



# **AFFIRMATIVE ACTION PLAN 2012-2014**

Upon request, this plan will be made available in alternative formats for persons with disabilities by calling 651.296.1509 or 1.800.657.3769 or TTY (hearing impaired individuals only, please) 651.297.2361.

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# Affirmative Action Plan Transmittal Form

Plan Years 2012-2014  
For Minnesota Housing Finance Agency

1. Review revealed underutilization of the following protected group(s) in the following goal units.

GOAL UNITS	PROTECTED GROUPS		
	WOMEN	MINORITIES	DISABLED
Officials/Administrators		X	
Professionals			
Technicians			
Office/Clerical			
Service Maintenance			

2. Once approved, this plan will be available at the Agency Human Resources Office so that every employee is aware of Minnesota Housing Finance Agency's commitments to affirmative action for the year. The plan will also be posted on the Agency's Intranet/Internet sites.
3. This affirmative action plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been apprised of this procedure as well as our affirmative action goals for the year.

\_\_\_\_\_  
Kim Luchsinger, Affirmative Action Officer      (phone number)      (date)

4. This affirmative action plan contains clear designations of those persons and groups responsible for implementing the attached affirmative action plan as well as my personal statement of commitment to achieving the goals and timetables described herein.

\_\_\_\_\_  
Dan Boomhower, Human Resources Director      (date)

5. This affirmative action plan meets the statutes and rules governing affirmative action, and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.

\_\_\_\_\_  
Mary Tingerthal, Commissioner      (date)

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## Statement of Commitment

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Minnesota Housing Finance Agency (the Agency) is committed to Minnesota's statewide affirmative action efforts and equal employment opportunity policies. I affirm my personal and official support of these policies which provide that:

- Discrimination against employees, applicants, or eligibles on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age will not be tolerated;
- The Agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan;
- The Agency will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce;
- The Agency is committed to the retention of all qualified, talented employees, including protected group employees.

Kim Luchsinger will act as Minnesota Housing Finance Agency's Affirmative Action Officer designee and ADA Coordinator designee. She is responsible for monitoring the day-to-day activities of the program.

Anyone interested in reviewing Minnesota Housing Finance Agency's affirmative action plan or who has concerns about affirmative action or equal opportunity issues may request a copy of the plan from Kim Luchsinger.

It is the policy of Minnesota Housing Finance Agency 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 Minnesota Housing Finance Agency. We strive to provide equal employment opportunities and the best possible service to the citizens of Minnesota.

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Mary Tingerthal, Commissioner

(date)

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## Roles and Responsibilities

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### Affirmative Action Officer

#### Responsibilities

Direct and implement the Agency's Affirmative Action Plan and ensure that all applicable policies and procedures are administered fairly and are uniformly applied to all employees; take positive action to remove all barriers to equal employment opportunity within the Agency.

#### Duties

- Monitor the Agency's Affirmative Action Plan objectives.
- Advise the Commissioner on all matters related to affirmative action and equal employment opportunities.
- Provide consultation to managers and supervisors regarding affirmative action responsibilities and aid in the recruitment of protected class members. Recruitment remains an ongoing process that supports continuous affirmative hiring.
- Ensure that alleged discrimination complaints are investigated and if necessary, appropriate corrective action is taken.
- Respond to requests for information related to discrimination complaints within the established timeframe. Assure that no reprisals are made against an employee for filing a discrimination complaint.
- Establish hiring goals and revise the Agency's Affirmative Action Plan biennially.
- Ensure that all staff are informed of the Agency's Affirmative Action Plan.
- Oversee the Agency's pre-hire review process.
- Provide guidance in the development and utilization of selection criteria to ensure, to the extent possible, that it is objective, uniform, and job related.
- Act as liaison between the Agency and the State Affirmative Action Program Coordinator's office at Minnesota Management and Budget.
- Determine the need for affirmative action and diversity training within the Agency and initiate the development of such training.
- Review reasonable accommodations for people with disabilities and oversee the administration of the Americans with Disabilities Act within the Agency.
- Maintain records of requests for reasonable accommodation, missed opportunities and complaints of discrimination or discriminatory harassment.
- Provide leadership to the Human Resources staff to adhere to affirmative action principles in the decision-making process for all personnel transactions.

**Accountability**

Direct accountability is to the Agency Commissioner and indirectly the State Affirmative Action Program Coordinator at Minnesota Management and Budget.

## **Managers and Supervisors**

**Responsibilities**

Ensure compliance with the Agency's Affirmative Action Plan and provide equal opportunity for all employees.

**Duties**

- Communicate the spirit of the Plan and related policies to employees.
- Ensure that job-qualifying criteria are fair, non-discriminatory, and job related.
- Select qualified candidates for new jobs on the basis of qualifications including training, experience, the Agency's affirmative action goals, and the pre-employment review process.
- Estimate annual staffing needs and projected vacancies within respective divisions and set goals consistent with the Agency's affirmative action goals and timetables.
- Respond to requests for information related to discrimination complaints within the established timeframe. Assure that no reprisals are made against an employee for filing a discrimination complaint.
- Contribute to employees' personal and professional growth with opportunities for appropriate training and self-improvement programs.

**Accountability**

Managers and supervisors are evaluated on the results of their affirmative action efforts in their annual performance review.

## **Commissioner**

**Responsibilities**

Oversee and ensure implementation of the Agency's Affirmative Action Plan in compliance with existing Federal and state laws, rules and regulations.

**Duties**

- Appoint or designate the Agency's Affirmative Action Officer.
- Ensure that the Agency's managers and supervisors are informed of their individual responsibilities for the Agency's Affirmative Action Plan and require managers and supervisors to include responsibility statements for affirmative action in their work plans.

- Take action on complaints of discrimination as outlined in the Affirmative Action Plan complaint procedure.
- Issue a statement to all employees affirming support for equal opportunity, diversity and the Agency's Affirmative Action Plan.
- Make decisions and changes in policy, procedures, or physical accommodations as may be needed to facilitate effective affirmative action.

