STATE OF MINNESOTA

MINNESOTA BOARD OF NURSING

AFFIRMATIVE ACTION PLAN

2012 - 2014

Minnesota Board of Nursing
2829 University Ave. SE #200
Minneapolis, MN 55414

MINNESOTA BOARD OF NURSING

AFFIRMATIVE ACTION PLAN

TABLE OF CONTENTS

I. Executive Summary	3
II. Statement of Commitment	4
III. Persons Responsible for Directing/Implementing the Affirmative Action Plan	5
IV. Communication of the Affirmative Action Plan	6
V. Prohibition of Harassment Policy	7
VI. Complaint Procedure for Processing Complaints of Alleged Harassment/Discrimination	9
VII. Reasonable Accommodation Policy	11
VIII. Evacuation Procedures for Persons with Disabilities	13
IX. Goals and Timetables	13
X. Affirmative Action Program Objectives	14
XI. Methods of Auditing, Evaluating, Reporting Program Success	15
XII. Recruitment Plan	16
XIII. Retention Plan	16
Attachment: Complaint of Harassment/Discrimination form	18
Attachment: Employee Request for Reasonable Accommodation Form	20

I. EXECUTIVE SUMMARY

MINNESOTA BOARD OF NURSING
Affirmative Action Plan Years 2012-2014

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

Goal Units *	Protected Groups Women	Protected Groups Minorities	Protected Groups Disabled
Officials/Administrators			
Professionals			
Office/Clerical			

2. Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the agency. Our intention is that every employee to is aware of the Minnesota Board of Nursing's commitments to affirmative action and equal employment opportunity. The plan will also be posted on the agency's website and maintained in the Human Resources/Affirmative Action Office.

3. This affirmative action plan meets the applicable laws and rules governing affirmative action, and contains the goals and timetables as well as reasonable and sufficiently assertive methods for achieving them. This affirmative action plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been apprised of this procedure.

Affirmative Action Officer/Designee — July 30, 2012 Date

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

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

Executive Director — July 30, 2012 Date

*According to the State Affirmative Action Officer, job groups with fewer than five employees are not considered large enough groups to accurately determine goals. For the Affirmative Action Plan dated 2012-2014, the Minnesota Board of Nursing had two job groups that has five or more employees (Office/Clerical and Professionals), and for which availability and underutilization can be determined.

II. STATEMENT OF COMMITMENT

The Minnesota Board of Nursing is committed to Minnesota's statewide affirmative action efforts and equal employment opportunity policies. I affirm my personal and official support of these policies which provide that:

- Discrimination against applicants or employees on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age will not be tolerated.

- This agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan;

- This agency will continue to actively promote a program of affirmative action, wherever minorities, women, and persons with disabilities are underrepresented in the workforce;

- This agency is committed to the retention all qualified, talented employees, including protected group employees.

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 the citizens of Minnesota.

July 30, 2012

Executive Director

III. PERSONS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN

- Executive Director - Responsible to direct the office's affirmative action program in compliance with existing federal and state laws, rules and regulations. The Executive Director's duties include:
  - To appoint or designate an Affirmative Action Officer/Designee
  - To make decisions and changes in policy, procedures, and accommodations for persons as may be needed to facilitate equal opportunity and affirmative action progress.
  - To take action on complaints of alleged discrimination.
  - To report to the Commissioner of Employee Relations the office's progress in affirmation action.

  The Executive Director is accountable to the voters of the State of Minnesota. The Executive Director is Shirley A. Brekken, Minnesota Board of Nursing, 2829 University Avenue SE, Minneapolis, MN 55414, telephone number 612-317-3012.

- Affirmative Action Officer/Designee - Responsible to administer the office's affirmative action program. The Affirmative Action Officer/Designee duties include:
  - To write and update the office's affirmative action plan.
  - To monitor the plan.
  - To provide status reports, as required.
  - To implement the pre-employment review process and to complete the Protected Group Report in consultation with Cindy Greenlaw Benton, Personnel/Contracts Officer, Administrative Services Unit, 2829 University Avenue SE, Suite 445, Minneapolis, Minnesota 55414. Her telephone number is 651-201-2737.
  - To investigate in consultation with Cindy Greenlaw Benton, Personnel/Contracts Officer, alleged charges of discrimination and report a summary of findings to the Executive Director.
  - To disseminate information to supervisors, employees, and applicants.

