



State of Minnesota

Department of Health

Affirmative Action Plan for July 1, 2024 – June 30, 2026

Minnesota Department of Health

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To request an alternative format of this document, please contact the Human Resource Management Office at 651-201-5770 (phone) or via email at health.hr@state.mn.us.

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Statement of Commitment

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

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

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

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

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

Commissioner or Agency Head: _____



Date Signed: 04/11/2025

Executive Summary

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

This Affirmative Action Plan (AAP) meets the requirements set forth in Statutes, in Administrative Rules, and by Minnesota Management and Budget (MMB). The AAP contains:

- Affirmative action workforce analysis.
- Goals, objectives, and timetables.
- Assertive hiring, recruitment, and retention methods for achieving goals and objectives.

This Affirmative Action review revealed underutilization of the following protected group in only one area which is the Paraprofessional job category:

Table 1. Workforce Underutilization of Protected Groups

(x indicates the job categories and protected groups that have underutilization. A dash – indicates where there is no underutilization.)

Job Category	Females	Persons with Disabilities	Racial or Ethnic Minorities
Officials and Managers	-	-	-
Professionals	-	-	-
Technicians	-	-	-
Paraprofessionals	X	-	-
Administrative Support	-	-	-

Affirmative Action Officer or Designee: Kotumu Kanana Date Signed: 01/15/25

Human Resources Director or Designee: Jayson N. Singh Date Signed: 04/11/2025

Commissioner or Agency Head: [Signature] Date Signed: 04/11/2025

Organizational Profile

Minnesota Department of Health (MDH) mission is to protect, maintain and improve the health of all Minnesotans.

Vision

The Department of Health's vision is for health equity in Minnesota, where all communities are thriving, and all people have what they need to be healthy.

Our Values

Our core values are the high standard of honesty and integrity we apply to everything we do. We are honest, trustworthy and transparent in all we do. We strive to do the right thing to achieve the best public health outcomes.

Collaboration

We value the diversity and unique contributions of our employees and partners. We develop positive relationships, foster innovative solutions, and strengthen our capacity to accomplish our mission.

Respect

We uphold a standard of conduct that recognizes and values the contributions of all. We foster a working environment in which listening to and understanding our differences is encouraged and confidences are protected.

Science

We use the best scientific data and methods available to guide our policies and actions to promote healthy living in Minnesota. We rely on the objective facts of evidence-based science to build a strong foundation to address health needs and concerns.

Accountability

We are effective and efficient managers of the public trust and public funds and hold ourselves and others to appropriate high standards. We operate with open communication, transparency, timeliness, and continuous quality improvement.

The Department of Health provides the following services:

- Birth and death certificates
- Around-the-clock monitoring for infection diseases
- Assurance that water and food are safe to drink and eat
- A swift, effective response to disease outbreaks and public health emergencies
- Investigation into novel illnesses
- Planning with hospitals and health care systems to rapidly care for large numbers of injured or ill victims
- An immunization program for preventable diseases

- Data to identify economic trends such as health and medical system
- Quality measurement and public reporting of clinical care
- Statewide health improvements that focus on policy, environmental and system changes in communities
- Assurance that inappropriate care in nursing homes, hospitals and other care facilities is corrected
- Planning to help ensure rural Minnesotans have access to care
- Statewide food programs for women, infants and children
- Information about health behaviors and chronic disease prevention for diseases that are most prevalent, costly and preventable
- Information about effective approaches to improving health and reducing the state's incidence of chronic diseases
- Efforts to eliminate health disparities between Minnesota's different ethnic populations
- Programs that encourage people to make healthy choices
- Advice about reducing environmental and pollution risks to health
- Assurance the dead are disposed of properly

Individuals Responsible for Directing and Implementing the Affirmative Action Plan

Minnesota Administrative Rules, section 3905.0400, subpart 1, item B.

A. Commissioner

Responsibilities

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

Duties

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

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

Accountability

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

Name of individual(s) responsible

Name: Brooke Cunningham

Title: MN Department of Health

Email: brooke.cunningham@state.mn.us

Phone: 651-502-8015

B. Affirmative Action Officer

Responsibilities

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

Duties

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

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

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

Accountability

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

Name of individual(s) responsible

Name: Kotumu Kamara

Email: Kotumu.Kamara@state.mn.us

Title: Affirmative Action Officer

Phone: 651-201-4706

C. Human Resources Director or Designee(s)

Responsibilities

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

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

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

Duties

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

- Maintain effective working relationships with the agency Affirmative Action Officer and designees.
- Provide leadership to HR staff and others to ensure personnel decision-making processes adhere to equal opportunity and affirmative action principles.
- Provide guidance in the development and use of selection criteria to ensure they are objective, uniform, and job related.

- Assist in recruitment and retention of protected groups and notify managers and supervisors of existing disparities.
- Ensure an Affirmative Action Pre-hire Review process is implemented and followed by hiring managers and supervisors in collaboration with the Affirmative Action Officer.
- Initiate and report on progress made with program objectives contained in the Affirmative Action Plan.
- Ensure that the reasonable accommodation process is implemented and followed for all employees and applicants in need of a reasonable accommodation.
- Assist supervisors, managers, and the Affirmative Action Officer in the recruitment of protected group members through career and job fairs and other efforts, as well as in selection and retention of protected group members.
- Assist supervisors, managers, the Affirmative Action Officer, and HR staff in the creation of supported worker positions. These positions help reduce agency costs by diverting supportive employment duties from higher skilled workers to supported worker positions. This can improve employee morale and retention of persons with disabilities in integrated employment.
- Request assistance from MMB to support diversity recruitment efforts, as well as the retention of protected group members in hard-to-fill or executive level positions.
- Include responsibility statements for affirmative action/equal employment opportunity in position descriptions and annual performance objectives.
- The agency develops and implements policies, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to agency management and staff on compliance and best practices for hiring and retaining persons with disabilities.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

HR staff are accountable to the HR Director or Designee.

Name of individual(s) responsible

Name: Taylor Stiff

Email: Taylor.Stiff@state.mn.us

Title: MDH Human Resources Director

Phone: 651-472-6580

D. Americans with Disabilities Act Title I Coordinator

Responsibilities

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

Duties

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

- Provide guidance, coordination, and direction to agency management on the ADA.
- Provide guidance, coordination and direction regarding the provision of reasonable accommodations to employees and job applicants.
- Receive requests for ADA accommodations and work with appropriate supervisors, unions, etc. to approve or deny the request, or provide alternative accommodations.
- Track and facilitate requests for reasonable accommodations for job applicants and employees, as well as members of the public accessing agency services and report reasonable accommodations annually to MMB.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Research case law rules and regulation and update Human Resources (HR) Directors on evolving ADA issues. Meet on a regular basis with ADA Coordinators and provide updates on ADA.
- Design and deliver specific ADA training for targeted groups.
- Submit reasonable accommodation reimbursement under the guidelines of the state-wide accommodation fund.
- Provide reasonable accommodations to qualified individuals (as defined by ADA) with known physical or mental disabilities, to enable them to compete in the selection process, perform essential functions of the job, and/or enjoy equal benefits and privileges. The ADA Coordinator in consultation with the employee and supervisor, and other individuals involved must:
 - Discuss the purpose and essential functions of the job and complete a step-by-step job analysis;
 - Determine the precise job-related limitations;
 - Identify potential accommodations and assess the effectiveness each would have in allowing the employee to perform essential functions of the job; and
 - After discussion and review, select and implement the accommodations that are appropriate for both the employee and the employer using the Reasonable Accommodation Acknowledgement Form.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The ADA Title I Coordinator is accountable to the Employee and Labor Relations Director.

Name of individual(s) responsible

Name: Rachael Marshall

Email: Health.HR.ADA@state.mn.us

Title: Employee and Labor Relations Director

Phone: 651-201-3805

Name: Mena Lee

Email: Health.HR.ADA@state.mn.us

Title: ADA Coordinator

Phone: 651-201-4840

E. Americans with Disabilities Act Title II Coordinator

Responsibilities

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

Duties

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

- Provide guidance, coordination, and direction to agency management on the ADA. The agency develops and implements policies, procedures, and practices to ensure agency employment practices and programs are accessible and nondiscriminatory.
- Provide training, technical guidance, and consultation to the agency's management and staff on compliance and best practices with regards and obligations to members of the public with disabilities, as well as the provision of reasonable modifications for visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing agency services. Report reasonable modifications annually to MMB.
- Research case law rules and regulation and update Executive team on evolving ADA issues. Meet on a regular basis with state ADA Coordinators and learn updates and share practices on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering training for Agency employees assisting ADA modifications for the public.
- Provide reasonable modifications to members of the public (as defined by ADA) with known physical or mental disabilities to ensure equal access and privileges to programming and

services. The ADA Title II Coordinator will consult with the member of the public in need of a modification and:

- Discuss the purpose and essential functions of the reasonable modification.
 - Identify the potential modifications and assess the effectiveness each request.
 - After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the agency.
 - Document this review and reported in the State ADA Annual Report.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The ADA Title II Coordinator is accountable to the Employee and Labor Relations Director.

Name of individual(s) responsible

Name: Rachael Marshall

Email: Health.HR.ADA@state.mn.us

Title: Employee and Labor Relations Director

Phone: 651-201-3805

Name: Mena Lee

Email: Health.HR.ADA@state.mn.us

Title: ADA Coordinator

Phone: 651-201-4840

F. MDH HR Staffing Manager

Responsibilities

The MDH HRM Staffing Manager is responsible for the creation and coordination of the Diversity Recruitment Plan outlined in this document.

Duties

The duties of the Diversity Recruitment Coordinator include, but are not limited to:

- Identify high-need recruitment job areas within the agency.
- Communicate the strategic recruitment plan to Human Resources (HR), the executive team, management, and staff.
- Assist the Affirmative Action Officer in conducting periodic audits of recruitment activity to measure the effectiveness of efforts and activities toward attaining strategic diversity goals and objectives.

- Maintain relationships with agency executive teams, Diversity Equity Inclusion & Belonging management to make decisions about the diversity recruitment needs of the department.
- Maintain relationships with community stakeholders, colleges and universities, and workforce centers to continue effective diversity recruitment strategies.
- Maintain active participation in the state-wide recruiters' group.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

The MDH HRM Staffing Manager is accountable to the Human Resources Director.

Name of individual(s) responsible

Name: Annie Marin

Email: annie.marin@state.mn.us

Title: HR Staffing Manager (Human Resource Director 2)

Phone: 651-201-3790

H. Senior Managers and Executive Team Leaders

Responsibilities

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

Duties

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

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

Accountability

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

I. All Employees

Responsibilities

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

Duties

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

- Exhibit an attitude of respect, courtesy, and cooperation toward colleagues and the public.
- Refrain from any actions that would adversely affect a colleague on the basis of their race, creed, color, sex (including pregnancy), national origin, age, marital status, familial status, disability, sexual orientation, gender expression, gender identity, reliance on public assistance, membership or activity in a local human rights commission, religion, political opinions, or affiliations.
- Comply with state-wide and agency anti-discrimination and anti-harassment policies.

Accountability

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

Communication of the Affirmative Action Plan

Minnesota Administrative Rules, section 3905.0400, subpart 1, item D and item E.

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

Internal Methods of Communication

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

Minnesota Department of Health
625 Robert Street North
St. Paul, MN 55164-0975

External Methods of Communication

- **Public website.** The agency's Affirmative Action Plan is available on the agency's public website at [Minnesota Department of Health Equal Opportunity - MN Dept. of Health \(state.mn.us\)](https://state.mn.us/minnesota-department-of-health/equal-opportunity). Printed copies are available to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- **Equal opportunity employer language.** The agency's website homepage, letterhead, publications, and all job postings include the statement "The Minnesota Department of Health is an equal opportunity employer." The agency will also ensure a representative ratio of diversity is on all marketing materials.
- **Physical copy.** A physical copy of the Agency's Affirmative Action Plan is available to contractors, vendors, and members of the public at the following address:

Minnesota Department of Health
625 Robert Street North
St. Paul, MN 55164-0975

Workforce Composition Analysis

Minnesota Administrative Rules, part 3905.0600, subpart 2, items A to C, subpart 3, items A to D, subpart 4, Subpart 5, and subpart 6.

Job Category Review

The agency conducted a Job Category Analysis to determine the percent of protected group employees in each job category. The job category analysis lists job class titles in each Equal Employment Opportunity (EEO) job category at the agency. A job classification is a group of one or more positions

with similar duties and responsibilities. These classifications help clarify positions within the class so the same schedules of pay can be applied with equity to all positions in the class that fall under the same, or substantially the same, employment conditions.

