State of Minnesota

Department of Transportation

2018-2020 Affirmative Action Plan

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Upon request, this material will be made available in an alternative format such as large print, Braille or audio recording. Printed on recycled paper.

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Executive Summary

This Affirmative Action Plan meets the requirements as set forth in statute, Administrative Rule, and by Minnesota Management and Budget (MMB), and contains affirmative action goals and timetables, as well as reasonable and sufficiently assertive hiring and retention methods for achieving these goals.

This Affirmative Action Review revealed underutilization of the following protected group(s) in the following job categories:

Table 1: Underutilization Analysis of Protected Groups

Job Categories	Women	Racial/Ethnic Minorities	Individuals with Disabilities
Officials & Administrators	X		X
Professionals	X		X
Office/Clerical			
Technicians			X
Skilled Craft	X	X	X
Service Maintenance	X	X	X

Information about how to obtain or view a copy of this Plan will be provided to every employee of the Minnesota Department of Transportation (MnDOT); the intention is to make every employee aware of MnDOT's commitments to affirmative action and equal employment opportunity. The Plan will also be posted on the agency's website and maintained in the Office of Equity & Diversity (OED).

Affirmative Action Officer or Designee: _____ **Date:** 09/18/18

Human Resources Director or Designee: _____ **Date:** 9-18-18

Commissioner of Transportation: _____ **Date:** 09/13/18

Organizational Profile

The Minnesota Department of Transportation (MnDOT) oversees transportation by all modes including land, water, air, rail, walking and bicycling in the State of Minnesota. The agency is responsible for maintaining the state's trunk highway system (including state highways, U.S. highways, and interstate highways), funding municipal airports and maintaining radio navigation aids, and other activities.

MnDOT managers and supervisors are committed to the employment of a diverse, well qualified, and inclusive workforce. They shall act in accordance with federal and state laws regarding affirmative action and equal employment opportunity in all aspects of employment, including recruiting, hiring and promoting employees.

Statement of Commitment

This statement reaffirms the Minnesota Department of Transportation (MnDOT) is committed to Minnesota's statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

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

- No individual shall be discriminated against in the terms and conditions of employment, human resources (HR) hiring practices, or access to and participation in programs, services, and activities, or subject to harassment, on the basis of race, sex,[1] color, creed, religion, age, national origin, sexual orientation, gender expression, gender identity, disability, marital status, familial status, status with regard to public assistance, or membership or activity in a local human rights commission.
- MnDOT is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include, but are not limited to the following: hiring, promotion, demotion, transfer, recruitment and/or recruitment advertising, layoff, disciplinary action, termination, rates of pay and/or other forms of compensation, and selection for training. Reasonable accommodations will be provided to employees and applicants with disabilities.
- MnDOT will continue to actively promote a program of affirmative action, wherever minorities, women, and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified and talented employees, including employees from protected groups.
- MnDOT will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, MnDOT will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

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

Commissioner of Transportation: _____ **Date:** **09/13/18**

[1] The prohibition of discrimination on the basis of sex precludes sexual harassment, gender- based harassment, and harassment based on pregnancy.

Individuals Responsible for Directing/Implementing the Affirmative Action Plan

A. Commissioner of Transportation

Responsibilities:

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

Duties:

The duties of the Commissioner shall include, but not be limited to, the following:

- Appoint the Affirmative Action Officer or designee and include accountability for the administration of the agency's Affirmative Action Plan in his or her position description.
- Take action, if needed, on complaints of discrimination and discriminatory harassment.
- Issue a statement affirming the department's commitment to affirmative action and equal employment opportunity, and ensure that such a statement is disseminated to all employees.
- Make such decisions and changes in policies, procedures or physical accommodations as may be needed to implement effective affirmative action in the agency.
- Actively promote equal employment opportunity and incorporate diversity and inclusion principles in annual business plans, strategic plan, and agency's vision, mission, and core values.
- Report annually to the Governor and the Legislature through the Commissioner of MMB the department's progress in affirmative action.
- Notify all contractors and sub-contractors with the department of their affirmative action responsibilities.
- Actively promote the enforcement of equal employment opportunity in affirmative and non-affirmative hiring decisions reviewed in the hiring process.
- Require that all agency directors, managers, and supervisors include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.

Accountability:

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

Name of Individual(s) Responsible:

Name: Charles Zelle	**Email: charlie.zelle@state.mn.us**
Title: Commissioner	**Phone: (651) 366-4800**

B. Affirmative Action Officer or Designee

Responsibilities:

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

Duties:

The duties of the Affirmative Action Officer shall include, but not be limited to, the following:

- Prepare and oversee the Affirmative Action Plan, including development and setting of agency-wide goals.
- Monitor the compliance and fulfill all affirmative action reporting requirements.
- Inform the Commissioner on progress in affirmative action and equal opportunity and report potential concerns.
- Review the Affirmative Action Plan at least annually and provide updates as appropriate.
- Provide an agency-wide perspective on issues relating to affirmative action and equal opportunity and assist in the identification and development of effective solutions in problem areas related to affirmative action and equal opportunity.
- Identify opportunities for infusing affirmative action and equal opportunity into MnDOT's considerations, policies, and practices.
- Participate in and/or develop strategies to recruit individuals in targeted groups for employment, promotions, and training opportunities.
- Stay current on changes to equal opportunity and affirmative action laws and interpretation of the laws.
- Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention, progress on hiring goals, reasonable accommodations, and other opportunities for improvement.
- Serve as MnDOT's liaison with Minnesota Management and Budget's Office of Equal Opportunity and Diversity and enforcement agencies.

Accountability:

The Affirmative Action Officer is accountable directly to the Chief of Staff and indirectly to the Commissioner on matters pertaining to affirmative action, equal opportunity, and discrimination.

Name of Individual(s) Responsible:

Name: Seema Desai	**Email: seema.desai@state.mn.us**
Title: Director, Office of Equity & Diversity	**Phone: (651) 366-4725**

C. American with Disabilities Act Coordinator or Designee

Responsibilities:

The Americans with Disabilities Act (ADA) Coordinator is responsible for the oversight of MnDOT's compliance with the Americans with Disabilities Act Title I – Employment and Title II – Public Services, in accordance with the Americans with Disabilities Act – as amended, the Minnesota Human Rights Act, and Executive Order 96-09.

Duties:

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

- Provide guidance, coordination, and direction to management with regard to the Americans with Disabilities Act in the development and implementation of the policy, procedures, practices, and programs to ensure they are accessible and nondiscriminatory.
- Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention of individuals with disabilities, provisions of reasonable accommodations for employees and applicants, and other opportunities for improvement.
- Track and facilitate requests for reasonable accommodations for employees and applicants, as well as members of the public accessing MnDOT's services, and report reasonable accommodations data annually to Minnesota Management and Budget.

Accountability:

The Americans with Disabilities Act (ADA) Coordinator is accountable directly to the Chief of Staff and indirectly to the Commissioner.

Name of Individual(s) Responsible:

Name: Seema Desai	**Email: seema.desai@state.mn.us**
Title: Director, Office of Equity & Diversity	**Phone: (651) 366-4725**

D. Human Resources Director or Designee

Responsibilities:

The Human Resources Director is responsible for ensuring equitable and uniform administration of all Human Resources (HR) policies including taking action to remove barriers to equal employment opportunity with MnDOT.

Duties:

The duties of the Human Resources Director include, but are not limited to, the following:

- Provide leadership to human resources staff and others to ensure HR decision-making processes adhere to equal opportunity and affirmative action principles.
- Ensure, to the extent possible, development and utilization of selection criteria that is objective, uniform, and job-related.
- Initiate and report on specific program objectives contained in the Affirmative Action Plan.
- Ensure a pre-hire review process is implemented and that it receives support from directors, managers, and supervisors.
- Include the Affirmative Action Officer or designee in the decision-making process regarding HR actions involving protected group members, including hiring, promotion, disciplinary actions, reallocation, transfer, termination, and department- and division- wide classification studies.
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in position descriptions and annual objectives.
- Assist in recruitment and retention of individuals in protected groups, and notify directors, managers, and supervisors of existing disparities.
- Make available to the Affirmative Action Officer and ADA Coordinator all necessary records and data necessary to perform duties related to equal opportunity and affirmative action.

Accountability:

The Human Resources Director is accountable directly to the Chief of Staff and indirectly to the Commissioner of Transportation.

Name of Individual(s) Responsible:

Name: Karin van Dyck	**Email:** Karin.van.dyck@state.mn.us
Title: Director, Office of Human Resources	**Phone: (651) 366-3385**

Name: Bonnie Wohlberg	**Email:** bonnie.wohlberg@state.mn.us
Title: Human Resources Staffing Manager	**Phone: (651) 366-3382**

E. Diversity Recruitment Coordinator or Designee

Responsibilities:

The Diversity Recruitment Coordinator is responsible for the creation and coordination of the Diversity Recruitment Plan outlined in this document.

Duties:

The duties of the Diversity Recruitment Coordinator includes, but is not limited to, the following:

- Identify high-need recruitment job areas within the agency.
- Communicate the strategic recruitment plan to human resources, the executive team, management, and staff.
- Assist the Affirmative Action Officer in conducting periodic audits of recruitment activities to measure the effectiveness of efforts and activities to attaining strategic diversity goals and objectives.
- Maintain relationships with agency executive teams, human resources, and management to ascertain the diversity recruitment needs of the agency.
- Maintain relationships with community stakeholders, colleges and universities, and workforce centers to continue effective diversity recruitment strategies.
- Maintain active participation in the statewide recruiters group and MnCARRS.

Accountability:

The Diversity Recruitment Coordinator is accountable to the Human Resources Staffing Manager.

Name of Individual(s) Responsible:

Name: Lena Garcia	**Email:** lena.garcia@state.mn.us
Title: Diversity Recruitment Coordinator	**Phone: (651) 366-3406**

Name: Mao Lowe	**Email:** mao.lowe@state.mn.us
Title: Diversity Recruitment Coordinator	**Phone: (651) 366-3383**

F. Directors, Managers, and Supervisors

Responsibilities:

Directors, Managers, and Supervisors are responsible for implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with MnDOT's affirmative action programs and policies to ensure fair and equal treatment of all employees and applicants.

Duties:

The duties of directors, managers, and supervisors include, but are not limited to, the following:

- Assist the Affirmative Action Officer or designee in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
- Communicate MnDOT's affirmative action policy to assigned staff.
- Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan.
- Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis.
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives.
- Provide a respectful and inclusive work environment.
- Refer complaints of discrimination and harassment to the appropriate parties.
- Identify and refer ADA issues to the ADA Coordinator or designee.

Accountability:

Directors, managers, and supervisors are accountable directly to their assigned supervisor and indirectly to the Commissioner of Transportation.

G. All Employees

Responsibilities:

All employees are responsible for conducting themselves in accordance with MnDOT's equal opportunity and Affirmative Action Plan and policies.

Duties:

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

- Exhibit an attitude of respect, courtesy, and cooperation towards fellow employees and the public.
- Refrain from any actions that would adversely affect the performance of a co-worker with respect to their race, sex, color, creed, religion, age, national origin, disability, marital status, familial status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or membership or activity in a local human rights commission.

Accountability:

Employees are accountable directly to their assigned supervisor and indirectly to the Commissioner of Transportation. All employees are responsible for maintaining an environment free from harassment and discrimination and conducting themselves in accordance with the Affirmative Action Plan.

Communication of the Affirmative Action Plan

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

A. Internal Methods of Communication

- A memorandum detailing the location of the Affirmative Action Plan and the responsibility to read, understand, support, and implement equal opportunity and affirmative action will be sent from MnDOT's Affirmative Action Officer to all staff on an annual basis.
- MnDOT's Affirmative Action Plan is available to all employees on the Equity & Diversity Webpage of MnDOT's internal website at http://ihub.dot.state.mn.us or in print copy to anyone who requests it. The plan will be made available in alternative formats as requested.
- A physical copy of MnDOT's Affirmative Action Plan will be available to employees at the following address:

Minnesota Department of Transportation
395 John Ireland Boulevard, MS 205
St. Paul, MN 55155-1800

- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented and accessible to all employees.

