Minnesota Pollution Control Agency

2016 - 2018

AFFIRMATIVE ACTION PLAN

520 Lafayette Road North | St. Paul, Minnesota 55155-4194
This document can be made available upon request in alternative formats by contacting 651-757-2034 or 651-282-5332 (TTY).
Table of Contents

I. EXECUTIVE SUMMARY.............................................................................................................3

II. STATEMENT OF COMMITMENT..........................................................................................4

III. INDIVIDUALS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN............................................................................................................5
   A. Commissioner
   B. Affirmative Action Officer
   C. Americans with Disabilities Act Coordinator
   D. Human Resources Director
   E. Directors, Managers, and Supervisors
   F. All Employees

IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN.....................................................9
   A. Internal Methods of Communication
   B. External Methods of Communication

V. POLICY PROHIBITING DISCRIMINATION AND HARASSMENT........................................10

VI. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS FOR ALLEGED
    DISCRIMINATION/HARASSMENT......................................................................................12

VII. REASONABLE ACCOMMODATION POLICY.................................................................15

VIII. EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES.........................24

IX. GOALS AND TIMETABLES...............................................................................................26

X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES........................................................30

XI. METHODS OF AUDITING, EVALUATING, AND REPORTING PROGRAM SUCCESS..............33
   A. Pre-Employment Review Procedure/Monitoring the Hiring Process
   B. Pre-Review Procedure for Layoff Decisions
   C. Other Methods of Program Evaluation

XII. RECRUITMENT PLAN.......................................................................................................34

XIII. RETENTION PLAN...........................................................................................................36
   A. Supervisor’s New Employee Orientation
   B. Telecommuting and (Flexible) Compressed Time Policy
   C. Employee Development through Work Plans/Training Plans
   D. Analysis of Separation and Layoff Patterns

APPENDIX
    COMPLAINT OF DISCRIMINATION/HARASSMENT FORM...................................................38
    EMPLOYEE REQUEST FOR ADA REASONABLE ACCOMMODATION FORM.........................40
    ORGANIZATIONAL CHART.................................................................................................41
    LABOR FORCE AVAILABILITY............................................................................................42
    UTILIZATION ANALYSIS....................................................................................................43
I. EXECUTIVE SUMMARY

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

Table 1. Underutilization Analysis of Protected Groups

<table>
<thead>
<tr>
<th>Job Categories</th>
<th>Women</th>
<th>Racial/Ethnic Minorities</th>
<th>Individuals with Disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officials/Administrators</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Professionals</td>
<td>x</td>
<td>x</td>
<td>x</td>
</tr>
<tr>
<td>Office/Clerical</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Technicians</td>
<td>x</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

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

Affirmative Action Officer / Human Resources Director

Commissioner

Date
II. STATEMENT OF COMMITMENT

This statement reaffirms the Minnesota Pollution Control Agency is committed to Minnesota’s statewide affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

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

- No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, sexual orientation, disability, marital status, familial status, status with regard to public assistance, or membership or activity in a local human rights commission.

- This agency is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include, but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to employees and applicants with disabilities.

- This agency will continue to actively promote a program of affirmative action, wherever minorities, women, and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.

- This agency will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this agency will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

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

[Signature]
Commissioner 8/3/16
Date
III. INDIVIDUALS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN

A. Commissioner
John Linc Stine

Responsibilities:
The Commissioner is responsible for the establishment of an Affirmative Action Plan that complies with all federal and state laws and regulations.

Duties:
The duties of the Commissioner shall include, but are not limited to the following:
- Appoint the Affirmative Action Officer 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 harassment;
- Ensure the Affirmative Action Plan is effectively communicated to all employees on an annual basis;
- Make decisions and changes in policy, procedures, or accommodations as needed to facilitate effective affirmative action and equal employment opportunity;
- Actively promote equal opportunity employment; and
- Require all agency directors, managers, and supervisors to include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.

Accountability:
The Commissioner is accountable directly to the Governor and indirectly to the Minnesota Management and Budget Commissioner on matters pertaining to equal opportunity and affirmative action.

B. Affirmative Action Officer
Vonnie Phillips, Human Resources Director I

Responsibilities:
The Affirmative Action Officer is responsible for implementation of the agency’s affirmative action and equal opportunity program, and oversight of the agency’s compliance with equal opportunity and affirmative action laws.

Duties:
The duties of the Affirmative Action Officer shall include, but are not limited to the following:
- Prepare and oversee the Affirmative Action Plan, including development and setting of agency-wide goals;
- Prepare and oversee an inclusion and diversity strategic plan;
- Monitor the compliance and fulfill all affirmative action reporting requirements;
- Inform the agency’s Commissioner of 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 the agency’s considerations, policies, and practices;
• Participate in and/or develop strategies to recruit individuals in protected groups for employment, promotion, 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; and
• Serve as the agency 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 MPCA’s Division Directors and Deputy Commissioner and indirectly to the Commissioner on matters pertaining to affirmative action and equal opportunity.