**Accountability**

Direct accountability is to the Governor and the Agency's Board of Directors. Indirectly, to the Commissioner of Minnesota Management and Budget and the State Affirmative Action Program Coordinator.

**All Employees**

**Responsibilities**

All employees are responsible for conducting themselves in accordance with the policies and procedures of this plan. Employees refrain from any actions which would adversely affect the performance of a co-worker with respect to their race, color, creed, sex, national origin, familial status, age, marital status, sexual orientation, status with regard to public assistance, membership or activity in a local commission, political opinion or affiliation, disability or religion.

**Duties**

- Agency employees must demonstrate respect in their interpersonal communications with one another.

**Accountability**

Direct accountability is to the supervisor.

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## COMMUNICATION OF AFFIRMATIVE ACTION PLAN

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The following steps ensure that employees and other interested partners are advised of and understand the Agency's policy of nondiscrimination and the Agency's interest in actively and affirmatively providing equal opportunity in all employment practices.

### Internal Communication

1. An electronic version of the Affirmative Action Plan is available to all employees on the intranet.
3. New employees are informed of the Agency's Affirmative Action Plan, the components of the plan, and the availability of the Affirmative Action Plan during their new employee orientation.
4. Human Resources will communicate to staff that a copy of the plan, any revisions to the plan and other information regarding Agency affirmative action/diversity activities are available for their review.

### External Communication

1. A copy of the Affirmative Action Plan is provided to individuals upon request.
2. The phrase *Equal Opportunity Employer* is included in Agency letterhead and in all recruitment advertisements.
3. Two copies of the plan are provided to the Legislative Reference Library.
4. The Affirmative Action plan is available on the agency's external website.

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## General Harassment Policy

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General Harassment is prohibited by the Minnesota Department of Employee Relations Administrative Procedure 1.2, dated April 7, 1988.

It is the policy of the Agency to prohibit general harassment of its employees, thereby providing a work environment free from general harassment. This policy covers all Agency employees and individuals providing contract or volunteer services.

All employees are to conduct themselves with dignity and respect for others. Employees are responsible for creating and maintaining an environment free from harassment.

The Agency will not tolerate general harassment among its employees and will take appropriate corrective action against employees violating this policy. Employees engaging in general harassment in the work place or while representing the Agency away from the work place can expect disciplinary action. Disciplinary actions will be considered on a case-by-case basis. Appropriate corrective action, up to and including termination of employment, will be taken.

Retaliation or intimidation directed toward a complaining party is also prohibited. If retaliation or intimidation occurs, disciplinary action, up to and including termination of employment, may result.

General harassment is behavior involving verbal, psychological, symbolic, social or physical methods of intimidation, ridicule, entrapment, degradation, coercion or harm with the purpose or effect of affecting the work environment or when:

- Submission to such behavior or communication is explicitly or implicitly made a term or condition of employment for the employee or group of employees.
- Submission to or rejection of such behavior or communication is used as a basis for making employment decisions which affect the employee or group of employees.
- Such behavior or communication unreasonably interferes with an individual's productivity and/or creates a working environment that is intimidating, hostile or offensive.

- Such behavior or communication interferes with or jeopardizes an employee or group of employees' employment or career opportunities.

This does not include negative effects an employee may experience as a result of actions taken by a supervisor that are within the scope of their responsibilities and would be considered reasonable and appropriate actions. Issues of this nature will be referred to the appropriate person.

General harassment differs from other forms of harassment because it is not based on any protected characteristic and, therefore, is not a form of unlawful discrimination. Harassment can take several forms, some of which are:

- Repeated remarks or names which are insulting, demeaning, belittling or disparaging.
- Repeated jokes about employees' unique characteristics such as race, disability, etc. which are insulting, demeaning, or in any way negatively received or perceived.
- Repeated ridicule of an employee.
- Sabotage of an employee's character, reputation, personal possessions or job performance or product.
- Exclusion from orientation or teamwork.
- Unequal assignment of job responsibilities such as repeatedly giving an employee less responsible or less challenging assignments not related to ability.
- Unequal application of performance standards, discipline or work rules.

The forms of harassment listed above are only examples. They are not inclusive.

The Commissioner is responsible for the enforcement of this policy within the Agency. However, Managers, supervisors, and the Human Resources Director are also responsible for the implementation and enforcement of this policy. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment to and compliance with the framework of this policy. Each employee must be informed that harassment is unacceptable behavior and that they are responsible for personal conduct consistent with the spirit and intent of this policy.

Claims of general harassment or violations of this policy will be investigated by the Human Resources Director or an investigator(s) selected by the Human

Resources Director. Progress is monitored and an attempt is made to maintain confidentiality during the investigation.

The following internal complaint procedure is meant to help the Agency and its employees resolve complaints of general harassment.

### **GENERAL HARASSMENT COMPLAINT PROCEDURE**

1. Employees who believe they have been subjected to general harassment in the work place or believe they have witnessed such behavior among coworkers are encouraged to file a complaint as soon as possible.

If the Agency learns through an exit interview or other means that an employee has left the Agency because of general harassment, the supervisor will conduct an inquiry. A copy of this inquiry and any determination made will be forwarded to the Human Resources Director.

2. Employees have the obligation of first trying to resolve their complaint or concerns by talking with the responsible party, their supervisor, the Deputy Commissioner, or the Human Resources Director.
3. Employees not satisfied with the results of their efforts to remedy the complaint or concern by following Step 2 above must file their complaint in writing. Complaints may be filed with the employee's supervisor, the Human Resources Director, or anyone in a management position in the Agency.
4. The person receiving the concern or complaint will immediately refer it to the Human Resources Director, who will then determine if the complaint is one of discrimination based on one of the protected characteristics that is unlawful, sexual harassment, or general harassment covered under this policy.
5. The Human Resources Director will direct and review the investigation.
6. The Human Resources Director will report the results of the investigation to the employee filing the complaint and the alleged offending person.
7. Any corrective action decision or recommendation should be made by the division supervisor in consultation with those conducting the investigation. The severity of the corrective action should correlate to the severity of the conduct with its purpose to prevent subsequent occurrences.