  The Affirmative Action Officer/Designee is accountable to the Executive Director. The Affirmative Action Officer/Designee is Sheryl Meyer, Administrative Officer, Minnesota Board of Nursing. She is located at 2829 University Avenue SE, Minneapolis, MN 55414, telephone number 612-317-3008.

- Managers and supervisors responsibilities include:
  - Complete job responsibilities in accordance with equal opportunity policy and affirmative action plan.
  - Affirmative action plan is reviewed at least annually with staff; and affirmative action plan is posted in a place where it may be readily reviewed by employees.
  - Affirmative action plan and equal opportunity policy are reviewed with new employees.

- Assure that all staff attends equal opportunity / affirmative action training sessions.
- Serve as model of appropriate behavior.
- Use appropriate, nondiscriminatory language. Ensure that appropriate, nondiscriminatory environment is maintained and that inappropriate jokes and comments based on protected class traits are not tolerated.
- Ensure all interviews are fair, in compliance with state and federal affirmative action / equal opportunity laws and regulations, and that qualifications and interview questions are job related.
- Board website and publications contain a non-discrimination statement.
- All written materials for distribution to the public will ensure that each document contains a statement indicating that the information is available in alternative formats to individuals with disabilities upon request.
    - *This document is available in alternative formats to individuals with disabilities by calling 612-617-2270 or through the Minnesota Relay Service at 1-800-627-3529.*]

- All employees responsible include:
    - Demonstrates understanding of equal opportunity policy / affirmative action plan, and performs work in accordance with the policy.
    - Attend training sessions on equal opportunity and affirmative action.

IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

The Minnesota Board of Nursing Affirmative Action Officer/Designee will ensure all employees are advised of the policy of non-discrimination, the provision of reasonable accommodation, and the procedure for filing a complaint. The material can be provided in alternative formats such as large print, Braille or on tape.

Methods for Communicating the Affirmative Action Plan Internally: The Administrative Officer will, in consultation with the Affirmative Action Officer/Designee take the following actions to communicate the Affirmative Action Plan Internally:

- The Affirmative Action Officer/Designee will include a copy of the full Affirmative Action Plan with each employee manual and review the plan with the supervisory staff with an explanation of their responsibility to read, understand, support and implement the plan.
- The Affirmative Action Officer/Designee will post the following documents on the agency's official bulletin board located in the copy/service room in the office suite:
  - the Minnesota Board of Nursing Affirmative Action Plan
  - the Minnesota Equal Opportunity Policy, and
  - the name and phone number of the agency's Affirmative Action Officer/Designee.
- Additional copies of the Affirmative Action Plan will be available to employees upon request from the Affirmative Action Officer/Designee.
- All required equal opportunity postings are also located at the Administrative Services Unit of the Health-Related Licensing Boards, Suite 445.

Methods of Communicating the Affirmative Action Plan Externally:

- The Minnesota Board of Nursing will include the statement, "an equal opportunity / affirmative action employer," on agency letterhead, on its website and job announcement; and will include on its website the statement: *The Minnesota Board of Nursing is an affirmative action/equal opportunity employer. The Minnesota Board of Nursing does not discriminate in employment on the basis of race, color, creed, religion, national origin, sex, marital status, disability, public assistance, age, sexual orientation, or membership on a local human rights commission.*
- The Minnesota Board of Nursing will post its Affirmative Action Plan on its website, including only summary data.

V. PROHIBITION OF HARASSMENT/DISCRIMINATION POLICY

It is the policy of the Minnesota Board of Nursing to prohibit harassment of its employees based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights, disability, sexual orientation, or age. This prohibition with respect to harassment includes both overt acts of harassment and those acts that create a negative work environment. Any employee subjected to such harassment should file a complaint internally with the agency's Affirmative Action Officer designee. If the employee chooses, s/he may file a complaint externally with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. These agencies have time limits for filing complaints, so individuals should contact the agencies for more information. In extenuating circumstances, the employee should contact the State Affirmative Action Program Coordinator at Minnesota Management & Budget for information regarding the filing of a complaint. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

Each employee is responsible for the application of this policy. This includes initiating and supporting programs and practices designed to develop understanding, acceptance, commitment, and compliance within the framework of this policy. All employees must be informed that harassment is unacceptable behavior. The Affirmative Action Officer designee will be expected to keep the Minnesota Board of Nursing and its employees apprised of any changes in the law or its interpretation regarding this form of discrimination. The Affirmative Action Officer designee is also responsible for:

1. Notifying all employees, and orienting each new employee who is hired, of this policy; and employees and applicants
2. Informing all employees of the complaint procedure and ensuring that all complaints will be investigated promptly and carefully.

