and an interview all on the same day. Candidates were chosen by who called in to schedule an appointment first. When the appointment slots were filled, no more applications were taken. In most instances multiple interviews occurred at the same time slot. This enabled the Department to interview the maximum number of people in the shortest timeframe.

Department of Revenue representatives attended 4-5 job fairs in both 2006 and 2007. So far in 2008, we attended three job fairs.

Finally, we used the DOER website, the agency website, and the Workforce Centers for every job posting.

Other methods of recruitment included: referrals made by current Department of Revenue employees, positions posted on our current data base for all employees, special business notices sent out to all employees when critical shortages for seasonal positions occur, and volunteers and/or interns identified thorough our Outreach Program.

Recruitment costs for 2007 were \$17,683.

### **Projected Hiring Opportunities**

Over the past two years the Department of Revenue received initiative money from the legislature to hire individuals to increase our compliance presence. 2008 was no exception, with hiring at the professional level to increase by 82

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positions. The current budget forecast indicates that more than likely, we will have another initiative program after the next legislative session. It is not possible to predict the number of new positions at this time. We must wait for direction from the Legislature.

We anticipate continuing to provide paid and unpaid internships for college students to assist us with special projects.

### **Supported Work Positions**

At this time the Department of Revenue has not identified any positions or functions of the agency that can be used for supported employment. If those positions were identified in the future, the Department would be interested in utilizing the supported work program. The Department would work with the State ADA Coordinator to recruit and hire individuals for supported employment positions.

### **Separation/Layoff Patterns**

In 2006, our separations consisted mainly of retirements and resignations for positions outside of state government. Most of the resignations outside of state government were for positions of more money and more responsibility. In calendar year 2006, the Department of Revenue had 267 separations. Of those separations, 67% were female, 15% were ethnic minority, and 6% were individuals with disabilities. We received 30 Exit Interview surveys for 2006. Seven people retired. Seventeen of the people in 2006 left because of work conditions, salary or lack of promotional opportunity. Five individuals left because of changes in their living environment.

In calendar year 2007, the Department of Revenue had 354 separations. Of those separations, 68% were female, 18% were ethnic minority, and 7% were individuals with a disability. In 2007, we received 41 Exit Interview surveys. Fourteen cited work conditions, salary or lack of promotional opportunity as the reason for leaving. Nineteen cited personal reasons or cost of transportation. Six people retired.

According to the separation report received from DOER, the Department of Revenue had 103 total separations in fiscal year 2007. Of these, 47 were resignations, 29 were retirements, 23 were dismissals or non certifications, 2 were deaths, and 1 was a layoff. According to the DOER report, 56 were female (54% of the total separations) and 47 were male, 12 (11.7% of the total separations) were ethnic minority, and 8 (7.8% of the total separations) were individuals with disabilities. According to the DOER report, the most number of separations occurred in the professional category with 87 separations. Of these, 52.9% were female, 11.5% were ethnic minority, and 9.2% were individuals with disabilities.

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As of today we have 20 Exit Interview surveys for 2008. In 2008, two individuals cited problems with the supervisor, eight cited lack of promotional opportunity and salary as the reason for leaving, and three cited transportation/travel issues. One separation was because of an internship that ended. Six people retired.

Specific EEO-4 data is only available upon request due to employee data privacy laws.

### **Retention specific actions**

Since 544 of the 1091 professional employees at the Department of Revenue are auditors, the Department of Revenue pursued an MOU to enhance the pay range of the Revenue Tax Specialist (RTS) job classification levels. The MOU allowed existing RTS classification employees to receive additional salary step increases upon their annual review. The Department put guidelines in place to determine the number of step increases that were available to each employee. This MOU slowed the rate of separations of the employees in the RTS series by a minimal amount. Currently there is a higher volume of Revenue Collection Officers leaving than in the RTS series.

Another retention specific action was to establish the Department of Revenue as an approved continuing education site by the National Association of State Boards of Accountancy. In gaining this status, the Department may offer training opportunities that CPAs can use for their continuing education credits for their licenses. At this point in time, no other states have this capability.

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### PROCEDURES FOR REVIEW OF LAYOFF DECISIONS

**Objective:**

To ensure that ADA requirements are considered in layoff situations where bumping occurs.

