

**Iron Range Resources &
Rehabilitation Board**

Iron Range Resources & Rehabilitation Board

Affirmative Action Plan 2012-2014

P.O. Box 441, 4261 Hwy. 53 South
Eveleth, MN 55734

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Transmittal Form

IRRRB
2012-2014


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

Goal Units	Protected Groups		
	Women	Minorities	Disabilities
Officials & Administrators			X
Professionals	X	X	X
Technicians	X		
Office/Clerical			X
Skilled Craft			X
Service Maintenance	X	X	X

2. This plan is and will be posted at the following central locations so that every employee is aware of the agency's commitments in affirmative action.

- IRRRB, Eveleth
- Giants Ridge Golf & Ski Resort, Biwabik
- Mining and Reclamation, Chisholm

3. This plan contains clear designations of those persons and groups responsible for implementing the attached Affirmative Action Plan as well as my statement of commitment to achieving the goals and timetables described herein.

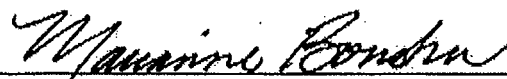


Agency Head

8-23-12

Date

4. This plan contains an internal procedure for processing complaints of alleged discrimination from employees, and each employee has been apprised of this procedure as well as our department's affirmative action goals for this fiscal year.

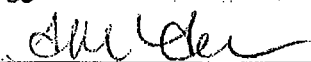


Affirmative Action Officer

8/28/12

Date

5. This plan meets the rules governing affirmative action, Statutory Authority 43A.04, and contains goals and timetables as well as methods for achieving them which are reasonable and sufficiently aggressive to deal with the identified disparities.



State Affirmative Action Officer

12/14/12

Date

Statement of Commitment


As Commissioner of IRRRB, I support the State of Minnesota's Equal Employment Opportunity Policies and statewide Affirmative Action efforts to provide equal employment opportunity to current and prospective employees without regard to race, color, creed, religion, age, sex, disability, marital status, status with regard to public assistance, membership or activity in a local commission, national origin or sexual orientation.

Protected groups that have been denied equal opportunity in the past are defined in Minnesota Statutes, Chapter 43A, as women, minorities and persons with disabilities. This agency will make every effort to recruit and hire qualified protected group members where they are under-represented and affirmatively retain protected group employees.

Equal employment cannot exist in the presence of discrimination, and this Affirmative Action Plan contains policies intended to provide a work environment free of all forms of discrimination including harassment and sexual harassment. Every employee plays a part in affirmative action and accepts accountability for upholding this policy. Training and resources are provided to managers, supervisors and employees at all levels of the organization to ensure adherence to its principles and procedures.

I have designated Marianne Bouska to serve as IRRRB Affirmative Action Officer. She is responsible for updating, maintaining and communicating the Affirmative Action Plan, for monitoring all equal employment opportunity activities within the agency and for reporting the effectiveness of the Affirmative Action program as required by state law.

I encourage employees to be involved in supporting and implementing this policy and welcome comments and suggestions for improvement. I am confident that our combined efforts can result in an effective Affirmative Action program for IRRRB.



Tony Sertich, Commissioner

8-23-12

Date

Responsibility Statement

Commissioner

- Responsibilities: Direct the agency's Affirmative Action program in compliance with existing federal and state laws, rules and regulations.
1. Appoint or designate an Affirmative Action Officer.
 2. Make decisions and changes in policy, procedures, and accommodations of persons with disabilities as may be needed to facilitate equal opportunity and affirmative action progress.
 3. Take action on complaints of alleged discrimination.
 4. Report annually to the Commissioner of Minnesota Management & Budget the agency's progress in affirmative action.
- Accountability: To the Governor directly and to the Commissioner of Minnesota Management & Budget Employee Relations indirectly.

Affirmative Action Officer

- Responsibilities: Direct and implement IRRRB's Affirmative Action program.
1. Write and update the agency's Affirmative Action Plan.
 2. Monitor the plan.
 3. Provide the State Affirmative Action Officer with status reports, as required.
 4. Implement the pre-employment review process and complete the Protected Group Report.
 5. Investigate alleged charges of discrimination and report a summary of findings to the agency head.
 6. Disseminate information to managers, supervisors, employees and applicants.
 7. Seek out and advertise agency vacancies to protected group resources.
 8. Develop and implement policies and procedures related to affirmative action.
- Accountability: IRRRB Commissioner.