Definitions

Discriminatory harassment is any behavior based on protected class status which is not welcome, which is personally offensive, which, therefore, may affect morale and interfere with the employee's ability to perform. For example, harassment based on national origin has been defined by the U.S. Equal Employment Opportunity Commission as "Ethnic slurs and other verbal or physical conduct relating to an individual's national origin."

Sexual harassment has also been specifically defined by the Minnesota Human Rights Act, which states in regard to employment, that:

"Sexual harassment" includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when: (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment; (2) submission to or rejection of that conduct or communication by an individual is used as a factor in decision affecting that individual's employment; or (3) that conduct or communication has the purpose or effect of substantially interfering with an individual's employment, and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

It is possible for discriminatory harassment to occur: 1) among peers or coworkers, 2) between managers and subordinates, or 3) between employees and members of the public. Employees who experience discriminatory harassment should bring the matter to the attention of the Minnesota Board of Nursing 's Affirmative Action Officer designee. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer designee and all employees are expected to address or report any suspected harassment or retaliation.

Varying degrees of discriminatory harassment violations can occur and require varying levels of progressive discipline. Individuals who instigate harassment are subject to serious disciplinary actions up to and including suspension, demotion, transfer, or termination. Additionally, inappropriate behaviors that do not rise to the level of discriminatory harassment, but are none the less disruptive, should be corrected early and firmly in the interests of maintaining a barrier-free work place. Individuals who participate in inappropriate behaviors at work are also subject to disciplinary actions.

Any employee or applicant who believes that she/he has experienced discrimination or harassment based on his/her race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint of discrimination.

Complaints of discrimination or harassment can be filed using the internal discrimination complaint procedure included in this affirmative action plan.

VI. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS OF ALLEGED HARRASMENT/DISCRIMINATION

The Minnesota Board of Nursing has established the following discrimination complaint procedure to be used by all employees and applicants. Coercion, reprisal, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

Responsibility of Employees

All employees shall respond promptly to any and all requests by the Affirmative Action Officer designee for information and for access to data and records for the purpose of enabling the Affirmative Action Officer designee to carry out responsibilities under this complaint procedure.

Who May File

Any employees or applicants who believes that s/he has been discriminated against by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation; however, complaints will be taken for a reasonable period of time subsequent to the actual separation date.

The Complaint Procedure

The internal complaint procedure provides a method for resolving complaints involving violations of this agency's nondiscrimination policy within the agency. Employees and applicants are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited. The Affirmative Action Officer designee may contact the State Affirmative Action Officer if s/he wants information about filing a complaint.

Filing Procedures

1. The employee or applicant completes the "Complaint of Discrimination Form" provided by the Affirmative Action Officer designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes

aware that a situations) may involve discriminatory harassment. The Affirmative Action Officer designee will, if requested, provide assistance in filling out the form.

2. The Affirmative Action Officer designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer designee shall also discuss other options for resolution, such as the workplace mediation.
   A. If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer designee will inform the complainant, in writing, within ten (10) working days.
   B. If the complaint is related to discrimination, the Affirmative Action Officer designee will, within ten (10) working days, contact all parties named as respondents and outline the basic facts of the complaint. The respondents will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Officer designee shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer designee shall notify the complainants and respondents that s/he has completed the investigation. The Affirmative Action Officer designee shall than review the findings of the investigation.
   A. If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
   B. If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the respondents dismissing the complaint.
4. A written answer will be provided to the parties within sixty (60) days after the complaints are filed. The complainants will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.
5. Dispensation of the complaint will be filed with the Commissioner of the Minnesota Management & Budget after the final determination.
6. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complainants and respondents. After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.
7. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but is not limited to, the following types of data:
   A. Interviews or written interrogatories with all parties involved in the complaint, e.g., complainants, respondents, and their respective witnesses; officials having pertinent records or files, etc.
   B. All records pertaining to the case i.e., written, recorded, filmed, or in any other form.
8. The Affirmative Action Officer designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

VII. REASONABLE ACCOMODATION POLICY

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

Definitions

Disability:
For purposes of determining eligibility for a reasonable accommodation, a person with a disability is one who has a physical or mental impairment that substantially limits one or more major life activities; or a record of such an impairment; or being regarded as having such an impairment.