- The Human Resources Manager/Director shall inform the Affirmative Action Officer of pending layoffs where ADA affects a layoffees bumping eligibility.

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### AUDITING OF AFFIRMATIVE ACTION PROGRAM

**Objective:**

To ensure that hiring and retention procedures support the Department's commitment to hire affirmatively in a work environment void of discrimination.

**Record Keeping:**

The Affirmative Action Officer shall maintain records reflecting the hires, turnovers, and any complaints regarding such activities.

**Evaluation:**

The Affirmative Action Officer shall evaluate the Affirmative Action Plan by:

1. Periodic review of statistics reflecting current complement based on protected classes and EEO4 designation.
2. Issue semi annual reports to Division Directors and Senior Management on the status of the Department's affirmative action goals.
3. Review and evaluate the effectiveness of recruitment sources and strategies utilized to hire for vacancies in under-represented categories.

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## Goals and Timetables for Recruitment in 08-10

As of 7/1/2008

EEO4 category			DOR #	DOR %	Goal #	Goal%	Under-utilized	Time table
Officials/ Administrators	Gender	female	16	<b>44.44%</b>	0.00	<b>37.80%</b>	0	
		male	20	<b>55.56%</b>				
	Ethnic Group		2	<b>5.55%</b>	0.00	<b>5.10%</b>	0	
	Disability status		3	<b>8.33%</b>	0.00	<b>11.31%</b>	4.25	Jul 2010
Professional	Gender	female	576	<b>52.80%</b>	587	<b>53.80%</b>	11	Jul 2010
		male	515	<b>47.20%</b>				
	Ethnic Group		118	<b>10.82%</b>	0.00	<b>8.00%</b>	0	
	Disability Status		66	<b>6.05%</b>	119	<b>10.88%</b>	53	Jul 2010
Technician	Gender	female	55	<b>69.62%</b>	0.00	<b>63.10%</b>	0	
		male	24	<b>30.38%</b>				
	Ethnic Group		7	<b>8.86%</b>	0.00	<b>6.80%</b>	0	
	Disability Status		5	<b>6.33%</b>	9.00	<b>11.52%</b>	4	Jul 2010
Paraprofessional	Gender	female	11	<b>47.83%</b>	0.00			
		male	12	<b>52.17%</b>	0.00			
	Ethnic Group		3	<b>13.04%</b>	0.00			
	Disability Status		0	<b>0%</b>	2.00	<b>10.86%</b>	2	Jul 2010
No goals established since we have so few in this category								
Office/Clerical	Gender	female	201	<b>85.17%</b>	0.00	<b>67.70%</b>	0	
		male	35	<b>14.83%</b>				
	Ethnic Group		32	<b>13.56%</b>	0.00	<b>8.20%</b>	0	
	Disability Status		15	<b>6.36%</b>	27	<b>11.56%</b>	12	Jul 2010

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The Department of Revenue is aware of the two factor method of analysis. However, we have not kept records that enable us to utilize this method for any positions other than entry level. The promotions within the professional category draw almost exclusively from the existing pool of professional employees. Thus, the numbers within the professional category are changed mainly by incoming entry level employees.



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### Harassment

The Department of Revenue strives for a safe, harassment free workplace. The Department of Revenue will not discriminate or tolerate harassment, on the grounds of race, color, sex, age, creed, religion, sexual orientation, political affiliation, public assistance status, national origin, disability or marital status.

Any employee who engages in harassment on the basis of race, color, creed, religion, national origin, sex, sexual orientation, marital status, status with regard to public assistance, membership or activity in a local commission, disability, or age; who permit employees under his/her supervision to engage in such harassment; or retaliates or permits retaliation against an employee who reports such harassment is guilty of misconduct and shall be subject to remedial action which may include the imposition of discipline or termination of employment.

Harassment because of, based on, or directed at an individual's protected class characteristic, (i.e. race, sex, age, color, creed, religion, national origin, marital status, membership or activity in a local commission, status with regard to public assistance, disability, or sexual orientation) is a form of discrimination and is a violation of Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972 and the Minnesota Human Rights Act, Minn. Stat. §363.