Determining Availability

The agency used the United States Census Bureau’s EEO Tabulation 2014-2018 American Community Survey (ACS) statistical data for external availability. The feeder job statistics of employees are used for internal availability (refer to Appendix D. Feeder Jobs for details).

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

Progress Reports

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

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

Where the indication of the “Goal Met?” column is:

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

Table 2. Progress Report from 2022-2024 affirmative Action Plan

Job Category	Females	Persons with Disabilities	Racial or Ethnic Minorities
Officials and Managers	-	-	-
Professionals	-	-	-
Technicians	-	-	-
Paraprofessionals	Yes	-	-
Administrative Support	-	-	-

Separations Analysis

[Appendix B. Separation Analysis](#) shows the results by separation type and the protected group during the prior affirmative action plan period to evaluate and identify potential action area(s) for retention strategies for the 2024-2026 plan year.

The agency will continue to analyze and review separation data for disparate impact on protected group employees. This will include reviewing non-certification trends, layoff trends, resignation trends, and disciplinary discharges. The appendix will include a detail separation report broken down by EEO4 job category. Below is a snapshot of the agency separations throughout the past two years as well as a brief narrative describing the separation analysis.

Table 3. Total Separation

Separation Type	Females	Persons with Disabilities	Racial or Ethnic Minorities
Dismissal or Non-Certification	62.50%	**.*%*	**.*%*
Resignation	73.94%	11.17%	26.60%
Enhanced Separation	0.00%	0.00%	0.00%
Retirement	74.70%	16.87%	**.*%*
Death	**.*%*	**.*%*	0.00%
Lay-off	**.*%*	**.*%*	0.00%
Termination without Rights	68.61%	13.87%	29.20%
Total Separations	71.90%	14.29%	22.72%

Utilization and Comparison of Employees to Availability

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

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

Through the utilization and availability analysis, the agency has determined which job categories are underutilized for females, persons with disabilities, and racial or ethnic minorities in the agency and has set hiring goals for the next two years. Hiring goals are objective and used for making good faith efforts for all aspects of the affirmative action plan. Effective hiring goals are strategic, actionable, and measurable efforts the agency is committed to pursuing and implementing in 2024-2026.

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

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

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

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

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

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

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

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

Table 4. 2024-2026 Hiring Goals by Job Category and Protected Group

Job Category	Females	Persons with Disabilities	Racial or Ethnic Minorities
Officials and Managers	-	-	-
Professionals	-	-	-
Technicians	-	-	-
Paraprofessionals	83.12%	-	-
Administrative Support	-	-	-
Service Maintenance			

Goals, Objectives, and Timetables

Minnesota Administrative Rules, section 3905.0400, subpart 1, item G and item H, Minnesota Administrative Rules, section 3905.0600, subpart 4, subpart 5, and subpart 6.

Goals:

This Affirmative Action Plan shall establish goals for each goal unit by protected group. The goals must be based on a comparison of the composition of the agency or agency subdivision work force with the composition of the relevant civilian labor force in an identified labor market area. If the comparison shows that a goal unit underutilizes a protected group, the agency head shall establish a goal for that group in that goal unit.

Definition:

Goal is a broad statement about the long-term expectation of what should happen as a result of your program (the desired result). Serves as the foundation for developing your program objectives.

Objectives:

The agency's affirmative action plan will identify and describe the methods for developing programs and program objectives designed to meet affirmative action goals. to implement the provisions of this affirmative action plan and meet requirements found in These Action-Oriented Programs are carried out throughout this affirmative action plan period.

Definition:

Objectives are statements describing the results to be achieved, and the manner in which they will be achieved. You usually need multiple objectives to address a single goal.

Timetables:

This Affirmative Action plan also establishes timetables for meeting goals and objectives. Timetables must be based on turnover and hire rates within each goal unit in the agency or within each agency subdivision.

The agency does not have underutilization for this affirmative action plan period. However, this section presents the agency's good faith efforts to maintain equal opportunity for females, persons with disabilities, and racial or ethnic minorities.

Goals, Objectives, and Timetables by Protected Group

Females

At the Minnesota Department of Health, data shows females are underutilized in the Paraprofessional job category although there is no underutilization of females in the remaining job categories and the total employee representation of females has increased by 20.24% between the 2022-2024 Affirmative Action Plan and this Affirmative Action Plan (2024-2026). The percentage change in the underutilized positions of female population in the Paraprofessional job category from last year to this year is 54.55%, which indicates a significant decrease in underutilization and improvement in the representation.

Goals	Objectives	Timetables
<ul style="list-style-type: none">Continue to Reenforce best practice to address various aspects of the agency's hiring process relating to recruitment, selection, and retention to improve equal access for females in the Paraprofessional job category.	<ul style="list-style-type: none">Reviewing job descriptions, especially <i>minimum qualifications</i>, to identify any words/descriptions that screen out females.Continue to provide and promote work-life balance, encourage females to take advantage of benefits like parental leave, and flexible work schedules.Solicit Feedback: Gather feedback from female employees about their recruitment experience and workplace satisfaction.Address Workplace Harassment: Have clear policies and procedures for addressing harassment and discrimination.	<p>It is anticipated that this hiring and recruitment process will be in place by fall 2025.</p>

Goals	Objectives	Timetables
<ul style="list-style-type: none"> Identify and implement strategies to utilize recruiting sources, attend job and career fairs, pursue other recruitment opportunities specifically for females. 	<ul style="list-style-type: none"> Build relationships with organization like vocational schools, educational institutions that serve and support females in various fields. Attend career fairs and events that target hiring females. Promote MDH's efforts in developing a potential workforce pipeline by pursuing established internship programs that serve females. Advertise vacancies in medias that serve and/or represent females. Monitor and analyze recruitment data to identify gaps and areas for improvement. 	<p>It is anticipated for this hiring and recruitment process to be in place by fall 2025.</p>

Persons with Disabilities

At the Minnesota Department of Health, there is no underutilization for persons with disabilities in any job categories.

- As indicated in the 2022-2024 Affirmative Action Plan, hiring persons with disabilities was an agency priority in the Technicians and Officials job categories.
- This priority was supported by the implementation of a comprehensive pre-offer review process, an increase in hiring from previous Affirmative Action Plan, targeted recruitment strategies and the Connect 700 program.
- As a result, the agency increased the total employee representation of **persons** with disabilities by 74.73% across the agency; improved the hiring goal in the officials/administrator's job category by 150%; and significantly improved the number in the Technician job category.
- Although there is no underutilization for persons with disabilities in any job categories, the agency will continue to review hiring practices in all job categories and positions requirements to insure they do not present barriers for candidates with disabilities and continue to work on agency recommendations from MMB to expand disability recruitment through outreach, internships, and the Connect 700 program.

Racial or Ethnic Minorities

At the Minnesota Department of Health, there is no underutilization for racial or ethnic minorities in any job category for this affirmative Action plan year.

- The total representation of racial or ethnic minorities employee has increased by almost 38.25% across the agency.
- While no underutilization was found in the racial or ethnic minority population in the previous Affirmative Action Plan (2022-2024), the agency had to monitor racial or ethnic minority employees in the Administrative, Official/Administrator, and technician job category to avoid underutilization. As a result, the population of racial or ethnic minority employees have improved in all job categories across the agency in this Affirmative Action Plan (2024-2026).
- The following factors contributed to the improvement of racial or ethnic minority employees in all job categories: the implementation of a comprehensive pre-offer review process, targeted recruitment strategies and internship programs.
- The agency will continue to review hiring practices in all job categories and positions requirements to insure they do not present barriers for racial or ethnic minority candidates and continue to work on agency recommendations from MMB to expend recruitment efforts through outreach and internships for racial or ethnic minority population.

Barriers to Achieving Goals and Objectives:

The agency has constraints to address underutilization and areas for monitoring identified in the previous section:

- An employee's willingness to self-identify, specifically within members of racial or ethnic minorities and persons with disabilities. If employees are not willing to identify their racial/ethnic/gender/disability status, this affects the representation of employees in these protected groups and consequently affect the department's ability to address underutilization.
- The geographic location of open positions, if the open positions are in an area of the state where there is a smaller workforce to draw on, this may affect the department's ability to attract applicants from protected classes.

Recruitment, Retention and Training

Minnesota Statutes 2023, section 43A.191, subdivision 3, (c), (1) and (2).

The agency will demonstrate a good faith effort to build a coordinated plan to recruit and retain qualified females, persons with disabilities, and racial or ethnic minorities.

The agency takes the following actions to improve its recruitment and retention processes to increase the number of qualified females, racial or ethnic minorities, and persons with disabilities in the applicant pool:

Continue to place advertisements of job opportunities in appropriate and relevant locations such as, social media, professional networking locations, diversity networks and distribute postings of internships and job opportunities in the following list of resources, as well as adding new sources as they become available.

- Minnesota Department of Health site (<http://www.health.state.mn.us/>)
- State of Minnesota (<https://mn.gov/mmb/careers/>)
- Minnesota Public Health Association (<http://www.mpha.net>)
- LinkedIn (<https://www.linkedin.com/company/mnhealth>)
- Indeed (<https://www.indeed.com>)
- **Job fairs and community fairs:** The Human Resource staff have been attending job and career fairs, as well as conferences and community events and has successfully recruited individuals from the following:
 - University of Minnesota School of Public Health Job Fair
 - The Minnesota Veterans Career Fair
 - State of MN "One Dream" Job Fair
 - People of Color Fair
 - AFSCME Staff the Front Lines Hiring Fair
 - State of MN "Executive Branch" Career Fair
 - DEED Veterans Career Fair

- MPLs Diversity Career Fair
- MN Public Health Association Conference – Vendor Table
- St. Kate’s Career & Internship Fair
- U of M Humphrey School of Public Affairs “Employer Showcase”
- St. Kate’s Career Center - Vendor Table
- U of M Spring Career & Internship Fair
- U of M Fall College of Science & Engineering Career/Job Fair
- **Recruitment for Persons with Disabilities:** The Human Resource staff of the Minnesota Department of Health takes the following actions to successfully recruit persons with Disabilities and will continue to use these strategies during the term of the 2024-2026 Affirmative Action Plan year:
 - Advertise the Connect 700 program in all of our job posting to attract qualified candidates with disabilities by providing a link to MMB’s website as well as other disabilities’ communities job fairs
 - Prominently display on our job postings and internet career site that we will provide reasonable accommodations to qualified candidates with disabilities who apply for our positions
 - Conduct periodic self-checks to determine if our systems or documents are accessible, language in our job postings is inclusive and reasonable accommodations are provided in a timely manner
- **Relationship Building, Outreach, and additional recruitment activities:** Below are various recruitment method or strategies utilized by the Minnesota Department of Health Human Resource and other staff members during the past year and plan to undertake for the 2024-2026 Affirmative Action Plan years:
 - Use the EEO tag line on all job postings and advertisements
 - Consider female, racial or ethnic minorities, and persons with disability applicants for all positions for which they qualify
 - Build partnerships with Vocational Rehabilitation Centers to recruit persons with disabilities
 - Develop relationships with Minnesota colleges, universities, and community organizations, especially those with diverse populations, to identify opportunities to reach more diverse groups. Use recruiting tools to help reach applicants for vacancies from a broader set of communities than we currently target
 - Provide ongoing guidance to all staff on the following: ADA, Affirmative Action, and the connect 700 programs
 - Encourage hiring managers and supervisors to promote opportunities to underutilized candidates and ensure an inclusive interview and selection processes
 - Continue to use best practices to ensure job postings are inclusive in order to attract diverse candidates.

- Work with HRM and department hiring authorities to identify current and future staffing needs in each job categories, particularly where protected groups are underutilized.
- Work with senior staff and HRM to ensure that all MDH employees are aware of the existence of this Plan, its contents, and their responsibilities under the Plan.

Name of individual(s) responsible:

Name: Annie Marin

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Retention

The Minnesota department's Health retention strategy is a multi-faceted approach. The Affirmative Action Officer, Human Resource management, including the HR director, the Workforce Strategy and Learning and Development teams, the Office of Organizational Wellbeing and Employee experience, and the Office of Diversity, Equity, Inclusion, and Belonging are the key contributors to the department's retention strategies.