C. Americans with Disabilities Act Coordinator
Kellie McNamara, Human Resources Director and Vonnie Phillips, Assistant HR Director

Responsibilities:
The Americans with Disabilities Act Coordinator or designee is responsible for the oversight of the agency’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 Americans with Disabilities Act Coordinator shall include, but not limited to the following:

• Provide guidance, coordination, and direction to agency management with regard to the Americans with Disabilities Act in the development and implementation of the agency’s 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; and
• Track and facilitate requests for reasonable accommodations for employees and applicants, as well as members of the public accessing the agency’s services, and reports reasonable accommodations annually to Minnesota Management and Budget.

Accountability:
The Americans with Disabilities Act Coordinator reports directly to Pollution Control Division Director and Deputy Commissioner.

D. Kellie McNamara, Human Resources Director
Responsibilities:
The Human Resources Director is responsible for ensuring equitable and uniform administration of all personnel policies including taking action to remove barriers to equal employment opportunity with the agency.

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 personnel 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 pre-hire review process is implemented and receives support from directors, managers, and supervisors;
- Include the Affirmative Action Officer in the decision-making process regarding personnel 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 Americans with Disabilities Act Coordinator or designee all necessary records and data necessary to perform duties related to equal opportunity and affirmative action.

Accountability:
The Human Resources Director is directly accountable to Pollution Control Division Director and Deputy Commissioner.

E. 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 the agency’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 in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity;
- Communicate the agency’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;
MINNESOTA POLLUTION CONTROL AGENCY
AFFIRMATIVE ACTION PLAN 2016 – 2018

- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives;
- To provide a positive and inclusive work environment; and
- To refer complaints of discrimination and harassment to the appropriate parties.

Accountability:
Directors, managers, and supervisors are accountable directly to their designated supervisor and indirectly to the agency's Commissioner.

F. All Employees

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

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

- Exhibit an attitude of respect, courtesy, and cooperation towards fellow employees and the public; and
- Refrain from any actions that would adversely affect the performance of a coworker 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 to their designated supervisor and indirectly to the agency's Commissioner.
IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

The following information describes the methods that the agency 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 the agency’s leadership or alternatively, the Affirmative Action Officer, to all staff on an annual basis.

- The agency’s Affirmative Action Plan is available to all employees on the agency’s internal website or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
  - [https://lorax.pca.state.mn.us/policies](https://lorax.pca.state.mn.us/policies)

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

B. External Methods of Communication

- The agency’s Affirmative Action Plan is available on the agency's external website or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
  - [https://www.pca.state.mn.us/about-mpca/jobs-mpca](https://www.pca.state.mn.us/about-mpca/jobs-mpca)

- The agency’s website, 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 by 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.
V. POLICY PROHIBITING DISCRIMINATION AND HARASSMENT

Workplace harassment under any circumstances is prohibited. Employees are expected to behave respectfully toward all other employees. The Minnesota Pollution Control Agency (MPCA) prohibits harassment of its employees based on race, color, creed, religion, national origin, sex, and marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, familial status or age.

This prohibition with respect to harassment includes both overt acts of harassment and those acts that create a negative work environment. Any employee subjected to such harassment may report a complaint internally with the agency’s Affirmative Action Officer Designee. If the employee chooses, s/he may file a complaint externally with the Minnesota Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. These agencies have time limits for filing complaints, so individuals should contact the agencies for more information. In extenuating circumstances, the employee should contact the State Affirmative Action Program Coordinator at Minnesota Management & Budget for information regarding the filing of a complaint. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

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

1. Notifying all employees, and orienting each new employee who is hired, of this policy.

2. Informing all employees of the complaint procedure and ensuring that all complaints will be investigated promptly and carefully.

Definitions

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

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

It is possible for discriminatory harassment to occur: 1) among peers or coworkers, 2) between managers and subordinates, or 3) between employees and members of the public. Employees who experience discriminatory harassment should bring the matter to the attention of the MPCA’s Affirmative Action Officer Designee. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer designee and all employees are expected to address or report any suspected harassment or retaliation.
Varying degrees of discriminatory harassment violations can occur and require varying levels of progressive discipline. Individuals who instigate harassment are subject to serious disciplinary actions up to and including suspension, demotion, transfer, or termination. Additionally, inappropriate behaviors that do not rise to the level of discriminatory harassment, but are nonetheless disruptive, should be corrected early and firmly in the interests of maintaining a barrier-free work place. Individuals who participate in inappropriate behaviors at work are also subject to disciplinary actions.