The Commissioner is responsible for the application of this policy within the Department of Revenue; each manager and supervisor has the responsibility within their unit. This responsibility includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance with the framework of this policy. All employees must be informed that discrimination/harassment is unacceptable behavior, and each supervisor is responsible for orienting his/her staff to the Department's policy.

Harassment of any kind has no place in the workplace. All employees have the right to work in an environment free of demeaning, hostile, and abusive conduct.

Harassment is any unwelcome, offensive, insulting, or demeaning behavior based on a person's belief, mannerisms, physical or mental attribute, or other protected characteristic. It is the Department of Revenue's policy to prohibit discriminatory harassment. Any employee need not tolerate verbal or physical conduct of a discriminatory nature when:

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1. Submission to such conduct is explicitly or implicitly made a term or condition of an individual's employment,
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual,
3. Such conduct has the purpose or effect of interfering with an individual's performance, or
4. Such behavior could contribute to the creation of an intimidating, hostile, or offensive work environment.

All employees will treat their co-workers, staff, supervisors, and customers with respect at all times.

Any employee who feels that he/she is subjected to discrimination in any form, or who believes he/she has witnessed physical or verbal harassment of a discriminatory nature should notify their supervisor or anyone on the management team, or contact Wende O'Brien, Affirmative Action Officer, (651)556-6010. Conduct that might be interpreted as harassment can be perceived differently among employees. Employees who feel they have experienced harassment from other employees should make it clear that such behavior is offensive and immediately bring it to the attention of their supervisor or the Affirmative Action Officer.

### General Harassment may take the following forms:

1. Disparaging, belittling, demeaning, or insulting remarks about an employee and/or employee characteristics, or about another person with whom an employee associates.
2. Jokes about an employee or a characteristic unique to the employee or another person with whom the employee associates.
3. Sabotage of an employee's character, reputation, work efforts or property.
4. Displaying, or allowing to be displayed, offensive, disparaging, belittling, demeaning, intimidating, threatening, insulting or derogatory posters, signs, pictures, cartoons or objects.

### Bullying is defined as:

1. Aggressive behavior that is intentional and involves an imbalance of power or strength.

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2. It is intentional, repeated hurtful acts, words or behavior, such as name calling, threatening and/or shunning committed by one or more persons against another.
3. It is not provoked by the target or targets.
4. Bullying is often meant to exclude someone and is not necessarily based on an individual characteristic.

### Sexual Harassment might have these additional characteristics:

1. Any of the previously listed forms of treatment with verbal or physical conduct of a sexual nature which the recipient or bystander finds unwelcome.
2. Unwanted sexual comments, looks, innuendoes, or suggestions about one's body or sexual activity.
3. Unwanted, unnecessary touching, brushing against one's body, patting, or pinching.
4. Demanding sexual favors accompanied by implied or overt threats concerning conditions of employment.
5. Displaying pictures or objects depicting nude or scantily clad women or men in work areas.
6. Use of language implying inferiority of an employee based on sex, such as "girl" or "boy" rather than "woman" or "man".
7. The deliberate or careless creation of an atmosphere of sexual harassment or intimidation.

### Race, Color, and National Origin Harassment might have these characteristics

1. Any behavior previously listed in this policy which is applied to one's race, color, heritage, or national origin.
2. Telling jokes or making derogatory remarks about one's race or national heritage.
3. Use of language implying inferiority of a race or national heritage.

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### Religion, Disability, Age, or Sexual Orientation Harassment might have these characteristics

1. Any behavior previously listed in this policy which is directed at an individual's religion, disability, age, sexual orientation.
2. Use of demeaning, derogatory names or remarks in reference to an employee's religion, disability, age, or sexual orientation.

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### **GENERAL PROVISIONS AND PROCEDURES FOR FILING DISCRIMINATION COMPLAINTS**

The Equal Employment Opportunity complaint process applies to grievances which allege discrimination due to race, color, creed, religion, national origin, sex, marital status, membership or activity in a local commission, status with regard to public assistance, disability, age, or sexual orientation.