During the current (2024-2026) Affirmative Action Plan year, the agency experienced 427 separations in total, which is less than 464 separations that occurred during the 2020-2022 Plan year. This is approximately 8% decrease in employee turnover.

Out of the 427 total separations, 188 individuals fall under the resignation category which is less than 204 total resignations for the previous Affirmative Action Plan year.

The total resignation rate of the 188 resignations for females is 73.94%, which is less than 75% of the total females' resignations rate for the previous plan year.

The total resignation rate of the agency 188 resignation for persons with disabilities is 11.17%. This is higher than the total resignations rate of 6.8% for person with disabilities for the previous plan year.

The total racial or ethnic minorities' resignation rate of the 188 resignation is 26.60%. This is 4% increase over the total resignations rate of 22% for racial or ethnic minority population for the previous plan year.

In addition to monitoring exit surveys and other data, the agency will undertake the following initiatives to lower the rate of resignation of employees within protected groups: conducting various racial equity training sessions, implementing numerous inclusion events to recognize the racial and ethnic diversity of our workforce, increasing the agency's participation in internship programs that increase cultural awareness, ensuring all employees participate in respectful workplace training and incorporate diversity criteria in programs like MDH's Everyday Leaders.

To improve retention of females, racial or ethnic minorities, persons with disabilities, and for employees to view the Department of Health as a preferred place to work, the agency will advance current strategies and integrate new approaches.

These strategies will consist of:

- Develop and implement a strong strategic plan with priorities, goals, and objectives that align with, and support in accomplishing, the agency retention strategy in the following ways:
 - Increase employee diversity by increasing the percent of formal leadership positions held by racial or ethnic minorities employees and employees with disabilities from 14% and 13%, respectively, to at least 20%.
 - Increase employee retention and well-being by increasing the percent of employees who agree their workload is manageable from 40% to 70%;
 - Maintaining the current 90% two-year retention rate for new hires; and increasing the two-year retention rate for new hires who are part of a protected class from 84% to 90%.

- Build a strong performance management system
 - By establishing a robust performance management system with performance measures across all bureaus.

The agency will also utilize other effective retention strategies to decrease turnover of all employees with emphasis on protected group members:

- Create and provide learning and development opportunities to all employees and encourage employees to seek out these learning and development opportunities like Supervisor-specific training and the Everyday Leaders program.
- The Everyday Leader's program is designed to help a cohort of 25 employees in learning community to build leadership skills to use in their current positions and prepare them for future formal or informal leadership roles at the Department of Health.
- Organizational Wellbeing initiatives and training – designed to provide resources to support a trauma-informed approach to leadership.
- Improve all processes, templates, and tracking for Individual Development planning to ensure that all employees have an active plan which is reviewed at least annually.
- Increased partnerships with DEIB office to integrate equity and training throughout HR practices.

Offer a robust New Employee Orientation Session to new employees that provides information about the following:

- Agency work culture, policies, procedures, resources (including understanding of accessibility standards for an *inclusive workplace*, EEO/AA and diversity).
- Continue to assess the agency's onboarding process, identify inclusive practices to be added, and create a standard onboarding that makes all employees feel welcome as well as add any accommodations staff may need to help support their success at MDH.
- Collaborate with the Office of Diversity, Equity, Inclusion, and Belonging to provide insight and training on workplace culture, provide the senior management team with recommendations for improvement, and develop work plan that cultivate a culture of belonging.

New Commitments

To enhance retention strategies, the agency commits to introduce and implement the following:

- Apply turnover reduction strategies. The strategies will include:
 - Promoting our reward and recognitions to acknowledge employee's efforts;
 - *Development opportunity*: Provide opportunities for employee to learn and grow in their career;
 - *Competitive compensation*: Offer competitive compensation and benefits to employees.

- The Workforce Strategy team will develop and implement stay and exit surveys and after-exit interviews as well as improve the offboarding process as follow:
 - Collect data, analyze the data, and address any identified concerns;
 - Encourage managers and supervisors to promote the exit interview process with departing employees.
 - The Workforce Strategy team, along with the Affirmative Action Officer, if needed, will address identified concerns or potential issues based on information gathered from the exit survey with managers, supervisors, or departing employees
- Increased partnership with Health Equity Strategist and goal setting. MDH hired Health Equity Strategist for each Division to assist in leading the agency diversity, equity and inclusion work and to ensure that diversity equity and inclusion is in the forefront of all recruitment and retention initiatives.
- *Agency wide compensation study*: MDH recognized the need for a study to evaluate equity in compensation for staff with similar experience and education within all classifications. The Compensation study was approved by MMB and the data collection and analysis were concluded at the end of June 2024.
 - Recommendations were sent to MMB early July 2024. Anticipated implementation will be early 2025.
 - *Post implementation*: there will be an after-action review to reflect on how to continuously improve and support equitable compensation practices.
- Various classification studies and initiatives will be led out of the Workforce Planning area of HRM. On a continuous basis, and as needs are recognized, project plans will be developed to encompass studies of single classifications and/or class series used by MDH to determine if new classifications are needed or if the current classifications are designated in the appropriate salary ranges or if range reassignments are needed.

Name of individual(s) responsible:

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Title: MDH Workforce Development Manager

Phone: 651-259-3631

Training

The agency will take the following actions to improve retention of employees with emphasis on members from the protected groups:

- Provide cross-training programs to develop employee's skill and competencies.

- *Provide MDH 101:* Welcome to the agency, a program meant to build understanding of the Agencies mission, vision, and values, connect new staff to key agency staff, share resources for job success and promote connections among other new staff.
- Develop and facilitate a program for newly promoted supervisors to support them in building inclusive, engaging work environments for all members of the team.
- Offer ongoing skill building and professional development opportunities to existing supervisors and managers to support leading diverse teams.
- Require all staff to complete an Individual Development Plan to encourage development.
- Provide various training opportunities internally and announce external training opportunities to all staff.
- Announce all promotion and transfer opportunities openly.
- Ensure all new hires receive inclusive workplace e-learning training.
- Facilitate a 10-month leadership program, focused on inclusive leadership, targeting the enrollment of those from protected groups.

Name of individual(s) responsible

Name: Emily Paoli Johnson

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Title: Manager of Learning and Development

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Disability Recruitment, Hiring, and Advancement

Minnesota Statutes 2023, section 43A.191, subdivision 2 (d), subdivision 2a (b) (1) and (2), (c) (1) to (5).

This section identifies ways the agency will provide assurances, procedures, and commitments to provide adequate hiring, placement, and advancement opportunities for persons with disabilities. It must describe specific actions to ensure that a broad range of persons with disabilities will be aware of and be encouraged to apply for job vacancies when eligible:

1. The use of programs and resources that identify job applicants with disabilities who are eligible to be appointed under a hiring authority that takes disability into account, consistent with the demonstration program under section [43A.15, subdivision 14](#).

MDH currently utilizes the Connect 700 Program. Connect 700 is an alternative, non-competitive selection process available to hiring managers and individuals with certain disabilities seeking employment in state government. Connect 700 (or C700) is a pre-probationary program that provides eligible selected individuals a chance to demonstrate their abilities through an on-the-job trial work experience of up to 700 hours, and gives hiring managers the opportunity to more accurately determine if the candidate has the skills and abilities to be successful in the position. Traditionally, these programs have resulted in more informed hiring decisions and lower turnover.

To further the hiring and recruitment efforts, MDH publicizes Connect 700 eligibility on job postings for all unlimited classified positions, helps build awareness of the program among managers, supervisors, and staff, and considers Connect 700 eligible applicants who request Connect 700 as an alternative to the standard competitive selection process.

In addition to the C700 program, MDH follows all guidance around skills-based hiring and follow the merit system principles designated by Minnesota Management and Budget.

2. Establishment and maintenance of contacts, that may include formal agreements, with organizations that specialize in providing assistance to persons with disabilities in securing and maintaining employment. MDH works with multiple organizations including but not limited to the following:
 - State Accommodation Fund
 - Minnesota STAR Program
 - Minnesota Council on Disability
 - State Services for the Blind
 - Vocational Rehabilitation Services
 - Deaf and Hard of Hearing Services
 - Minnesota Governor's Council on Developmental Disabilities
3. The plan must ensure that the agency has designated sufficient staff to handle any disability-related issues that arise during the application and selection process, and shall require the agency to provide staff with sufficient training, support, and other resources to carry out the responsibilities.

MDH has a robust team of HR/LR professionals to ensure the implementation of proper procedures and hiring practices of persons with disabilities. The Human Resources staff are regularly provided with up-to-date trainings and resources in partnership with multiple agencies including Minnesota Management and Budget. Human Resources partners with the agencies Affirmative Action Officer and the Diversity, Equity, Inclusion & Belonging Division to maintain and improve upon all Recruitment and Selection efforts related to persons with disabilities and all other protected classes.

4. Ensuring that disability-related questions from members of the public regarding the agency's application and selection processes are answered promptly and correctly, including questions about reasonable accommodations needed by job applicants during the application and selection process and questions about how individuals may apply for positions under hiring authorities that take disability into account.

To ensure that disability-related questions from the public are answered promptly and accurately, our agency implements a multi-faceted approach. We have a dedicated Staffing team trained in handling inquiries about our application and selection processes. We also have a knowledgeable Labor Relations team that handles requests for reasonable accommodations. Additionally, the state of Minnesota maintains up-to-date, easily accessible resources online, featuring FAQs and guidelines on how to apply for positions under hiring authorities that consider disability. All staff involved in the hiring process receive training ensuring they can provide correct information and support to applicants. Finally, we encourage feedback from applicants to continually improve our processes and address any gaps in information. Through these strategies, we aim to create an inclusive environment where all applicants feel supported and informed throughout their application and selection journey.

5. Accepting applications for a position under hiring authorities that take disability into account. As mentioned above, Minnesota Department of Health participates in the Connect 700 program. In addition to the C700 program, MDH follows all guidance around skills-based hiring and follow the merit system principles designated by Minnesota Management and Budget.
6. If an individual has applied for appointment to a particular position under a hiring authority that takes disability into account, determining whether the individual is eligible for appointment under such authority and if so, forwarding the individual's application to the relevant hiring officials with an explanation of how and when the individual may be appointed, consistent with all applicable laws.

Minnesota Department of Health follows the hiring procedure designated in the Connect 700 Program Guide, in addition to all applicable laws and policies related to the Connect 700 program and the hiring of persons who identify as having a disability.

7. Overseeing any other agency programs designed to increase hiring of persons with disabilities. We prioritize a strategic approach that includes program evaluation, collaboration, and community outreach on an as needed basis. We regularly assess the effectiveness of existing initiatives and hiring and retention data to identify areas for improvement and ensure they align with best practices. Collaboration with business partners and community groups helps us broaden our recruitment efforts and tap into diverse talent pools. Additionally, we promote

awareness of our programs through our agency postings and online resources provided by the State of Minnesota. By fostering a culture of inclusivity within our agency, we aim to create an environment where diverse talents are recognized and valued, ultimately enhancing our workforce and service delivery.

Supported Employment (Worker) Program

This section identifies ways the agency will identify any positions in the agency that can be used for supported employment as defined in section [268A.01, subdivision 13](#), of persons with significant disabilities. The agency shall report this information to the Commissioner or head of the agency. An agency that hires more than one supported worker in the identified positions must receive recognition for each supported worker toward meeting the agency's affirmative action goals and objectives.

Although MDH is not currently participating in The Supported employment Worker program, Hiring persons with disabilities remains one of the important aspects of the agency's commitment to diversity, equity, and inclusion. The agency diligently review all it hiring practices across all job categories and position requirements to ensure they do not create barriers for candidates with disabilities. Additionally, MDH continues to implement recommendations from MMB to expend disability recruitment through outreach efforts, internships, and the Connect 700 program.

However, the agency will identify positions that can be used for supported employment and develop strategies and resources to expend and support such opportunities. This will help clarify the law and regulation related to supported employment, including the ADA, reasonable accommodation, the application and selection process, and other best practices. The goal is to ensure that questions from the public are addressed correctly and that both applicants and supervisors receive the support they need throughout the process.

Reasonable Accommodations

This section identifies ways the agency:

1. Provides reasonable accommodations in the hiring and promotion of qualified persons with disabilities.
2. Complies with accessibility standards under 16E.03, Subd. 9
3. Methods and procedures for providing timely access to reasonable accommodations during the application process, throughout current employment, and when seeking promotion.
4. Provisions for funding reasonable accommodations; and
5. The number of requests made, the number of requests approved, and the number of requests reimbursed from the state accommodation account under section [16B.4805](#).