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

Complaints of discrimination or harassment can be filed using the internal discrimination complaint procedure included in this affirmative action plan.
VI. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS FOR ALLEGED DISCRIMINATION / HARASSMENT

Background

This procedure is designed to manage complaints that are not generally able to be resolved under a collective bargaining agreement, plan or other method. Complaints must be filed within 365 days from the event which precipitated the complaint. Employees also have the right to file a complaint with the Minnesota Department of Human Rights and/or the U.S. Equal Employment Opportunity Commission (EEOC) regardless of whether a complaint under this procedure is filed.

1. The disposition of the complaint will be provided to the complaint in writing within 60 days of receiving the complaint. If circumstances prevent final resolution in 60 days, the complainant will be so notified and the disposition will be communicated to the complainant when it is final.

2. Complaints related to discrimination as defined and described in the Affirmative Action Plan will be referred to the Affirmative Action Officer. Complaints not related to discrimination will be managed according to the appropriate collective bargaining agreement or policy.

3. Any retaliatory action of any kind taken by an employee of the MPCA against any other employee as a result of that person filing a complaint under these procedures, cooperating in an investigation, or otherwise participating in any action under these procedures is prohibited and will be regarded as a separate and distinct matter subject to disciplinary action.

Retaliatory action or reprisal includes but is not limited to any form of intimidation, retaliation or harassment. Examples of actions which may be considered retaliation include but are not limited to: refusal to hire an individual; departure from any customary employment practice; transfer or assignment of the individual to a lesser position in terms of wages, hours, job classification, job security or other employment status; or informing another employer that the individual has filed a charge, testified, assisted, or participated in an investigation, proceeding or hearing; associated with a person or group who is disabled, who is of a different race, color, creed, religion, sexual orientation, national origin, sex, marital status, familial status, age, or status with regard to public assistance, who is a member of a Local Human Rights Commission.

4. This complaint procedure will not be construed as limiting, in any way, an employee's right to file a complaint with the Minnesota Department of Human Rights, the Federal Equal Employment Opportunity Commission, or an appropriate court.

5. For purposes of this Affirmative Action Plan and these complaint procedures the Assistant Human Resources Director, Vonnie Phillips, serves as the Affirmative Action Officer for the MPCA.

*ELIGIBLES are applicants for employment who meet the minimum qualifications for the position or whose names are on a roster of applicants tracked to a requisition with the State of Minnesota.
## MINNESOTA POLLUTION CONTROL AGENCY
### AFFIRMATIVE ACTION PLAN 2016 – 2018

#### Procedure

<table>
<thead>
<tr>
<th>Who takes the step</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Person Offended</td>
<td>1</td>
<td>If you are comfortable doing so, advise the other person that his or her behavior is objectionable and ask that it stop. If unable to contact the offending party, or if after asking the offending party to stop, the behavior continues, you may initiate a more formal complaint.</td>
</tr>
<tr>
<td>Person Offended</td>
<td>2</td>
<td>Seek out one of the following people: your supervisor, your manager, your division director, the offending party's supervisor, the Affirmative Action Officer, or a Human Resource Consultant with whom you feel comfortable. Report the objectionable behavior to that person.</td>
</tr>
<tr>
<td>Person Offended</td>
<td>3</td>
<td>Attempt to maintain a written record of all dates of, times of, and witnesses to the objectionable behavior.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Who takes the step</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Person Contacted</td>
<td>4</td>
<td>Listen to complaint; inform complainant that you will take the appropriate steps to ensure that the issue is addressed promptly and that the Affirmative Action Officer will be immediately informed.</td>
</tr>
<tr>
<td>First Person Contacted</td>
<td>5</td>
<td>Discuss the issue/complaint with the Affirmative Action Officer (AAO)/Human Resource Manager immediately; if you must leave a message, indicate that it is urgent.</td>
</tr>
<tr>
<td>Affirmative Action Officer/HR Manager</td>
<td>6</td>
<td>Consult with the appropriate members of leadership. Determine if an investigation is recommended. Inform the complainant of the decision regarding an investigation.</td>
</tr>
<tr>
<td>Affirmative Action Officer/HR Manager</td>
<td>7</td>
<td>Conduct investigation.</td>
</tr>
<tr>
<td>Affirmative Action Officer/HR Manager</td>
<td>8</td>
<td>Notify complainant of any substantial delays in the investigation.</td>
</tr>
<tr>
<td>Affirmative Action Officer/HR Manager</td>
<td>9</td>
<td>Upon completion of the investigation, convene a meeting of the offending party's supervisor, manager, and/or division director (or designee). Facilitate a decision on the recommended course of action.</td>
</tr>
<tr>
<td>Affirmative Action Officer/HR Manager</td>
<td>10</td>
<td>Inform complainant that investigation has been completed and, to the extent possible under the Minnesota Data Practices Act, that action has been taken. Also, inform complainant of his/her right to file an appeal with the MPCA Commissioner or to file a complaint with the Minnesota Human Rights Department, with the U.S. Equal Employment Opportunity Commission or with the appropriate court.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Who takes the step</th>
<th>Step</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Affirmative Action Officer/HR Manager</td>
<td>11</td>
<td>File disposition of complaint with MMB within 30 days of determination. <a href="http://www.mmb.state.mn.us/">http://www.mmb.state.mn.us/</a></td>
</tr>
</tbody>
</table>

The MPCA will make every effort to ensure compliance with the language regarding harassment and discrimination in the appropriate labor contract.
All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complainants and respondents. After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions to the Minnesota Government Data Practices Act.