B. External Methods of Communication

- MnDOT's Affirmative Action Plan is available on the Equal Employment Opportunity Program Webpage of MnDOT's external website at http://www.dot.state.mn.us or in print copy to anyone who requests it. The plan will be made available in alternative formats as requested.
- MnDOT's website homepage, letterhead, publications, and all job postings will include the statement "an equal opportunity employer".
- Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented and accessible to members of the public. Examples of posters displayed include: Equal Employment Opportunity is the Law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.

Underutilization Analysis and Affirmative Action Goals

Through the utilization analysis, the agency has determined which job categories are underutilized for women, minorities, and individuals with disabilities within the agency and has set the following hiring goals for the next two years (Reference Table 2).

Table 2: Underutilization Analysis and Hiring Goals for 2018-2020

	Underutilization-# of Individuals			Hiring Goals for 2018-2020		
Job Categories	**Women**	**Racial/Ethnic Minorities**	**Individuals With Disabilities**	**Women**	**Racial/Ethnic Minorities**	**Individuals With Disabilities**
Officials/Administrators	4	0	3	**4**	**1**	**3**
Professionals	119	0	9	**119**	**50**	**15**
Office/Clerical	0	0	0	**50**	**50**	**10**
Technicians	0	0	44	**35**	**20**	**44**
Skilled Craft	16	7	13	**16**	**7**	**13**
Service Maintenance	19	32	32	**19**	**32**	**32**

The second, third, and fourth columns of this chart show the number of underutilized individuals of each group in each category at this agency. The fifth, sixth, and seventh columns show the agency's hiring goals for each group in each category.

Keeping within our current underutilizations in all EEO4 job categories, the hiring goals for 2018-2020 were established taking into account future retirements, separations, hiring practices, and internal and external availability in all job categories.

Availability:

MnDOT has determined the recruitment area to be statewide for all job categories. In conducting its underutilization analysis, MnDOT used the two-factor analysis. MnDOT determined it was best to use this type of analysis to show a comparison of the actual employment of women, minorities, and individuals with a disability with their relative availability in the applicable job groups.

Underutilization Analysis worksheets are attached in the appendix. Numbers less than 10 are indicated with "<10" in accordance with Minnesota Management and Budget's guidance on data privacy.

Women:

The population of women at MnDOT has **improved** in the Professionals, Technicians, Skilled Craft, and Service Maintenance job categories and has **not improved** in the Officials and Administrators job category. In addition, the population of women has **stayed the same** in the Office/Clerical job category.

- The following factors have contributed to the improvement of the Professionals, Technicians, Skilled Craft, and Service Maintenance job categories:
  - Continued increase in individual coaching to managers/supervisors regarding hiring and selection.
  - An agency-wide unified diversity and inclusion plan
  - An increase in hiring from previous Affirmative Action Plan years
  - Increased leadership development and mobility opportunities; identification of key pipeline opportunities
- In the last year, there have been only 32 hires in the Officials and Administrators job category, which is a contributing factor to MnDOT not improving in this job category; however, of the 32 hires, 13 (40.63%) were women.

Minorities:

The population of minorities at MnDOT has **improved** in the Skilled Craft and Service Maintenance job categories and has **stayed the same** in all other categories.

- The following factors have contributed to the improvement of the Skilled Craft and Service Maintenance job categories:
  - Continued increase in individual coaching to managers/supervisors regarding hiring and selection
  - An agency-wide unified diversity and inclusion plan
  - An increase in hiring from previous Affirmative Action Plan years
  - Increased leadership development and mobility opportunities; identification of key pipeline opportunities

Individuals with Disabilities:

The population of individuals with disabilities at MnDOT has **improved** in the Professionals and Service Maintenance job categories and has **not improved** in the Officials and Administrators, Technicians, and Skilled Craft job categories. In addition, the population of women has **stayed the same** in the Office/Clerical job category.

- The State of Minnesota aspires to be a leader in employing individuals with disabilities and recognizes that to maintain a competitive edge in today's workforce, individuals with disabilities are an integral part of our success in providing responsive services to all Minnesotans.
- Based on current data, it is evident that employees have not been disclosing/self-identifying their disability status; therefore, it is MnDOT's practice to consider that we are disparate for people with disabilities in all job categories. To address the underutilization of persons with disabilities moving forward, MnDOT is focusing on recruitment which directly targets persons with disabilities using the following steps:
  - Enterprise launch of the Connect 700 program
  - Deepening relationships with organizations that serve persons with disabilities to establish good referral channels
  - Targeting the employment opportunities to persons with disabilities
  - Advertising vacancies in media that serves and/or represents persons with disabilities

Recruitment Plan

MnDOT conducts general recruitment in addition to recruitment for our specialty programs.

General Recruitment:

MnDOT OHR provides general recruiting services for the agency's open positions in order to advance our goal to recruit, develop and retain a highly qualified diverse workforce. These services include developing individual recruitment plans with hiring managers and supervisors; providing robust recruiting efforts through event participation, recruitment technology, and social media outreach; and providing specialized services to candidates such as referral assistance, candidate tracking, resume writing, and interview training.

More detail on the MnDOT recruitment programs mentioned in this document can be found on the MnDOT's website at http://www.dot.state.mn.us/careers/index.html.

Specialty Program Recruitment:

The Recruitment Programs budget is used to fund attendance at career fairs, recruitment and promotional materials, supplies for the recruitment unit to operate, and funding for training and developmental opportunities for the recruitment unit staff and employees in the programs. The budget below is for the operation of the recruitment unit's work and does not include the recruitment programs individual budgets.

Recruitment Program's Operating Budget/Fiscal Year	
Item	**Cost**
Promotional materials	$2,500
Cost of In State Career Fairs/Events	$7,000
Cost of Out State Career Fairs/Events	$14,945
Total	**$24,445**

Below are various recruitment methods or strategies utilized by MnDOT's recruitment unit during the past year and plans for the upcoming plan years [2018-2020]:

A. Advertising Sources

Graystone Advertising is the contract advertiser for State of Minnesota agencies. MnDOT has placed employment ads for vacancies that are difficult to fill. Graystone places ads in local publications as well as diversity publications based on the classification and/or location of a vacancy. Advertising is utilized more in the MnDOT District offices than in the Twin Cities metropolitan area. Our outstate offices have also conducted targeted advertising and participated in recruitment with tribal liaisons and Tribal Employment Rights Offices (TERO) in their geographic area.

MnDOT uses social media and online recruiting as a cost effective advertising resource. Vacancy announcements are placed on MnDOT's Facebook page, the Seeds Facebook page, MnDOT's Twitter

page, and the State of Minnesota LinkedIn page. Online recruiting is being used to source candidates by placing vacancy announcements on job boards such as Monster.com, InDeed.com, and on specific college and university school career websites. Both social media and online recruiting have been used to reach a larger demographic of diverse candidates and has been effective to recruit passive, experienced job seekers; in addition, MnDOT also uses school and Association advertising.

B. Job and Community Fairs

MnDOT's Recruitment Unit is heavily involved in participating in job and career fairs. Listed below are events that were attended by recruitment representatives in FY '17 and FY '18.

- 5th Annual Progressive Job, Career & Resource Fair, St. Paul
- American Indian OIC Career Fair, Minneapolis
- Anoka County Career Fair
- Bemidji Workforce Center
- Campus & Community Fair, Mankato
- Cottage Grove Workforce Center
- Duluth Workforce Center
- Forest Lake Workforce Center
- Hmong Day at the State Fair
- Hmong Resource Fair, St. Paul
- Leech Lake Career Fair
- Minneapolis Diversity Career Fair
- Minneapolis Veterans Job Fair
- MN APA Conference, Mankato
- North Minneapolis Workforce Center
- North St. Paul Workforce Center
- People of Color Fair, Fall 2017, Minneapolis
- People of Color Fair, Spring 2018, Minneapolis
- South Minneapolis Workforce
- State of MN Career Fair
- STEM & Career Exploration Expo, Minneapolis
- STEP UP! STEM Pipeline Fair, Minneapolis
- Summit Academy OIC 2017 Summer Fair
- Summit Spring Hiring Fair, Minneapolis
- Veterans Career Fair, Bloomington
- Washington County Job Fair
- West St. Paul Workforce Center
- Woodbury Workforce Center

C. Colleges and University Recruitment Events

MnDOT attends college, university, and high school career and internship events on a regular basis. Some college events are selected based on the institution's diversity demographics or the specialization of studies, such as Civil Engineering. We attend high school events in partnership with

AchieveMPLS and we attend the events at Project Lead the Way (PLTW). We typically attend events at out-of-state universities in our neighboring states of Wisconsin, Iowa, North Dakota, and South Dakota that have an engineering focus. In FY19, MnDOT plans to continue attending colleges and universities that rank top in the country for civil engineering students such as University of Illinois-Champaign, Urbana, University of California, Berkeley and Michigan Tech. These schools not only are ranked top in the nation for civil engineering graduates, but they are also culturally diverse. MnDOT district offices also participate in events at colleges in their regions.

Below are events that were attended by recruitment program representatives in FY '17 and FY '18:

- American Society of Civil Engineers Career Fair, Minneapolis
- Center for Transportation Studies Career Fair, Minneapolis
- Dunwoody College Career Fair, Minneapolis
- E- Fest Engineering, Computer Science & Science Career Fair, Duluth
- Engineering Job Fair, Mankato
- Iowa State Engineering Career Fair, Iowa
- Macalester College Recruiting Fair
- Mankato State Engineering Career & Internship Fair
- Marquette University Career Fair, Milwaukee
- MCTC Job Bank Expo, Minneapolis
- Metro State's Diversity Networking & Job Fair
- Michigan Tech 2018 Fall Career Fair
- Minnesota Private Colleges Jobs and Internship Fair, Minneapolis
- Minnesota Private Colleges' Job & Internship Fair
- Minnesota State University Career and Internship Expo, Mankato
- MnSCU Job and Internship Fair, Brooklyn Park
- North Dakota State College of Science Career Fair, North Dakota
- North Hennepin Community College Job Fair, Brooklyn Park
- Right Track Youth Job Fair, St. Paul
- Society of Women Engineers Career and Networking Expo, Edina
- South Central College Job Fair
- South Dakota State University Engineering Fair, South Dakota
- South High School Career Fair, Minneapolis
- Southwest High School Career Fair, Minneapolis
- St. Catherine Job Fair, St. Paul
- St. Cloud State University Science and Engineering Internship and Job Fair, St. Cloud
- St. Cloud Technical & Community College Job Fair
- STEM Expo, Minneapolis Convention Center, Minneapolis
- University of Wisconsin River Falls Career Fair, River Falls
- University of Minnesota Business and STEM Career Fair, Minneapolis
- University of Minnesota Civil Engineering Fair, Duluth
- University of Minnesota College of Liberal Arts Internship Fair, Minneapolis
- University of Minnesota Science and Engineering Career Fair, Minneapolis
- University of Minnesota Government & Nonprofit Job & Internship Fair, Minneapolis
- University of Minnesota Job and Internship Fair
- University of Wisconsin Madison Civil Engineering Career Fair, Wisconsin

D. Recruitment for Individuals with Disabilities

MnDOT works closely with staff of the Minnesota Department of Employment and Economic Development (DEED), Vocational Rehabilitation Services, to identify and place students with disabilities in student worker positions in the Seeds Student Worker Program. Through this relationship with DEED, we have also placed job candidates with disabilities in other jobs in MnDOT.