Table 5. Reasonable Accommodation Requests, Approvals, and Reimbursements data starting from July 2023 – June 30, 2024

Number of Request	Number of Requests Approved	Number of Requests Reimbursed
57	44 (lower number due to employees not following back up with HR to continue the accommodation process)	6

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

OVERVIEW

Objective

The goals of this policy are:

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

Policy Statement

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

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

Scope

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

Definitions

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

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

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

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

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

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

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

Individual with a Disability - An individual who:

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

Qualified Individual with a Disability - An individual who:

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

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

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

Medical Documentation - Information from the requestor's treating provider which is sufficient to enable the employer to determine whether an individual has a disability and whether and what type of reasonable accommodation is needed when the disability or the need for accommodation is not obvious.

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

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

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

- Providing materials in alternative formats like large print or Braille;
- Providing assistive technology, including information technology and communications equipment, or specially designed furniture;
- Modifying work schedules or supervisory methods;
- Granting breaks or providing leave;
- Altering how or when job duties are performed;
- Removing and/or substituting a marginal function;
- Moving to a different office space;
- Providing teleworks;
- Making changes in workplace policies;
- Providing a reader or other staff assistant to enable employees to perform their job functions, where a reasonable accommodation cannot be provided by current staff;
- Removing an architectural barrier, including reconfiguring work spaces;
- Providing accessible parking;
- Providing a sign language interpreter; or
- Providing a reassignment to a vacant position.

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

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

Undue Hardship - A specific reasonable accommodation would require significant difficulty or expense. Undue hardship is always determined on a case-by-case basis considering factors that include the nature and cost of the accommodation requested and the impact of the accommodation on the

operations of the agency. A state agency is not required to provide accommodations that would impose an undue hardship on the operation of the agency.

Exclusions

N/A

Statutory References

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

GENERAL STANDARDS AND EXPECTATIONS

Individuals who may request a reasonable accommodation include:

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

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

How to request a reasonable accommodation

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

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

Timing of the request

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

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

Form of the request

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

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

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

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

Agency request forms can be found at: [Americans with Disabilities Act \(ADA\) \(sharepoint.com\)](http://sharepoint.com)

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

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

The interactive process entails:

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

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

- There are questions about the reasonableness of the requested accommodation.

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

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

The agency ADA Coordinator shall be consulted when:

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

Agency responsibilities for processing the request:

As the first step in processing a request for reasonable accommodation, the person who receives the request must promptly forward the request to agency ADA Coordinator (health.HR.ADA@state.mn.us). At the same time, the recipient will notify the requestor who the decision maker is.

Commissioner

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

ADA Coordinator

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

Supervisors and Managers

Provide feedback regarding employee Essential Functions of the position.

Participate in the interactive process with the employee and ADA Coordinator, and be responsive to requests in a timely manner.

Refer all requests for reasonable accommodation to the agency ADA Coordinator.

All requests for standard office equipment that is needed as a reasonable accommodation and adaptive items must be made to the ADA Coordinator; and

Requests for a change in a condition of employment such as modified duties, or a change in schedule, or the location and size of an employee's workspace, must be made to the agency ADA Coordinator.

Analysis for processing requests

Before approving or denying a request for accommodation, the agency ADA Coordinator will:

1. Determine if the requestor is a qualified individual with a disability;
2. Determine if the accommodation is needed to:

- Enable a qualified applicant with a disability to be considered for the position the individual desires;
 - Enable a qualified employee with a disability to perform the essential functions of the position; or
 - Enable a qualified employee with a disability to enjoy equal benefits or privileges of employment as similarly situated employees without disabilities;
3. Determine whether the requested accommodation is reasonable;
 4. Determine whether there is a reasonable accommodation that will be effective for the requestor and the agency; and
 5. Determine whether the reasonable accommodation will impose an undue hardship on the agency's operations.

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

Obtaining medical documentation in connection with a request for reasonable accommodation

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

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

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

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

medical records; medical records are not appropriate documentation and cannot be accepted.

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

Confidentiality requirements

Medical Information

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

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

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

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

Accommodation Information

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

General Information

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

Approval of requests for reasonable accommodation

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

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

Funding for reasonable accommodations

Each Division is responsible for providing their funding information to the ADA Coordinator so that the ADA Coordinator can process purchases as necessary for reasonable accommodations.

Procedures for reassignment as a reasonable accommodation

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

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

Denial of requests for reasonable accommodation

The agency Human Resources Director and the Employee and Labor Relations Director must be contacted for assistance and guidance prior to denying any request for reasonable accommodation. The agency may deny a request for reasonable accommodation where:

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

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

Consideration of undue hardship

An interactive process must occur prior to the agency making a determination of undue hardship. Determination of undue hardship is made on a case-by-case basis and only after consultation with the agency's ADA Coordinator. In determining whether granting a reasonable accommodation will cause an undue hardship, the agency considers factors such as the nature and cost of the accommodation in relationship to the size and resources of the agency and the impact the accommodation will have on the operations of the agency.

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

Determining direct threat

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

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

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

Appeals process in the event of denial

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

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

Information tracking and records retention

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

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

RESPONSIBILITIES

Agencies are responsible for the request:

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

MMB is responsible for:

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

FORMS AND INSTRUCTIONS

Please review the following forms:

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

REFERENCES

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

- Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 at 6-9, 8 FEP Manual (BNA) 4055:7371.

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

[Minnesota Human Rights Act \(MHRA\)](#) prohibits employers from treating people differently in employment because of their race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance, age, sexual orientation, or local human rights commission activity. The MHRA requires an employer to provide reasonable accommodation to qualified persons with disabilities who are employees or applicants for employment, except when such accommodation would cause undue hardship or where the individual poses a direct threat to the health or safety of the individual or others. The MHRA prohibits requesting or requiring information about an individual's disability prior to a conditional offer of employment.

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

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

CONTACTS

Equal Opportunity Office at Minnesota Management and Budget

A. Minnesota Department of Health Employee/Applicant Request for Americans with Disabilities Act ("ADA") Reasonable Accommodation Form

Employee requests for Americans with Disabilities act ("ADA") reasonable accommodations can be made to Health.HR.ADA@state.mn.us. Additional information for employees can be found at: [Americans with Disabilities Act \(ADA\) \(sharepoint.com\)](#)

Applications or external parties requesting reasonable accommodations can be made to Health.HR.ADA@state.mn.us.

Additional information for external parties or applicants can be found at: <https://www.health.state.mn.us/about/equalopp.html>

Notice Under the Americans with Disabilities Act Title II

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

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

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

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

Anyone who requires an auxiliary aid or service for effective communication, or a modification of policies or procedures to participate in a program, service, or activity of the Minnesota Department of Health (MDH) should contact Rachael Marshall

MDH Employee & Labor Relations Director

Rachael.Marshall@state.mn.us

625 Robert Street North

St. Paul, MN 55164-0975

as soon as possible but no later than 48 hours before the scheduled event.

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

Complaints that a program, service, or activity of The Department of Health is not accessible to persons with disabilities should be directed to the Employee and Labor Relations Director, Rachael Marshall.

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

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

Non-Employee requests should be made in writing to Health.HR.ADA@state.mn.us.

C. Minnesota Department of Health (MDH) Grievance Procedure Under Title II of the Americans with Disabilities Act

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

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

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

To:

Rachael Marshall

MDH Employee & Labor Relations Manager

Rachael.Marshall@state.mn.us

625 Robert Street North

St. Paul, MN 55164-0975

Within 15 calendar days after receipt of the complaint, Rachael Marshall or her designee will meet or communicate with the complainant to discuss the complaint and the possible resolutions. The response will explain the position of the Department of Health and offer options for substantive resolution of the complaint.

If the response by Rachael Marshall or her designee does not satisfactorily resolve the issue, the complainant and/or his/her designee may appeal the decision within 15 calendar days after receipt of the response to the Department of Health Commissioner or Deputy Commissioner.

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

All written complaints received by Rachael Marshall or her designee, appeals to the Department of Health Commissioner or her Deputy Commissioner, and responses from these two offices will be retained by the Department of Health for at least three years.

D. Evacuation Procedure for Persons with Disabilities or Otherwise in Need of Assistance

A copy of the agency's weather and emergency evacuation plans can be found on the MDH Intranet.

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

Everyone has a responsibility to develop their own personal emergency evacuation plan, including persons with disabilities or individuals who will need assistance during evacuation. In coordination with the safety administrator, the Americans with Disabilities Act (ADA) Coordinator or designee in each agency will work to develop a plan and consult the appropriate building and safety personnel.

Directors, managers, and supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance may be needed, persons with disabilities should contact the agency contact(s) below to request the type of assistance they may need.

Name: Jolene Ziegler

Title: Safety Administrator

Email: Jolene.ziegler@state.mn.us

Phone: (651)201-5771

Evacuation Options:

Persons with disabilities have several different evacuation options which are mentioned below:

Note: Not all options will apply to your agency depending on the location, building type, and type of equipment available for evacuations.

- **Horizontal evacuation:** Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
- **Stairway evacuation:** Using steps to reach ground level exits from building;
- **Shelter in place:** Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire-resistant door. If the individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds;

- **Area of rescue assistance:** Identified areas that can be used as a means of egress for persons with disabilities. These areas, located on floors above or below the building's exits, can be used by persons with disabilities until rescue can be facilitated by emergency responders;
- **For agencies equipped with an evacuation chair:** Evacuation chairs or a light-weight solution to descending stairways can be used and generally require single user operation. If an agency is equipped with an evacuation chair, best practice indicates that all employees are trained and have practiced evacuating using an evacuation chair.

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

Persons with disabilities should follow the following procedures:

- **Mobility disabilities (individuals who use wheelchairs or other personal mobility devices ("PMDs")):** Individuals using wheelchairs should be accompanied to an area of rescue assistance by an evacuation assistant, another employee or shelter in place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify the individuals in these areas and notify to emergency responders how many individuals need assistance to safely evacuate.
- **Mobility disabilities (individuals who do not use wheelchairs):** Individuals with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue assistance until emergency responders arrive to assist them.
- **Hearing disabilities:** The agency's buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for individuals with who are deaf and/or hard of hearing. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.
- **Visual disabilities:** The agency's buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, individuals with visual disabilities may need assistance in evacuating. The assistant should offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.
- **Mobility Impairments:** Employees with temporary or permanent mobility impairments, or those who would be unable to evacuate the building in a timely manner due to a personal health condition will:
 - Notify their supervisor and the building emergency coordinator(s) that they require assistance

- Contact the ADA Coordinator for assistance in developing an emergency evacuation plan
 - Select two or more evacuation assistants to provide aid during an emergency.
- Mobility impaired employees and their evacuation assistants will form a plan to meet in a specific area of the workplace for all emergencies and will communicate this information to their supervisor and building emergency coordinator(s)
 - Identify a primary and secondary meeting area
 - Near an exit route is a good area to meet

Severe Weather Evacuation Options:

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

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

Building emergency coordinator(s), ADA coordinator, and supervisors will:

- Coordinate with staff and their evacuation assistants in the development of an appropriate evacuation plan and relocation site
- Annually review and verify staff requiring assistance or upon a new request being added
- Ensure information regarding the location of all staff requiring assistance be kept near or within the building fire panel for easy access and use by emergency response officials
- Keep duplicate copies of all staff requiring assistance at the security desk and with the building emergency coordinators

During an evacuation, employees and their evacuation assistants will:

- Meet at the primary or secondary pre-determined evacuation area
- Once at the pre-determined location, the evacuation assistant(s) will assist the mobility impaired employee in evacuating the building, if possible
- If they are unable to evacuate, the evacuation assistant will remain with the mobility impaired employee until help arrives (if safe to do so)
- The evacuation assistant will then instruct a fellow employee (another evacuation assistant or alternate) to leave and report to the building emergency coordinator or fire department personnel, the location of the mobility impaired employee and evacuation assistant
- These individuals will remain at this location until their rescue is assisted by fire department or

other emergency personnel

- If, due to building conditions, they are unable to remain at this location, they will:
 - Relocate to an area behind doors (an office or conference room)
 - Relocate horizontally and further away from the area of imminent danger
 - Immediately call 911 to advise them of their relocation or use any available means to contact emergency response officials (e.g., cell phone, sign in a window, etc.)
- If the mobility impaired employee is in another area of the building, or one or both evacuation assistants is not available to help, the mobility impaired employee will ask for assistance from other individuals evacuating the building

Name of individual(s) responsible

- | | |
|--------------------------------------|--|
| • Name: Jolene Ziegler | • Email: Jolene.ziegler@state.mn.us |
| • Title: Safety Administrator | • Phone: (651)201-5771 |

Methods of Auditing, Evaluating, and Reporting Program Success

Minnesota Administrative Rules 3905.0400, subpart 1, item I.