All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but is not limited to, the following types of data:

A. Interviews or written interrogatories with all parties involved in the complaint, e.g., complainants, respondents, and their respective witnesses; officials having pertinent records or files, etc.

B. All records pertaining to the case, i.e., written, recorded, filmed, or in any other form

The Affirmative Action Officer designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.
REASONABLE ACCOMMODATION POLICY

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

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

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

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

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

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

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

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

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

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

Qualified Individual with a Disability
An individual who:

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

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

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

Medical Documentation
Information from the requestor’s treating provider that is sufficient to enable the employer to determine whether an individual has a disability and whether and what type of reasonable accommodation is needed when the disability or the need for accommodation is not obvious. Medical documentation can be requested using the standardized Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider.

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

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

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

- Providing materials in alternative formats like large print or Braille;
MNESOSBA POLLUTION CONTROL AGENCY
AFFIRMATIVE ACTION PLAN 2016 – 2018

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

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

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

Undue Hardship
A specific reasonable accommodation would require significant difficulty or expense. Undue hardship is always determined on a case-by-case basis considering factors that include the nature and cost of the accommodation requested and the impact of the accommodation on the operations of the agency. A state agency is not required to provide accommodations that would impose an undue hardship on the operation of the agency.

General Standards and Expectations

*Individuals who may request a reasonable accommodation include*

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

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

How to request a reasonable accommodation

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

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

Timing of the request

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

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

Form of the request

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

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

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

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

Agency request forms can be found at "Employee/Applicant Request for Reasonable Accommodation Form".

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

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

The interactive process entails

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

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

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

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

The agency ADA Coordinator shall be consulted when:

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

Agency responsibilities for processing the request

As the first step in processing a request for reasonable accommodation, the person who receives the request must promptly forward the request to the appropriate decision maker. At the same time, the recipient will notify the requestor who the decision maker is.

Commissioner

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

ADA Coordinator

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

Agencies have the authority to designate the level of management approval needed for reasonable accommodation requests for low-cost purchases. For example:

- Requests for standard office equipment that is needed as a reasonable accommodation and adaptive items costing less than $100. [Agencies can adjust the dollar amount based on their needs]; and
- Requests for a change in a condition of employment such as modified duties, or a change in schedule, or the location and size of an employee's workspace. [Agencies can choose to delegate specific requests to supervisors or managers or require these types of requests to work through the agency ADA Coordinator].

Analysis for processing requests

Before approving or denying a request for accommodation, the agency decision maker with assistance from the agency ADA Coordinator will:

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

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

Obtaining medical documentation in connection with a request for reasonable accommodation

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

- The information submitted by the requestor is insufficient to document the disability or the need for the accommodation;
- A question exists as to whether an individual is able to perform the essential functions of the position, with or without reasonable accommodation; or
A question exists as to whether the employee will pose a direct threat to himself/herself or others. Where medical documentation is necessary, the agency ADA Coordinator must make the request and use the Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider. The agency ADA Coordinator must also obtain the requestor’s completed and signed Authorization for Release of Medical Information.

Only medical documentation specifically related to the employee’s request for accommodation and ability to perform the essential functions of the position will be requested. When medical documentation or information is appropriately requested, an employee must provide it in a timely manner, or the agency may deny the reasonable accommodation request. Agencies must not request medical records; medical records are not appropriate documentation and cannot be accepted. Supervisors and managers must not request medical information or documentation from an applicant or employee seeking an accommodation. Such a request will be made by the agency ADA Coordinator, if appropriate.

Confidentiality requirements

Medical Information

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

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

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

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

Accommodation Information

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

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

Approval of requests for reasonable accommodation

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

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

Funding for reasonable accommodations

The agency must specify how the agency will pay for reasonable accommodations.

Procedures for reassignment as a reasonable accommodation

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

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

Denial of requests for reasonable accommodation

The agency ADA Coordinator must be contacted for assistance and guidance prior to denying any request for reasonable accommodation. The agency may deny a request for reasonable accommodation where:

- The individual is not a qualified individual with a disability;
- The reasonable accommodation results in undue hardship or the individual poses a direct threat to the individual or others. Undue hardship and direct threat are determined on a case-by-case basis with guidance from the agency ADA Coordinator; or
- Where no reasonable accommodation, including reassignment to a vacant position, will enable the employee to perform all the essential functions of the job.
The explanation for denial must be provided to the requestor in writing. The explanation should be written in plain language and clearly state the specific reasons for denial. Where the decision maker has denied a specific requested accommodation, but has offered a different accommodation in its place, the decision letter should explain both the reasons for denying the accommodation requested and the reasons that the accommodation being offered will be effective.