MnDOT also utilized the newly created Connect 700 program. Connect 700 is an alternative path to gainful employment for individuals with disabilities that may experience barriers in competitive hiring processes. The Connect 700 program allows individuals with disabilities the opportunity to perform work on the job to demonstrate their qualifications in pre-probationary status. This pre-probationary program allows hiring managers up to 700 hours to assess a candidate's ability to perform work on the job with or without accommodations.

Supported Employment (M.S. 43A.191, Subd. 2(d))

MnDOT supports the employment of individuals with disabilities and will review vacant positions to determine if job tasks can be performed by supported employment workers. We will work with community organizations that provide employment services to people with disabilities to recruit for these positions.

E. Relationship Building and Outreach

MnDOT has participated in many efforts to extend our department's support and outreach to diverse communities throughout the state.

AchieveMpls is a non-profit organization which partners with the Minneapolis Public Schools. MnDOT's OHR Recruitment Staff participate throughout the school year in AchieveMpls high school career fairs that included Minneapolis South, Patrick Henry, and Washburn schools.

AchieveMpls has a summer youth employment program, Step-Up, which connects talented youth with employers to provide 10 weeks of paid summer employment. Step-Up Achieve also collaborates with Minneapolis EMERGE to fill positions that we call Summer Only Phoenix Interns (SOPi). The mission of EMERGE, through the investment in people, develops human capital by connecting economically disadvantaged individuals with summer employment opportunities.

MnDOT also partners with Right Track St. Paul. Right Track is an organization that connects the City of St. Paul, St. Paul Public Schools, and local businesses together to provide employment opportunities for St. Paul youth. OHR Recruitment Staff have been working with Right Track to employ St. Paul youth in the Phoenix internship program.

MN Community Advisors on Recruitment & Retention Solutions (MnCARRS) is a partnership that was originally formed in MnDOT. MnDOT continues to have a strong active presence on the committee and attends all quarterly meetings. The community partnership has resulted in many documented MnDOT referrals and hires to include:

- American Indian Family Center
- American Indian OIC
- Chicano Latino Affairs Council
- Communidades Latinas Unidas En Serviceo (CLUES)
- Council on Asian Pacific Minnesotans
- East Side Neighborhood Services
- DEED Veteran Employment Services
- Greater Minnesota Tribal Employment Rights Office Representatives
- Hmong American Partnership
- Indian Affairs Council
- Little Earth of United Tribes
- Summit Academy OIC
- Merrick Community Center
- Minneapolis Urban League
- Other MN State Agencies
- Ramsey County
- US Department of Veterans Affairs

MnDOT has also participated in the following community events where recruitment materials were shared:

- African Americans in Aviation, Minnesota History Center
- American Indian OIC Fall Celebration and Spring Open House
- Mock Interviewing Session at the St. Paul YWCA, Minneapolis Urban League, Summit Academy OIC, and American Indian OIC
- Multi-Cultural Forum, Minneapolis Convention Center
- St. Paul's Rondo Days
- Twin Cities Pride Festival
- Dragon Festival, honoring the Pan-Asian Heritage and Spirit
- Chicano Latino Affairs Council
- Communidades Latinas Unidas En Serviceo (CLUES)

F. Internships

a. **College Students:** MnDOT partners with the University of Minnesota, Center for Transportation Studies to provide summer student worker opportunities to Civil Engineering students. As a result of cooperative efforts with the Center for Transportation Studies, we have provided summer student worker positions for 8 interns in 2016.

   Based on the concept of `growing our own' talent at MnDOT, the Seeds Student Worker Program is a career track program providing student worker job opportunities for minority students, students with a disability, or economically disadvantaged students. Seeds serves as a feeder program for the Graduate Engineer/Land Surveyor program. However, students are placed in many areas and classifications. The program has an 82% placement rate of Seeds graduates into full time MnDOT positions. The program currently has 27 students working year round.

b. **High School Students – Science, Technology, Engineering and Math (STEM):** The Phoenix Internship Program is an intern program at MnDOT that partners with MN Project Lead the Way schools (www.pltw.org). The Phoenix Program provides internship opportunities for high school students enrolled in STEM (Science, Technology, Engineering and Math) courses.

   The primary focus of the program is to attract pre-engineering students. Phoenix serves as a feeder program for the Seeds Program and other student worker positions if an intern decides to pursue college in Minnesota. There are currently 20 students in the Phoenix Program.

G. Employee Resource Groups

MnDOT also leverages its Employee Resource Groups (ERGs) in agency recruitment efforts. In the past year, ERGs have assisted in the following recruitment activities to help diversify our workforce:

- Dragon Boat Festival and Race
- Hmong Resource Fair
- Council on Asian Pacific Minnesotans Annual Award Event
- FUEL ERG – Charlie Smith Access Press Award Event (disabilities)
- Spectrum ERG – AuSM Spring Conference
- Latino-American ERG – Cinco de Mayo Event
- Q&A ERG – Golden Valley Pride Event
- Q&A ERG – Twin Cities Pride Festival

Separation and Retention Analysis by Protected Group

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

Table 3: Types of Separation July 1, 2016 through June 30, 2018

TOTAL SEPARATIONS								
Types of Separation	**Total Number**	**Total Percentage**	**Total Number of Women**	**Percentage of Women**	**Total Number of Minorities**	**Percentage of Minorities**	**Total Employees w/Disabilities**	**Percentage of Employees w/Disabilities**
Dismissal or Non-Certification	32	2.26%	5	15.63%	**8**	25.00%	3	9.38%
Resignations	223	15.80%	52	23.32%	39	17.49%	13	5.83%
Retirement	301	21.32%	63	20.93%	14	4.65%	24	7.97%
Deaths	15	1.06%	5	33.33%	0	0.00%	1	6.67%
Layoff	0	0.00%	0	0.00%	0	0.00%	0	0.00%
**Termination without Rights	841	59.56%	169	20.10%	123	14.63%	19	2.23%
Total Separations	1,412	100%	294	20.82%	184	13.03%	60	4.25%

NOTE: The numbers in the above table reflect those of all employment conditions, both unlimited and limited.

**The `Terminations without Rights' type of separation includes limited separations (i.e. temporary snow and ice, emergency appointments, and student workers.). Many of these employees return and separate multiple times in a Plan year depending on the type of separation and employment condition; in addition, many are hired permanently.

Women

Women represent approximately **22%** of the total agency workforce. The agency saw a total of **1,412** separations **between July 1, 2016 and June 30, 2018**. Women were **20.82%** of all separations. This is proportionately **lower** relative to their total Agency workforce representation.

Minorities

Minorities represent approximately **11%** of the total agency workforce. The agency saw a total of **1,412** separations **between July 1, 2016 and June 30, 2018**. Minorities were **13.03%** of all separations. This is proportionately **higher** relative to their total agency workforce representation.

Individuals with Disabilities

Individuals with disabilities represent approximately **5%** of the total agency workforce. The agency saw a total of **1,412** separations **between July 1, 2016 and June 30, 2018**. Individuals with disabilities were **4.25%** of all separations. This is proportionately **lower** relative to their total agency workforce representation.

MnDOT is committed to the retention of all employees, including members of the following protected groups: women, racial/ethnic minorities, and individuals with disabilities. The agency will strive to affirmatively ensure equal employment opportunity by retaining a diverse composite of talented and qualified employees, with emphasis on under-represented individuals. To be successful, the responsibility for these retention efforts lies with all employees. The agency's retention strategy is a multi-faceted approach, guided by the agency management, Human Resources Director, and Affirmative Action Officer.

Table 4: Persons Responsible for Agency Retention Programs/Activities

Name & Title	Contact Information
Seema Desai, Equity and Diversity Office Director & Affirmative Action Officer	(651) 366-4725
Karin van Dyck, Human Resources Office Director	(651) 366-3385

MnDOT has implemented a newly added retention program:

- **MnDOT's Retention of Workforce (MnROW)** – The MnROW program is the next step in MnDOT's workforce development pipeline of success. The purpose of the program is to support MnDOT's efforts to develop and retain our diverse talent. When students graduate from the SEEDS program, they are provided the opportunity to work full-time up to one year to increase their skills and knowledge, making them qualified to compete for permanent positions within MnDOT as well as other State agencies or other external opportunities.

Program Objectives, Identified Barriers, and Corrective Action to Eliminate Barriers

The agency's Affirmative Action Program is designed to implement the provisions of this Affirmative Action Plan and meet requirements found in Minnesota Statutes, Chapter 43A.191, and Subdivision 2.

This section will identify ways this agency has determined to eliminate barriers, provide corrective actions, and achieve affirmative action goals for underutilized protected groups.

The Minnesota Department of Transportation is committed to expanding its intercultural competence and diversifying its workforce in order to be:

1. Responsive to and trusted by the communities we serve
2. Effective in delivering high quality and dependable transportation systems
3. Competitive for a highly skilled workforce
4. Supportive of a work environment where all employees feel valued and contribute their best

MnDOT's OED is committed to ensuring a workplace where mutual respect and dignity for all individuals is maintained and promoted. OED will continue to provide services in affirmative hiring and promotion, organizational development, complaint resolution, investigation, mediation, language services, reasonable accommodations, and training. Following are the continuing areas of focus:

Objective #1: MnDOT's Diversity & Inclusion (D&I) Unified Strategic Work Plan:

MnDOT's D&I Unified Strategic Work Plan (2018-2022) assists the organization in progressing to the next level of diversity and inclusion resulting in an environment that promotes and encourages a diverse workforce to contribute their full potential towards achieving MnDOT's strategic vision and delivering a high level of service to the public; components have been identified and goals developed in each of the focus areas:

Workforce and Workplace Environment:

- **Goal 1: Bias is mitigated in all processes.**
  - Ensure bias doesn't negatively interfere with the day-to-day workings of MnDOT
  - Ensure staff are trained in ways to effectively mitigate bias in day-to-day work and culture
  - Ensure bias doesn't impact employee recognition
  - Hold all staff accountable for mitigating bias and contributing to an inclusive environment
- **Goal 2: The diversity of our state is reflected in our workforce at all levels and in all roles throughout the organization.**
  - Achieve diverse pools for all hires
  - Increase representation at management level
  - Set and meet diversity hiring goals
  - Develop diverse talent
- **Goal 3: All employees are able to contribute their best and feel valued.**
  - Retain diverse talent
  - Ensure all employees receive adequate on-boarding and orientation
  - Equip supervisors with skills to effectively supervise a diverse and inclusive workforce
  - Ensure all employees have an opportunity to actively participate in a process that contributes to an inclusive culture
  - Hold all staff accountable for contributing to an inclusive environment
  - Resolve D&I conflicts effectively
  - Ensure all employees feel respected and included
  - Establish feedback mechanism in the organization to better understand, respond to and create strategies for D&I issues or opportunities
- **Goal 4: Systems throughout the organization ensure a diverse and inclusive environment.**
  - Embed Diversity & Inclusion in key strategic plans/processes
  - Ensure processes, procedures and environments are accessible and supportive
  - Develop on-going D&I Communication Plan
  - Provide institutionalized structure to administer and track the Unified D&I Plan
  - Increase visible leadership engagement of management
  - Develop and expand current mentorship program to a sponsorship model (more active mentoring with a strong focus on advocacy)
  - Ensure systems support supplier diversity for internal products and services

- **Goal 5: MnDOT is seen as a leader in D&I within the community.**
    - Be seen as a workplace of choice
    - Take on leadership roles in D&I partnership work
    - Involve MnDOT leaders and the D&I staff in community D&I work

Evaluation: MnDOT is in its 2nd iteration of a best practice and evidence-based Diversity and Inclusion Unified Strategic Work Plan to institutionalize diversity and inclusion into the organization. The plan years have been expanded from 2 years to 5 years in order to institutionalize the work through structural changes.

Objective #2: Student Opportunities:

MnDOT participates in a number of learning and employment opportunities for college and high school students. Due to the nature of the work at MnDOT, most opportunities are for students in pre-engineering, land surveying, and Civil Engineering programs.