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

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

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

Procedure - Current Employees and Employees Seeking Accommodation

1. This agency will inform all employees that this accommodation policy can be made available in accessible formats.
2. The employee shall inform their supervisor or the ADA Coordinator designee of the need for an accommodation.
3. The ADA Coordinator designee may request documentation of the individual's functional limitations to support the request. Any medical documentation must be

collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless the disability might require emergency treatment.

4. When a qualified individual with a disability has requested an accommodation, the employer shall, in consultation with the individual:
   a. Discuss the purpose and essential functions of the particular job involved. Completion of a step-by-step job analysis may be necessary.
   b. Determine the precise job-related limitation.
   c. Identify the potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
   d. Select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference will be given consideration, the Minnesota Board of Nursing is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.
5. The ADA Coordinator designee will work with the employee to obtain technical assistance, as needed.
6. The ADA Coordinator will provide a decision to the employee within a reasonable amount of time.
7. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee and the ADA Coordinator designee shall work together to determine whether reassignment may be an appropriate accommodation.

Procedure-Job Applicants

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

Policy for Funding Accommodations

Funding must be approved by this agency for accommodations that do not cause an undue hardship.

Definition of Undue Hardship

An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of this agency.

Procedure for Determining Undue Hardship

In determining whether or not providing a reasonable accommodation would impose an "undue hardship," the agency will consider at least the following factors:

1. overall size of the program (i.e., number and type of facilities, size of budget);
2. type of the operation including the composition and structure of the work force;
3. nature and cost of the accommodation needed;
4. reasonable ability to finance the accommodation; and
5. documented good-faith efforts to explore less restrictive or less expensive alternatives including consultation with the disabled person or with knowledgeable disabled persons or organizations.

The ADA Coordinator designee will provide a decision to the employee.

Appeals

Employees or applicants who are dissatisfied with the decisions pertaining to his/her accommodation request may file an appeal with the agency head, within a reasonable period of time, for a final decision.

If the individual believes the decision is based on discriminatory reasons, then they may file a complaint internally through the agency's complaint procedure as outlined in this plan.

Supported Work

This agency will review vacant positions and assess the current workload and needs of the office, to determine if job tasks might be performed by a supported employment worker(s). If appropriate, the agency will work with the agency ADA Coordinator and organizations that provide employment services to persons with disabilities to recruit and hire individuals for supported employment if such a position is created.

VIII. EVACUATION PROCEDURES FOR PERSONS WITH DISABILITIES

Persons with disabilities including those with mobility impairments and deaf or hard of hearing individuals who are in need of assistance to evacuate the building will be accompanied by a pre-assigned assistant.

In case of an emergency all employees who are deaf or hard of hearing will receive notification, if at work, by the supervisor or designated backup staff. If a weather emergency is called after work hours, employees who are deaf or hard of hearing can obtain official notification by watching weather broadcasts on WCCO, or KARE 11 Television. Broadcasts are closed captioned. In addition, if employees who are deaf or hard of hearing prefer, they may arrange for notification at home from their supervisor or designee. If an emergency which affects the employee is called, the supervisor or designee may use the Minnesota Relay Service (1-800-627-3529) to contact the employee using the TTY.

IX. GOALS AND TIMETABLES

Ideal goals for protected classes are established by EEO category. The Affirmative

Action Officer/Designee will continue to work with Minnesota Management & Budget to refine these goals. According to the State Affirmative Action Officer, job groups with fewer than five employees are not considered large enough groups to accurately determine goals. For the Affirmative Action Plan dated 2012-2014, the Minnesota Board of Nursing had two job groups that have five or more employees Professionals and Office/Clerical), and for which availability and underutilization can be determined.