Employees are encouraged to use this procedure, or other options. Other options include the Office of Diversity of the Minnesota Management and Budget Department, the Equal Employment Opportunity Commission (EEOC), the Minnesota Department of Human Rights, or the judicial system. Intentional use of this policy or complaint procedure for reasons of personal malice or abuse toward another employee is prohibited.

If the employee or group of employees filing the complaint wants to appeal the results of the investigation, they may do so in writing to the Commissioner of the Agency. The Commissioner and the Human Resources Director will review the (original) complaint.

The Commissioner will notify the employee or employees that filed the complaint and the alleged offending person of the Commissioner's final determination.

The Human Resources Director of Minnesota Housing will maintain all complaints, materials associated with the investigation, etc. Records will be maintained according to the Minnesota Government Data Practices Act.

Revised July 2010

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## **Non-Discrimination Policy**

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It is the policy of the Agency to prohibit discrimination in employment and the delivery of its housing and financial services. Discrimination on the basis of race, color, creed, national origin, sex, religion, marital status, age, disability, reliance on public assistance, political opinion or affiliation, familial status, sexual orientation or membership in a local human rights commission is prohibited. This policy covers all employees and individuals providing employment related contract or volunteer services. Violation of this policy is a violation of individuals' rights covered under the Federal Civil Rights Act of 1968, Title VII and/or the Minnesota Human Rights Act, Chapter 363; the Federal Civil Rights Act of 1968, Chapter VIII; the Americans with Disabilities Act (ADA) of 1990, Titles II and III; and Section 504 of the 1973 Rehabilitation Act.

All employees are to conduct themselves with dignity and respect for others. Employees are responsible for creating and maintaining an environment free from discrimination.

The Agency does not tolerate discrimination among its employees and will take appropriate corrective action against employees violating this policy. Employees engaging in discriminatory activities or actions in the work place or while representing the Agency away from the work place can expect disciplinary action. Disciplinary actions will be considered on a case-by-case basis. Appropriate corrective action, up to and including termination of employment, will be taken.

Retaliation or intimidation directed toward a complaining party is also prohibited. If retaliation or intimidation occurs, disciplinary action, up to and including termination of employment, may result.

Discrimination can take several forms. One form is making repeated jokes about employees' unique characteristics such as race, disability, or religion which are insulting, demeaning, or in any way negatively received or perceived. Another form of discrimination is repeated remarks or names that are insulting, demeaning, belittling or disparaging. These two forms of discrimination are provided as examples. They are not inclusive.

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## **Zero Tolerance for Sexual Harassment: Statement of Policy**

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It is the policy of Minnesota Housing to prohibit verbal and physical harassment of its employees based on sex, race, national origin, religion, age, creed, color, disability, marital status, sexual orientation, status with regard to public assistance or political affiliation. This prohibition with respect to sexual harassment includes unwelcome behaviors of a sexual nature as defined by Equal Employment Opportunity Commission (EEOC). Employees, as well as non-employees in the employer's workplace, are prohibited from these acts that create a negative work environment. The prohibitions also extend to any location, activity or event associated with the organization or with its employees in their capacity as representatives. Retaliation for sexual complaints or participation in an investigation is also prohibited.

Sexual harassment is any behavior of co-workers or supervisors, based on sex, which is unwelcome, personally offensive, insulting and demeaning where:

- Submission to such conduct or communication is explicitly or implicitly made a term or condition of an individual obtaining employment with the State of Minnesota.
- Submission to or rejection of such conduct or communication by an individual is used as a factor in decisions affecting that individual's employment.
- Such conduct or communication has the purpose or effect of substantially interfering with an individual's employment, or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may take different forms. One specific form is the demand for sexual favors. Other forms of harassment may include:

- Verbal: Unwelcome sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, or threats.
- Nonverbal: Unwelcome sexually suggestive objects or pictures, graphic commentaries, suggestive or insulting sounds, leering, whistling, or obscene gestures.
- Physical: Unwelcome physical contact, including touching, pinching, brushing by the body, coerced sexual intercourse, or assault.

The Agency offers any employee, subjected to such harassment, more than one resource for filing a complaint. These resources include the employee's supervisor/manager, the Human Resources Director, the Commissioner and/or a representative from Minnesota Management and Budget, the Equal Employment Opportunity Commission (EEOC), the Minnesota Department of Human Rights, or the judicial system. Intentional use of this policy or complaint procedure for reasons of personal malice or abuse toward another employee is prohibited.

Sexual harassment by any employee, manager, supervisor, or non-employee will not be tolerated. All employees, managers, supervisors and non-employees alike will be expected to comply with this policy and take appropriate measures to ensure that such conduct does not occur. Anyone who violates this policy will be subject to appropriate disciplinary action up to and including discharge.

The Commissioner is responsible for the implementation of this policy within the Agency and each manager within his/her division. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance with the framework of this policy. All employees are informed that harassment will not be tolerated, and each supervisor is responsible for orienting his/her staff to the Agency's policy. Human Resources keeps the Agency apprised of any changes in the law or its interpretation regarding this form of discrimination. More specifically, the Agency Commissioner is responsible for:

- Preparing a written statement prohibiting sexual harassment, explaining the intent of the policy, the prohibited harassment and retaliation, and announcing the means of control.
- Designing procedures and practices for its operation, including:
  - an educational program;
  - avenues available for reporting complaints; and
  - a procedure under which complaints will be investigated promptly and carefully.
- Ensuring systematic discussion, review and revision of the policy, procedures and practices.