Long standing student recruitment programs at MnDOT include:

- **Phoenix Program** – The Phoenix Internship Program is a partnership with MnDOT and MN Project Lead the Way (PLTW) high schools (www.pltw.org) providing internship opportunities for high school senior students enrolled in STEM (Science, Technology, Engineering and Math) courses. Phoenix serves as a feeder program for the Seeds Program if these interns decide to pursue college.
- **Civil Engineering Internship Program** – The Civil Engineering Internship Program provides summer internships to civil engineering students. The program hires the interns through its partnership with the University of Minnesota's Center for Transportation Studies (CTS) and through other recruitment methods and are located in various locations throughout the State of Minnesota. These internships allow students to participate in hands-on transportation related experience.
- **Seeds Student Worker Program** – Based on the concept of 'growing our own' talent at MnDOT, the Seeds Student Worker Program is a career track program providing student worker job opportunities for minority students, students with a disability, recently separated veteran students, or economically disadvantaged students. Seeds serves as a feeder program for the Graduate Engineer/Land Surveyor program and many other occupations within MnDOT.
- **Grad Engineer / Land Surveyor Program** – The Graduate Engineer and Land Surveyor program is a trainee program designed to recruit, attract, and maintain new graduates of civil engineer, construction engineer, and land surveyor programs while providing comprehensive, professional, on-the-job training and experience.

The information below reflects MnDOT's breakdown of programs:

Phoenix Internship Program	2015	2016	2017
Total Hire by Cohort (Cohorts by Year)	18	31	33
	Breakdown by Youth Employer Referral:		
Step Up - Achieve	4	8	10
Right Track	n/a	-	4
Step Up – Explorer: Emerge	3	1	0
PLTW High Schools	11	22	19

The following are the total number of students hired in each program by year:

Program	2015	2016	2017
Phoenix Internship Program	18	31	33
Civil Engineering Internship Program	20	15	23
Seeds Student Worker Program	16	24	25
Totals	**54**	**70**	**81**

Evaluation: These student opportunities continue to provide academic development and exposure to MnDOT as a potential employer when making secondary education decisions and/or upon completion of a student's educational goals. MnDOT has partnering relationships with the University of Minnesota, Center for Transportation Studies (CTS), MnSCU colleges and universities, Minnesota Project Lead the Way (PLTW) schools, STEM education programs, and engineering colleges in the 5-state Midwest area. MnDOT's student recruitment programs continue to significantly increase MnDOT's employment of minority, women and individuals with disabilities.

Objective #3: Employee Resource Groups (ERGs):

Employee Resource Groups (ERGs) are groups of employees, often from traditionally underrepresented groups and allies, who meet for the purposes of supporting each other and MnDOT in creating a mutually beneficial relationship between the organization and its employees in the workplace and to aid the organization on four focus areas: Professional Development, Recruitment, Retention, and Community Outreach. An ally is someone who supports a group other than one's own, such as racial identity, gender or sexual orientation and works towards respectful equitable relationships in the workplace. ERGs are part of MnDOT's larger goal and commitment to be an inclusive work place. ERG members and allies have work mobility opportunities, training not available to staff at large, and formalized mentorship. There are currently nine (9) Employee Resource Groups at MnDOT, the most recent being the Latino and the Veterans ERGs; approximately 260 employees statewide are involved as ERG members. Below are the current ERG successes at MnDOT:

- **African-American:** AAERG was formally organized to advance MnDOT's diversity and inclusion strategy. AAERG is dedicated to the interests of employees who self-identify as Black, African American, and West Indian of any African descent and allies who have a shared interest.

- **Asian:** The Asian Employee Resource Group serves as an employment and information resource for both internal and external populations of Asian origin and heritage. This ERG aims to promote MnDOT's commitment to diversity and inclusion, its status as a workplace of choice and overall civic engagement in the State of Minnesota.
- **FUEL – "Fully Utilizing Employees without Labeling":** FUEL seeks to engage all employees in expanding their knowledge about employees and customers living with disabilities. FUEL offers information, education and resources to all employees who live with disabilities themselves or who are allies for those with disabilities. They learn from each other and offer a safe space for discussing and resolving workplace experiences related to having a disability.
- **Indigenous:** The Indigenous Employee Resource Group serves as an employment and informational resource for internal and external populations of Indigenous people that also work to value and promote knowledge, understanding and respect for American Indian culture, history and ways of life. The goal is to promote authentic and respectful relationships between MnDOT and American Indian tribal members and allies.
- **Latino-American:** The Latino-American ERG was organized to advance MnDOT's diversity and inclusion strategy. This ERG is dedicated to encourage and strengthen MnDOT employees of Latino descent for recruitment, career building, and retention purposes.
- **Q & A - LGBTQA:** The mission of Q&A is to help MnDOT fulfill its strategic vision and mission by providing a safe and respectful work environment for LGBTQ employees. This group promotes MnDOT's commitment to diversity and inclusion and status as a workplace of choice.
- **SPECTRUM – (Autism Awareness):** SPECTRUM's mission is to share knowledge and educate others about Autism. This Employee Resource Group provides resources to help employees and their families.
- **SWAT – Strategic Women Advancing Transportation:** SWAT was formally organized to bring attention to the contributions of all women within MnDOT. They strive to explore whether barriers exist for women at MnDOT and if so, employ positive, proactive ways to effective cultural changes.
- **VERG – Veterans:** The Veterans Employee Resource Group provides support and information to current military members, veterans and their families to encourage and promote MnDOT's support of veterans.

Evaluation: Employee Resource Groups continue to be an integral part of MnDOT's workforce by:

- Increasing recruitment efforts to more diverse applicant pools.
- Supporting each other in the workplace and MnDOT. There is a mutual relationship between the organization and the ERGs where the groups share their experiences and knowledge to help MnDOT better understand and manage barriers that exist in the workplace as well as the communities we serve.
- Educating other employees about their communities through lunch and learn events specific to the various cultures.
- Assisting MnDOT in being more inclusive by becoming an ERG member or ally.

Objective #4: 700-Hour Program

The Connect 700 program allows individuals with certain disabilities the opportunity to perform work on the job to demonstrate their qualifications in a pre-probationary status. The benefits of Connect 700 are as follows:

- Improve MnDOT's workforce representation of people with disabilities.
- Reduce the unemployment and underemployment rates of people with disabilities in Minnesota.
- Provides hiring managers access to an underutilized talent pool.
- Accelerates the hiring process for both hiring managers and job seekers.
- Gives managers a longer timeframe to assess candidates and make better informed hiring decisions.
- On-the-job demonstration programs traditionally have lower turnover rates.

Evaluation: Since the Connect 700 Program was rolled out statewide in October 2016, below are the successes at MnDOT:

Number of employees hired into Connect 700: 10

- Employees currently in Connect 700: 2
- Employees hired permanently following Connect 700: 6
- Employees who left MnDOT prior to C700 completion: 2

Objective #5: Training Academy Pilot Program (TAPP)

TAPP is a one-year training program designed to provide individuals with specialized training and skills development in order to become successful at MnDOT. Skills learned include basic hand tools, performing routine scheduled equipment maintenance, performing roadway maintenance, using computers for simple data entry and data transfer, operating maintenance vehicles, and operating mobile and two-way radio systems.

Evaluation: Graduates of TAPP will have the training and skills needed to perform road surface and roadside maintenance; opportunities of career advancement will also be available as graduates of the program.

Objective #6: 2018 Urban Youth Corps Program

This program is a temporary summer program for high school students and/or recent graduates who plan on attending college. The program focuses on highway maintenance work.

Evaluation: This program allows students the opportunity to gain on-the-job training and gives students the opportunity to learn about state government career opportunities.

Objective #7: Language Services

MnDOT remains committed to providing the following language services, both internally and externally statewide:

- **Foreign Language Interpreting/Translating**

  As Minnesota's population becomes more diverse, the need for quality interpretation and/or translation in many languages continues to grow.

- **Sign Language Interpreting**

  MnDOT is dedicated to providing quality communication services for the hearing impaired. The State of Minnesota contracts with American Sign Language Interpreting Services (ASLIS), working together to provide certified interpreters who are ethical and professional, allowing us to meet the communication preferences of hearing impaired persons (deaf and/or hard of hearing), both internally and externally.

- **Accent Modification**

  Speech and language training can help address communication challenges that arise when employees with different accents try to communicate with each other or with the public.

Evaluation: This objective was included in past Affirmative Action Plans and will remain an objective as MnDOT continues to provide services to those with particular communication needs.

Objective #8: Policy Review & Updates

MnDOT's Office of Equity & Diversity is responsible for reviewing and updating policies related to Affirmative Action and Equal Employment Opportunity. MnDOT's Discrimination policy is currently under review and will be updated during this Plan period.

In January of 2018, MnDOT adopted MMB's Sexual Harassment policy and tailored it to include specific agency processing information. Immediately following the adoption of the new policy, MnDOT trained 97.6% (1,370) supervisors, managers, and lead workers of the new policy and its requirements.

The Affirmative Action Officer also reviews and provides feedback for other relevant policies as they are updated.

MnDOT's Reasonable Accommodation policy will be updated in the 2018-2020 Plan years.

Evaluation: MnDOT did not update its Discrimination policy as expected in the 2016-2018 Plan years due to staffing capacity. The policy will be completed and distributed during this Plan period. Once the policy is in effect, OED intends to provide training regarding the new policy.

Methods of Auditing, Evaluating, and Reporting Program Success

A. Pre-Employment Review Procedure/Monitoring the Hiring Process

The rules governing statewide affirmative action programs require that methods of auditing, evaluating and reporting program success be established. This includes the establishment of the pre-employment review process for all hiring decisions in EEO4 job categories of which a disparity exists.

MnDOT will evaluate its selection process to determine if its requirements unnecessarily screen out a disproportionate number of women, minorities, or individuals with disabilities. We will continue to use the monitoring the hiring process form for every hire to track the number of women, minorities, and individuals with disabilities, in each stage of the selection process. Directors, managers, and supervisors will work closely with human resources and the Affirmative Action Officer in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure that equal opportunity and affirmative action are carried out. Directors, managers, and supervisors will be asked to document their hiring decisions and equal opportunity professionals will review for bias.

Any time the hiring authority cannot justify a hire, MnDOT takes a missed opportunity. MnDOT leadership will be asked to justify the missed opportunity. MnDOT will report the number of affirmative and non-affirmative hires as well as missed opportunities to Minnesota Management and Budget on a quarterly basis.

MnDOT is piloting a digital pre-hire review that allows human resource professionals to compare their applicant and interview pools with census availability in real time. MnDOT will evaluate this pilot in 2018.

When candidates are offered interviews, employees scheduling interviews will describe the interview format to the candidate so that an applicant with a disability is able to determine whether they may need to request a reasonable accommodation in advance of the interview, allowing them equal opportunity to participate in the interview process.

All personnel involved in the selection process will be trained and accountable for MnDOT's commitment to equal opportunity and the affirmative action program and its implementation.

B. Pre-Review Procedure for Layoff Decisions

Determination of Position(s): Per contracts, the Commissioner's Staff determines the position(s) in the class or class option, if one exists, and employment condition and work location which is to be eliminated. This information is then delegated to MnDOT's Labor Relations Manager and HR designees to exercise layoff options to the affected employees which are subject to contractual language.

MnDOT's Affirmative Action Officer, in conjunction with the Human Resources Office, shall be responsible for reviewing all pending layoffs to determine the effect on MnDOT's affirmative action goals and timetables.

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

C. Other Methods of Program Evaluation

MnDOT submits the following compliance reports to Minnesota Management and Budget as part of the efforts to evaluate the affirmative action program:

- Quarterly Monitoring the Hiring Process Reports;
- Biennial Affirmative Action Plan;
- Annual Americans with Disabilities Act Report;
- Annual Internal Complaint Report; and
- Disposition of Internal Complaint (within 30 days of final disposition).

