

AFFIRMATIVE ACTION PLAN REQUIREMENTS

Description and Scope - An affirmative action plan is a set of management policies and procedures designed to identify and remove barriers that contribute to disparities in all executive branch agencies of state government. The Department of Employee Relations (DOER) must monitor the efforts and progress of the Affirmative Action Programs. This process is completed by setting standards and procedures and requiring that each executive branch agency in state government submits biennially an affirmative action plan for review and approval in order to ensure compliance with the State's commitment to affirmative action.

Objectives - To provide guidelines and requirements for documentation; to set dates for the reporting of progress toward ensuring that positions in the executive branch of civil service are equally accessible to all qualified persons; and to ensure that a diverse work force representative of the community is maintained in state executive branch agencies.

Responsibilities -

A. Appointing Authorities:

- Maintain data on available Human Resource Information Systems to support plan requirements. .
- Submit an affirmative action plan to DOER no later than July 31 of each even-numbered year. The plan must include at least the following requirements:

For agencies with 25 or more employees.

- Identify the protected group(s) underrepresented by federal EEO occupational categories in the agency's work force.
- Designate those persons or groups responsible for directing and implementing the agency affirmative action program and define the specific responsibility, accountability, and duties of each person or group.
- State the agency head's commitment to the state's affirmative action efforts and to the implementation of the agency's affirmative action plan.
- Specify a readily accessible location for the posting of the agency's affirmative action plan.
- Describe the methods by which the agency's affirmative action program is communicated internally and externally to employees and other interested persons.
- Describe internal procedures, which must comply with Personnel Rule 3905.0500, for processing complaints of alleged harassment and discrimination from applicants and employees.
- Set goals and timetables, which must be established using the standards in Personnel Rule 3905.0600.

- Identify and describe methods for developing programs and program objectives designed to meet affirmative action goals.
- Describe methods of auditing, evaluating, and reporting program success, including a procedure that requires a preemployment review of all hiring decisions for goal units with unmet affirmative action goals.
- Provide details for evacuations and weather emergency procedures for persons with a disability.
- Describe the agency's plan for reasonable accommodations as required by M.S. 43A.191, Subd.2.
- Identify the individual(s) responsible for ADA compliance.
- Develop a comprehensive recruitment plan that includes the following:
 - advertising sources used, expenses incurred and result of their use,
 - other methods used to recruit,
 - recruiting events attended and projected attendance at recruiting events,
 - projected hiring opportunities and recruiting strategies for those positions,
 - methods to recruit and hire individuals for internships,
 - methods to improve recruitment of persons with disabilities,
 - positions or functions that can be used for supported employment and a plan for filling those positions as described in M.S. 43A.191, Subd. 2(d) and M.S. 43A.421.
- Develop a plan for retaining protected group employees that includes the following:
 - the agency head's commitment to affirmatively retain protected group employees in the statement of commitment,
 - the person(s) responsible for the agency's retention activities,
 - analysis of separation patterns of all employees to determine any disparate impact on protected group members,
 - specific methods to retain protected group employees.

For agencies with fewer than 25 employees.

- State the agency head's commitment to the state's affirmative action efforts.
 - State the agency head's objective to hire members of protected groups when vacancies occur if an apparent underutilization of protected group members exists in the agency workforce.
 - Describe an internal procedure which must comply with Personnel Rule 3905.0500 for processing complaints of alleged harassment and discrimination from applicants and employees.
 - Describe the agency's plan for reasonable accommodations and supported employment as required by M.S.43A 191, Subd 2 (b) and (d).
- Revise the affirmative action plan as necessary and resubmit within 30 days of notification by DOER of non-approval.

B. Department of Employee Relations:

- Establish affirmative action goals for each federal Equal Employment Opportunity occupational category applicable to state employment using the factors described in M.S. 43A 19, Subd.1(b) and (c).
- Submit reports on affirmative action progress as directed in M.S. 43A.191, Subd. 3.

- Review and approve or request modification of an agency affirmative action plan within 60 calendar days after receipt. Indicate the basis on which an agency affirmative action plan was not approved when requesting modification of the plan.
- Review and approve or request further modification of the agency affirmative action plan after re-submission of unapproved plans.

Other Relevant Laws, Rules, Contracts and Administrative Procedures:

The following items have an impact on material contained in this procedure. Review of these items is essential for a total understanding of the subject.

- A. Personnel Rule 3905.0100
- B. Personnel Rule 3905.0300 - Duties of Agency Head.
- C. Personnel Rule 3905.0400 - Requirements for Agency Affirmative Action Plans.
- D. Personnel Rule 3905.0600 - Requirements for Goals and Timetables
- E. Personnel Rule 3905.0700 - Reporting Requirements
- F. Americans with Disabilities Act, U.S. Code, title 42, section 101 to 108; 201 to 231; 241 to 246, 401, 402 and 501 to 514.
- G. Section M.S. 43A.08 and 43A.15