A prohibition of sexual harassment has been made and entered into between the State of Minnesota and the Minnesota State Employees' Union, AFSCME, Council No. 5, AFL-CIO and its affiliated local unions. The complete context of this prohibition can be found in a current issue of the union contract.

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## **DISCRIMINATION/SEXUAL HARASSMENT COMPLAINT PROCEDURE**

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### **Informal**

An employee, or a group of employees, with a complaint of discrimination is strongly encouraged to try to initially resolve the complaint by discussion with the responsible party, his or her supervisor, or the Human Resources Director in an attempt to reach satisfactory resolution by administrative remedy.

### **Formal**

Step 1: If an employee, applicant, or group of employees alleging discrimination is not satisfied with the results of the informal process, or prefers initially to file a formal complaint, then:

- a. The complainant shall give the complaint in writing (i.e., completing the Discrimination Complaint Form found on MHFA Central under Agency Forms) setting forth the nature of the complaint, the facts upon which it is based and the relief requested, to his or her supervisor, or the Human Resources Director.

If the supervisor or the Human Resources Director is the alleged offending person, the employee may go to the next level of management, or the employee may go directly to the Agency's Commissioner.

- b. The Human Resources Director shall be primarily responsible for investigating complaints and determining if the complaint is one of a discriminatory nature based on one or more of the protected characteristics, sexual harassment or general harassment. The employee (complainant) shall be notified of the determination within 30 days (and the implications of the determination) in order for the employee to know how the complaint will be investigated and by whom. The employee will be informed of other options he/she has for resolving his or her complaint if not previously advised.
- c. Upon receipt of a written complaint, the Human Resources Director shall investigate the complaint and shall arrange a meeting with the immediate supervisor in an attempt to resolve the complaint by administrative remedy. The supervisor shall immediately respond in writing to the Human Resources Director following the meeting.

- d. The complainant, through the Human Resources Director, may use Step 2 if dissatisfied with the immediate Manager's or supervisor's written response.

Step 2: If the complainant wishes to continue the complaint procedure due to dissatisfaction with the written response of the immediate supervisor, then:

- a. The Human Resources Director will schedule a meeting with the next level manager to resolve the complaint.
- b. If the complaint is not resolved as a result of this meeting, then the manager shall provide a written response to the Human Resources Director
- c. If the complainant continues to be dissatisfied he/she may proceed to Step 3.

Step 3: If the complainant wishes to continue the complaint procedure, then:

- a. The Human Resources Director shall arrange a meeting with the Commissioner. All parties involved shall be present. The Human Resources Director shall prepare and present a summation of the issues and a recommendation of remedy.
- b. Within 60 calendar days from the filing of the written complaint in Step 1, the Commissioner shall respond in writing with a final determination or remedy.
- c. The final disposition of the complaint will be filed with the Commissioner of MMB within 30 days of the final determination.
- d. If the complainant remains dissatisfied, the complainant, through the Human Resources Director, shall be advised of his/her right to file a discrimination complaint with the Commissioner of the Minnesota Department of Human Rights within 300 days of the incident and other available options.

If the disposition of the complaint is determined by the Human Resources Director or a third party, the results will be communicated to the Commissioner or Deputy Commissioner of the Agency. Other entities will be advised of the final determination as necessary or appropriate. During the investigation an

attempt will be made to maintain confidentiality. The Human Resources Director is responsible for monitoring the progress of the investigation.

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## DISCRIMINATION/SEXUAL HARASSMENT COMPLAINT FORM

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Information about the Complainant:      Job Title: \_\_\_\_\_

Home Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Work Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Agency: \_\_\_\_\_ Division: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Information on the Respondent (Person(s) Who Sexually Harassed or Discriminated Against You)

Name(s): \_\_\_\_\_ Job Title: \_\_\_\_\_

Work Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Agency: \_\_\_\_\_ Division: \_\_\_\_\_

Supervisor: \_\_\_\_\_

Others who discriminated against or sexually harassed you:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Basis on which complaint is being filed (check all that apply):

Race \_\_\_\_\_ Sex \_\_\_\_\_ Color \_\_\_\_\_ Creed \_\_\_\_\_ Age \_\_\_\_\_  
Disability \_\_\_\_\_ Religion \_\_\_\_\_ Marital \_\_\_\_\_ National \_\_\_\_\_ Political \_\_\_\_\_  
Status \_\_\_\_\_ Origin \_\_\_\_\_ Affiliations \_\_\_\_\_  
Sexual \_\_\_\_\_  
Status with Regard to Public Assistance \_\_\_\_\_ Orientation \_\_\_\_\_  
Membership or Activity in a Local Commission \_\_\_\_\_ Familial \_\_\_\_\_  
Status \_\_\_\_\_

Date most recent act of discrimination took place:

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If you filed this complaint with another agency, please give the name of that agency or agencies and the date(s) filed. Use additional paper if necessary.

Agency Name: \_\_\_\_\_ Date Filed: \_\_\_\_\_

Describe incidents (starting with the most recent) you feel support your complaint giving specific names, places, dates, times, and the actions or events of harassment or discrimination you believe you experienced.

This complaint is being filed based on my honest belief that I was harassed or discriminated against. 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.

Complainant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Received By: \_\_\_\_\_ Date: \_\_\_\_\_

Additional information on your complaint:

Names, addresses and telephone number of witnesses who may have knowledge about the complaint:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone Number: \_\_\_\_\_

## GOALS AND TIMETABLES 2012-2014

A workforce utilization analysis was completed on all job groups in the Agency. Availability data was taken from the 2000 census data for the Minneapolis – St. Paul metro area, which is the primary recruitment area for the Agency, which is located in downtown St. Paul.

A composite availability analysis was completed for the Technicians and Professionals job group, due to the fact there are a wide variety of job titles within both of these job groups. This allowed for a more accurate match between job title and actual workforce availability.