Pre-Employment Review Procedure/Monitoring the Hiring Process

The agency will evaluate its selection process to determine if its requirements unnecessarily screen out a disproportionate number of females, persons with disabilities, and racial or ethnic minorities. In each job category where underutilization exist , the agency will use the Monitoring the Hiring Process form for every hire to track the number of females, persons with disabilities, and racial or ethnic minorities in each stage of the selection process. Directors, managers, and supervisors will work closely with human resources and the Affirmative Action Officer if needed, in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure that equal opportunity and affirmative action are carried out. Directors, managers, and supervisors must document their hiring decisions and equal opportunity professionals will review for bias if needed.

An agency that does not meet its hiring goals for competitive appointments, and noncompetitive appointments under MS 43A.08, subd. 1(9), (11) and (16), and 43A.15, subd. 3, 10, 12, and 13, must justify its non-affirmative action hires. The affirmative action statute was amended in 2019 so agencies can no longer take missed opportunities. The agency will report the number of affirmative and non-affirmative hires to MMB on a quarterly basis.

When candidates are invited to participate in the selection process, employees scheduling the selection process will describe the process to the candidate (e.g., interview process, testing process). All candidates are provided information regarding the procedure to request reasonable accommodations, if necessary, to allow candidates with disabilities equal opportunity to participate in the selection process. For example, describe if interview questions are offered ahead of time or what technology may be used during a test. This allows for an individual with a disability to determine if they need a reasonable accommodation in advance.

All employees involved in the selection process are trained and accountable for the agency's commitment to equal opportunity and the affirmative action plan and its implementation.

Pre-Review Procedure for Layoff Decisions

The Affirmative Action Officer, in conjunction with the agency's human resources office, is responsible for reviewing all pending layoffs to determine their effect on the agency's affirmative action goals and timetables.

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

Other Methods of Program Evaluation

The agency submits the following compliance reports to MMB as part of the efforts to evaluate the agency's affirmative action plan:

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

The Minnesota Department of Health also evaluates the Affirmative Action Plan in the following ways

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

Audits, Sanctions, and Incentives

Minnesota Statutes 2023, section 43A.191, subdivision 3, (f) and (g).

An agency not in compliance with affirmative action requirements of this section must identify methods and programs to improve performance, to reallocate resources internally in order to increase support for affirmative action programs, and to submit program and resource reallocation proposals to the commissioner for approval. An agency must submit these proposals within 120 days of being notified by the commissioner that it is out of compliance with affirmative action requirements. The commissioner shall monitor quarterly the affirmative action programs of an agency found to be out of compliance.

The commissioner shall establish a program to recognize an agency that has made significant and measurable progress in implementing an affirmative action plan.

Policies and Procedures for Harassment and Discrimination Complaints

Minnesota Administrative Rules, section 3905.0400, subpart 1, item F. Minnesota Administrative Rules, section 3905.0500.

A. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436 (revised 8/14/2023)

OVERVIEW

Objective

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

Policy Statement

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

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

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

Sexual harassment is specifically addressed by [HR/LR Policy #1436 Sexual Harassment Prohibited](#).

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies as defined in the Minnesota Statutes, section 43A.02, subdivisions 2 and 22, and employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Terms

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

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

- Race
- Color
- Creed
- Religion
- National origin

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

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

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

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

Genetic information: Includes information about an individual's or their family members' genetic tests, family medical history, an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or their family member, and the genetic information of a fetus carried by an individual or a pregnant family member, and the genetic information of any embryo legally held by the individual or their family member using an assisted reproductive technology.

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

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

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

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

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

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

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

Statutory References

[42 U.S.C. 2000e](#), et al. Equal Employment Opportunities

[M.S. Ch. 43A](#) State Personnel Management

[M.S. Ch. 363A](#) Human Rights

GENERAL STANDARDS AND EXPECTATIONS

I. Prohibition of Protected Class Harassment and Discrimination

Harassment of or discrimination against any employee or third party based on protected class in the workplace or public service environment, or which affects the workplace or public service environment, is strictly prohibited. Harassment of or discrimination against an individual because of their relationship or association with members of a protected class is also strictly prohibited.

Protected class harassment and discrimination may take different forms including verbal, nonverbal, or physical conduct or communication. Conduct based on protected class may violate this policy even if it is not intended to be harassing. Protected class harassment and discrimination under this policy includes, but is not limited to, the following behavior when it is based on actual or perceived membership in a protected class, including stereotypes of protected classes:

- Offensive jokes, slurs, derogatory remarks, epithets, name-calling, ridicule or mockery, insults or put-downs.
- Display or use of offensive objects, drawings, pictures, or gestures.
- Physical assaults or threats.
- Unwelcome touching or comments about a person's hair, body, clothing, or personal effects related to the person's protected class.
- Repeatedly or deliberately misgendering a person, including using gendered personal references that do not align with another person's identity.
- Repeatedly or deliberately mispronouncing a person's name, related to the person's protected class, including use of an unwelcome nickname, or shortening a name without permission.

- Following, stalking, intimidation.
- Malicious interference with work performance.
- Implicit or explicit preferential treatment or promises of preferential treatment for submitting to the conduct or communication.
- Implicit or explicit negative treatment or threats of negative treatment for refusing to submit to the conduct or communication.
- Discriminatory conduct based on an individual's actual or perceived protected class that segregates, separates, limits or restricts the individual from employment opportunities, including, but not limited to, hiring, promotion, compensation, disciplinary action, assignment of job duties, benefits or privileges of employment.

II. Employee and Third-Party Responsibilities and Complaint Procedure

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

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

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

If the report concerns an agency head, the complainant may contact Minnesota Management and Budget's (MMB') Deputy Commissioner of Enterprise Employee Resources.

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

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

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

III. Manager/Supervisory Responsibility

Managers and supervisors must:

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

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

IV. Human Resources Responsibilities

Agency human resources must:

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

V. Affirmative Action Officer or Designees Responsibilities

Agency Affirmative Action Officer/designee must:

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

VI. Investigation and Discipline

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

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

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

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

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

VII. Non-Retaliation

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

RESPONSIBILITIES

Agency Responsibility

Agencies are responsible for the following:

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

MMB Responsibility

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

REFERENCES, FORMS, AND SUPPLEMENTS

Refer to [HR/LR Policy #1329](#) Sexual Harassment Policy Prohibited for issues related to sexual harassment. For issues not related to sexual harassment, or harassment or discrimination based on protected class under this policy, refer to [HR/LR Policy #1432](#) Respectful Workplace.

Employees may consult their agency's Affirmative Action Plan for agency-specific information.

Complaint Form: [Harassment Complaint Form](#)

(Or the google doc: [Workplace Incident or Complaint Forms](#))

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

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

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

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

Signed: _____ Date: _____

Print Employee Name: _____

CONTACTS

MMB Enterprise Employee Relations

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

B. Statewide Sexual Harassment Prohibited Policy Statewide HR/LR Policy #1329: Sexual Harassment Prohibited (revised 8/14/2023)

OVERVIEW

Objective

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

Policy Statement

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

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

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

Harassment and discrimination based on protected class is specifically addressed by [HR/LR Policy #1436](#) Harassment and Discrimination Prohibited.

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies as defined in Minnesota Statutes, Section 43A.02, subdivisions 2 and 22, and employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Key Terms

Complainant

An individual who reports sexual harassment or retaliation.

Public service environment

A location where public service is being provided.

Sexual harassment

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

Third party

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

- Applicants for State employment

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

Exclusions

N/A

Statutory References

[42 U.S.C. § 2000e](#), et al. Equal Employment Opportunities

[M.S. Ch. 363A](#) State Personnel Management

[M.S. Ch. 43A](#) Human Rights

General Standards and Expectations

I. Prohibition of Sexual Harassment

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

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

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

II. Employee and Third-Party Responsibilities and Complaint Procedure

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

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

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

If the report concerns an agency head, the complainant may contact Minnesota Management and Budget's (MMB's) Deputy Commissioner or Enterprise Employee Resources.

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

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

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

III. Manager/Supervisor Responsibility

Managers and Supervisors must:

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

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

IV. Human Resources Responsibilities

Agency human resources must:

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

V. Affirmative Action Officer or Designee Responsibilities

Agency Affirmative Action Officer/designee must:

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

VI. Investigation and Discipline

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

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

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

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

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

VII. Non-Retaliation

Retaliation against any person who opposes sexual harassment, who reports sexual harassment, or who participates in an investigation of such reports, is strictly prohibited. Retaliation also includes conduct or communication designed to prevent a person from opposing or reporting sexual harassment or participating in an investigation. Retaliation will not be tolerated. Any employee who is

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

RESPONSIBILITIES

Agencies are responsible for:

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

MMB is responsible for:

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

REFERENCES, FORMS AND SUPPLEMENTS

For issues related to harassment or discrimination based on protected class, please refer to [HR/LR Policy#1436](#) Harassment and Discrimination Protected. For issues not related to sexual harassment or discrimination based on protected class, please refer to [HR/LR Policy #1432](#) Respectful Workplace.

Employees may consult their agency's Affirmative Action Plan for agency-specific information.

[Harassment Complaint Form](#)

(Or the google doc: [Workplace Incident or Complaint Forms](#))

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

Acknowledgement

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

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

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

Signed: _____ Date: _____

Employee Name: _____

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

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

Who May File:

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

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

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

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

The following are the procedures for filing a complaint:

1. The individual may, but is not required to, complete the [MDH Employee and Labor Relations Complaint Form](#) provided by the Employee and Labor Relations Unit/Human Resources Management. Individuals are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy. The Affirmative Action Officer or designee will, if requested, provide assistance in filling out the form.
2. The Employee and Labor Relations Director determines if the complainant is alleging conduct in violation of the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy; or if the complaint instead is of a general personnel concern or a general concern of respect in the workplace.
 - If it is determined that the complaint is not related to conduct that would violate the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy, but rather involves general personnel concerns or general concerns of respect in the workplace, the Affirmative Action Officer or designee will inform the complainant, in writing, within ten (10) business days.
 - If it is determined that the complaint is related to conduct that would violate the Harassment and Discrimination Prohibited Policy or the Sexual Harassment Prohibited Policy, the Affirmative Action Officer or designee will determine whether corrective action may be taken without an investigation. If it is determined that an investigation is necessary, the Affirmative Action Officer or designee shall investigate the complaint.
3. The Employee and Labor Relations Director or designee shall create a written investigation report of every investigation conducted. If the investigation shows sufficient evidence to substantiate the complaint, appropriate corrective action will be taken.
4. Within (60) days after the complaint is filed, the Employee and Labor Relations Director or designee shall provide a written answer to the complainant, unless reasonable cause for delay exists. The complainant will be notified if the written answer is not expected to be issued within the sixty (60) day period. The written answer to the complainant must comply with the data privacy restrictions of the Minnesota Government Data Practices Act.
5. The status of the complaint may be shared with the complainant(s) and respondent(s). All data related to the complaint are subject to the provisions of the Minnesota Government Data Practices Act.
6. The Employee and Labor Relations Director or designee shall maintain records of all complaints, investigation reports, and any other data or information the Employee and Labor Relations Director or designee deems pertinent for seven (7) years after the complaint is closed.

7. In extenuating circumstances, the employee or applicant may contact the State Affirmative Action Officer in the Office of Equal Opportunity at Minnesota Management and Budget for information regarding the filing of a complaint (for example, if the complaint is against the agency head or the agency Affirmative Action Officer).

D. Minnesota Department of Health Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form Template

The Harassment and Discrimination Prohibited/Sexual Harassment Prohibited Policies Complaint Form can be used by both internal and external parties wishing to file a complaint. The form can be found at: [MDH Employee and Labor Relations Complaint Form](#)

Innovative Programs

Minnesota Statute 2023, section 43A.191, subdivision 3, (e).

An agency is encouraged to develop other innovative ways to promote awareness, acceptance, and appreciation for diversity and affirmative action. These innovations will be considered when evaluating an agency's compliance with this section.

In addition to ensuring that the agency is in compliance and fulfilling all affirmative action reporting requirements, the Department of Health has developed several innovative programs to attract and retain individuals from protected groups in the agency and to promote diversity in general.