Managers, Supervisors, Employees

- Responsibilities: Ensure compliance with the agency's Affirmative Action Plan and equal employment opportunity for all employees.
1. Assist the Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity, including providing reasonable accommodations for applicants and employees.
 2. Follow the pre-employment review process.
 3. Communicate the agency's Affirmative Action Plan to all employees.
 4. Ensure new policies and procedures are distributed to each employee and a review process is established.
- Accountability: IRRRB Affirmative Action Officer and IRRRB Commissioner.

Communications

Internal Dissemination

- The Affirmative Action Plan is posted on the employee intranet, official agency bulletin boards and distributed to all employees electronically.
- The Affirmative Action Officer provides information to employees as needed to inform them of changes to the policies and procedures.
- The Affirmative Action Officer provides a copy of equal employment opportunity and affirmative action information to all new employees.

External Dissemination

- The phrase “An Equal Opportunity Employer” is included on agency letterhead, on all advertisements for employment and on the agency website.
- The Affirmative Action Officer is accountable for seeking out and advertising agency vacancies to protected group resources.
- The Affirmative Action Plan is posted on the agency’s external website.

Harassment/Discrimination Policy

Statement of Policy

It is the policy of IRRRB 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 commission, 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 IRRRB Affirmative Action Officer. If the employee chooses, she/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 Officer at the Minnesota Management & Budget for information regarding the filing of a complaint. Any unintentional or deliberate violation of the policy by an employee will be cause for appropriate disciplinary action.

Each employee is responsible for the application of the 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 will be expected to keep IRRRB and its employees apprised of any changes in the law or its interpretation regarding this form of discrimination. The Affirmative Action Officer is also responsible for:

- Notifying existing and new employees of this policy.
- Informing all employees of the complaint procedure and ensuring that all complaints will be investigated promptly and respectfully.

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

"Sexual harassment" includes unwelcome sexual advances, request 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 decisions 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 IRRRB's Affirmative Action Officer. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer 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 nonetheless 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.

Procedure

Any employee or applicant of IRRRB who believes that she/he has experienced discrimination or harassment based on her/his race, 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 the IRRRB Affirmative Action Plan.

Internal Harassment/Discrimination Complaint Procedure

IRRRB has established the following discrimination complaint procedure to be used by all employees, applicants or eligible 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 for information and for access to data and records for the purpose of enabling the Affirmative Action Officer to carry out responsibilities under this complaint procedure.

Who May File

Any employee, applicant or eligible person of IRRRB who believes that she or 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 IRRRB's nondiscrimination policy within the agency. Any employee, applicant or eligible person is 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 may contact the State Affirmative Action Officer if she or he wants information about filing a complaint.

Filing Procedures

1. The employee, applicant or eligible person completes the *Complaint of Discrimination Form* provided by the Affirmative Action Officer. Employees should file a complaint within a reasonable period of time after the individual becomes aware that a situation(s) may involve discriminatory harassment. The Affirmative Action Officer will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer 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.
 - a. If it is determined that the complaint is not related to the discrimination, but rather to general personnel concerns, the Affirmative Action Officer will inform the complainant, in writing, within ten (10) working days.
 - b. If the complaint is related to discrimination, the Affirmative Action Officer will, within ten (10) working days, contact all parties named as respondent(s) and outline the basic facts of the complaint. The respondent(s) will be asked to provide a response to the allegations within a specific period of time.

3. The Affirmative Action Officer shall investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer shall notify the complainant(s) and respondent(s) that she or he has completed the investigation. The Affirmative Action Officer shall subsequently 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 complainant(s) and the respondent(s) dismissing the complaint.
4. After the complaint(s) is filed, a written answer will be provided to the parties within sixty (60) days. Should extenuating circumstances prevent completion of the investigation, the complainants also will be notified within sixty (60) days.
5. The complaint will be filed with the Commissioner of Minnesota Management and Budget within thirty (30) days of 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 complainant(s) and respondent(s). After an investigation is compiled and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.
7. All data collected may 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., complainant(s), respondent(s) 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 shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