A two-factor analysis was completed on the Officials and Administrators job group. This is due to the fact that approximately 50% of the employees in this job group are internal promotions. The two-factor analysis considered both the external workforce and the composition of the internal workforce.

The following chart indicates the overall utilization for each job group for women, minorities and persons with a disability.

EEO Job Group	Women			Minorities			Persons with a disability		
	# Under utilized	Goal	Time table	# Under utilized	Goal	Time table	#Underutilized	Goal	Time table
Off/Admin	0	N/A	N/A	1	1	2012-2014	0	N/A	N/A
Professionals	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Technician	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Office/Clerical	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A
Service Maintenance	0	N/A	N/A	0	N/A	N/A	0	N/A	N/A

For the category in which underutilization has been identified, a hiring goal and timetable has been created. A narrative accompanies the hiring goal to explain the factors that went into creating the hiring goal.

According to the utilization analysis, our agency's workforce is underutilized in the Officials and Administrators job group by 1 minority. We do not anticipate adding new positions in this category, and we do experience low turnover among our Officials and Administrators. If there is a vacancy in one of these positions, we will make a good faith effort to recruit and hire 1 minority in the Officials and Administrators job group. Due to the fact that approximately half of the employees in this job group are internal promotions, we will also consider methods to encourage minorities in the Agency to develop their leadership capabilities.

EEO Job Group	Protected Group	# Underutilized	Hiring Goal	Agency Considerations	Timetable	Methods
Officials and Administrators	Minorities	1	1	Low turnover	2012-2014 AAP	See AAP, recruitment section

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## PROGRAMS AND PROGRAM OBJECTIVES 2012-2014

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### Program: Recruit and Hire a Diverse Workforce

#### Objective 1

*Provide training, education, and ongoing resources to hiring managers to ensure understanding of, and compliance with, Affirmative Action goals and timetables.*

#### Action steps

- Create training materials for managers on Affirmative Action plan, the plan goals, as well as their role/responsibility in achieving the plan goals. Offer this training in person annually.
- Keep managers up to date on underutilization in their department as they have recruitment needs.
- Create and offer training to new managers on AA goals as they are hired/promoted.

Persons responsible: Affirmative Action Officer, Hiring Managers

Target Dates: Ongoing

#### Objective 2

*Utilize our employees as a recruitment source and provide incentives to refer qualified candidates that help the Agency meet hiring goals.*

#### Action steps

- Utilize social media resources such as Facebook and LinkedIn and ask for assistance from employees to utilize their networks.
- The Human Resources department will explore methods to recognize and incentivize employees to assist with diversity recruitment, especially in hard to fill positions.
- The Agency will continue to promote the hiring of interns. Interns provide a potential recruitment pool for permanent employees.

Persons responsible: Hiring Managers, all employees

Target Dates: Ongoing

## **Program: Retain a Diverse Workforce**

### **Objective 1**

*Promote a positive workplace atmosphere where employees feel valued and problems are solved effectively.*

#### **Action steps**

- Conduct an employee engagement survey and create an action plan based on the results.
- Promote employee involvement in strategic planning process.
- Human Resources will provide ongoing consultation and education on conflict management and other communication skills.

Persons responsible: Commissioner, Deputy Commissioner, Senior Leadership Team, all employees.

Target Dates: Ongoing

### **Objective 2**

*Provide training and career development opportunities to employees that meet their professional development needs and increase the agency effectiveness.*

#### **Action steps**

- Conduct training needs analysis and ensure budget includes sufficient funds for needed training
- Create training course catalog and make available to employees.
- During work planning process, provide opportunities for employees to request training.
- Encourage employees to apply for Emerging Leaders Institute to develop leadership bench strength within the agency.
- Encourage employees to proactively seek out training opportunities
- Continue to provide Tuition Assistance Program to employees to build capacity.

Persons responsible: Human Resources, Senior Leadership Team, Managers, all employees.

Target Dates: Ongoing

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## AUDITING, EVALUATING, REPORTING PROGRAM SUCCESS

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**Pre-employment review processes** that impact Affirmative action goals and diversity objectives are measured through various processes at Minnesota Housing:

- **Hiring Policy:** the overarching policy to support affirmative action and a diverse workforce at Minnesota Housing. As part of the Agency's Policy and Procedures Manual, this document identifies, for all employees, the Agency's methodology to ensure a fair and equitable approach to recruiting and selecting a diverse workforce.
- **Staffing Process Checklist:** provides a step-by-step approach to hiring for the supervisor. When the supervisor creates a job profile and work plan for a vacant job, a meeting is set with Human Resources staff and the Affirmative Action Officer to discuss the hiring process and determine areas in which Human Resources and Affirmative Action can assist with recruitment and selection. Timelines for the hire are set.
- **Hiring Toolbox:** an on-line folder of multi-use hiring/selection documents, includes groupings of *pre-approved interview questions* and work samples that meet legal, and job-relatedness standards. All questions are grouped by different jobs (and different job tracks) including Paraprofessionals, Professionals, IT Professionals, Supervisors, and Managers. The Affirmative Action Officer reviews all questions for legality and appropriateness before including them in the toolbox. Supervisors select questions from the toolbox that best fit the job profile competencies of the job for which they are hiring, knowing that they are pre-approved and appropriate. Specific guidelines are provided to assist the supervisor in selecting enough questions to fully represent the job competencies.
- **Candidate Evaluation Ranking Form** from the toolbox, allows the supervisor to list all competency areas of the job to be addressed through the interview process. After each applicant interview, the supervisor ranks the applicants strengths in the competency areas on the Ranking Form. Once all interviews are complete, the supervisor is able to more objectively determine the "best qualified" candidate for the job. Before making a job offer, the supervisor meets with Human Resources to review the ranked job competencies. Missed opportunities are addressed before a job offer is made. Once the hiring process is complete, all worksheets completed by the supervisor are submitted to Human Resources for auditing purposes.
- **Agency Hiring Goal reports.** These reports indicate affirmative hiring successes for the Agency, for each program division, and for each supervisor's work unit. This report is a catalyst for addressing recruitment and retention efforts for unmet hiring goals. It is also one method for celebrating hiring goal successes.