Therefore, recruiting and retaining a diverse workforce is imperative to the Minnesota Department of Health's advancement of health equity and racial justice, and supporting this diverse workforce requires intentional investment in and systems change at all stages of an employee's experience with MDH.

In the Health Equity Bureau, assembling a team with diverse first-hand experiences and authentic relationships with community partners is critical to the success of our community engagement, systems change, and grants work, and doing so in a way that fosters inclusion and belonging is central to the integrity of the bureau's internal equity work. The agency has established several offices in the past years under the leadership of The Health Equity Bureau to focus, expand, and support our many programs and divisions at MDH and across Minnesota from an equity lens.

Offices created under the Health Equity Bureau are:

- The Office of Diversity, Equity, Inclusion and Belonging;
- The Office of African American Health;
- The Office of American Indian Health;
- The Center for Health Equity which is currently the Division of Health Equity Strategy and Innovation.

In collaboration with HRM, the Health Equity Bureau has developed and used the following strategies to hire and support a diverse community of staff.

1. **Job postings and position descriptions that respect and reward lived experience.** Many communities have been historically excluded from higher education, and there are still significant barriers to equitable access to post-secondary degrees. In alignment with Governor Walz's 2023 executive order removing four-year degree requirements from most government jobs, the Health Equity Bureau has been intentionally crafting job postings that explicitly respect and reward lived experience. Including lived experience as a preferred qualification and counting community-based work toward professional and educational minimum requirements creates pathways for candidates with invaluable community relationships to compete for previously inaccessible positions. As a result, the Health Equity Bureau has been able to assemble an incredibly diverse, intersectional, and capable team with authentic connections to communities of focus throughout Minnesota.

- 2. Culture of inclusion and belonging.** Translating inclusive hiring practices into a sustainably diverse workforce requires intentional reflection and action to develop a culture of inclusion and belonging. In the Health Equity Bureau, we aim to create an environment where employees are free to bring their whole selves to the table. In practice, this looks like taking time to celebrate and recognize cultural and faith-based holidays, recognizing employees' enduring commitment to and membership in their communities, practicing cross-community solidarity by learning about and uplifting the history and priorities of each other's communities, and holding space to acknowledge the profound emotional labor that can be involved in equity work. Creating a culture of inclusion and belonging also means moving away from the rigid standards of "professionalism"^[1] that sociologists and activists have argued keep organizations from authentically advancing racial justice. We see it as important to prioritize employee wellbeing and long-term sustainability over unattainable standards of perfectionism and productivity, while still delivering high-quality public health services for Minnesotans. Additionally, one of the Bureau's examples of promoting culture of inclusion and belonging is the establishment of the Office of Diversity, Equity, Inclusion and Belonging (ODEIB). ODEIB works to advance policies and practices at MDH that promote a diverse, equitable, inclusive, and accessible workplace in which all employees feel that they belong and are valued.

ODEIB has also developed and implemented trainings on topics that would help MDH to become more aware of barriers to acceptance such as DEIB 101, microaggressions, capacity enrichment, etc.
- 3. Diversity in all levels of leadership.** True equity means representation of racial or ethnic minorities, LGBTQIA+ communities, and persons with disabilities at all levels of an organization. This requires recognizing the value of diverse leaders and intentionally creating ongoing opportunities for under-represented staff to advance. The Health Equity Bureau provided three key staff with the opportunity to attend the Emerging Leaders Institute, and an additional staff person attended the Senior Leadership Institute. These staff are now serving as supervisors in the Health Equity Strategy and Innovation Division and provide invaluable vision, grounding, and support for their supervisees. Creating a culture where diverse leaders can succeed also invites us to welcome and reward new styles of leadership. In many cases, the standard model of leadership as we've come to recognize it in America is rooted in white supremacy culture and can show up as inflexible top-down direction. In the Health Equity Bureau, leaders are encouraged to model collaborative, compassionate leadership--recognizing the unique expertise of each employee and the reality that, for most of our staff, this work is deeply personal.
- 4.** Additionally, as the agency remains responsible for designing and leading strategic initiatives to improve the overall MDH workforce, the Office of Organizational Wellbeing was also established to develop strategies and initiatives that will improve the overall organizational wellbeing so MDH employees can thrive individually and within their teams.

Drawing from employees' experiences through survey, listening sessions, one-on-ones meeting, internal and external data, OWEE drafted a three-year strategic plan. The OWEE strategy directly supports the agency's strategic plan and the Affirmative Action Plan which aligned with MDH organizational values.

This will be implemented with collaborative and strategic alignment alongside with the Office of Diversity, Equity, Inclusion, and Belonging and Human Resources Management while we focus on the four strategic priorities below:

- **Cultivating a trauma-responsive workforce** by developing and delivering trauma-responsive trainings, tools, and activities that shape how we show up for each other at work, address how we tend to our individual and collective wellbeing, and provide a framework for how we live our organizational values in practice to cultivate a safer and healthier workplace.
- **Addressing unmanageable workloads** by identifying key partners and stakeholders from all levels of the organization to create a desirable, feasible, and sustainable plan for transforming workloads to retain talent, to attract competitive talent, and to authentically engage employees with wellbeing efforts.
- **Building social cohesion and connection** by creating initiatives that develop and deepen social connection for individuals and teams across the agency to improve overall satisfaction at work.
- **Promoting engagement with resources** by increasing employee engagement with new and existing enterprise- and agency-level resources offered to improve the overall wellbeing of the workforce.

These offices and division work alongside with Human Resource teams, and the Affirmative Action Officer to strengthen relationships with collaborative partners and the general communities and inform them regarding employment opportunities for protected group members; to enhance the agency's affirmative hiring efforts; to develop a workforce that reflects the diversity of Minnesota's Labor force; and the diversity of the communities served by MDH.

Appendices

Appendix A: Progress Report

Females (Promo = promotion)

Job Category	Prior AAP Total Employee #	Prior AAP Total Females #	Prior AAP Total Females %	Prior AAP Availability Females %	Total Hires & Promo #	Total Hired #	Male Hired #	Females Hired #	Un-known Hired #	Females Hired %	Total Promo #	Male Promo #	Females Promo #	Un-known Promo #	Females Promo %	Actual Females Hiring (%)	Females Had Goals in Prior AAP?	Females Goal Met?
Officials and Managers	109	74	67.89%	67.49%	63	36	11	24	<10	66.67%	27	<10	22	<10	81.48%	73.02%	-	-
Professionals	1381	1030	74.58%	71.08%	921	662	147	507	<10	76.59%	259	62	197	<10	76.06%	76.44%	-	-
Technicians	36	29	80.56%	69.23%	22	22	<10	13	<10	59.09%	<10	<10	<10	<10	**.***%	60.00%	-	-
Paraprofessionals	88	60	68.18%	81.20%	155	155	29	98	28	63.23%	<10	<10	<10	<10	**.***%	64.15%	Yes	No
Administrative Support	122	101	82.79%	71.67%	54	41	<10	33	<10	80.49%	13	<10	12	<10	92.31%	83.33%	-	-
Total	1736	1294	74.54%		1222	916	200	675	41	73.69%	306	69	237	<10	77.45%			

Racial or Ethnic Minorities (Promo = promotion; RE = Racial or Ethnic Minorities)

Job Category	Prior AAP Total Employee #	Prior AAP Total RE #	Prior AAP Total RE %	Prior AAP Availa- bility RE %	Total Hires & Promo #	Total Hired #	Non- RE Hired #	RE Hired #	Un- known Hired #	RE Hired %	Total Promo #	Non-RE Promo #	RE Promo #	Un- known Promo #	RE Promo %	Actual RE Hiring (%)	RE Had Goals in Prior AAP?	RE Goal Met?
Officials and Managers	109	13	11.93%	13.12%	63	36	24	<10	<10	**.***%	27	24	<10	<10	**.***%	19.05%	Yes	Yes
Professionals	1381	195	14.12%	11.75%	921	662	496	151	15	22.81%	259	205	42	12	16.22%	20.96%	-	-
Technicians	36	<10	**.***%	18.60%	22	22	16	<10	<10	**.***%	<10	<10	<10	<10	**.***%	**.***%	-	-
Paraprofessionals	88	27	30.68%	18.54%	155	155	83	36	36	23.23%	<10	<10	<10	<10	**.***%	22.64%	-	-
Administrative Support	122	23	18.85%	19.58%	54	41	24	13	<10	31.71%	13	10	<10	<10	**.***%	29.63%	-	-
Total	1736	264	15.21%		1222	916	643	213	60	23.25%	306	243	49	14	16.01%			

Persons with Disabilities (Promo = promotion; PWD = Persons with Disabilities)

Job Category	Prior AAP Total Employee #	Prior AAP Total PWD #	Prior AAP Total PWD %	Prior AAP Availa- bility PWD %	Total Hires & Promo #	Total Hired #	PWD Hired #	Non- PWD Hired #	Un- known Hired #	PWD Hired %	Total Promo #	Non- PWD Promo #	PWD Promo #	Un- known Promo #	PWD Promo %	Actual PWD Hiring (%)	PWD Had Goals in Prior AAP?	PWD Goal Met?
Officials and Managers	109	<10	**.**%	9.49%	63	36	27	<10	<10	**.**%	27	22	<10	<10	**.**%	**.**%	Yes	Yes
Professionals	1381	145	10.50%	8.23%	921	662	525	124	13	18.73%	259	208	46	<10	17.76%	18.46%	-	-
Technicians	36	<10	**.**%	7.96%	22	22	15	<10	<10	**.**%	<10	<10	<10	<10	**.**%	**.**%	Yes	Yes
Paraprofessionals	88	12	13.64%	11.05%	155	155	104	18	33	11.61%	<10	<10	<10	<10	**.**%	11.32%	-	-
Administrative Support	122	25	20.49%	9.26%	54	41	27	<10	<10	**.**%	13	12	<10	<10	**.**%	18.52%	-	-
Total	1736	191	11.00%		1222	916	698	162	56	17.69%	306	247	51	<10	16.67%			

Appendix B: Separation Analysis

Total Separations (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or non-certification	3.75%	62.50%	3.26%	**.*%*	**.*%*	**.*%*	**.*%*
Resignation	44.03%	73.94%	45.28%	26.60%	51.55%	11.17%	34.43%
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	19.44%	74.70%	20.20%	**.*%*	**.*%*	16.87%	22.95%
Death	**.*%*	**.*%*	**.*%*	0.00%	0.00%	**.*%*	**.*%*
Lay-off	**.*%*	**.*%*	**.*%*	0.00%	0.00%	**.*%*	**.*%*
Termination without Rights	32.08%	68.61%	30.62%	29.20%	41.24%	13.87%	31.15%
Total Separations	100.00%	71.90%	100.00%	22.72%	100.00%	14.29%	100.00%

Officials and Managers (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or non-certification	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Resignation	45.45%	**.*%*	**.*%*	**.*%*	**.*%*	**.*%*	**.*%*
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	45.45%	**.*%*	**.*%*	**.*%*	**.*%*	**.*%*	**.*%*
Death	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	**.*%*	**.*%*	**.*%*	0.00%	0.00%	0.00%	0.00%
Total Separations	100.00%	59.09%	100.00%	**.*%*	100.00%	**.*%*	100.00%

Professionals (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or non-certification	5.02%	**.*%*	**.*%*	**.*%*	**.*%*	**.*%*	**.*%*
Resignation	56.49%	77.04%	59.09%	24.44%	71.74%	8.89%	37.50%
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	25.52%	72.13%	25.00%	**.*%*	**.*%*	**.*%*	**.*%*
Death	*.*%*	**.*%*	**.*%*	0.00%	0.00%	**.*%*	**.*%*
Lay-off	*.*%*	**.*%*	**.*%*	0.00%	0.00%	**.*%*	**.*%*
Termination without Rights	11.72%	64.29%	10.23%	**.*%*	**.*%*	**.*%*	**.*%*
Total Separations	100.00%	73.64%	100.00%	19.25%	100.00%	13.39%	100.00%

Technicians (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or non-certification	**.*%*	**.*%*	**.*%*	0.00%	0.00%	**.*%*	**.*%*
Resignation	**.*%*	**.*%*	**.*%*	**.*%*	**.*%*	0.00%	0.00%
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	**.*%*	**.*%*	**.*%*	0.00%	0.00%	0.00%	0.00%
Death	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	**.*%*	**.*%*	**.*%*	0.00%	0.00%	0.00%	0.00%
Total Separations	100.00%	**.*%*	100.00%	**.*%*	100.00%	**.*%*	100.00%