#### **General Provisions**

1. Any employee or job applicant who feels that he/she has been subjected to discriminatory behavior(s), or who believes he/she has witnessed such behaviors, is encouraged to report the information to any person on the management staff, including but not limited to: supervisors, managers, division directors, assistant commissioners, the Deputy Commissioner, Human Resource staff, or the Affirmative Action Officer.
2. In the course of a complaint investigation, all documentation associated with the complaint shall be considered confidential. Internal complaints and investigations remain confidential, unless reports and documents are subpoenaed by the union in relation to disciplinary action. External investigations may become public. Those filing a complaint or serving as a witness shall do so without fear of coercion, reprisal, or intimidation.
3. Complaints will be accepted within the statute of limitations to file a discrimination complaint as outlined in Minnesota Statute §363.06; one year from the date of the occurrence, or under federal law; 300 days from the date of the occurrence. Complaints will be accepted within that time period regardless of the complainant's employment status with the Department of Revenue, unless the complaint is directly related to the employee's separation from the Department.
4. Employees may elect to directly file a complaint with the Commissioner in lieu of with their supervisor(s) or the Affirmative Action Officer.
5. The Affirmative Action Officer or Commissioner shall advise the complainant of his/her right to file a charge of discrimination with the Commissioner of Human Rights up to one year after the occurrence. The Affirmative Action Officer or Commissioner shall advise the complainant of his/her right to file a charge of discrimination with the Equal Employment Opportunity Commission within 300 days after the occurrence, or to file with an attorney in private practice.

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6. Regardless of the outcome of an investigation, the Department of Revenue will not take adverse or retaliatory action against an employee who reports conduct he/she believes to be in violation of the Department's policy against harassment.

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### COMPLAINT PROCEDURE

Employees and applicants are encouraged to use the “Complaint of Discrimination” form to make a written complaint of alleged discrimination. The forms are available on the HR database available to all Department employees at their workstations. The written complaint is submitted to the Department’s Affirmative Action Officer. The complaint shall be filed within one year after the occurrence.

#### **Step 1:**

After receipt of the formal complaint, the Affirmative Action Officer shall determine whether or not the complaint alleges discrimination against the individual’s protected class characteristic. (i.e. race, creed, color, sex, age, marital status, membership or activity in a local commission, national origin, disability, religion, status with regard to public assistance, or sexual orientation.) This determination shall be completed within 5 – 10 days of receipt of the complaint.

If the complaint is timely and proper for resolution through this complaint procedure, it shall be investigated. If the complainant is suffering irreparable harm in the absence of immediate action, the Affirmative Action Officer may take whatever action is deemed appropriate to remedy the situation while the complaint is being investigated.

#### **Step 2:**

Within a reasonable timeframe, the Affirmative Action Officer shall investigate the complaint. The investigation may include interviews or statements from all parties involved including the complainant, the respondent, complainant’s supervisors, witnesses and co-workers as well as all pertinent records or documents relating to the complaint. The complainant must receive a final written response to the alleged charges within 60 days of filing the complaint.

#### **Step 3:**

The Affirmative Action Officer shall prepare a written report for the Commissioner. The Commissioner shall review the investigation report and, if deemed necessary, take appropriate corrective action up to and including discharge when the investigative findings give merit to the complaint allegations.

#### **Step 4:**

Disposition of complaints will be filed with the commissioner within 30 days of final determination.

**Note:** These complaint procedures shall also apply to the complaints of alleged sexual harassment. Certain modification to this procedure exist in the collective bargaining agreement covering employees represented by AFSCME, Council 6.

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MINNESOTA DEPARTMENT OF REVENUE  
600 North Robert Street  
St. Paul, Minnesota 55146  
651-556-6010

COMPLAINT OF HARASSMENT/DISCRIMINATION

**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 is being collected for the purpose of determining whether harassment/discrimination has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Affirmative Action Officer designee, the complainant, the respondent, and appropriate personnel.