- Layoff decisions at Minnesota Housing will incorporate a pre-review procedure to determine their effect on Agency affirmative action goals and timetables.
- **Affirmative Action Log.** The Affirmative Action Officer will maintain an Affirmative Action log which lists all Affirmative Action efforts and planned efforts. This log will track the status of all projects to ensure all portions of the plan are carried out. This log will be reviewed with the Commissioner on a yearly basis.

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## **Weather Emergencies**

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The Commissioner of the State Minnesota Management and Budget (MMB) can declare a weather emergency giving the authority for State employees to either leave work early, not come to work at the required time, or not come to work at all on any given day. Only the Commissioner of MMB has the authority to declare/grant/authorize leave with pay.

This is done in cooperation with the Commissioners of the State Department of Public Safety, and the State Department of Transportation, who have the responsibility for determining whether the roads are safe for travel.

The Commissioner of Minnesota Housing has the authority to close or not close the office at anytime. S/He should determine if the office should remain open or be closed as appropriate during situations that could impact the health and safety of the employees and result in temporary unavailability of work. The decision as to whether the employee absence is with pay, as declared by MMB, or charged to some other approved leave is secondary to the health and safety of Minnesota Housing employees.

If the Commissioner of Minnesota Housing does close the Agency due to a natural or man-made emergency, then employees shall cover the absence with annual leave, an adjusted work schedule, compensatory time, or leave without pay.

As soon as is practical, the Minnesota Housing Commissioner shall notify MMB of the closure and may request approval for emergency leave. If MMB approves and subsequently declares an emergency, then the absence from work due to the emergency shall be with pay.

Therefore, Agency employees already at work will remain at work until the Commissioner declares a weather emergency, or until the employee requests, and is granted, vacation leave, previously authorized compensatory time, or time without pay for early departure.

The Commissioner of Minnesota Housing should develop and maintain a Time-off in Emergency Plan which specifies:

1. Essential staffing requirements to be maintained during emergency situations.
2. The name and phone number of the individual(s) who can make closure decisions.
3. Steps/Procedures to follow in making closure decisions.

4. The name and phone number of the Agency contact and back-up person responsible for implementing the plan.
5. Internal operating procedures to be followed during a natural or man-made emergency, including notification of closure for persons with hearing, vision, or other impairments.

The Commissioner should keep current emergency contact lists used by the Agency and MMB in providing notification of emergency declarations.

Following is an excerpt from a memo prepared by the Commissioner of Employee Relations regarding weather emergencies, which is used as the basis for making weather emergency decisions:

“...weather emergencies are declared when a number of conditions exist. The primary factors that are considered are:

- \* **Road maintenance.** Are state highways open and, if applicable, snowplows operating?
- \* **Transit operations.** Are local transit systems running?
- \* **Additional weather conditions.** Is wind, cold, or ice a factor?
- \* **Other considerations.** Are power or heating systems affected?

... 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, such as those who work in our direct patient care facilities, the State Patrol and employees in correctional facilities.

The weather emergency is meant for those extreme cases when it would be unsafe for most employees to travel to or from home. We recognize that there may be unique individual situations due to the employee's location that make it impossible for that employee to get to work when an emergency has not been declared. In those circumstances, supervisors should consider allowing the employee to make up the lost time or use compensatory time or annual leave.

... If a weather emergency is declared during the night, an announcement will be given to: WCCO 830 AM, KSTP TV, WCCO TV, and KARE TV for broadcast. The announcement will be provided to the

media prior to the start of the normal work day (8:00 a.m.). If an emergency is declared during the business day, the Agency Commissioner will be notified by telephone and e-mail prior to the declaration. MMB will also notify the media of the declaration and post the closure information on the MMB website.”

### **Severe Weather**

If a severe weather warning is announced for the immediate area during the workday, employees will be notified and asked to move to the following protected areas within the office/building:

- interior corridors, away from glass
- kitchens (either floor)
- rest rooms
- storage rooms

An "all clear" will be given when it is safe to return to the office. Also, refer to the section on “Emergency Procedures.”

### **Telecommuters**

Telecommuters should also refer to the Telecommuting Policy regarding weather emergencies.

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## Emergency Procedures

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### Fire

The building is equipped with fire alarms, sprinklers, and fire extinguishers. If a small fire (wastebasket size or smaller) breaks out in your area, try to extinguish it.

If a larger fire starts (during or after business hours), evacuate the building through the nearest stairwell immediately. Pull the alarm box by the stairwell doors as you leave. Building exits are marked on the enclosed floor plans. Please review and become familiar with these exit locations.

### **DO NOT EXIT USING THE ELEVATORS.**

If leaving from the first floor conference room, State Street, exits are located toward both Sibley and 6<sup>th</sup> Streets.

Be aware of employees near you that may need assistance. If it is necessary to evacuate the building, it is the responsibility of first responders and management staff to make certain that employees are helped out of the building as quickly and safely as possible.

Upon resuming business, report all pertinent facts about the origin of the fire to the Facilities Manager.

For special procedures to be followed in case of a fire within the computer room see "Computers."

**NOTE: The Agency continues to experience significant growth and physical redesign of space. Revised information relating to these Emergency Procedures will be distributed upon availability.**

### Severe Weather

If a severe weather warning is announced for the immediate area during the workday, employees will be notified and asked to move to the following protected areas within the office/building :

- interior corridors away from windows and glass
- kitchen area (either floor)
- rest rooms
- storage rooms

It is the responsibility of Supervisor to alert employees of severe weather conditions and to provide assistance if necessary.

An "all clear" will be given when it is safe to return to the office.

### **Disaster Recovery**

Refer to the Agency's Disaster Recovery Plan.