The goals and timetables for the Minnesota Board of Nursing are as follows:

Job Group: Office Clerical
Class underutilized: persons with disabilities
Number underutilized:
Hiring goal: eliminate underutilization within 3 years

Job Group: Professionals
Class underutilized: persons with disabilities
Number underutilized:
Hiring goal: eliminate underutilization within 3 years

X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

Identification and description of methods for developing programs designed to meet affirmative action goals and program objectives:

1. Program: Affirmative Action Hiring
    - Objective: The Minnesota Board of Nursing will continue to hire affirmatively and will include affirmative action consideration in the hiring process for all hires.
    - Method: The Administrative Officer in consultation with the Affirmative Action Officer/Designee will maintain current information regarding disparities. Prior to working with supervisors on all hires, the Affirmative Action Officer/Designee will check data identifying disparities which exist. For all hires where a disparity exits, the Affirmative Action Officer/Designee will initiate the pre-employment review process prior to interview activities. The Affirmative Action Officer/Designee will maintain files with background materials/documentation on any missed opportunities. Employment opportunities are advertised through posting on the Minnesota Management & Budget career site.
    - Completion date: Ongoing.
    - Evaluation: Review of disparities with supervisors continues on a regular basis as opportunities for hiring come available.
2. Program: Affirmative Action Education
    - Objective: The Minnesota Board of Nursing will provide education to supervisory staff about affirmative action and about responsibilities in implementing the Affirmative Action Plan.
    - Method: Supervisory staff will be educated about their role in implementing the Affirmative Action Plan, specific supervisor responsibilities in the hiring process for situations where a disparity exists and how they can contribute to the

retention of protected group members. All staff will attend equal employment opportunity education offerings by the Administrative Services Unit Personnel/Contracts Officer

- Completion date: Ongoing.
- Evaluation: Training by Administrative Services Unit Personnel/Contracts Officer scheduled annually.

XI. METHODS OF AUDITING, EVALUATING, REPORTING PROGRAM SUCCESS

Pre-employment review procedure of all hiring decisions for goal units with unmet affirmative action goals: Statewide affirmative action rules require pre-employment review of all occupational categories with unmet affirmative action goals. Pre-employment review requires justification of a hiring decision for which there is a disparity and for which a protected group member is not selected. The AAO requests the hiring supervisor explain his/her rationale for selecting an applicant or his/her rationale for rejecting all of the other applicants. The ideal time for the Affirmative Action Officer/Designee to conduct a pre-employment review is when interviewees are being selected. It is the responsibility of the Affirmative Action Officer/Designee to conduct this pre-employment review prior to the appointment of employees.

When a vacancy occurs in a goal unit with unmet affirmative action goals, the following procedures will be followed:

- The Affirmative Action Officer/Designee will notify the supervisor of the unmet affirmative action goals and advise him/her on an ongoing basis of the affirmative action responsibility as outlined in the procedure below.
- In all cases, the most qualified person, as determined by training and experience, will be hired for a position at the Minnesota Board of Nursing.

Pre-review procedure of all layoff decisions to determine their effect on agency affirmative action goals and timetables: The Affirmative Action Officer/Designee will perform a pre-review of all layoff decisions to determine the effect on Minnesota Board of Nursing affirmative action goals and timetables. The layoff procedures will comply with union contracts.

Methods of auditing, evaluating, and reporting program success: The affirmative action program will be audited to ensure that hiring and retention procedures support the Minnesota Board of Nursing's commitment to hire affirmatively in a work environment void of discrimination. The Administrative Officer in consultation with the Affirmative Action Officer/Designee will maintain records reflecting hires and any complaints regarding such activity.

The Administrative Officer in consultation with the Affirmative Action Officer/Designee will evaluate the Affirmative Action Plan as follows:

- Review quarterly statistics reflecting current complement based on protected classes.
- Review disciplinary actions taken during the past quarter including review of job

classification, bargaining unit, racial/ethnic group, sex, and disability status.

- Review recruitment sources and strategies used, and the results used to help fill specific vacancies for which there was under-representation.
- Review formal discrimination complaints filed in the past quarter.
- Review training provided to employees to analyze for upward mobility impact including job assignment, job progression, promotion, and transfer by job classification, bargaining unit, racial/ethnic group, sex, and disability.

The Minnesota Board of Nursing has a limited budget and expects no hires in the upcoming year. The Board will follow the above procedures.

XII. RECRUITMENT PLAN

The objective of this recruitment plan is to ensure our agency recruitment programs are publicly marketed, attract and obtain qualified applicants, enhance the image of state employment and to assist in meeting our agency affirmative action goals to achieve a diverse work force.