**Consideration of undue hardship**

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

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

**Determining direct threat**

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

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

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

**Appeals process in the event of denial**

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

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

A copy of the agency’s weather and emergency evacuation plans can be found at:
Office Emergency Plans - X:\HRWeb\SAFETY\Current Emergency Plans

Knowledge and preparation by both individuals needing assistance and those who do not is instrumental in reducing the impact of emergencies. When developing a plan, safety needs should be determined on a case-by-case basis because it varies with each individual and building.

Everyone has a responsibility to develop their own personal emergency evacuation plan; this includes individuals with disabilities or individuals who will need assistance during an evacuation. The Americans with Disabilities Act (ADA) Coordinator develops and maintains a plan in consultation with the appropriate building personnel and the Safety Director.

Directors, managers, and supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance is needed they should contact the agency’s ADA Coordinator to request the type of assistance they may need. Directors, managers, and supervisors, in coordination with the ADA Coordinator and Safety Director, are responsible for ensuring that Attendants have been assigned to assist persons with disabilities in his/her unit.

Americans with Disabilities Act Coordinator: vonnie.phillips@state.mn.us (651) 757-2160 or (651) 757-2034
Safety Director: ryan.ricci@state.mn.us (651) 757-2650 or (651) 757-2034

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 the facility;

- Stairway evacuation: Using steps to reach ground level exits from building;

- Shelter in-place: Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire resistant door. If the individual requiring special evacuation assistance remains in-place, they should dial 9-9-1-1 immediately and report their location, which will be relayed to on-site responders. Sheltering in-place is more often appropriate in sprinkler-protected facilities where an area of refuge is not nearby or available, provided the fire is not in your immediate vicinity;

- Area of rescue assistance: Identified areas that can be used as a means of egress for individuals with disabilities. Individuals with disabilities can use these areas, located on floors above or below the building’s exits, until rescue can be facilitated by emergency responders.

All employees should consider each of the above-listed evacuation options to personalize evacuation methods depending upon which facility the employee is located in, their actual location within the facility, and the limitations of each individual employee.
Evacuation Procedures for Individuals with Mobility, Hearing, and Visual Disabilities:

Individuals with disabilities should follow the following procedures:

- **Mobility disabilities; individuals who use wheelchairs or other personal mobility devices “PMDs”:** Should be accompanied to a horizontal evacuation location, stairway egress route, shelter in-place location, or area of rescue assistance by a volunteer Attendant. The Area Monitor will coordinate with individual supervisors/managers and mobility-impaired persons to ensure the selection/continuity of two volunteers to serve as Attendants for each mobility-impaired worker in an assigned area. The Area Monitor will also ensure Attendants relocate mobility-impaired persons to the appropriate area (horizontal evacuation location, stairway egress route, shelter in-place location, or area of rescue assistance).

- **Mobility disabilities; individuals who do not use wheelchairs or other PMDs:** Individuals with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue for assistance until emergency responders arrive to assist them.

- **Hearing disabilities:** The agency’s buildings are equipped with fire alarm horns that sound the alarm. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of the situation. Area Monitors will ensure staff awareness within their area, and will help staff relocate or evacuate to designated areas.

- **Visual disabilities:** The agency’s buildings are equipped with fire alarm horns that sound the alarm. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different from the common traveled route, individuals with visual disabilities may need assistance in evacuating. The Area Monitor will offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

**Severe Weather Evacuation Options:**

Individuals with disabilities or who are in need of assistance during a severe weather emergency will:

- **Shelter in-place:** Relocated to the nearest interior windowless conference room. Area Monitors and/or Attendants will offer assistance, and if accepted, guide the individual with a visual disability to the nearest severe weather shelter.
IX. GOALS AND TIMETABLES

Through utilization analysis, the agency has determined which EEO job groups are underutilized for women, minorities, and people with disabilities.

<table>
<thead>
<tr>
<th>Job Categories</th>
<th>Women</th>
<th>Racial/Ethnic Minorities</th>
<th>Individuals With Disabilities</th>
<th>Women</th>
<th>Racial/Ethnic Minorities</th>
<th>Individuals With Disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officials/Administrators</td>
<td>None</td>
<td>None</td>
<td>none</td>
<td>42</td>
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<tr>
<td>Professionals</td>
<td>42</td>
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<td>42</td>
<td>30</td>
<td>27</td>
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<tr>
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<td>2</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>Technicians</td>
<td>3</td>
<td>None</td>
<td>None</td>
<td>3</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

EEO Job Groups:

The MPCA has employees in the following EEO Job groups: Officials and Administrators, Professionals, Technicians, and Office/Clerical. The definitions of these job groups and the methods of utilization analysis are as follows:

1. Officials/Administrators
   Occupations in which employees set broad policies, exercise overall responsibility for execution of these policies, or direct individual departments or special phases of the agency's operations, or provide specialized consultation on a regional, district or area basis. A major feeder group to Officials and Administrators is the Professionals job group; for this reason the agency population of Professionals was one factor in the utilization analysis. The second factor was the Minnesota Statewide Labor Force Availability.