### **Disaster Prevention**

Following is a checklist of actions you should take at the end of each work day to help prevent a disaster in your workstation and in your area of the office:

- Close office doors.
- All documents should be removed from your desk and stored away.
- Close overhead cabinet doors. Documents stored on the floor should be in boxes and under the desk.
- Make sure all coffee pots and other appliances are turned off and/or unplugged.

### **Assisting Individuals in Weather or Fire Emergencies**

Supervisors will work with individuals with disabilities to establish a method to assist the person in the emergency or evacuation.

If an employee must be left in a designated area, the supervisor, or their designee, will notify safety personnel that someone is inside and needs help.

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## Reasonable Accommodation Policy

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The Human Resources Director is responsible for compliance with the Americans with Disabilities Act. "Procedures for compliance are aligned with 363.03 and, where appropriate, regulations implementing 29 U.S.C.794 (1984), which is 504 of the Rehabilitation Act (1973), as amended, and the Americans with Disabilities Act, 42 U.S.C. 101-108, 201, 231, 241-246, 402, and 501-514 (M.S. 43.A. 191 Subd. 2 (1))."

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

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.

An individual with a disability is defined as:

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

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

- Modification of equipment or assistive devices. Purchase of or a modification to existing equipment such as special telephone equipment, talking calculators, one-handed typewriters, and /or specifically designed desk and files.
- Job site modifications. Modifications may include adjustments to equipment height, addition of electrical outlets, relocation of job site to an accessible area, special parking facilities or other types of similar modifications.
- Job restructuring. It may include flexible work hours and/or restructuring job duties while retaining the essential job duties.

- Support services. Services such as interpreters for individuals with hearing impairments, readers for individuals who are blind or special attendants.
- Reassignment to a vacant position of equal status when possible and appropriate.

## **REQUESTING REASONABLE ACCOMMODATION**

1. The supervisor and the individual with a disability should discuss the need for the accommodation and discuss alternatives such as job restructuring, job modification and accessible devices.
2. The supervisor must inform the Human Resources Director of the request and submit an Employee Request for Reasonable Accommodation form to the Human Resources office. The most current version of this form can be found on MHFA Central under Agency Forms. The request must include justification for the request including a statement of the disability, the suggested accommodation, approximate cost, and any other pertinent information. The Human Resources Director will assist the supervisor by providing the necessary resources and information.
3. The Human Resources Director will review the request and assist the supervisor in making the accommodation. If the expense for the accommodation will be in excess of \$1000, the Human Resources Director will forward the request along with a recommendation to the Commissioner within three (3) working days.
4. The decision is provided in writing to the supervisor and employee within five (5) working days after the Commissioner makes the determination. The Human Resources Director will maintain all documents pertaining to the accommodation.

## **FUNDING FOR REASONABLE ACCOMMODATION**

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

- the size of the Agency's budget;
- the nature and cost of the accommodation;
- the ability to finance the accommodation in relationship to the site(s) where there may be a need; and
- documented good faith effort to explore less restrictive or less expensive alternatives.

## **Definition of 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 this agency.

## **DENIAL OF ACCOMMODATION**

All denials of requests for accommodation will be documented and kept on file by the Human Resources Director (HRD) and the HRD shall notify 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.

## **REQUESTING REASONABLE ACCOMMODATION FOR JOB APPLICANTS**

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

## **EMPLOYEES WITH DISABILITIES SEEKING PROMOTION**

1. All initial communication between the employee with disabilities and the supervisor or Human Resources office regarding a promotional opportunity in the Agency indicates the willingness of the Agency to make reasonable accommodation upon request.

2. The supervisor contacts Human Resources immediately to indicate that an accommodation is needed. In order to ensure that any accommodation is provided at the time a “new job” begins, requests are handled in a timely manner.
3. Human Resources contacts the employee with disabilities to discuss the needed accommodation and possible alternatives, if necessary.
4. The agreed upon accommodation is provided if the cost does not cause an undue hardship to the Agency and the critical job elements of the promotional job can still be accomplished.
5. Human Resources takes the necessary steps to ensure the accommodation is provided.

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## REASONABLE ACCOMMODATION REQUEST FORM

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Please print or type

Attach additional sheets for questions below if necessary

Employee Name	Classification	Date of Request
Division		
*Statement of Limitation (Attach medical statement if requested by Manager)		
1.	Please describe the nature of your disability, what life activity(s) it substantially limits, and how this life activity(s) is substantially limited.	
2.	Type of accommodation requested to perform essential function(s):	
3.	Which essential function(s) of your job will the requested accommodation allow you to perform?	
4.	Why is the requested accommodation necessary to perform the essential job function(s)?	
5.	How will the requested accommodation be effective in allowing performance of the essential job function?	
Signature of Employee	Date	
Signature of Supervisor	Date	
Signature of Manager	Date	
Additional Comments		
*Information on this form shall be confidential with the exceptions according to the Rehabilitation Act of 1973, Section 504, Subd. 84.14, and the Americans with Disabilities Act of 1990, Subd. PL 101-336, Sec. 102 C.		

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## RECRUITMENT PLAN

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### **Advertising Sources and Recruitment Methods**

Most Minnesota Housing positions are very specialized and traditional recruitment methods (large job boards, job fairs) have not been found to be effective. Instead, Minnesota Housing relies primarily on industry contacts, advertising with industry job boards and newsletters, and networking with current and former employees.

During the past plan year, Minnesota Housing spent less than \$100 total on advertising, choosing instead to utilize free advertising sources. No job fairs were attended, due to the low effectiveness, and high cost. If opportunities to attend relevant, free recruiting events occur during the next plan year, the agency will take advantage of the opportunity provided by these events.

Minnesota Housing has a list of both housing industry-focused and diversity-focused recruitment resources that have and will continue to be utilized during the year.