MnDOT also evaluates the Affirmative Action Plan in the following ways:

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

Appendix

A. Statewide Harassment and Discrimination Prohibited Policy, HR/LR Policy # 1436

OVERVIEW

Objective

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

Policy Statement

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

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

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

Sexual harassment is specifically addressed by HR/LR Policy #1329 Sexual Harassment Prohibited.

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies and the classified employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Terms

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

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

- Applicants for State employment
- Vendors
- Contractors
- Volunteers
- Customers
- Business partners
- Unpaid interns

- Other individuals with whom State employees interact in the course of employees' work for the State, such as advocates, lobbyists, and representatives of individuals or entities with business with any branch of Minnesota state government

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

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

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

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

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

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

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

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

Genetic information: Includes information about an individual's or their family members' genetic tests, family medical history, an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or their family member, and the genetic

information of a fetus carried by an individual or a pregnant family member, and the genetic information of any embryo legally held by the individual or their family member using an assisted reproductive technology.

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

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

Exclusions

N/A

Statutory References

M.S. Ch. 43A
M.S. Ch. 363A

GENERAL STANDARDS AND EXPECTATIONS

PROHIBITION OF PROTECTED CLASS HARASSMENT AND DISCRIMINATION

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

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

- Offensive jokes, slurs, derogatory remarks, epithets, name-calling, ridicule or mockery, insults or put-downs
- Display or use of offensive objects, drawings, pictures, or gestures
- Physical assaults or threats
- Inappropriate touching of body, clothing, or personal property
- Following, stalking, intimidation
- Malicious interference with work performance
- Implicit or explicit preferential treatment or promises of preferential treatment for submitting to the conduct or communication
- Implicit or explicit negative treatment or threats of negative treatment for refusing to submit to the conduct or communication

- Discriminatory conduct based on an individual's actual or perceived protected class that segregates, separates, limits or restricts the individual from employment opportunities, including, but not limited to, hiring, promotion, compensation, disciplinary action, assignment of job duties, benefits or privileges of employment

I. EMPLOYEE AND THIRD PARTY RESPONSIBILITIES AND COMPLAINT PROCEDURE

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

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

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

If the report concerns an agency head, the complainant may contact Minnesota Management and Budget's Office of Equal Opportunity, Diversity, and Inclusion.

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

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

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

II. MANAGER/SUPERVISOR RESPONSIBILITIES

Managers and supervisors must:

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

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

III. HUMAN RESOURCES RESPONSIBILITIES

Agency human resources must:

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

IV. AFFIRMATIVE ACTION OFFICER OR DESIGNEE RESPONSIBILITIES

Agency Affirmative Action Officer/designee must:

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

INVESTIGATION AND DISCIPLINE

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

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

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

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

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

NON-RETALIATION

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

RESPONSIBILITIES

AGENCY RESPONSILITIES

Agencies are responsible for the following:

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

MMB RESPONSIBILITIES

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

FORMS AND SUPPLEMENTS

For a sample investigation procedure, please review the documents available on the MMB Equal Opportunity, Diversity, and Inclusion website, including:

- **Agency AAP Planning Guide**
- **For agencies with more than 25 employees**
- **For agencies with 25 or fewer employees**
- **Harassment and Discrimination Complaint Form**

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

Acknowledgment

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

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

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

Signed:_____ Date:_____

Employee Name:_____

REFERENCES

- For issues related to sexual harassment, please refer to HR/LR Policy #1329: Sexual Harassment Prohibited. For issues not related to sexual harassment, or harassment or discrimination based on protected class, please see HR/LR Policy #1432 Respectful Workplace.
- MMB Equal Opportunity, Diversity, and Inclusion Office: http://www.mn.gov/mmb/employee-relations/equal-opportunity/.
- Consult your agency's Affirmative Action Plan, or in the absence of an Agency Affirmative Action Plan, see the following:
    a. Affirmative Action Plan Template - More than 25 Employees (word version)
    b. Affirmative Action Plan Template - 25 or Fewer Employees (word version)

CONTACTS

Research, Policy, and Projects – MMB

Office of Equal Opportunity, Diversity, and Inclusion

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

B. Statewide Sexual Harassment Prohibited Policy, HR/LR Policy #1329

Objective

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

Policy Statement

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

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

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

Scope

This policy applies to all employees of, and third parties who have business interactions with, executive branch agencies and the classified employees in the Office of the Legislative Auditor, Minnesota State Retirement System, Public Employee Retirement Association, and Teachers' Retirement Association.

Definitions and Key Terms

Complainant

An individual who reports sexual harassment or retaliation.

Public Service Environment

A location where public service is being provided.

Sexual Harassment

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

Third Party

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

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

Exclusions

N/A

Statutory References

42 U.S.C. § 2000e, et al.
M.S. Ch. 363A
M.S. Ch. 43A

GENERAL STANDARDS AND EXPECTATIONS

I. Prohibition of Sexual Harassment

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

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

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

II. Employee and Third Party Responsibilities and Complaint Procedure

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

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

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

If the report concerns an agency head, the complainant may contact Minnesota Management & Budget's Office of Equal Opportunity, Diversity, and Inclusion.

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

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

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

III. Manager/Supervisor Responsibilities

Supervisors are responsible for the following:

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

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

IV. Human Resources Responsibilities

Agency human resources must:

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

V. Affirmative Action Officer or Designee Responsibilities

Agency Affirmative Action Officer/designee must:

1. Model appropriate behavior
2. Treat all reports of sexual harassment seriously
3. Comply with the agency's complaint and investigation procedures
4. Keep the agency apprised of changes and developments in the law and policy.

VI. Investigation and Discipline

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

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

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

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

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

VII. Non-Retaliation

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

RESPONSIBILITIES

Agencies are responsible for:

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

MMB is responsible for:

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

FORMS AND SUPPLEMENTS

For a sample investigation procedure, please review the documents available on the MMB Equal Opportunity, Diversity, and Inclusion website, including:

- Agency AAP Planning Guide
- For agencies with more than 25 employees
- For agencies with 25 or fewer employees
- Harassment Complaint Form

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

Acknowledgement

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

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

Signed: _____Date:_____

Employee Name:_____

RESPONSIBILITIES

- For issues related to harassment or discrimination based on protected class, please refer to HR/LR Policy #1436 Harassment and Discrimination Prohibited. For issues not related to sexual harassment or harassment or discrimination based on protected class, please see HR/LR Policy #1432 Respectful Workplace
- MMB Equal Opportunity, Diversity, and Inclusion Office: http://www.mn.gov/mmb/employee-relations/equal-opportunity/
- Consult your agency's Affirmative Action Plan, or in the absence of an Agency Affirmative Action Plan, see the following:
    a. Affirmative Action Plan Template - More Than 25 Employees (word version)
    b. Affirmative Action Plan Template - 25 or Fewer Employees (word version)

CONTACTS

Research, Policy, and Projects – MMB

Office of Equal Opportunity, Diversity, and Inclusion

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

C. MnDOT's Complaint Procedure for Processing Complaints Under the Harassment and Discrimination and Sexual Harassment Prohibited Policies

The Minnesota Department of Transportation has established the following discrimination/harassment 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 or designee for information and for access to data and records for the purpose of enabling the Affirmative Action Officer or designee to carry out responsibilities under this complaint procedure.

Who May File:

Any employee, applicant, third party, or member of the public who believes they have been discriminated against or harassed by reason of race, color, creed, religion, national origin, sex, gender, genetic information, marital status, familial 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.

Complaint Procedure:

The internal complaint procedure provides a method for resolving complaints involving alleged violations of MnDOT's policy prohibiting discrimination and harassment. Employees are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint or who has participated in an investigation is prohibited. Employees may contact MnDOT's Office of Equity & Diversity (OED) at 651/366-4725 for more information.

Filing Procedures:

1. Employees may make complaints verbally or in writing. Employees are encouraged to file a complaint within a reasonable period of time after becoming aware that a situation may involve discrimination.

2. The Affirmative Action Officer or designee determines if the complaint falls under the purview of the Office of Equity & Diversity; i.e., the complainant is alleging discrimination on the basis of race, color, national origin, creed, religion, age, disability, sex, gender, sexual orientation, genetic information, familial status, marital status, status with regard to public assistance, or membership/activity in a local human rights commission; or if the complaint is of a general personnel concern. The Affirmative Action Officer or designee will assess the allegation(s) and determine the appropriate course of action.

The Affirmative Action Officer or designee may also consider options other than investigation for resolution, such as workplace mediation or facilitated conversations.

- If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer or designee will inform the complainant in a timely manner and refer them to the appropriate office.

- If the complaint is related to discrimination, the Affirmative Action Officer or designee will contact all parties named as respondents and outline the basic facts of the complaint in a timely manner.

3. The Affirmative Action Officer or designee shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer or designee shall review the findings of the investigation and notify the complainants and respondents that the investigation is completed.
   - If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
   - If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the responders dismissing the complaint.

4. A written answer will be provided to the parties within sixty (60) days after the complaint is filed. The complainants will be notified should extenuating circumstances prevent completion of an investigation within sixty (60) days.

5. Disposition of complaints must be filed with MMB within 30 days of the date of 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 complaints and responders. 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. An investigation may include, but is not limited to, the following types of data:
   - Interviews or written interrogatories with all parties involved in the complaint (i.e., complainants, responders, and their respective witnesses; officials having pertinent records or files, etc.);
   - All records pertaining to the case (i.e., written, recorded, filmed, or in any other form); and
   - Research and review of pertinent cases, statutes, policies, guidance and regulations.

8. The Affirmative Action Officer or designee shall maintain records of all employee discrimination investigations and any pertinent information or data for seven (7) years after a case is closed. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes.

D. MnDOT's Harassment and Discrimination/Sexual Harassment Complaint Form

Part I – Contact Information *(Print all items legibly)*

Name:		Telephone:
Mailing Address:		
City:	State:	Zip Code:

Part II – Basis of the Complaint (please check all that apply)

- ☐ Race
- ☐ Sex
- ☐ Familial Status
- ☐ Age
- ☐ Color
- ☐ Sexual Harassment
- ☐ Disability
- ☐ Marital Status
- ☐ Gender Identity
- ☐ National Origin
- ☐ Creed
- ☐ Sexual Orientation
- ☐ Reliance on Public Assistance
- ☐ Gender Expression
- ☐ Religion
- ☐ Genetic Information
- ☐ Retaliation
- ☐ Membership or Activity in a Local Human Rights Commission

Part III – Information of Allegedly Offending Individual(s) *(Please provide information to the best of your knowledge)*

Company Name (under which alleged discrimination occurred):		Telephone:
Company Mailing Address:		
City:	State:	Zip Code:

Name(s) of Individual(s) who Allegedly Discriminated:	**Job Title:**

Part IV – Tell Us What Happened *(In your own words please explain what happened. Be thorough and include all dates and relevant details involved in the incident. If needed, you may attach additional sheet(s) to the back.)*

Part V – What is your Desired Outcome? *(Briefly, please explain how you would like this matter to be resolved.)*

Part VI – Verification

IN SIGNING THIS COMPLAINT I VERIFY THAT, TO THE BEST OF MY KNOWLEDGE, EVERYTHING I HAVE STATED IN THIS FORM IS ACCURATE AND TRUE.

Complainant's Signature _____ Date _____

MnDOT's discrimination complaint form is also available as an online fillable form that can be found by clicking on the following link: Discrimination/Harassment Complaint Form

E. ADA Reasonable Accommodation Policy, Statewide HR/LR Policy #1433

The Minnesota Department of Transportation (MnDOT) has adopted and implemented the statewide Reasonable Accommodation Policy, and have developed reasonable accommodation procedures consistent with the guidance in the statewide policy. To view the statewide policy, click on the following link: Statewide ADA Reasonable Accommodation Policy.