Paraprofessionals (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or non-certification	**.**%	**.**%	**.**%	0.00%	0.00%	**.**%	**.**%
Resignation	22.66%	62.07%	20.45%	34.48%	24.39%	**.**%	**.**%
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Death	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	76.56%	70.41%	78.41%	31.63%	75.61%	12.24%	66.67%
Total Separations	100.00%	68.75%	100.00%	32.03%	100.00%	14.06%	100.00%

Administrative Support (Sep = Separation; RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Separation Type	Total % by Sep Type	Sep Type ¹ Females % within Sep Type	Sep Type ² Sep Type % within Total Females Sep	Sep Type ¹ RE % within Sep Type	Sep Type ² Sep Type % within Total RE Sep	Sep Type ¹ PWD % within Sep Type	Sep Type ² Sep Type % within Total PWD Sep
Dismissal or non-certification	**.**%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Resignation	41.94%	84.62%	44.00%	**.**%	**.**%	**.**%	**.**%
Enhanced Separation	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Retirement	**.**%	**.**%	**.**%	0.00%	0.00%	**.**%	**.**%
Death	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Lay-off	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Termination without Rights	**.**%	**.**%	**.**%	**.**%	**.**%	0.00%	0.00%
Total Separations	100.00%	80.65%	100.00%	**.**%	100.00%	**.**%	100.00%

Appendix C: Job Category Analysis

Officials and Managers

Job Code	Job Title
001424	Human Resources Director 4
001724	Labor Relations Manager
002147	Human Resources Director 2
002695	Agency Chief Financial Officer
003639	State Prog Admin Manager
003679	State Prog Admin Manager Sr
003719	State Prog Admin Manager Prin
008879	Exec Aide
002691	Financial Mgt Director
001841	Admin Officer
002306	Training & Development Mgr 2
001582	Engineer Administrative Mgt
003398	Dir Governmental Relations Cl
001827	Health Asst Div Director
003380	Health Program Manager Senior
001474	Health Program Manager
003471	Health Care P&D Syst Div Dir
003841	Environmental Hlth Asst Div Dr
002056	Epidemiologist Program Manager
000568	Environmental Hlth Div Dir
002643	Health Community Svcs Div Dir
002648	Disease Prev & Cont Div Dir
002709	Public Health Lab Mgr
008360	Asst Commr Health
002997	Public Health Lab Div Dir
008227	Deputy Commr Health
003945	General Counsel 3
002042	Agency Internal Audit Manager
003965	Communications Manager 1
003966	Communications Manager 2

Job Code	Job Title
003943	General Counsel 1
008110	Commissioner-Health

Professionals

Job Code	Job Title
000006	Management Analyst 1
000140	Buyer 1
000141	Buyer 2
000510	Planner Principal State
000512	Planner Senior Community
000577	Information Officer 3
000604	Research Analyst
000633	Accounting Officer Senior
000634	Management Analyst 4
000647	Information Officer 2
000652	Human Resources Consultant 1
000812	Planning Dir State
000837	Planner Senior State
000892	Research Analysis Spec
000893	Management Analyst 3
000979	Accounting Officer Inter
000994	Engineer Senior
000995	Engineer Administrative
000997	Engineer Princ
001304	Grants Specialist Sr
001528	Management Analyst 2
001644	Grants Specialist Inter
002241	Grants Specialist Coord
002687	Safety Administrator
003005	Planning Program Supv

Job Code	Job Title
003017	Human Resources Specialist 3
003171	Agency Policy Specialist
003604	State Prog Admin
003605	State Prog Admin Intermediate
003606	State Prog Admin Sr
003607	State Prog Admin Prin
003608	State Prog Admin Coordinator
003609	State Prog Admin Director
003690	State Prog Admin Supervisor
003712	State Prog Admin Supv Prin
003730	Management Analyst Staff Spec
003533	Medical Specialist 4
000500	Human Resources Director 1
002390	Accounting Officer Principal
000003	Accounting Director
001880	Registered Nurse Senior
001423	Human Resources Specialist 2
002264	Management Analyst Supv 1
000004	Accounting Officer
000996	Training & Development Spec 3
002115	Management Analyst Supv 2
000659	Research Analysis Spec Sr
001449	Affirmative Action Off 3
008747	Proj Team Leader
000609	Research Scientist 3
003931	Accounting Officer Coordinator
002393	Nurse Specialist
002114	Management Analyst Supv 3
000959	Hydrologist 3
002483	Labor Relations Consultant 2
000919	Engineer 2 Graduate
000958	Hydrologist 2
000636	Auditor Senior

Job Code	Job Title
002251	Research Analyst Intermediate
001438	Industrial Hygienist 3
001303	Grants Specialist
000285	Engineer 1 Graduate
002376	Planner Intermediate
000607	Research Scientist 1
000608	Research Scientist 2
008754	Proj Supervisor
001931	Epidemiologist Principal
001377	Health Program Rep Inter
000833	Health Program Rep Senior
003961	Communications Specialist 2
001309	Public Health Sanitarian 3
000832	Health Program Rep
002131	Public Health Sanitarian Supv
003125	Health Care Program Invest Sr
001504	Public Health Sanitarian 2
001613	
002174	Hydrologist Supervisor
003970	Laboratory Scientist 2
003963	Communications Specialist 4
001608	Health Facility Eval Supv
002949	Epidemiologist Supervisor Sr
001609	Health Facility Eval Supv Sr
000834	Health Program Rep Principal
003962	Communications Specialist 3
003020	Environmental Res Scientist
003971	Laboratory Scientist 3
003969	Laboratory Scientist 1
002668	Industrial Hygienist 2
003539	Well Standard Representative
003426	Epidemiologist Senior
002676	Health Educator 3

Job Code	Job Title
003964	Communications Supervisor
003079	Child Health Program Supv
000480	Nutrition Program Consultant
002128	Health Program Supervisor
002329	Research Scientist Supv 2
003973	Laboratory Scientist Supv.
002697	Health Care Program Invest
003383	Environmental Hlth Supv
001047	Public Health Nursing Adv Sr
002211	Epidemiologist Supervisor
003948	Staff Attorney 3
000471	Mortician Investigator
001930	Epidemiologist Intermediate
000576	Public Health Sanitarian 1
000968	Planning Grants Administrator
003947	Staff Attorney 2
003350	Health Laboratory Surveyor
000338	Health Educator 2
003216	Environmental Specialist 4
003977	DEI Consultant
003580	Public Health Social Wkr Spec
003531	Medical Specialist 2
003815	Epidemiologist
000570	Public Health Nursing Adv
003978	DEI Consultant Senior
000337	Health Educator 1
000310	Geneticist
003908	Environmental Consultant
001822	Industrial Hygienist 1
003682	Sign Language Interpreter Lead
003313	Reimbursement Fiscal Analyst 2

Technicians (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	Job Title
000774	Accounting Technician
002606	Engineering Specialist Senior
003709	State Prog Admin Tech Spec
001475	Medical Records Tech 2
000875	Medical Records Tech 1
	Laboratory Technician
000286	Engineering Aide

Paraprofessionals

Job Code	Job Title
001486	Human Resources Technician 2
003611	Paralegal
000881	Human Resources Technician 1
008598	Student Worker Para Prof
008599	Student Worker Para Prof Sr
003959	Communications Paraprof

Administrative Support

Job Code	Job Title
000293	Exec 2
000632	Account Clerk Senior
002118	Office Services Supervisor 2
003626	Office Specialist
003627	Office & Admin Specialist
003628	Office & Admin Specialist Int
003629	Office & Admin Specialist Sr
003630	Office & Admin Specialist Prin

Job Code	Job Title
003633	Central Svcs Admin Spec Senior
003635	Customer Svcs Specialist
003636	Customer Svcs Specialist Int
003637	Customer Svcs Specialist Sr
003631	Central Svcs Admin Spec
003634	Central Svcs Admin Spec Prin
008596	Student Worker Clerical
000427	Legal Secretary
000001	Account Clerk

Appendix D: Feeder Jobs

Officials and Managers (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
001424	Officials and Administrators	Human Resources Director 4	1.71%	0.00%	0.00%
001724	Officials and Administrators	Labor Relations Manager	0.85%	0.00%	0.85%
003639	Officials and Administrators	State Prog Admin Manager	4.27%	1.71%	0.00%
003679	Officials and Administrators	State Prog Admin Manager Sr	3.42%	0.85%	0.00%
003719	Officials and Administrators	State Prog Admin Manager Prin	8.55%	3.42%	2.56%
002691	Officials and Administrators	Financial Mgt Director	1.71%	0.85%	0.85%
001827	Officials and Administrators	Health Asst Div Director	11.11%	1.71%	1.71%
001474	Officials and Administrators	Health Program Manager	6.84%	0.85%	1.71%
008227	Officials and Administrators	Deputy Commr Health	0.85%	0.00%	0.00%
008360	Officials and Administrators	Asst Commr Health	4.27%	2.56%	0.00%
003841	Officials and Administrators	Environmental Hlth Asst Div Dr	0.00%	0.00%	0.00%
002709	Officials and Administrators	Public Health Lab Mgr	1.71%	0.85%	0.00%
001449	Professionals	Affirmative Action Off 3	0.85%	0.85%	0.85%
000140	Professionals	Buyer 1	0.85%	0.00%	0.00%
003690	Professionals	State Prog Admin Supervisor	0.85%	0.00%	0.00%
001449	Professionals	Affirmative Action Off 3	0.85%	0.85%	0.85%
002264	Professionals	Management Analyst Supv 1	0.00%	0.00%	0.85%
000812	Professionals	Planning Dir State	17.95%	4.27%	2.56%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
008754	Professionals	Proj Supervisor	0.85%	0.00%	0.85%
003609	Professionals	State Prog Admin Director	3.42%	0.85%	0.85%
003690	Professionals	State Prog Admin Supervisor	0.85%	0.00%	0.00%
002147	Officials and Administrators	Human Resources Director 2	1.71%	0.00%	0.85%
Total			73.50%	19.66%	15.38%

Professionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
002147	Officials and Administrators	Human Resources Director 2	0.61%	0.00%	0.31%
001724	Officials and Administrators	Labor Relations Manager	0.31%	0.00%	0.31%
003639	Officials and Administrators	State Prog Admin Manager	1.53%	0.61%	0.00%
003679	Officials and Administrators	State Prog Admin Manager Sr	1.23%	0.31%	0.00%
003719	Officials and Administrators	State Prog Admin Manager Prin	3.07%	1.23%	0.92%
001423	Professionals	Human Resources Specialist 2	2.15%	0.61%	0.00%
003608	Professionals	State Prog Admin Coordinator	7.98%	0.31%	1.53%
003634	Administrative Support	Central Svcs Admin Spec Prin	0.00%	0.31%	0.00%
003633	Administrative Support	Central Svcs Admin Spec Senior	0.00%	0.00%	0.00%
003631	Administrative Support	Central Svcs Admin Spec	0.61%	0.31%	0.00%
000001	Administrative Support	Account Clerk	0.00%	0.00%	0.31%
000632	Administrative Support	Account Clerk Senior	1.23%	0.31%	0.31%
000774	Technicians	Accounting Technician	0.61%	0.31%	0.31%
003635	Administrative Support	Customer Svcs Specialist	1.23%	0.61%	0.31%
003636	Administrative Support	Customer Svcs Specialist Int	0.31%	0.31%	0.00%
003637	Administrative Support	Customer Svcs Specialist Sr	2.76%	0.92%	1.23%
000293	Administrative Support	Exec 2	0.31%	0.00%	0.00%
002118	Administrative Support	Office Services Supervisor 2	0.61%	0.00%	0.00%
003635	Administrative Support	Customer Svcs Specialist	1.23%	0.61%	0.31%
003636	Administrative Support	Customer Svcs Specialist Int	0.31%	0.31%	0.00%
003637	Administrative Support	Customer Svcs Specialist Sr	2.76%	0.92%	1.23%
003626	Administrative Support	Office Specialist	0.31%	0.00%	0.31%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
001613	Professionals	Nursing Evaluator	40.80%	3.99%	5.21%
002393	Professionals	Nurse Specialist	5.21%	0.00%	0.31%
000570	Professionals	Public Health Nursing Adv	0.61%	0.00%	0.00%
001047	Professionals	Public Health Nursing Adv Sr	6.75%	0.61%	0.61%
Total			82.52%	12.58%	13.50%