#### Housing Industry Advertising Sources:

- Sensible Land Use Coalition
- American Planning Association
- Humphrey Institute – U of M
- Idealist.org
- Minneapolis Consortium of Community Developers
- Changing the Face of Housing Minnesota
- Minnesota Housing Partnership
- National Association of Housing and Redevelopment Officers
- National Council of State Housing Agencies

#### General Advertising Sources:

- Minnesota Council of Nonprofits
- Minnesota Works
- Vacancy Builder

- Indeed.com
- St. Thomas job board
- Macalester college job board
- University of Minnesota job board

Diversity-focused Advertising Sources:

- Hero to Hired
- American Indian OIC
- Center for Asian Pacific Islanders (CAPI)
- Chicano Latino Affairs Council
- CLUE (Comunidades Latinas Unidos En Servicios)
- Hmong-American Partnership
- Minneapolis Urban League
- Resource Employment Action Center

**Projected hiring opportunities and recruiting strategies for those position**

The Agency is current conducting a Classification/Compensation Study. The study will assist with identifying the actual job duties associated with the various job classes and benchmark these positions with the market. The Agency is also identifying the anticipated significant loss of talent due to retirement over the next two years and is reassessing critical positions to meet the strategic objectives of the agency. As the loss of long-term employees increases, efforts to develop less experienced professionals in order to fill these new openings will be expanded, as well as recruitment targeted towards filling these positions.

**Recruiting and Hiring Interns**

The Agency has an internship program to provide practical work experience to students and provide an additional recruitment pool for difficult-to-fill positions. Hiring managers create internship projects based on their division needs. They work with Human Resources to advertise the openings at colleges that have relevant degree programs such as the Humphrey Institute at the University of Minnesota. The recruitment process, like the regular hiring process, focuses on identifying qualified, diverse candidates. The Agency recently hired a minority intern through the City of Minneapolis Step-Up Program, as well as two minority interns for research intern positions.

### **Recruiting and Hiring Persons with a Disability**

In an ongoing effort to recruit persons with disabilities, Minnesota Housing includes the following recruitment methods in its efforts to diversify the workforce.

- Vacancy announcements are disseminated to disability-related agencies and organizations as well as Minnesota's public and private universities and colleges;
- The public is informed, through all printed materials, that the Agency provides reasonable accommodation in accordance with the ADA and Section 504 of the Rehabilitation Act;

### **Supported Employment**

As part of the Minnesota Housing internship program, Minnesota Housing has identified a number of duties, projects, and tasks that can be used for supported employment of persons with severe disabilities. These tasks include photocopying, shredding, and sorting paperwork. If a need is identified to create a Supported Employment position, Minnesota Housing will work with MMB to recruit a candidate for the position.

## RETENTION PLAN

Minnesota Housing is committed to the recruitment, selection and retention of workers that reflects the workforce population of Minnesota. Agency Managers and Supervisors, in cooperation with Human Resources staff, are responsible for developing initiatives to enhance the careers and work environment for all employees. Kim Luchsinger, the Affirmative Action Officer in the Human Resources department, is responsible for recording, analyzing and reporting Agency-wide retention activities.

### Analysis of Separations

			Protected group characteristics of separating employees*		
		Total Separations by type of separation	Minority	Female	Individuals with a disability
FY 2011	Dismissal	0	0	0	0
	Resignation	9	1	7	2
	End of Appointment	4	0	3	0
	Retirement	13	1	10	2
	<b>Total Separations</b>	<b>26</b>	<b>2</b>	<b>20</b>	<b>4</b>
FY 2012	Dismissal	2	0	2	1
	Resignation	5	0	3	2
	End of Appointment	0	0	0	0
	Retirement	5	0	4	1
	<b>Total Separations</b>	<b>12</b>	<b>0</b>	<b>9</b>	<b>4</b>

\*Due to the fact an individual may be part of more than one protected group, these statistics will not add up to the total number of separations.

### Retention Methods for Protected Group Members

Minnesota Housing utilizes a number of methods to encourage the retention of protected group members.

- **Tuition Assistance Program (TAP).** The TAP program pays a significant portion – 80%, up to \$10,000 per year – of the tuition expenses for employees to obtain a certificate, 2 year, undergraduate or master’s degree. The program is a positive way for the Agency to promote employee development and training and encourage career advancement.
- **Career Development Training.** The Agency recently completed a Training Needs Analysis to determine what types of training needs to be provided for employees. The Human Resources department provides resources to assist with meeting the training needs, such as arranging group computer classes, providing training catalogs, and administering an Agency Training Budget.
- **Emerging Leaders Institute.** The Agency sponsored three employees to attend the State of Minnesota-sponsored Emerging Leaders Institute in the past year. These employees, in turn, did an in-person presentation to the rest of the Agency about their experience in order to encourage more employees to apply for the program for the next year.

- **Senior Leaders Institute.** The Agency will provide the opportunity for employees to attend the Senior Leadership Institute. The program is designed to prepare managers for senior leadership positions.
- **State Street Café.** The Agency has created an informal venue held monthly over the lunch hour to address a variety of communications and community building issues. Topics include wellness, leadership, industry-related news, as well as employee updates and other topics of interest.
- **Employee Engagement Survey.** The Agency conducts an annual employee engagement survey. Based on the results of the most recent survey, the leadership team has created an Employee Engagement Action plan to address the deficiencies noted by employees and conducts quarterly updates that are open to all employees. The Agency uses the survey to identify areas of weakness and build strategies to overcome these weaknesses.
- **Performance Management System.** The Agency utilizes an online Performance Management System, SuccessFactors. Employees work with their supervisor to create a work plan for the year. The competencies required to complete the job are identified and a profile of the employees' current competencies and their importance are also identified. Employees use SuccessFactors to track their progress in achieving the goals in their work plan, and rate themselves on their success before their supervisor does an annual, formal performance review. 100% of Minnesota Housing employees completed work plans, as well as receiving mid-year check-ins and written annual reviews.