IRRRB Biennial Affirmative Action Goals

2012-2014

Job Group	Anticipated New Hires	Hiring Goals	Disparity
Officials & Administrators	1	1	1 disability
Professional	2	2	3 women, 2 minorities, 3 disability
Technicians	1	1	1 woman
Office/Clerical	2	2	1 disability
Skilled Craft	1	0	1 disability
Service Maintenance	2	3	3 women, 1 minority, 1 disability

The above goals are based upon the approval of the IRRRB budget and retirement recruitment plan as originally submitted. If the agency's budget is not approved as submitted, the above positions will be filled as vacancies occur in other groups.

According to the analysis on page 25, the agency's workforce underutilizes all three protected groups in the 6 job categories above. Based on current plans, hires are expected in 5 of the 6 job categories with identified underutilization. The agency will make good faith efforts to improve utilization by recruiting and hiring qualified protected group candidates for those vacancies with disparities.

The agency seasonally hires temporary employees at Giants Ridge Golf & Ski Resort and Mining and Reclamation. Seasonal employees are mostly student workers and are interviewed and selected according to the state guidelines. It is the agency's goal to hire affirmatively when filling these positions.

Recruitment Plan

Agency Policy

IRRRB is committed to achieving a balanced workforce that is representative of the community. The agency will actively recruit protected group members in the areas where there are disparities. The agency is committed to partnering with protected group communities to ensure recruitment goals and objectives.

Projected Hiring Goals

It is projected that for 2013 and 2014, IRRRB will hire nine full-time permanent employees. It is the agency's goal to hire affirmatively and will use the following as a plan of action.

Underutilization

This review revealed underutilization of the following protected group(s) in the following goal units:

Goal Units	Protected Groups		
	Women	Minorities	Disabilities
Officials & Administrators			X
Professionals	X	X	X
Technicians	X		
Office/Clerical			X
Skilled Craft			X
Service Maintenance	X	X	X

Recruitment Plan

The recruitment plan is developed annually in conjunction with the agency's budget process. When recruitment is required, special effort will be made to ensure that qualified applicants of underutilized, protected groups are interviewed.

The agency will partner with the Minnesota Management & Budget and its recruitment efforts.

The agency generally uses interview teams of at least two individuals, and composition of the interview team is dependent on the position. The Human Resources Director is an interview team member for all permanent positions. A formal interview plan and process is followed.

Advertising

The method of recruitment advertising is based on the type of position that is vacant. In some cases, the agency does not advertise, as there are eligible lists available from Minnesota Management & Budget. If no list is available, a new position is created, or the agency is hiring a temporary or temporary unclassified position, the agency will advertise. Advertising is done in local newspapers and online. Occasionally, the agency advertises state-wide, and in those instances it utilizes Duluth, Minneapolis and St. Paul newspapers.

The agency does hire temporary workers, student workers and interns to work at Giants Ridge Golf & Ski Resort, Mining and Reclamation and at the Eveleth facility. Recruitment for temporary workers, student workers and interns is managed by the facility or division seeking such employees. When the

agency seeks to fill these positions, recruitment letters and applications are sent to local colleges and/or local Minnesota WorkForce Centers. Job openings may also be advertised on agency websites.

Internship Program

Human Resources will formalize, implement and communicate a Student Internship Program consistent with Administrative Procedure 21E; M.S. §43A.21. Any division within the agency may request an intern. Prior to requesting an intern, a division must develop a work plan including the individual responsible for supervision of the intern.

Recruitment and Selection

The recruitment and selection of interns is the responsibility of the supervisor working with the Personnel Officer. The criteria for selection are:

- The intern is a student at an educational institution.
- The intern is receiving academic credit for the internship, or the internship is a graduation requirement.
- The intern must be in good standing academically at his or her educational institution.

Student Worker Program

The Student Worker Program is utilized throughout the agency.

Student Worker Position and Job Duties

Each division which requests a Student Worker position must have approval from the Commissioner's office for the number of students they are requesting, a brief description of their duties, along with start and end dates for employment.

Recruitment and Selection Process

The hiring facility or division advertises or notifies local educational institutions requesting interested students to apply. All applications are sent to the Human Resources division for review and assurance of eligibility. The applications are then sent to the division for hiring decisions.