Complainant (You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone
Agency	Division	Manager
Respondent (Person Who Harassed/Discriminated Against You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone
Agency	Division	Manager

The Complaint	
Basis of Complaint ("X" all that apply):	
<input type="checkbox"/> Race	<input type="checkbox"/> Color
<input type="checkbox"/> Disability	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Sex	<input type="checkbox"/> Creed
<input type="checkbox"/> Marital Status	<input type="checkbox"/> Status with regard to public assistance
<input type="checkbox"/> Age	<input type="checkbox"/> Religion
<input type="checkbox"/> National Origin	<input type="checkbox"/> Membership or Activity in a Local Human Rights Commission
Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, give the name of that agency:



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<p>Describe how you believe that you have been harassed/discriminated against (names, dates, places, etc.). Use a separate sheet of paper if needed and attach to this form.</p>	

<b>Information on Witnesses Who Can Support Your Case</b>		
Name	Work Address	Work Telephone
1.		
2.		
3.		

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

<p>This complaint is being filed on my honest belief that the State of Minnesota has harassed/discriminated against me. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.</p>	
Complainant Signature	Date

Affirmative Action Officer Signature	Date
--------------------------------------	------

**REASONABLE ACCOMMODATION**

The Minnesota Department of Revenue is committed to fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of the Minnesota Department of Revenue to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of the job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees and employees seeking promotional opportunities. Wende O'Brien is responsible for ADA compliance.

**Definitions**

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

**Undue Hardship:** An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the Minnesota Department of Revenue.

**Reasonable Accommodation:** A reasonable accommodation is a modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include, but are not limited to: acquiring or modifying equipment or devices, modifying training materials, making facilities readily accessible, modifying work schedules, and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

- a. To assure equal opportunity in the employment process;
- b. To enable a qualified individual with a disability to perform the essential functions of a job; and
- c. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

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### REASONABLE ACCOMMODATION PROCEDURES

#### **Current Employees and Employees Seeking Promotion**

1. The Minnesota Department of Revenue will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their supervisor or the ADA Coordinator designee, Wende O'Brien, of the need for an accommodation.
3. The ADA Coordinator designee may request documentation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.
4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
  - a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
  - b. Determine the precise job-related limitation.
  - c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
  - d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Minnesota Department of Revenue is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The ADA Coordinator designee will work with the employee to obtain technical assistance, as needed.
6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time.
7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator designee shall

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work together to determine whether reassignment may be an appropriate accommodation.

8. Requests for information from a medical provider will go directly to the provider after the ADA Coordinator designee receives the appropriate medical release forms. Failure to provide the release will mean that the ADA accommodation process cannot continue.
9. The ADA Coordinator designee may review the negotiated reasonable accommodations yearly to ensure continued appropriateness of the existing accommodation.

### **Job Applicants**

1. The job applicant shall inform the ADA Coordinator designee of the need for an accommodation. The ADA Coordinator designee will discuss the needed accommodation and possible alternatives with the applicant.
2. The ADA Coordinator designee will make a decision regarding the request for accommodation and, if approved, take the necessary steps to see that the accommodation is provided.

### **Funding Accommodations**

Funding must be approved by the Minnesota Department of Revenue for accommodations that do not cause an undue hardship. (M.S. §43A.191(c)).

### **Procedure for Determining Undue Hardship**

1. The employee or job applicant will meet with the ADA Coordinator designee to discuss the requested accommodation.
2. The ADA Coordinator designee will review the undue hardships by considering:
  - a. The nature and cost of the accommodation in relation to the size, the financial resources, and the nature and structure of the operation; and
  - b. The impact of the accommodation on the nature or operation of the Minnesota Department of Revenue.
3. The ADA Coordinator designee will provide a decision to the employee or job applicant.

### **Appeals**

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.

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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, or file with the Minnesota Department of Human Rights.

**PROTECTED GROUP CATEGORIES  
FOR EMPLOYMENT PURPOSES**

There are three protected group categories. They include women, four ethnic/racial minorities and persons with disabilities.

**Ethnic/Racial Categories:**

1. Black, not of Hispanic Origin - Persons having origins in any of the Black racial groups of Africa.
2. Hispanic - Persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.
3. American Indian or Alaskan Native - Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.
4. Asian or Pacific Islander - Persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes, for example; China, India, Korea, Japan, the Philippine Islands, Sri Lanka and Samoa.

Persons of mixed ethnic/racial background would choose the group with which they most closely identify.

**Persons with Disabilities Category:**

A person who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a record of such impairment, or a person who is regarded as having such impairment.