   The main MPCA office is in St. Paul and accounts for three-fourths of the agency population. There are seven regional offices ranging in size from seven to 70 employees; all offices recruit statewide and attract candidates from both regional and statewide areas; the statewide Labor Force Availability is the best source of comparison data for the agency population.

2. Professionals
   Occupations that require specialized and theoretical knowledge, which is usually acquired through college training or through work experience and other training that provides comparable knowledge.

   This is the largest job group for the MPCA. The MPCA has identified sub-categories within this category for specialized jobs. These sub-categories include: Engineers, and Scientists / Hydrologists, goals have been established for both of these sub-categories based on census data for specific occupations. MPCA professional jobs that are not included in one of these three specialized categories fall in the broad sub-category of "General Professional."

   There is no major internal feeder group for this job group. A one-factor utilization analysis was conducted using the Minnesota Statewide Labor Force availability.

3. Technicians
Occupations that require a combination of basic scientific or technical knowledge and manual skill, which can be obtained through specialized post-secondary school education or through equivalent on-the-job training. This is a small job group in the agency. Student Workers are included in this job group. A one-factor utilization analysis was conducted using the Minnesota Statewide Labor Force availability.

4. Office/Clerical
Occupations in which workers are responsible for internal and external communication, recording and retrieval of data and/or information and paperwork required in an office. A one-factor utilization analysis was conducted using the Minnesota Statewide Labor Force availability.

Utilization and availability

1. Women

The agency percentage of women in the following job categories has increased:
- Officials/Administrators
- Professionals
- Technicians

The representation of women in the job category of Officials/Administrators increased 6.5% and the agency is fully utilized for women in this job category. The agency surpassed its 2014-2016 AAP goal of increasing representation by one with three additional hires of females into this job category. This increase in utilization was partially attributed to promotions from the Professional job group. The agency will continue to provide leadership development and training opportunities for women.

The representation of women in the Professionals and Technicians job categories increased from 2014, but there is still underutilization in both categories. The representation of women in the Professional job category increased by seven and by two in the Technicians category. We did not meet the 2014 AAP plan goal of increasing by 10 and 3, respectively. The Technicians category is the smallest and most variable job category because it includes the agency's student worker population. Student worker appointments are temporary in nature; therefore, the representation of women is variable. Recognizing that student workers are a potential feeder group to the Professional job category, however, the agency will continue to promote the hiring of women as student workers.

The percentage of women in the job category of Office/Clerical has also increased. The agency population is still well above the availability in the census population and, therefore, the agency is fully utilized in women in this job category.

A majority of our positions are in the environmental, scientific and engineering fields. One of the challenges in meeting our hiring goals is the shortage of females in scientific and engineering fields and the competition we have with other public and private sector organization in attracting this talent. We did meet 75% of our targeted goal, which demonstrates progress in the hiring of females into the professionals and technical job categories.

The agency plans to address underutilization through a more strategic approach and has developed a strategic Inclusion and Diversity plan that will guide our program for the 2016-2018 plan year. One of the strategies is attending targeted job fairs for women in the environmental and scientific fields.

2. Minorities

The agency population of minorities has increased in the following job categories:
- Officials/Administrators
- Professionals
The representation of minorities in the Officials/Administrators job category increased by one compared to 2014. The agency is fully utilized for minorities in this job category; however, the agency practice is to actively recruit for representation from this group and has been consulting and working with the Statewide Executive Recruiter when filling managerial vacancies.

The number of minorities in the Professionals job category increased despite an overall decrease in the total number of employees in this category when compared to 2014. The agency added nine new employees from this protected group, but lost three from the Engineers sub category and fell short of the 2014 AAP goal of ten.

The representation of minorities in the Technician job category increased slightly compared to 2014. Recognizing that student workers are a potential feeder group to the Professional job category, the agency is partnering with the Department of Natural Resources and the Board of Water and Soil Resources in developing the “Increasing Diversity in Environmental Careers: Fellowships, Internships, Mentorships” program with funding through LCCMR. The goal of this “grow your own” program is to direct underrepresented groups into STEM related degree fields and internships with the State’s environmental agencies.

There is no underutilization of minorities in the Office/Clerical job category, but there was a 4.97% decrease in the number of minorities in this group when compared to 2014. This downward trend may be attributable to the Student Worker Clerical appointments in this category. Student work appointments are temporary in nature and account for some of the reduction.