Future IRRRB Recruitment Efforts

IRRRB notifies candidates in its application materials that it is an equal opportunity employer. The agency is aware of recruitment resources that are available from the Minnesota Department of Economic Security, the Minnesota State Council on Disability and the President's Committee on Employment of People with Disabilities.

Retention Plan

Training and professional development is part of the agency's retention plan, which also includes:

1. Providing development opportunities for employees at training seminars and workshops, making information available regarding tuition reimbursement opportunities.
2. Keeping a record of all training and participation.
3. Providing affirmative action, sexual harassment training and ADA training.
4. Keeping a record of all non-list hires.

Assignment of Responsibility

The Human Resources director is responsible for coordinating and implementing the Recruitment/Retention Plan; however, it is the responsibility of all managers, supervisors, and employees to comply with provisions of the Affirmative Action Plan. Target dates for completion are an ongoing, continuous process.

Separation/Layoff Patterns

IRRRB does not anticipate any layoffs in the near future; however, we have had separation of employees. Separation was due to retirements, resignations, temporary student workers and temporary workers.

Each year we hire approximately 60 student workers, student interns and temporary workers. These employees are terminated at the end of seasonal operations. In the last two years, the following protected group member was separated:

- 1 – Office/Clerical (Women)
- 1 – Professional (Women)
- 1 – Official & Administrator (Women)

IRRRB Affirmative Action Objectives

The objectives of the agency's Affirmative Action Plan are to provide communications and training to employees, to ensure a work place tolerant of diversity and free of discrimination or harassment and to actively recruit and maximize employment opportunities for protected group members in state service. These objectives will be achieved through targeted initiatives involving all employees.

Objective 1

To provide on-going communications and training to all employees regarding affirmative action, equal employment opportunity and protected groups.

Initiatives

1. Provide review and training about the Affirmative Action Plan to all managers, supervisors and employees.
2. Communicate updates or changes in state or federal law.
3. Meet with new employees during orientation to review affirmative action policies.

Responsibility

Human Resources Director and designated training staff.

Completion

This objective is on-going.

Objective 2

To ensure a work place tolerant of diversity and free of discrimination or harassment.

Initiatives

1. Take appropriate action if the policies and provisions of the Affirmative Action Plan are violated.
2. Evaluate and report on achievement of affirmative action goals and objectives.
3. Ensure fair and equitable treatment of all employees.
4. Provide diversity education opportunities to cultivate a work environment that welcomes diversity.

Responsibility

Human Resources Director, managers, supervisors and employees of the agency.

Completion

This objective is on-going.

Objective 3

To actively recruit and maximize employment opportunities for protected group members in state service.

Initiatives

1. Maintain open and fair recruitment practices for all applicants.
2. Work with key contacts, educational institutions and other targeted recruitment resources in order to encourage applications by protected group applicants.
3. Identify barriers to the employment of protected group members and find ways to mitigate them.
4. As appropriate, advertise in publications serving protected group members.

Responsibility

Human Resources Director, managers and supervisors.

Completion

This objective is on-going.

Auditing and Reporting System

An Affirmative Action program needs an internal auditing, evaluation and reporting system to monitor effectiveness. The following reporting and auditing system will be utilized by IRRRB:

General

The following internal reports provide the tools to analyze and measure the affirmative action program's effectiveness.

- Annual report of all eligible list hires, non-eligible list hires, terminations and discharges, including the job classification, bargaining unit, racial/ethnic group, sex and disability.
- Record of all disciplinary actions taken during the past year including the name, job classification, bargaining unit, racial/ethnic group, sex and disability.
- Record of all recruitment resources used and a record of recruitment strategies and the results used to help fill specific vacancies for which there was under-representation.
- Record of formal discrimination complaints filed in the past year.
- Record of training provided to employees.

Pre-Employment Review

The pre-employment review process makes it possible to track all opportunities to hire when a vacancy occurs in a goal unit that has a disparity.

When the Minnesota Management & Budget Resumix System compiles a list of eligible applicants, the "Protected Group Report" indicates which groups are under-represented. The report identifies each eligible person by racial/ethnic group, sex and disability if indicated by applicant. In other situations, such as the hiring of temporary workers, student workers and interns the Human Resources Director will identify disparities.