**EQUAL EMPLOYMENT OPPORTUNITY  
AFFIRMATIVE ACTION GLOSSARY**

**Affirmative Action** - Emphasizes the positive action steps needed to bring about change rather than a passive attitude of simple nondiscrimination.

Affirmative Action can be defined as management policies and practices used to eliminate barriers to employment opportunities that are not based on specific job requirements.

**Affirmative Action Plan** - A coherent set of policies and procedures designed to find any barriers contributing to imbalance in an agency's workforce and to foster the correction of any imbalances, which exist.

**Discrimination** - Unfair treatment, intentional or unintentional, based on an individual's or group's protected class characteristics.

**Disparity** - The employment of fewer persons with disabilities, ethnic/racial minorities, and women in the agency's workforce than would reasonably be expected based on their availability in the labor market area.

**Equal Employment Opportunity** - The policy of basing all personnel activities solely on individual merit of applicants and employees, related to the specific job requirements, and without regard to age, race, creed or religion, color, disability, sex, national origin, marital status, status with regard to public assistance, membership or activity in a local commission, sexual orientation or other non-merit factors.

**Goal** - A numerical objective for the utilization of protected group members.

**Disabled Individual** - A person with a disability who has a physical or mental impairment that substantially limits one or more major life activities, a person who has a record of such impairment, or a person who is regarded as having such impairment.

**Harassment/Discrimination** - Any repeated behavior, or combination of behaviors, by one or more employees toward another employee or group of employees based on race, national origin, religion, sex, age, color, creed, marital status, disability, membership activity in a local commission, status with regard to public assistance, or sexual orientation, and which the affected employee considers to be insulting, intimidating, which causes discomfort and/or which has a detrimental effect on such employee's work performance.

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**Protected Class/Protected Group** - Those individuals identified as disabled, ethnic/racial minorities, and women, as defined by Minn. Stat. §43A.02, Subd.33.

**Reasonable Accommodation** - Architectural, equipment and other changes an employer would make to enable persons with disabilities to perform their jobs.



**BUILDING EVACUATION PROCEDURES**  
**EMERGENCIES AND EVACUATIONS**

**Objective**

To ensure the safety of the Department of Revenue employee by providing guidelines for responding to emergencies

**Policies**

Depending on the type of emergency, employees of the Department of Revenue will be asked to either evacuate or relocate within the building. Instructions will come from the Evacuation Director in Administrative Management. These instructions may be transmitted directly over the public address system or through the Floor Wardens and Monitors.

**Information**

**THE EMERGENCY EVACUATION PLAN**

This plan is designed to provide guidelines for responding to emergencies within the Harold Stassen Building. Remember-not all emergencies fall within the scope of a defined plan; sometimes individual judgment will be the only procedure available to YOU. Your preparedness, awareness and self disciplined efforts are the key to an orderly and safe emergency response.

There are two basic procedures available during a building emergency, evacuate or relocate. Emergencies involving probable evacuation include:

- Fire, flame or smoke
- Weather
- Bomb threats
- Terrorism

Emergencies involving possible relocation include:

- Severe storm warnings, tornadoes, blizzards, etc.
- Electrical, gas, sewer or water problems,
- Medical, accidental or health problems,
- Chemical, environmental or individual (drugs and alcohol) problems,
- Civil disturbances or demonstrations,
- Nuclear attack or accidental plant emission.
- Terrorism.

This plan provides the following guidelines for responding to emergencies:

- A chain of command to disseminate information and act as an authority in times of emergency.
- The mechanism for training selected personnel in emergency procedures.

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- An organized routine for evacuating or relocating all or part of the building.
- A list of alternative ideas and procedures to assist in the orderly handling of emergencies.

### Weather Emergencies – updated 11/02/2007

When weather conditions become hazardous for travel, it may be necessary for the state to declare a weather emergency and close state offices. Several key factors (including road maintenance, transit operation, overall weather situation, power and heating) are considered.