The agency plans to address underutilization through a more strategic approach and has developed a strategic Inclusion and Diversity plan that will guide our program for the 2016-2018 plan year. One of the strategies is to build alliances and partnerships and includes a partnership with the DNR and BWSR on an LCCMR funding program titled “Increasing Diversity in Environmental Careers: Fellowships, Internships and Mentorships. We are also working to strengthen and develop relationships with targeted groups at minority colleges/universities, and professional organizations and identify other institutions with large diverse populations.

3. People with Disabilities

The percentage of people with disabilities in the following agency job categories increased and/or there is no underutilization:

- Officials/Administrators
- Technicians

The 2014-2016 AAP goal of increasing the representation of people with a disability in the Officials/Administrators job category was met and there is no underutilization. There was a decrease in the representation of people with a disability in the Technicians job category, but the agency is still fully underutilized.

There continues to be an underutilization of people with disabilities in the following agency job categories:

- Professionals
- Technicians
- Office/Clerical

The agency’s strategic diversity and inclusion plan includes specific strategies for increasing representation of people with disabilities including collaborating with DEED’s Voc Rehab on vacancies/job announcements, reviewing minimum qualifications for inclusivity, and attendance at recruitment fairs targeted at individuals with disabilities.
The agency continues to employ people with disabilities in the Supported Workers’ program. One challenge we have experienced none or a low number of people with disabilities in our applicant pools. We will use the Connect 700 program to improve the underutilization in this area.

**Goals**
The MPCA establishes hiring goals for every EEO job group in which members of protected classes are underutilized. The purpose of establishing such goals is to correct underutilization and, ideally, each hiring goal should equal the underutilization number.

**Timetable**
This is the target date set for reaching identified goals in any EEO Job Group for which there is underutilization. Timetables established in this plan are based on the fiscal years represented by the Plan.

The following utilization information and hiring goals for the MPCA apply to Fiscal Years 2016-2018:

<table>
<thead>
<tr>
<th>EEO Job Group</th>
<th>Protected Class</th>
<th></th>
<th></th>
<th></th>
<th></th>
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<tr>
<td></td>
<td>Women</td>
<td>Minorities</td>
<td>People with a Disability</td>
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<td>Time Table</td>
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<td>No</td>
<td>No</td>
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</tr>
<tr>
<td>Professionals</td>
<td>Yes</td>
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<tr>
<td>Professionals:</td>
<td>44</td>
<td>30</td>
<td>27</td>
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<td>3</td>
<td>2018</td>
<td>No</td>
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<tr>
<td>Office / Clerical</td>
<td>No</td>
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<td>Yes</td>
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</tr>
</tbody>
</table>

Our senior leadership determined our goal would be to meet our underutilization numbers. No underutilizations in all the job categories is an ambitious goal, but important to our agency in supporting the Governor’s priority of diversity and inclusion.
X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

Objective #1: ONGOING
Employ high school and/or college students as summer interns through programs such as Right Track, Step-Up, Urban Scholars, etc.

Responsibility: AAOs

Target Date: Summers of 2016, 2017 & 2018

Action Steps:
1. Establish positions within MPCA divisions.
2. Collaborate with the Right Track Program to select students.
3. Explore the use of the Urban Scholars program for 2017 & 2018

Barriers:
1. Budget
2. The type of work a high school student is capable of performing (technical, scientific)
3. Location of Minneapolis Step-Up program and public transportation

Evaluations: Assess benefits with MPCA supervisors and students who participate.

Objective #2: NEW
Partner with DNR and BWSR in developing and implementing the “Increasing Diversity in Environmental Careers: Fellowships, Internships, Mentorships” program.

Responsibility: AAOs

Target Date: July 1, 2016- June 30, 2018

Action Steps:
1. Develop program elements, timeline and corresponding budget for each program element
2. Identify and train MPCA mentors
3. Establish summer internship position within MPCA divisions

Evaluations: Track progress toward STEM related degree and assess benefits with MPCA mentors and program participants.

Objective #3: ONGOING
Participate in the State of Minnesota's Alliance for Cooperation and Collaboration in Employment and State Service (ACCESS).

Responsibility: AAOs

Target Date: July 1, 2016 – June 30, 2018

Action Steps:
MINNESOTA POLLUTION CONTROL AGENCY
AFFIRMATIVE ACTION PLAN 2016 – 2018

1. Agency representative will attend monthly meetings (HR supervisor).
2. Agency will incorporate ACCESS initiatives into agency practices as appropriate
3. Agency will participate in ACCESS work groups as feasible.
4. Agency will publicize diversity events and training that are co-sponsored by ACCESS. Advertise in daily news email sent to all employees

Barriers:
Time resources

Evaluations: Increased awareness of diversity issues, training and actions.

Objective #4: ONGOING
Continue to employ disabled workers in the Supported Workers program.