In order to fulfill the goals of affirmative action, the procedure laid out below will be followed when hiring is contemplated.

Consultation with Managers and Supervisors

Managers and supervisors will be kept advised of the goals for the various occupational categories under their supervision by the Affirmative Action Officer.

When a vacancy occurs in a goal unit with unmet affirmative action goals, the procedure below is followed:

The Affirmative Action Officer notifies the supervisor of the unmet affirmative action goal(s) and advises him/her of the affirmative action responsibility. Listed below is the hiring procedure when a disparity exists.

Selection Process

1. A position analysis will be completed for the vacant job. The Human Resources Director and the supervisor/manager will determine the necessary job related criteria: knowledge, skills and abilities.
2. The Human Resources Director determines whether any bargaining unit employees are eligible to bid on the position. If so, the job will be posted for the required length of time. If an employee bidding on the job is successful, the job will be filled in accordance with the respective bargaining agreement.
3. The Human Resources Director determines whether an appropriate certification list exists or if a job announcement is in order.
4. If a job announcement is in order, the agency, using the Resumix System, will recruit affirmatively for the position.
5. Using the certification list, the Human Resources Director and the hiring manager/supervisor will invite all eligible protected group persons for an interview. Invitations will be issued by telephone calls and/or letters sent by mail.
6. The applications/resumes of those interviewed will be compared to the qualifications stated in the job announcement. Candidates will be compared on qualifications and the responses given in their interviews, keeping in mind the affirmative action goals based on agency disparities.
7. Prior to selection of a candidate, the manager/supervisor will discuss his or her anticipated selection with the Affirmative Action Officer to ascertain that the selection is consistent with the agency's affirmative action goals.

Reasonable Accommodation

State and federal laws such as the Minnesota Human Rights Act, the ADA, and Section 504 of the Rehabilitation Act require employers to make reasonable accommodation to the physical or mental limitations of a qualified applicant with a disability or an employee with a disability seeking promotion, unless the accommodation would impose an undue hardship on the employer.

Policy

It is the policy of this agency to encourage the employment and promotion of any qualified person including those with disabilities. If the reason for the denial of employment or advancement in employment is the need to make reasonable accommodations to the physical or mental needs of the employee with a disability, job applicant, or employee seeking promotion, it must be demonstrated that: a) the accommodation would impose an undue hardship on the agency; b) the accommodation does not overcome the effects of the person's disability; or c) the person with a disability is not qualified to perform that particular job. IRRRB's reasonable accommodations policy applies to all agency employees with any known physical or mental limitations, and any job applicant requesting accommodation prior to employment interview.

The agency will provide accommodations to qualified employees/job applicants with disabilities or employees seeking promotion when such accommodations are directly related to performing a job or competing for a job on an equal basis. Accommodations will not be required for non-job related personal needs of individuals even though they may be a qualified individual with a disability. In such cases, questions may arise as to whether the accommodation is personal or job related. The primary factors in evaluating an accommodation is whether the accommodation will enable the person to perform the job on an equal basis in the most cost effective manner and in the most integrated setting possible.

Transportation to and from work is the responsibility of the employee. This agency will not provide transportation to and from work as part of the reasonable accommodation.

Scope

This policy statement establishes the agency's workforce standard for accommodation to the needs of job applicants with disabilities, current employees with disabilities, and employees with disabilities seeking promotion. Reasonable accommodation applies not only to selection and placement, but also to recruitment, training, promotion and reassignment.

Definitions

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

To be reasonable, an accommodation should be necessary, effective and related to the job.

1. Employers are required to provide reasonable accommodations unless it would impose an undue hardship as detailed herein.