When severe weather affects any part of the state, the Commissioner of the Department of Employee Relations (DOER) confers with the Duty Officer and Homeland Security and Emergency Management in the Department of Public Safety, and may receive input from the State Patrol, Department of Transportation, and local law enforcement regarding the status of road conditions, snowplowing, and transit operations. All of the information is considered to determine if, and when, it is necessary to declare an emergency, and to close state offices. If conditions warrant a state office closure the DOER Commissioner will then declare it. Only an emergency declaration by the Commissioner of DOER authorizes employees to be paid for not working.

The decision to declare an emergency can be statewide or limited to a specific portion of the state. Any decision to close state offices due to an emergency does not apply to employees who are required by their agency to work during a weather emergency. These employees are considered weather essential and must report to work. Some examples of weather essential employees are those who work in direct patient care facilities, correctional facilities, and other operations which require their physical presence.

DOER will notify the agency head or appointed designee(s) when an emergency is declared. DOER will also notify the media of the declaration and post the closure information on their website.

DOER will provide an announcement detailing the date, time, and geographic location of the closure to WCCO radio (830), WMNN radio (1380), KSTP, WCCO and KARE TV for broadcast. The announcement will also be forwarded to radio stations in greater Minnesota. Broadcast stations will announce updates in the emergency declaration. DOER will continue to monitor weather conditions through the Duty Officer and Homeland Security Emergency Management, and if changes in the emergency designation are warranted, they will be made as the day progresses.

If a weather emergency is declared during the night, the media will be notified prior to the start of the normal work day (8:00 am).

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### How to Find Out About a Weather Emergency

If an emergency is declared during the night

1. Listen to WCCO radio (830), WMNN radio (1380), KSTP-TV, WCCO-TV, and/or KARE-TV for office closings. In Greater Minnesota listen to your local radio stations. The media will be notified prior to the start of the normal work day (8:00 am).
2. Monitor the Department of Employee Relations' (DOER) DOER Weather Emergency/State Facilities Closure Website, <http://www.doer.state.mn.us/weather/index.asp>, which provides complete and updated information for state agencies and their employees on weather announcements and office closings.
3. Revenue employees may call the department message line 651-556-3015 for a broadcast message of office closures or other pertinent announcements.
4. If the office closure is in Greater Minnesota the employees of the impacted office(s) will receive notification from their supervisor or site manager.

If an emergency is declared during the business day

1. At the Stassen building, a public address system (PA) announcement will be made and/or a Business Notice and/or e-mail will be posted instructing employees of the office closing.
2. Office closings at regional offices will be announced by your supervisor, or the site manager, and/or director, as directed by the Commissioner of the Department of Employee Relations and the Commissioner of Revenue, and a Business Notice will be posted.

Additional information:

If a person works from a home office and they have work to do without having to travel, they should continue to work their normal work day.

There may be times when weather and travel conditions are poor, but criteria for declaring a weather emergency are not met. DOER recognizes there may be unique individual situations due to an employee's location that makes it impossible for that employee to get to work even though a weather emergency has not been declared. In those circumstances, supervisors are encouraged to allow the employee to make up the lost time with vacation leave, an adjusted work schedule, compensatory time or leave without pay.

Reference the Administrative Procedure 5.4, Time off in Emergencies, which provides details on responsibilities in emergency situations. The document is posted in Human Resources Employee Information and the DOER website.

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If you have questions regarding weather emergencies or office closings contact the HR Director or your HR representative.

Please note:

Minnesota State Colleges and Universities (MnSCU) has statutory authority to close its own facilities independently of other state offices or agencies. These weather emergencies procedures do not apply to MnSCU.

### If You Have a Hearing Impairment

Consult with your supervisor to arrange a procedure that is most appropriate for you to learn about weather emergencies. If you have a TDD/TTY machine, (telecommunication device for the deaf) you may make arrangements for your supervisor to contact you through the Direct Connect Minnesota Relay Service (MRS) at (612) 297-5353 (metro) or 1-800-627-3529 (Greater Minnesota).

### Reporting Weather Emergency Leave on Timesheets

Employees will only be paid for time not worked as a result of an office closing if the Commissioner of DOER declares an emergency. Several days following a weather emergency, the Department of Revenue will receive written notification from DOER which includes the time, date and geographic location of the emergency declaration, along with processing information to pay employees. At that time, the department's Payroll Coordinator will send a notice with details on how to report the weather emergency leave on payroll timesheets.