Policy Statement

The Minnesota Department of Transportation is committed to adhere to all state and federal laws that prohibit discrimination against qualified individuals with disabilities in all employment practices.

Unless MnDOT can demonstrate that a particular accommodation would impose an undue hardship on the operations of its program(s) or pose a direct threat, reasonable accommodations must be provided to qualified individuals with disabilities when such accommodations directly affect:

- Performing the essential functions of the job; or
- Applying or competing for a job; or
- Enjoying equal benefits and privileges of employment.

Reason for Policy:

- To ensure compliance with all applicable state and federal laws;
- To establish a written and readily accessible procedure regarding reasonable accommodations, including providing notice of this policy on all job announcements and on MnDOT's website;
- To provide guidance and resources to all employees to ensure timely and appropriate response to all employees regarding accommodations;
- To provide a positive and supportive interactive process regarding accommodations; and
- To provide a timely and thorough review process for individuals prior to the denial of accommodations.

Who needs to know this policy?

- Senior Leadership Team, Office Directors, District Engineers, Managers and Supervisors must ensure that employees comply with this policy;
- All employees must follow the policy and support MnDOT's efforts and strategies to integrate this policy as it relates to MnDOT's employment practices; and
- All applicants for MnDOT employment must be informed of this policy.

Procedures

Individuals who may request reasonable accommodations:

- Any MnDOT employee with a qualifying disability who needs a reasonable accommodation to perform the essential functions of his or her position or to enjoy the equal benefits and privileges of employment.
- Any applicant for MnDOT employment with a qualifying disability who needs assistance with the job application, interview and/or selection process.
- A family member, friend, health professional or other representative, on behalf of an employee or applicant with a qualified disability, when an individual is unable to make the request for accommodations. In this case, the applicant or employee will be contacted to confirm the reasonable accommodation request.

MnDOT will comply with the Government Data Practices, Chapter 13, in obtaining or sharing information related to an accommodation. The applicant or employee has the discretion to accept or reject the proposed accommodation.

Submitting a Reasonable Accommodation Request

MnDOT employees or applicants may make a reasonable accommodation request to any or all of the following:

- The immediate supervisor or manager in his or her chain of command;
- Affirmative Action Officer; and/or
- Disability Programs Coordinator; and/or
- Human Resources Office; and/or
- Any agency official with whom applicant has contact in the processing of their employment application.

Time of Request

An individual may request a reasonable accommodation whenever he/she chooses, even if he/she has not previously disclosed the existence of a disability.

Form of Request

An employee and/or applicant needing an accommodation is the person responsible for requesting an accommodation or providing sufficient notice or information to MnDOT that an accommodation is needed.

- A request for accommodation may be made in writing, in person, or verbally;
- The individual requesting an accommodation can use “plain English” and does not have to mention the ADA or use the phrase “reasonable accommodation” or “disability”.
- When a supervisor or manager receives information indicating that an employee is experiencing difficulty performing his or her job due to a medical condition or disability, further inquiry will be required.

The Interactive Process

The interactive process is a collaborative process between the employee and/or applicant and MnDOT to explore and identify specific reasonable accommodations. See link: Interactive Process Checklist and Reminders. The interactive process is required when:

- The need for an accommodation is not obvious;
- Where the medical condition or work requirements change or fluctuate;
- Where there are questions about the reasonableness of the requested accommodation.

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

The process should ensure a full exchange of relevant information and communication between the employee and MnDOT. An individual may request that the Affirmative Action Officer, the Disability Programs Coordinator, or a union representative be present.

The Affirmative Action Officer shall be consulted when:

- There are issues, conflicts, or questions that arise during the interactive process; or
- Prior to denying a request for accommodations.

Denial of Request for Reasonable Accommodations

The supervisor must contact the Affirmative Action Officer for assistance and guidance prior to denying any request for reasonable accommodations. MnDOT may deny a request for reasonable accommodations when:

- The accommodation results in undue hardship or poses a direct threat to the individual or others.
- After a thorough interactive process, no accommodation, including reassignment to a vacant position, will enable the employee to perform the essential functions of the job.

Review in the Event of Denial

- Employees or applicants who are dissatisfied with the decision(s) pertaining to an accommodation request may ask for a review with the Affirmative Action Officer. If the Affirmative Action Officer was the individual handling the accommodation request, he/she may request review from the Chief of Staff within a reasonable period of time.
- If the individual believes the decision is based on discriminatory reasons, he/she may file a complaint internally with the Affirmative Action Officer or externally with an enforcement agency such as the Equal Employment Opportunity Commission (EEOC) or the Minnesota Department of Human Rights.

Agency Request for Medical Information in Connection with a Request for Reasonable Accommodations

When a disability and need for accommodations is reasonably evident or already known, further medical information will not be sought. OED or HR staff may request medical information when:

- The need for an accommodation is not reasonably evident;
- The information submitted by the requestor is insufficient to document the disability or the need for the accommodation(s);
- A question exists as to whether an individual is able to perform the essential functions of a position, with or without a reasonable accommodation;
- A question exists as to whether an employee will pose a direct threat to himself/herself and/or others.

Supervisors and managers should not request medical information or documentation from applicants or employees seeking an accommodation. Only medical documentation specifically related to the employee's request for an accommodation and the ability to perform the essential tasks of the position will be requested. When medical documentation or information is appropriately requested, an employee must provide it in a timely manner, or MnDOT may deny the reasonable accommodation request. Requesting genetic information is prohibited, as stipulated by the Genetic Information Nondiscrimination Act (GINA) of 2008.

Confidentiality

All medical information obtained in connection with a request for reasonable accommodations must be kept in confidential and secure files which are separate from all other employment files. Employees who obtain or have access to medical records or information are strictly bound by these confidentiality requirements and the Government Data Practices, Chapter 13, Minnesota Government Data Practices Act (MGDPA). If a dispute arises about the confidentiality or the legality of disclosing or refusing to disclose information under the state MGDPA or under federal law, practitioners should consult with the Office of Chief Counsel.

- Medical information may be disclosed on a "need-to-know" basis to OED or HR staff in compliance with applicable laws, court orders and/or with the employee's written consent.
- Information regarding the employee's disability, medical records or the need for accommodations will not be disclosed to other employees.
- A supervisor or manager of the employee requesting the accommodation may be told about necessary restrictions regarding the work or duties of the employee and about necessary accommodations but not information about the medical condition or treatment.
- MnDOT must maintain records related to an applicant or employee who has requested reasonable accommodations in compliance with applicable laws and the MnDOT records retention schedule.

Reassignment as an Accommodation

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

The supervisor shall work with the Affirmative Action Officer, HR, and the requestor, in accordance with collective bargaining agreements, to identify vacant MnDOT positions for which the employee may be qualified, with or without reasonable accommodations. Positions which are equivalent to the employee's current job in terms of pay, status, and other relevant factors will be considered first. If there are none, MnDOT will consider vacant lower level positions for which the individual is qualified.

Consideration of Undue Hardship

A thorough interactive process will be initiated prior to MnDOT making a determination of undue hardship. Determination of undue hardship is made on a case-by-case basis and only after consultation with the Affirmative Action Officer. A determination of undue hardship should consider several factors, including:

- Nature and cost of the accommodation in relation to the office size, resources, and budget;
- The impact the accommodation will have on the operations of the office.

Funding for Reasonable Accommodations

The cost for accommodations is generally paid for by the office or district where the requestor works. Questions regarding funding for reasonable accommodations should be directed to the Affirmative Action Officer.

Definitions

Direct Threat

Direct threat is defined as a significant risk of substantial harm to the health or safety of the individual or others that cannot be eliminated or reduced by reasonable accommodations. The determination that an individual poses a "direct threat" shall be based on an individualized assessment to the individual's present ability to safely perform the essential functions of the job.

This assessment shall be based on a reasonable medical judgment that relies on the most current medical knowledge and/or the best available objective evidence. In determining whether an individual would pose a direct threat, the factors to be considered include:

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

Essential Functions

The **essential functions** of a position include, but are not limited to, those job duties that are so fundamental to the position that the individual cannot do the job without being able to perform them. A function can be essential if the position exists specifically to perform the function, if there are a limited number of other employees who could perform the function if it were assigned to them, or if the function is specialized and the employee is hired based on his or her ability to perform the function.

Interactive Process

The interactive process by which the individual requesting an accommodation and the supervisor communicate with each other about the request for accommodations and identify:

- The process for determining whether an accommodation will be provided;
- The communication options that are available; and
- The date a decision will be made regarding the accommodation request(s)

Qualified Employee or Applicant with a Disability

- An individual with a physical and/or mental disability that substantially/materially limits one or more major life activities (e.g., carrying for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, etc.);
- An individual who has a record or history of such impairment, or who is regarded as having such impairment;
- An individual with a disability who satisfies the requisite skill, experience, education, and other job-related requirements of the employment position that the individual holds or desires, and who, with or without reasonable accommodations, can perform the essential functions of the position.

Reasonable Accommodation

A **reasonable accommodation** is an adjustment or alteration that enables a qualified individual with a disability to apply for a job, perform job duties, and enjoy the benefits and privileges of employment. There are three categories of reasonable accommodations:

1. Modifications or adjustments to a job application process to permit an individual with a disability to be considered for a job (such as providing application forms in alternative formats like large print or Braille).
2. Modifications or adjustments to enable a qualified individual with a disability to perform the essential functions of the job, such as providing a sign language interpreter.
3. Modifications or adjustments that enable employees with disabilities to enjoy equal benefits and privileges of employment.

Undue Hardship

An **undue hardship** is an action that is unduly costly, extensive, substantial, disruptive, or that would fundamentally alter the nature or operation of MnDOT. The Affirmative Action Officer will determine undue hardship based upon several factors, including, but not limited to:

- The nature and cost of the accommodation in relation to the size, available resources, and the nature and structure of the operation, and
- The impact of the accommodation on the nature or operation of MnDOT.

Responsibilities

Joint Responsibilities of Human Resources, Supervisors, Managers and Directors

- Actively promote and support MnDOT's efforts to foster awareness, acceptance and appreciation for inclusion, diversity, affirmative action and reasonable accommodation requirements for qualified persons with disabilities in MnDOT recruitment, employment, selection, promotion and training opportunities.
- Ensure that all applicants and employees have access to this policy and timely assistance, resources and an interactive process for their accommodation requests.
- Ensure confidentiality of private or sensitive data relative to requests for reasonable accommodations.
- Seek guidance from the Affirmative Action Officer when questions or issues arise about reasonable accommodation requests, confidentiality, the interactive process and the requirements of this policy.
- Promptly notify the Affirmative Action Officer whenever a request for a reasonable accommodation is received and/or approved. Respond promptly to requests for background data and information as requested by the Affirmative Action Officer or Disability Programs Coordinator.

Affirmative Action Officer and Disability Programs Coordinator

- Ensure the understanding of and proper implementation of this policy through ongoing communication, training and guidance so that reasonable accommodation requests are responded to in a timely and appropriate manner.
- Ensure that all applicants and employees have access to this policy and timely assistance, resources and an interactive process for their accommodation requests.
- Review and recommend changes to internal policy, practice and procedures, consistent with best practices and applicable laws.
- Ensure compliance with Minnesota Statute 43A.191 and Executive Order 96-9, which require annual reporting documenting compliance with the Americans with Disabilities Act (1990), the ADA Amendments Act of 2008 and the Minnesota Human Rights Act (MHRA).

- Ensure confidentiality of private data, including medical records and medical information received in response to reasonable accommodation requests. Such records are to be kept in a separate, confidential and secure location.

Office of Human Resources

In addition to the joint responsibilities listed above:

- Utilize recruitment and selection measures which are flexible, job-related and consistent with business necessity to ensure consideration of qualified employees with disabilities in recruitment and appointment decisions.
- Ensure that reasonable accommodation requests received in association with the application, interview, and selection processes are responded to promptly and appropriately.