Request for Reasonable Accommodation

In order to avoid delays, the procedures for processing requests for reasonable accommodations should reflect the least number of approval steps necessary. The steps in requesting reasonable accommodations for current employees and employees seeking promotion are as follows:

1. The supervisor and the employee with a disability consult to determine the need for the accommodation and to discuss alternatives such as job restructuring, job site modification and assistive devices.
2. The supervisor submits the *Employee Request for Reasonable Accommodation* form obtained from the Affirmative Action Officer. The request includes a justification for the accommodation and includes a statement of the functional limitations. The supervisor submits the request to the Affirmative Action Officer within five (5) working days upon receipt of the request.
3. The Affirmative Action Officer will notify the Commissioner of the request and gather information regarding availability and cost within ten (10) working days.
4. The Affirmative Action Officer reports to the Commissioner with a recommendation. The agency head considers the available alternatives and decides whether or not to grant the requested accommodation and determines what accommodation should be made. The decision is then provided in writing to the supervisor within five (5) working days after the agency head makes his/her determination.
5. The Affirmative Action Officer fills out the Reasonable Accommodations Agreement and obtains necessary signatures.

The Affirmative Action Officer submits appropriate purchasing documents to the purchasing agent if equipment, furniture or other assistive devices must be purchased.

Methods of Providing Reasonable Accommodation

The following are some methods of providing reasonable accommodations to qualified individuals with disabilities. Other forms of reasonable accommodation may also be provided.

Modification Of Equipment Or Assistive Devices

The provision of equipment may include special telephone equipment, “talking” calculators, one-handed keyboards, closed circuit televisions, specifically designed desk and files, TDD communications equipment and other types of equipment to facilitate the performance of job duties. These items may include off the shelf devices as well as specialized, customized and/or prescription items.

Job Site Modification

The planning and provisions of accessibility to existing facilities may be required in order for individuals with disabilities to work in them. Modifications may include adjustments to equipment height, including desk and chairs, addition of electrical outlets, rearrangement of furniture and equipment, widening doorways, relocation of the job site to an accessible area, provision of special parking facilities, modifications of ventilation, heating, cooling and lighting systems, and other types of similar modifications. This agency will negotiate any changes with the Real Estate Management Division, Department of Administration to determine costs

involved.

Job Restructuring

The restructuring of any job may include modifying work hours and/or changing job duties while retaining the basic job functions. Arrangements must be considered for full-time, permanent and intermittent employment. Job sharing and flexible work hours may permit employees with disabilities to meet such needs as medical appointments and medical dietary requirements.

Support Services

Support services such as interpreters for hearing-impaired individuals, readers for blind or special attendants must be provided when it is clearly demonstrated that these services are required for an employee's performance of the essential functions of the job. Support services may also be needed for job applicants during the interview process. This agency may directly or on a contractual basis of any agency outside the agency provide the training necessary to allow staff members to provide support services when such training and the provisions of such support services are administratively feasible.

Readers

There are many options available to provide reading assistance to blind employees. Some agencies have found that the best way of providing reading to blind employees is to assign other employees to provide this service as needed. In most cases, this amounts to a relatively small part of an employee's workday.

Interpreters

Although some situations will require a high level of interpreting skills, much day-to-day communication can be accomplished by employees who have learned basic sign language. In situations such as court appearances and performance evaluations, where a higher degree of interpreting skill would be necessary for effective communication, personal service contracts may also be used to obtain services from outside resources.

Undue Hardship

In determining whether or not the making of a reasonable accommodation would impose an "undue hardship" on the operation of a recipient's program, factors to be considered must include:

- The overall size of the recipient's program (i.e., number and type of facilities, size of budget, the type of the recipient's operation, including the composition and structure of the recipient's workforce).
- The nature and cost of the accommodation needed.
- The reasonable ability to finance the accommodation at each site of business.
- Documented good faith efforts to explore less restrictive or less expensive alternatives, including consultation with the individual requesting accommodation or with knowledgeable persons.

Funding for Reasonable Accommodation

IRRRB will make funds available in order to provide reasonable accommodations to employees or job applicants with disabilities. The amount will be determined by the agency head and funds will be used only when a reasonable accommodation request has been approved and signed by the agency head.

Purchase and Maintenance of Accommodation

IRRRB is free to choose the specific accommodation provided to qualified persons with disabilities. The person requesting reasonable accommodations will suggest appropriate accommodations. The agency may provide another accommodation equal or superior to the one proposed in practicality, usefulness or cost effectiveness.

All tangible accommodations purchased by the agency will be the property of the State of Minnesota and will be used only for job related functions. The maintenance of equipment will be the responsibility of the agency and projected maintenance costs will be a factor in the initial decision to provide accommodations.