Listed below are various recruitment methods or strategies utilized by this agency during the past year.

A. **Advertising Sources**: The Board has used the agency website, Minnesota Management & Budget website and local newspapers to advertise vacancies.
B. **Job Fairs**: The Board does not plan to attend any job fairs during this affirmative action plan period.
C. **Internships**: The Board does not anticipate hiring any interns during the affirmative action plan period. If the need arose, we would work with local/area colleges and universities to recruit and hire for proposed internships.

Methods to improve recruitment of persons with disabilities include:

- Ensure posting of positions through organizations that serve persons with disabilities (as well as MMB website).
- Ensure accessibility of Board website.
- Post affirmative action plan, including information about equal opportunity for persons with disabilities, on Board's website.

XIII. RETENTION PLAN

A. Person Responsible for Agency's Retention Program/Activities: Sheryl Meyer, Administrative Officer, Minnesota Board of Nursing, 2829 University Avenue SE #200, Minneapolis, MN 55414, 612/617-2290. She will work in consultation with Cindy Greenlaw Benton, Personnel / Contracts Officer and Affirmative Action Officer / Designee, 2829 University Avenue SE, Minneapolis, MN 55414, 651-201-2737.
B. Separation and Retention Analysis by Protected Groups: The Board had eight

separations from July 2010 through June 2012:

- 1 employee was not certified during probationary period
- 3 employees resigned for positions outside the State of Minnesota employment
- 4 employees retired from State service

None of the separated employees belonged to a protected group the Board revealed as underutilized.

Separation patterns for protected group members: There has been no discernible separation pattern. The Board is a small agency with few vacancies. Employees who separate from the Board usually retire or leave state service altogether to find higher paying jobs outside state service.

C. Methods of Retention of Protected Groups: The Board will continue training and organization development programs directed at building and enhancing the understanding and valuing diversity in the workplace. We will work with the Administrative Services Unit to collaborate with other health related licensing boards in our building to bring affordable training to employees.

ATTACHMENT:

Complaint Of Harassment/Discrimination

Please Read Before Completion of Form

Any complaint of harassment/discrimination is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. This information is being collected for the purpose of determining whether harassment/discrimination has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Affirmative Action Officer designee, the complainant, the respondent, and appropriate personnel.

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

The Complaint	
Basis of Complaint ("X" all that apply): ☐Race ☐ Color ☐Disability ☐Sexual Orientation ☐Sex ☐Creed ☐Marital Status ☐Status with Regard to Public Assistance ☐Age ☐National Origin ☐Membership or Activity in a Local Human Rights Commission	
Date most recent act of harassment/discrimination took place:	If you filed this complaint with another agency, give the name of that agency:

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

Information on Witnesses Who Can Support Your Case		
Name	Work Address	Work Telephone
1.		( )
2.		( )
3.		( )

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

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

Affirmative Action Officer Signature	Date

ATTACHMENT :

Employee Request for Reasonable Accommodation Form

Please Print or Type

Employee Name:	**Classification/Division**	**Date of Request:**

Attach additional sheets for questions below if necessary.

1. **Please describe the nature of your medical condition for which you are requesting an accommodation. Describe how it limits any major life activities.**

2. **How does it affect your ability to perform your job?**

3. **Type of accommodation requested:**

_____ Making facilities readily accessible
_____ Job restructuring
_____ Part-time or modified work schedule
_____ Other (specify): _____
_____ Modification of equipment or devices
_____ Qualified reader or interpreter
_____ Acquisition of equipment or devices

4. **Describe in detail the accommodation you are requesting:**

5. **Has your medical provider recommended the accommodation? ____ Yes ____ No**

6. **How will the requested accommodation be effective in allowing performance of the essential job function(s)?**

Signature of Employee:	**Date:**

This information will be used by human resource management or any other person, including the agency's legal counsel, who is authorized by my employer to handle medical information for ADA/MHRA purposes and, any information concerning my physical or mental condition, that are necessary to determine whether I have a disability as defined by the Americans with Disabilities Act and/or the Minnesota Human Rights Act, and to determine whether any reasonable accommodations can be made. The provision of this information is voluntary, however if you refuse to provide it, your employer may refuse to provide reasonable accommodation.