Technicians (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000001	Administrative Support	Account Clerk	0.00%	0.00%	0.49%
000632	Administrative Support	Account Clerk Senior	1.95%	0.49%	0.49%
000774	Technicians	Accounting Technician	0.98%	0.49%	0.49%
003631	Administrative Support	Central Svcs Admin Spec	0.98%	0.49%	0.00%
003634	Administrative Support	Central Svcs Admin Spec Prin	0.00%	0.49%	0.00%
003633	Administrative Support	Central Svcs Admin Spec Senior	0.00%	0.00%	0.00%
003635	Administrative Support	Customer Svcs Specialist	1.95%	0.98%	0.49%
003636	Administrative Support	Customer Svcs Specialist Int	0.49%	0.49%	0.00%
003637	Administrative Support	Customer Svcs Specialist Sr	4.39%	1.46%	1.95%
000881	Paraprofessionals	Human Resources Technician 1	0.00%	0.00%	0.00%
003627	Administrative Support	Office & Admin Specialist	2.93%	0.49%	1.46%
003628	Administrative Support	Office & Admin Specialist Int	9.76%	3.90%	3.41%
003630	Administrative Support	Office & Admin Specialist Prin	4.88%	0.00%	0.49%
003629	Administrative Support	Office & Admin Specialist Sr	13.17%	4.39%	1.95%
003626	Administrative Support	Office Specialist	0.49%	0.00%	0.49%
003709	Technicians	State Prog Admin Tech Spec	6.83%	1.95%	0.98%
008598	Paraprofessionals	Student Worker Para Prof	1.46%	0.49%	0.00%
008599	Paraprofessionals	Student Worker Para Prof Sr	26.83%	8.78%	6.34%
000293	Administrative Support	Exec 2	0.49%	0.00%	0.00%
000427	Administrative Support	Legal Secretary	0.49%	0.00%	0.00%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
008596	Administrative Support	Student Worker Clerical	0.49%	0.00%	0.49%
Total			78.54%	24.88%	19.51%

Paraprofessionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
003631	Administrative Support	Central Svcs Admin Spec	0.89%	0.44%	0.00%
003634	Administrative Support	Central Svcs Admin Spec Prin	0.00%	0.44%	0.00%
003633	Administrative Support	Central Svcs Admin Spec Senior	0.00%	0.00%	0.00%
003635	Administrative Support	Customer Svcs Specialist	1.78%	0.89%	0.44%
003636	Administrative Support	Customer Svcs Specialist Int	0.44%	0.44%	0.00%
003637	Administrative Support	Customer Svcs Specialist Sr	4.00%	1.33%	1.78%
000881	Paraprofessionals	Human Resources Technician 1	0.00%	0.00%	0.00%
003627	Administrative Support	Office & Admin Specialist	2.67%	0.44%	1.33%
003628	Administrative Support	Office & Admin Specialist Int	8.89%	3.56%	3.11%
003630	Administrative Support	Office & Admin Specialist Prin	4.44%	0.00%	0.44%
003629	Administrative Support	Office & Admin Specialist Sr	12.00%	4.00%	1.78%
002118	Administrative Support	Office Services Supervisor 2	0.89%	0.00%	0.00%
003626	Administrative Support	Office Specialist	0.44%	0.00%	0.44%
008596	Administrative Support	Student Worker Clerical	0.44%	0.00%	0.44%
008598	Paraprofessionals	Student Worker Para Prof	1.33%	0.44%	0.00%
008599	Paraprofessionals	Student Worker Para Prof Sr	24.44%	8.00%	5.78%
000774	Technicians	Accounting Technician	0.89%	0.44%	0.44%
000004	Professionals	Accounting Officer	1.78%	0.89%	0.89%
000979	Professionals	Accounting Officer Inter	1.33%	0.00%	0.00%
002390	Professionals	Accounting Officer Principal	1.33%	0.44%	0.00%
000633	Professionals	Accounting Officer Senior	5.33%	1.78%	0.89%
000774	Technicians	Accounting Technician	0.89%	0.44%	0.44%
001423	Professionals	Human Resources Specialist 2	3.11%	0.89%	0.00%
003017	Professionals	Human Resources Specialist 3	2.22%	0.00%	0.89%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000881	Paraprofessionals	Human Resources Technician 1	0.00%	0.00%	0.00%
Total			79.56%	24.89%	19.11%

Administrative Support (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
000001	Administrative Support	Account Clerk	0.00%	0.00%	0.33%
000632	Administrative Support	Account Clerk Senior	1.32%	0.33%	0.33%
000774	Technicians	Accounting Technician	0.66%	0.33%	0.33%
003631	Administrative Support	Central Svcs Admin Spec	0.66%	0.33%	0.00%
003634	Administrative Support	Central Svcs Admin Spec Prin	0.00%	0.33%	0.00%
003633	Administrative Support	Central Svcs Admin Spec Senior	0.00%	0.00%	0.00%
003635	Administrative Support	Customer Svcs Specialist	1.32%	0.66%	0.33%
003636	Administrative Support	Customer Svcs Specialist Int	0.33%	0.33%	0.00%
003637	Administrative Support	Customer Svcs Specialist Sr	2.98%	0.99%	1.32%
000881	Paraprofessionals	Human Resources Technician 1	0.00%	0.00%	0.00%
003627	Administrative Support	Office & Admin Specialist	1.99%	0.33%	0.99%
003628	Administrative Support	Office & Admin Specialist Int	6.62%	2.65%	2.32%
003630	Administrative Support	Office & Admin Specialist Prin	3.31%	0.00%	0.33%
003629	Administrative Support	Office & Admin Specialist Sr	8.94%	2.98%	1.32%
003626	Administrative Support	Office Specialist	0.33%	0.00%	0.33%
003709	Technicians	State Prog Admin Tech Spec	4.64%	1.32%	0.66%
008598	Paraprofessionals	Student Worker Para Prof	0.99%	0.33%	0.00%
008599	Paraprofessionals	Student Worker Para Prof Sr	18.21%	5.96%	4.30%
003627	Administrative Support	Office & Admin Specialist	1.99%	0.33%	0.99%
003628	Administrative Support	Office & Admin Specialist Int	6.62%	2.65%	2.32%
003630	Administrative Support	Office & Admin Specialist Prin	3.31%	0.00%	0.33%
003629	Administrative Support	Office & Admin Specialist Sr	8.94%	2.98%	1.32%
001423	Professionals	Human Resources Specialist 2	2.32%	0.66%	0.00%
003017	Professionals	Human Resources Specialist 3	1.66%	0.00%	0.66%
001303	Professionals	Grants Specialist	0.66%	0.00%	0.33%

Job Code	EEO Category	Job Title	Weighted Females %	Weighted RE %	Weighted PWD %
001304	Professionals	Grants Specialist Sr	3.64%	0.33%	0.66%
000881	Paraprofessionals	Human Resources Technician 1	0.00%	0.00%	0.00%
008754	Professionals	Proj Supervisor	0.33%	0.00%	0.33%
Total			81.79%	23.84%	19.87%

Appendix E: Determining Availability

Officials and Managers (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	78.40%	58.83%	5.60%	3.94%	46.12%	4.39%	3.09%	State MN	In the Officials and Administrators job category, the current data does demonstrate that there are some developed from within the organization but that is not true for all positions. The knowledge, new skill sets and expertise of external candidates is often critical to these positions and demonstrate success.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	21.60%	83.33%	25.00%	16.67%	18.00%	5.40%	3.60%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			64.12%	9.79%	6.69%		

Professionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	85.79%	50.42%	13.30%	2.46%	43.25%	11.41%	2.11%	State MN	The majority of the Department's positions fall into the Professionals category and are largely specialized and/or scientific type positions. Staff often come to the Agency with a specialty and then are qualified to promote from within to expand their knowledge and skills and continue to support the work of MDH. Again, the internal knowledge of the operations of the Agency makes internal candidates very strong and competitive. That said, it is also incredibly valuable to recruit and hire externally and bring in new talent to the organization. New graduates often join the department in their field of study and come to develop professionally. This is the explanation for the very high external number.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	14.21%	83.33%	25.00%	16.67%	11.84%	3.55%	2.37%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			55.09%	14.96%	4.48%		

Technicians (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	82.55%	53.22%	11.51%	4.96%	43.93%	9.50%	0.00%	State MN	For the technician job category, there are many internal classifications that are promotable, transferrable or trainable and we are working to develop career pathing for internal candidates to move into these positions. That said, there is also a large external pool of candidates who can bring their expertise to the Agency and perform and develop and complement the work within the Agency as well. The option for telework has also made the scope of external recruitment options greater.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	17.45%	71.43%	17.14%	17.14%	12.46%	2.99%	2.99%	Employee workforce for the job groups that constitute feeders to this job group.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			56.40%	12.49%	2.99%		

Paraprofessionals (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	96.88%	83.34%	14.93%	5.09%	80.74%	14.47%	4.93%	State MN	The paraprofessional job category, based on our current staffing, demonstrates we are hiring heavily from external then internal sources. The skills for these positions are very transferrable internally, which allows staff the option to exercise their rights under the collective bargaining unit and move within to new roles. Additionally, we have a high turnover and vacancy rate which makes the demand to hire externally necessary as well. These positions attract many external candidates especially for the student workers and provide growth opportunities once they are in the State system.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	3.12%	76.47%	23.53%	16.47%	2.39%	0.73%	0.51%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			83.12%	15.20%	5.44%		

Administrative Support (RE = Racial or Ethnic Minorities; PWD = Persons with Disabilities)

Factor	Weight Ratio	Raw Statistics Females	Raw Statistics RE	Raw Statistics PWD	Weighted Statistics Females	Weighted Statistics RE	Weighted Statistics PWD	Source of Statistics	Reasons for External and Internal Weight Ratio
1: External - Percentage of females, persons with disabilities, and racial or ethnic minorities with requisite skills in the reasonable recruitment area.	89.21%	68.94%	17.86%	4.64%	61.50%	15.93%	4.14%	State MN	The Administrative Support category is heavily weighted to the external market and this is primarily because these are generally more entry level positions so those internal candidates have minimal opportunity to promote within, unless in a class series, without moving into a different category such as professional. This makes most of the vacancies available to the external market.
2: Internal - Percentage of females, persons with disabilities, and racial or ethnic minorities among those promotable, transferable, and trainable with your agency.	10.79%	80.18%	24.32%	21.62%	8.65%	2.62%	2.33%	Employee workforce for the job classifications that constitute feeders to this job category.	
The value of weight must equal to 100.00% →	100.00%	Final Avail %			70.15%	18.55%	6.47%		

Appendix F: Utilization-Goal Analysis

Females

Job Categories	Total Number of Employee in Job Category	Total Number of Females Employee in the Job Category	% of Females Employee in the Job Category	Females Availability %	Females Establish Goals?	If Yes, Goals for FY 2024-2026
Officials and Managers	130	93	71.54%	64.12%		
Professionals	1703	1284	75.40%	55.09%		
Technicians	35	25	71.43%	56.40%		
Paraprofessionals	85	65	76.47%	83.12%	Yes	83.12%
Administrative Support	111	89	80.18%	70.15%		
Totals	2064	1556	75.39%			

Racial or Ethnic Minorities (RE)

Job Categories	Total Number of Employee in Job Category	Total Number of RE Employee in the Job Category	% of RE Employee in the Job Category	RE Availability %	RE Establish Goals?	If Yes, Goals for FY 2024-2026
Officials and Managers	130	23	17.69%	9.79%		
Professionals	1703	289	16.97%	14.96%		
Technicians	35	<10	**.**%	12.49%		
Paraprofessionals	85	20	23.53%	15.20%		
Administrative Support	111	27	24.32%	18.55%		
Totals	2064	365	17.68%			

Persons with Disabilities (PWD)

Job Categories	Total Number of Employee in Job Category	Total Number of PWD Employee in the Job Category	% of PWD Employee in the Job Category	PWD Availability %	PWD Establish Goals?	If Yes, Goals for FY 2024-2026
Officials and Managers	130	16	12.31%	6.69%		
Professionals	1703	253	14.86%	4.48%		
Technicians	35	25	71.43%	2.99%		
Paraprofessionals	85	14	16.47%	5.44%		
Administrative Support	111	24	21.62%	6.47%		
Totals	2064	332	16.09%			

Definitions of Terms Used in This Affirmative Action Plan

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

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

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

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

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

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

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

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

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

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

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

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