Denial of Accommodation

All denials of requests for reasonable accommodation will be documented and kept on file by the Affirmative Action Officer. A copy of the document denying the request for reasonable accommodation will be given to the supervisor. The Affirmative Action Officer will notify the employee of the denial and inform the employee of his/her right to appeal and to file with other government agencies such as Human Rights and Equal Employment Opportunity Commission.

Appeals

An employee who is dissatisfied with the reasonable accommodation decision can appeal directly to the agency head within ten (10) working days of the decision. The agency head will within ten (10) working days of the individual's appeal, convene a reasonable accommodation review committee which shall consist of persons previously not involved. For example, an ADA/disability coordinator, a rehabilitation engineer, or counselor may be on this committee. These persons must be knowledgeable with the ADA and reasonable accommodation. This committee will review all pertinent material and steps leading to the decision according to the following criteria:

- Job Relatedness
- Relationship between the accommodation and essential job function
- Effectiveness
- Necessity
- Other claims of undue hardship

The committee will make a recommendation to the agency within ten (10) working days from the date the committee was convened unless more time is needed to obtain more information from outside sources. The agency head will make a final determination within ten (10) working days from receiving the committee's recommendation. The Affirmative Action Officer will then convey written copies of the agency head's decision to the employee and supervisor. If the employee is still dissatisfied with the decision, she/he may file with other government agencies such as Human Rights and Equal Employment Opportunity Commission.

The agency's Affirmative Action Officer will provide employees and compliance agencies with information in assistance needed in the appeals process. Information will be provided in compliance with the Minnesota Government Data Privacy Act. Compliance agencies, which are investigating complaints of a denial of accommodation, will be provided documentation relating to the denial.

Request for Reasonable Accommodations for Job Applicants

1. Initial communication with the job applicant regarding job vacancies shall indicate the willingness of the agency to make reasonable accommodations to the known physical or mental disability and shall invite the applicant to contact the agency for the needed accommodation.
2. The individual contacted with the request shall contact the Affirmative Action Officer immediately. In order to ensure that the accommodation is provided at the interview, requests shall be handled in a timely manner.
3. The Affirmative Action Officer shall contact the job applicant to discuss the needed accommodation and possible alternatives.
4. If the accommodation is approved, the Affirmative Action Officer will take the necessary steps to see that the accommodation is provided.

Denial of Accommodation

If the requested accommodation is denied, the Affirmative Action Officer shall advise the applicant of his or her right to file a complaint with the Department of Human Rights.

Weather Emergencies

Notification of IRRRB building closings due to severe weather or other emergencies are announced through the media and employees are advised to listen to the following radio stations for weather emergencies:

97.9 FM – WEVE – Eveleth
93.9 FM – WTBX – Hibbing/Virginia
106.3 FM – WMFG – Hibbing
99.9 FM – USA Radio – Hibbing/Virginia/Eveleth

To make certain that employees with hearing impairments are aware of such closings, these employees are contacted by their supervisor and, if need be, another employee, friend or family member is assigned the responsibility of personally contacting/notifying the employee with hearing impairment of such closing.

Building Evacuation

Building evacuation is of particular importance to employees who have mobility or sensory impairments. Procedures need to ensure the safe and timely evacuation of these employees. Employees who may need assistance in evacuation will be consulted at regular intervals by the Affirmative Action Officer to ascertain special arrangements.

Building EAP's and evacuation plans are posted at each respective individual building and available on the agency intranet.

Utilization Analysis Chart

2012-2014

WOMEN

	A	B	C	D	E	F
EEO Job Group	Total Number in Group	Total Number of Women in Group	% Women in the Group	Availability % (from the Census Tables)	Availability Number	Number Underutilized
Officials & Administrators			42.9%	37.8%		
Professionals	29	13	44.8%	53.8%	16	
Technicians			0.0%	63.1%		
Office/Clerical			100%	67.7%		
Skilled Craft			0.0%	7.8%		
Service Maintenance			0.0%	43.6%		

MINORITIES

EEO Job Group	Total Number in Group	Total Number of Minorities in Group	% Minorities in the Group	Availability % (from the Census Tables)	Availability Number	Number Underutilized
Officials & Administrators			0.0%	5.1%		
Professionals	29		0.0%	8.0%		
Technicians			0.0%	6.8%		
Office/Clerical			0.0%	8.2%		
Skilled Craft			0.0%	7.1%		
Service Maintenance			0.0%	14.3%		