Applicants or Employees who want to be considered for Reasonable Accommodations

- Make requests for accommodations as set forth in the procedures section of this policy to any of the following:
    - The immediate supervisor or manager in the chain of command; and/or
    - Affirmative Action Officer; and/or
    - Disability Programs Coordinator; and/or
    - Human Resources Office; and/or
    - Any MnDOT employee or staff member with whom applicant has contact in the processing of their employment application.
- Where additional information is needed to consider the request for accommodations, respond in a timely manner to requests for supporting documentation from the Affirmative Action Officer or the Disability Programs Coordinator.
- Actively participate in the interactive process, if applicable.

Related Information

Statewide HR/LR Policy #1433: Statewide ADA Reasonable Accommodation Policy
Rehabilitation Act of 1973, Title 29 USC 701
Americans with Disabilities Act ADA (1990)
Title 29, C.F.R., Part 1630 "Regulations to Implement the Equal Employment Provisions of ADA"
U.S. Equal Employment Opportunity Commission
Genetic Information Nondiscrimination Act (GINA) of 2008
Minnesota Human Rights Act (MHRA)
Family and Medical Leave Act (FMLA)

F. Employee/Applicant Request for ADA Reasonable Accommodation Form

State of Minnesota – Minnesota Department of Transportation
Employee/Applicant Request for ADA Reasonable Accommodation Form

The State of Minnesota is committed to complying with the Americans with Disabilities Act ("ADA") and the Minnesota Human Rights Act ("MHRA"). To be eligible for an ADA accommodation, you must be 1) qualified to perform the essential functions of your position and 2) have a disability that limits a major life activity or function. The ADA Coordinator/Designee will review each request on an individualized case-by-case basis to determine whether or not an accommodation can be made.

Employee/Applicant Name:	**Job Title:**
Work Location:	**Phone Number:**

Data Privacy Statement: This information may be used by your agency human resources representative, ADA Coordinator or designee, your agency legal counsel, or any other individual who is authorized by your agency to receive medical information for purposes of providing reasonable accommodations under the ADA and MHRA. This information is necessary to determine whether you have a disability as defined by the ADA or MHRA, and to determine whether any reasonable accommodation can be made. The provision of this information is strictly voluntary; however, if you refuse to provide it, your agency may refuse to provide a reasonable accommodation.

Questions to clarify accommodation requested.

1. What specific accommodation are you requesting?
2. If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore.
    a. If yes, please explain.

Questions to document the reason for the accommodation request *(please attach additional pages if necessary)***.**

1. What, if any job function are you having difficulty performing?
2. What, if any employment benefit are you having difficulty accessing?
3. What limitation as result of your physical or mental impairment is interfering with your ability to perform your job or access an employment benefit?
4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?

Information Pertaining to Medical Documentation

In the context of assessing an accommodation request, medical documentation may be needed to determine if the employee has a disability covered by the ADA and to assist in identifying an effective accommodation.

The ADA Coordinator or designee in each agency is tasked with collecting necessary medical documentation. In the event that medical documentation is needed, the employee will be provided with the appropriate forms to submit to their medical provider. The employee has the responsibility to ensure that the medical provider follows through on requests for medical information.

This authorization does not cover, and the information to be disclosed should not contain, genetic information. "Genetic Information" includes: Information about an individual's genetic tests; information about genetic tests of an individual's family members; information about the manifestation of a disease or disorder in an individual's family members (family medical history); an individual's request for, or receipt of, genetic services, or the participation in clinical research that includes genetic services by the individual or a family member of the individual; and genetic information of a fetus carried by an individual or by a pregnant woman who is a family member of the individual and the genetic information of any embryo legally held by the individual or family member using an assisted reproductive technology.

Employee/Applicant Signature: _____Date:_____

G. Evacuation Procedure for Individuals with Disabilities or Otherwise in Need of Assistance

MnDOT Central Office (St. Paul, MN):

Emergency Floor Monitors are assigned to each floor of Central Office to assist in the coordination of the building evacuation. These individuals are trained for appropriate response to ensure that employees with mobility-related disabilities have assistance to relocate to a smoke-free or safe area in an emergency.

Each mobility-impaired building occupant will move to an elevator lobby with fire doors closed. If the elevator lobby is smoky, move to a smoke-free area accompanied by an attendant. One attendant should remain with the mobility-impaired person. Once employees have effectively vacated the stairwells, occupants with a mobility disability should relocate to stairwell landings for better fire protection and access by emergency personnel. Unless a life-threatening situation exists, the person with a mobility disability and their attendant will not attempt to move down the stairs without the assistance of emergency response personnel.

Weather emergency shelter is within corridor areas when the fire doors are closed. Security emergency shelter is the opposite of weather emergency shelter, that is, shelter on the work area side of the fire doors.

Floor plans, emergency floor monitors, and emergency phone numbers can be found by clicking on the following link: http://ihub/co/emergency1.html.

Individual incident command staff and resource contacts will be maintained by each district and reviewed annually so information is current and accurate. When identifying contacts for the primary individuals to fill these positions, districts will also identify first and second alternate staff members to fill the roles as needed.

If additional assistance is needed in an emergency, please contact any of the following individuals to request the type of assistance you may need:

Central Office	Phone	E-mail Address
Todd Haglin, Statewide Emergency Management & Safety Manager	651/366-3079 (desk) 651/775-3661 (cell)	todd.haglin@state.mn.us
Keith Juliar, Statewide Safety Director	651/366-3039 (desk) 612/219-4559 (cell)	keith.juliar@state.mn.us
Ben Bloom, Safety Administrator	651/366-3363 (desk) 651/200-8391 (cell)	benjamin.bloom@state.mn.us
Outstate	**Phone**	**E-mail Address**
D1 (Duluth/Virginia) – Steve Pecharich	218/725-2776 (desk) 218/390-2146 (cell)	steve.pecharich@state.mn.us
D2 (Bemidji/Crookston) – Cole Weber	218/755-6566 (desk) 218/766-6731 (cell)	cole.weber@state.mn.us
D3 (Baxter/St. Cloud) – Lisa Dumont	218/828-5713 (desk) 320/493-2466 (cell)	lisa.dumont@state.mn.us
D4 (Detroit Lakes/Morris) – Johnny Haverland	218/846-3637 (desk) 218/849-6105 (cell)	johnny.haverland@state.mn.us
D6 (Rochester/Owatonna) – Troy Hollasch	507/286-7615 (desk) 507/273-2059 (cell)	troy.hollasch@state.mn.us
D7 (Mankato/Windom) – Rebecca Albrecht	507/304-6126 (desk) 507/381-5710 (cell)	rebecca.l.albrecht@state.mn.us
D8 (Willmar/Marshall/Hutchinson) – Mark Pierskalla	320/214-6381 (desk) 320/894-7412 (cell)	mark.pierskalla@state.mn.us
Metro – Julie Libonate, Safety Supervisor	651/234-7427 (desk) 651/775-2231 (cell)	julie.libonate@state.mn.us

Evacuation Options:

Individuals with disabilities have four basic evacuation options:

- **Horizontal Evacuation:** Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
- **Stairway Evacuation:** Using steps to reach ground level exits from building;
- **Shelter in Place:** Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire resistant door. If the individual requiring special assistance remains in place, they should dial 9-1-1 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds; and/or
- **Areas of Rescue Assistance:** Identified areas that can be used as a means of egress for individuals with disabilities. These areas, located on floors above or below the building's exists, can be used by individuals with disabilities until rescue can be facilitated by emergency responders; and/or

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

Individuals with disabilities should adhere to the following procedures:

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

Severe Weather Evacuation Options:

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

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

A copy of MnDOT's weather and emergency evacuation plans in the respective locations can be found by clicking on the following links:

Location	Links to Weather and Emergency Evacuation Plans
Central Office	http://ihub/co/emergency1.html
District 1 (Duluth/Virginia)	http://ihub/d1/safety/index.html
District 2 (Bemidji/Crookston)	http://ihub/d2/safety/safety.html
District 3 (Baxter/St. Cloud)	http://ihub/d3/safety.html
District 4 (Detroit Lakes/Morris)	http://ihub/d4/pdfs/emergencyplan.pdf
District 6 (Rochester)	**Main Floor:** http://ihub/d6/departments/safety/pdf's/rochester-main-floor.doc **Basement:** http://ihub/d6/departments/safety/pdf's/rochester-basement.doc **Maintenance:** http://ihub/d6/departments/safety/pdf's/rochester-maintenance-evacuation-map-.pdf
District 6 (Owatonna)	**Main Floor:** http://ihub/d6/departments/safety/pdf's/owatonna-main-floor.pdf
District 7 (Mankato/Windom)	http://ihub/d7/safety/docs/emergencyactionplan_mankato_windom.pdf
District 8 (Willmar/Hutchinson/Marshall)	http://ihub.dot.state.mn.us/d8/safety/emergencyplans/index.html
Metro District/RTMC	**Emergency Response Plan:** http://ihub/metro/hr/safety/safety_emergplan.pdf **Emergency Actions:** http://ihub/metro/hr/safety/emerg_emp_actions.pdf **Emergency Response Process Chart:** http://ihub/metro/hr/safety/emerg_response_process.pdf

H. Other Relevant Information

a. Underutilization Analysis Worksheets by Protected Group

WOMEN									
Job Categories	**Total Employees**	**Total Women**	**% of Women**	**Availability Percentage**	**Availability Number**	**AAP 2018-2020 Underutilized**	**AAP 2016-2018 Underutilized**	**Improved, Not Improved, Same**	**Numerical Difference in the Two Plans**
Officials/Administrators	181	62	34.25%	37.50%	66	**4**	3	Not Improved	1
Professionals	1,365	540	39.56%	53.82%	659	**119**	182	Improved	63
Office/Clerical	189	162	85.71%	67.66%	127	0	0	Same	0
Technicians	1,542	234	15.18%	15.02%	221	**0**	4	Improved	4
Skilled Craft	235	1	0.43%	7.69%	17	**16**	17	Improved	1
Service Maintenance	1,756	157	8.94%	11.00%	176	**19**	36	Improved	17
Totals	**5,268**	**1,156**	**21.94%**						

MINORITIES									
Job Categories	**Total Employees**	**Total Minorities**	**% of Minorities**	**Availability Percentage**	**Availability Number**	**AAP 2018-2020 Underutilized**	**AAP 2016-2018 Underutilized**	**Improved, Not Improved, Same**	**Numerical Difference in the Two Plans**
Officials/Administrators	181	10	5.52%	4.86%	9	**0**	0	Same	0
Professionals	1,365	186	13.63%	7.96%	97	**0**	0	Same	0
Office/Clerical	189	33	17.46%	7.96%	15	**0**	0	Same	0
Technicians	1,542	125	8.11%	6.87%	101	**0**	0	Same	0
Skilled Craft	235	9	3.83%	7.26%	16	**7**	9	Improved	2
Service Maintenance	1,756	196	11.16%	14.28%	228	**32**	81	Improved	49
Totals	**5,268**	**559**	**10.61%**						

INDIVIDUALS WITH DISABILITIES									
Job Categories	**Total Employees**	**Total with Disabilities**	**% of those with Disabilities**	**Availability Percentage**	**Availability Number**	**AAP 2018-2020 Underutilized**	**AAP 2016-2018 Underutilized**	**Improved, Not Improved, Same**	**Numerical Difference in the Two Plans**
Officials/Administrators	181	9	4.98%	7.00%	12	**3**	2	Not Improved	1
Professionals	1,365	77	5.64%	7.00%	86	**9**	18	Improved	9
Office/Clerical	189	18	9.52%	7.00%	13	**0**	0	Same	0
Technicians	1,542	59	3.83%	7.00%	103	**44**	36	Not Improved	8
Skilled Craft	235	3	1.28%	7.00%	16	**13**	12	Not Improved	1
Service Maintenance	1,756	80	4.56%	7.00%	112	**32**	63	Improved	31
Totals	**5,268**	**246**	**4.67%**						

b. Two-Factor Analysis Worksheets by Protected Group

Job Category: Officials and Administrators

	ASSIGNED WEIGHT (%)
Internal Availability	57.23%
External Availability	42.77%
Total Assigned Weight (must equal 100%)	100.00%

	WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES	
	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics
Internal Availability	35.71%	20.44%	3.57%	2.04%	3.57%	2.04%
External Availability	37.50%	16.04%	4.86%	2.08%	7.00%	2.99%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
36.48%	4.12%	5.04%

	SOURCE OF INITIAL STATISTICS
Internal Availability	SWIFT Warehouse Database
External Availability	Census

Job Category: Professionals

	ASSIGNED WEIGHT (%)
Internal Availability	57.23%
External Availability	42.77%
Total Assigned Weight (must equal 100%)	100.00%

	WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES	
	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics
Internal Availability	41.38%	23.68%	18.39%	10.52%	4.60%	2.63%
External Availability	53.82%	23.02%	7.96%	3.40%	7.00%	2.99%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
46.70%	13.93%	5.63%

	SOURCE OF INITIAL STATISTICS
Internal Availability	SWIFT Warehouse Database
External Availability	Census

Job Category: Office/Clerical

	ASSIGNED WEIGHT (%)
Internal Availability	57.23%
External Availability	42.77%
Total Assigned Weight (must equal 100%)	100.00%

	WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES	
	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics
Internal Availability	87.50%	50.08%	27.50%	15.74%	25.00%	14.31%
External Availability	67.66%	28.94%	7.96%	3.40%	7.00%	2.99%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
79.01%	19.14%	17.30%

	SOURCE OF INITIAL STATISTICS
Internal Availability	SWIFT Warehouse Database
External Availability	Census

Job Category: Technicians

	ASSIGNED WEIGHT (%)
Internal Availability	57.23%
External Availability	42.77%
Total Assigned Weight (must equal 100%)	100.00%

	WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES	
	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics
Internal Availability	22.16%	12.68%	14.95%	8.56%	2.58%	1.48%
External Availability	15.02%	6.42%	6.87%	2.94%	7.00%	2.99%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
19.11%	11.49%	4.47%

	SOURCE OF INITIAL STATISTICS
Internal Availability	SWIFT Warehouse Database
External Availability	Census

Job Category: Skilled Craft

	ASSIGNED WEIGHT (%)
Internal Availability	57.23%
External Availability	42.77%
Total Assigned Weight (must equal 100%)	100.00%

	WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES	
	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics
Internal Availability	0.00%	0.00%	8.33%	4.77%	0.00%	0.00%
External Availability	7.69%	3.29%	7.26%	3.11%	7.00%	2.99%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
3.29%	7.87%	2.99%

	SOURCE OF INITIAL STATISTICS
Internal Availability	SWIFT Warehouse Database
External Availability	Census

Job Category: Service Maintenance

	ASSIGNED WEIGHT (%)
Internal Availability	57.23%
External Availability	42.77%
Total Assigned Weight (must equal 100%)	100.00%

	WOMEN		MINORITIES		INDIVIDUALS WITH DISABILITIES	
	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics	Initial Statistics (%)	Weighted Statistics
Internal Availability	8.91%	5.10%	10.06%	5.76%	5.75%	3.29%
External Availability	11.00%	4.70%	14.28%	6.11%	7.00%	2.99%

JOB GROUP AVAILABILITY (%)		
Women	Minorities	Individuals with Disabilities
9.80%	11.86%	6.28%

	SOURCE OF INITIAL STATISTICS
Internal Availability	SWIFT Warehouse Database
External Availability	Census

c. Separation Analysis Worksheets by Protected Group

OFFICIALS/ADMINISTRATORS								
Types of Separation	**Total Number**	**Total Percentage**	**Total Number of Women**	**Percentage of Women**	**Total Number of Minorities**	**Percentage of Minorities**	**Total Employees w/Disabilities**	**Percentage of Employees w/Disabilities**
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	5	22.73%	2	40.00%	0	0.00%	0	0.00%
Retirement	17	77.27%	9	52.94%	0	0.00%	1	5.88%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Layoff	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total Separations	**22**	**100%**	**11**	**50%**	**0**	**0.00%**	**1**	**4.55%**

PROFESSIONALS								
Types of Separation	**Total Number**	**Total Percentage**	**Total Number of Women**	**Percentage of Women**	**Total Number of Minorities**	**Percentage of Minorities**	**Total Number of Employees w/Disabilities**	**Percentage of Employees w/Disabilities**
Dismissal or Non-Certification	4	2.39%	0	0.00%	1	25.00%	1	25.00%
Resignations	58	34.73%	25	43.10%	12	20.69%	3	5.17%
Retirement	66	39.52%	22	33.33%	4	6.06%	5	7.58%
Deaths	2	1.20%	1	50.00%	0	0.00%	0	0.00%
Layoff	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	37	22.16%	21	56.76%	10	27.03%	2	5.40%
Total Separations	**167**	**100%**	**69**	**41.32%**	**27**	**16.17%**	**11**	**6.59%**

OFFICE/CLERICAL								
Types of Separation	**Total Number**	**Total Percentage**	**Total Number of Women**	**Percentage of Women**	**Total Number of Minorities**	**Percentage of Minorities**	**Total Employees w/Disabilities**	**Percentage of Employees w/Disabilities**
Dismissal or Non-Certification	2	4.17%	1	50.00%	0	0.00%	1	50.00%
Resignations	6	12.50%	6	100%	1	16.67%	1	16.67%
Retirement	15	31.25%	13	86.67%	4	26.67%	2	13.33%
Deaths	4	8.33%	3	75.00%	0	0.00%	1	25.00%
Layoff	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	21	43.75%	13	61.90%	2	9.52%	1	4.76%
Total Separations	**48**	**100%**	**36**	**75.00%**	**7**	**14.58%**	**6**	**12.50%**

TECHNICIANS								
Types of Separation	**Total Number**	**Total Percentage**	**Total Number of Women**	**Percentage of Women**	**Total Number of Minorities**	**Percentage of Minorities**	**Total Number of Employees w/Disabilities**	**Percentage of Employees w/Disabilities**
Dismissal or Non-Certification	2	0.50%	1	50.00%	0	0.00%	0	0.00%
Resignations	40	9.85%	5	12.50%	5	12.50%	4	10.00%
Retirement	110	27.09%	12	10.91%	2	1.82%	12	10.91%
Deaths	4	0.98%	1	25.00%	0	0.00%	0	0.00%
Layoff	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	250	61.58%	67	26.80%	47	18.80%	5	20.00%
Total Separations	406	100%	86	21.18%	54	13.30%	21	5.17%

SKILLED CRAFT								
Types of Separation	**Total Number**	**Total Percentage**	**Total Number of Women**	**Percentage of Women**	**Total Number of Minorities**	**Percentage of Minorities**	**Total Employees w/Disabilities**	**Percentage of Employees w/Disabilities**
Dismissal or Non-Certification	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Resignations	9	31.03%	0	0.00%	0	0.00%	1	11.11%
Retirement	14	48.28%	0	0.00%	1	7.14%	0	0.00%
Deaths	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Layoff	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	6	20.69%	0	0.00%	0	0.00%	1	16.67%
Total Separations	**29**	**100%**	**0**	**0.00%**	**1**	**3.45%**	**2**	**6.90%**

SERVICE MAINTENANCE								
Types of Separation	**Total Number**	**Total Percentage**	**Total Number of Women**	**Percentage of Women**	**Total Number of Minorities**	**Percentage of Minorities**	**Total Number of Employees w/Disabilities**	**Percentage of Employees w/Disabilities**
Dismissal or Non-Certification	24	3.24%	3	12.50%	7	29.17%	1	4.17%
Resignations	105	14.19%	14	13.33%	21	20.00%	4	3.81%
Retirement	79	10.68%	7	8.86%	3	3.80%	4	5.06%
Deaths	5	0.67%	0	0.00%	0	0.00%	0	0.00%
Layoff	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Termination without Rights	527	71.22%	68	12.90%	64	12.14%	11	2.09%
Total Separations	**740**	**100%**	**92**	**12.43%**	**95**	**12.84%**	**20**	**2.70%**

d. MnDOT's Organizational Chart (text version)

Commissioner - Charles A. Zelle

Deputy Commissioner & Chief Engineer - Susan Mulvihill

- **Assistant Commissioner State Aid** - Mitch Rasmussen
  - **State Aid** - Kristine Elwood
  - **Statewide Radio Communications** - Mukhtar Thakur
- **Assistant Commissioner Engineering Services** - Nancy Daubenberger
  Assistant Engineering Services Division Director Division Director - Mark Gieseke
  - **Bridge** - Kevin Western
  - **Project Management (PM) & Technical Support** - Tom Styrbicki (Acting)
  - **Construction & Innovative Contracting (OCIC)** - Tom Ravn
  - **Environmental Stewardship** - Vacant
  - **Land Management** - Joe Pignato
  - **Materials & Road Research** - Glenn Engstrom
- **Assistant Commissioner Operations** - Jody Martinson
  Assistant Engineering Services Division Director - Amr Jabr
  Assistant Engineering Services Division Director - Chris Roy
  - **District 1** - Duane Hill
  - **District 2** - JT Anderson (Acting)
  - **District 3** - Dan Anderson
  - **District 4** - Shiloh Wahl (Acting)
  - **Metro District** - Scott McBride
  - **District 6** - Jeff Vlaminck
  - **District 7** - Greg Ous
  - **District 8** - Jon Huseby
  - **Traffic Engineering** - Ray Starr (Acting)
  - **Maintenance** - Steve Lund
  - **CAV-X** - Jay Hietpas
- **Assistant Commissioner Modal Planning & Program Management** - Tim Henkel
  Assistant Modal Planning & Program Management Division Director - Jean Wallace
  - **Transportation System Management** - Vacant
  - **Transit** - Tori Nill (Acting)
  - **Freight & Commercial Vehicle Operations (F&CVO)** - Bill Gardner
  - **Aeronautics** - Cassandra Isackson
- **Assistant Commissioner Corporate Services** - Janet Cherney
  - **Human Resources** - Karin van Dyck
  - **Administration** - Suzie Thayer

Chief Financial Officer - Kristi Schroedl

- **Controller/Financial Management** - Robin Sylvester
- **Audit Director** – Dan Kahnke
- **Organizational Planning & Management** - Judy Schmidt

Chief Counsel - Craig Gustafson

- **Chief Counsel Office**

Chief of Staff - Eric Davis

- **Public Engagement & Constituent Services** - Richard Davis (**Also reports directly to Commissioner**)
- **Communications** - Kevin Gutknecht
- **Equity & Diversity** - Seema Desai (**Also reports directly to Commissioner**)
- **Civil Rights** – Kim Collins **(Also reports directly to Commissioner)**

Assistant Commissioner for Policy and Government Affairs - Scott Peterson

e. Employee Exit Surveys

Exit interviews are offered through an online survey to all employees who voluntarily leaves MnDOT. The survey is intended to assess departure reasons, as well as reasons employees enjoyed MnDOT employment, to ensure that we are accurately depicting MnDOT jobs in our external outreach; this also helps MnDOT become aware of any problems that may impact retention. The survey is managed by MnDOT's recruitment team.

All employees leaving MnDOT are presented with a link to complete the online survey; employees are also given the opportunity to sit down with an HR professional to discuss some of the more anecdotal questions.

Exit survey results are shared in summary form quarterly with the HR Director; they are also separated by demographics to ensure there are not trends that would suggest there to be disparate impact on protected group employees.