PERSONS WITH A DISABILITY

EEO Job Group	Total Number in Group	Total Number Disabled in Group	% Disabled in the Group	Availability % (from the Census Tables)	Availability Number	Number Underutilized
Officials & Administrators			0.0%	11.31%		
Professionals	29		0.0%	10.88%		
Technicians			0.0%	11.52%		
Office/Clerical			0.0%	11.56%		
Skilled Craft			0.0%	11.55%		
Service Maintenance			0.0%	11.37%		

Complaint of Harassment/Discrimination

Please read before completion of the 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, the complainant, the respondent and appropriate personnel.

Complainant (You)		
Name:		Job Title:
Work Address:	City, State, Zip:	Telephone:
Agency:	Division:	Manager:
Respondent (Person who harassed/discriminated against you)		
Name:		Job Title:
Work Address:	City, State, Zip:	Telephone:
Agency:	Division:	Manager:
The Complaint		
<div style="display: flex; justify-content: space-between;"> <div> <p>Basis of Complaint ("X" all that apply)</p> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 33%;"><input type="checkbox"/> Race</div> <div style="width: 33%;"><input type="checkbox"/> Color</div> <div style="width: 33%;"><input type="checkbox"/> Disability</div> <div style="width: 33%;"><input type="checkbox"/> Sex</div> <div style="width: 33%;"><input type="checkbox"/> Creed</div> <div style="width: 33%;"><input type="checkbox"/> Marital Status</div> <div style="width: 33%;"><input type="checkbox"/> Age</div> <div style="width: 33%;"><input type="checkbox"/> Religion</div> <div style="width: 33%;"><input type="checkbox"/> National Origin</div> </div> </div> <div> <div style="width: 33%;"><input type="checkbox"/> Non-discriminatory harassment</div> <div style="width: 33%;"><input type="checkbox"/> Sexual Orientation</div> <div style="width: 33%;"><input type="checkbox"/> Status with Regard to Public Assistance</div> <div style="width: 33%;"><input type="checkbox"/> Membership or Activity in a Local Human Rights Commission</div> </div> </div>		
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 necessary and attach to 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" 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:

Please return form to: IRRRB, Affirmative Action Officer, PO Box 441, Eveleth, MN 55734

Employee Request for Reasonable Accommodation

Employee Name

Date of Request

Job Title

Division

This information will be used by _____ or any other person, including the agency's legal counsel, who is authorized by my employer to handle medical information or 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.

1. Please describe the nature of your limitations, what life activity(s) it substantially limits and how this life activity(s) is substantially limited.
2. How does it affect your ability to perform your job?
3. Type of accommodation you are requesting:
 - ☐ Making of facilities readily accessible
 - ☐ Job restructuring
 - ☐ Part-time or modified work schedule
 - ☐ Modification to a rule, policy or practice
 - ☐ Modification of equipment or devices
 - ☐ Qualified reader or interpreter
 - ☐ Acquisition of equipment or devices
 - ☐ Other (specify)
4. Please describe in detail the accommodation you are requesting:
5. How will the requested accommodation be effective in allowing you to perform the essential functions of your job?

Additional Comments:

Signature of Employee

Date

Reasonable Accommodation Agreement

This form is to be completed by the agency's Affirmative Action Officer after the reasonable accommodation decision has been made. The signatures on the bottom of this form indicate an agreement between the employee and the agency to the specific accommodation.

Name of Employee

Name of Division Manager

The request for reasonable accommodation to the needs of the above named disabled employee was:

☐ Accepted ☐ Denied

Justification for the decision (indicate specific factors considered):

If reasonable accommodation was approved, was the employee's suggestion accepted?

☐ Yes ☐ No ☐ Partially

Reason:

Describe specific accommodations to be made:

Cost Estimate:

I have read the employee request for reasonable accommodation. I understand that all tangible accommodations purchased by the agency, will become the Property of the State of Minnesota.

Signature of Employee

Date

Signature of Commissioner

Date

Signature of Affirmative Action Officer

Date