Responsibility: Records Management Unit

Target date: Ongoing

Action Steps: Partner with DHS

Objective #5: NEW and ONGOING
Increase employee awareness of Affirmative Action, diversity and inclusion.

Responsibility: AAOs

Target Date: July 1, 2016– June 30, 2018

Action Steps:
1. Provide the MPCA Senior Managers with a report on the utilization of Protected Group members in the agency employee population on a quarterly basis.
2. Provide a summary of exit interview information to senior managers to review and identify any trends on why employees are exiting.
3. Create a formal diversity and inclusion committee with visible leadership involvement. - New

Evaluations: Increased participation in diversity initiatives.

Objective #6: NEW and ONGOING
Incorporate Affirmative Action, diversity and inclusion in agency training.

Responsibility: AAOs

Target Date: July 1, 2014 – June 30, 2016

Action Steps:
1. Present Affirmative Action plan to managers provide supervisor training that incorporates affirmative action responsibilities
2. Present Affirmative Action, agency culture, and networking opportunities in New Employee Orientation training.
3. Require all employees to complete Sexual Harassment Prevention Online Learning Program.
4. Present Respectful Workplace training at least monthly as a strategy to improve employee relationships within work groups required for all employee, and as needed.
5. Provide Intercultural Development Inventory and Assessment training to all employees.

Barriers:
1. MMB no longer has Sexual Harassment training available online so MPCA must develop its own.
2. Wait time on the rollout of MMB’s Respectful Workplace training.

Evaluations: Use training session evaluations and employee engagement data to assess diversity and inclusion awareness

Objective #7: NEW
Review the agency’s hiring and selection process and remove potential barriers to inclusivity.

Responsibility: AAOs

Target Date: July 1, 2016 – June 30, 2018

Action Steps:
1. Obtain Commissioner/Deputy Commissioner sign-off on missed opportunities prior to offer.
2. Send all job announcements to DEED’s Voc Rehab.
3. Review minimum qualifications on the top three environmental related MAPE job classifications and recommend changes that would increase inclusivity.
4. Develop a diverse list of leadership staff available to participate on interview panels for supervisory and managerial vacancies.

Evaluations: Monitoring the Hiring Process quarterly reports
XI. METHODS OF AUDITING, EVALUATING AND REPORTING PROGRAM SUCCESS

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

Whenever a vacancy is to be filled, the Human Resources office will determine if underutilization of protected group members currently exists, or is anticipated to exist. If it does, the following will apply:

1. The Human Resource Office will provide consultation and advice to supervisors and managers with each vacancy regarding the hiring process and the legal and contractual aspects of the process. This includes a discussion regarding underutilization before applicant lists are forwarded to the hiring supervisor. (The Human Resources Office also provides training sessions to leadership on the process by hosting brown bags and attending meetings.)

2. A supervisors or manager who intends to make an offer of employment to a candidate, who is not a member of an underutilized group, must provide a detailed written explanation to the Affirmative Action Officer.

3. Human Resources, the AAO and the hiring manager consult together on the hiring decision. This may include reviewing the list of applicants, resumes, interview notes, interview questions, the measures used in the interview, who the interview panel is, and there must be a justification why that person is more qualified.

4. The AAO will consult with the HR Director on non-affirmative hires when necessary and those with the potential to be missed opportunities are directed to the Commissioner for approval.

B. Pre-Review Procedure for Layoff Decisions

Whenever a layoff is to occur, the Affirmative Action Officer will determine if underutilization of protected group members currently exists, or based on projected activity, is anticipated for the goal unit in which the layoff occurs.

C. Other Methods of Program Evaluation

The agency submits the following compliance reports to Minnesota Management and Budget as part of the efforts to evaluate the agency’s affirmative action program:

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

The agency also evaluates the Affirmative Action Plan in the following ways:

- Monitors progress toward stated goals by job category quarterly; reports to leadership
MINNESOTA POLLUTION CONTROL AGENCY
AFFIRMATIVE ACTION PLAN 2016 – 2018

- Routinely reviews the accessibility of online systems, websites, and ensures that reasonable accommodations can be easily requested
- Discusses progress with agency leadership quarterly and makes recommendations for improvement.

XII. RECRUITMENT PLAN

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

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

A. Advertising Sources

The MPCA announces vacancies on the MN.gov/careers website. In addition, the agency announces vacancies using websites and list serves targeting the environmental community, i.e., Next Step and SEEK.

B. Job and Community Fairs

The MPCA participates in the Career Fairs for Veterans and members of diverse groups. We have participated in:

- AchieveMPLS- Patrick Henry High School
- AchieveMPLS- Washburn High School
- AchieveMPLS - South High School
- Veterans Career Fair
- Stand Down for Veterans
- Rochester MaxAbility MN DEED (Vet event)
- MnCARRS- Speed networking event for community partners
- Onsite Hiring Event- Lake Street MPLS South Workforce Center
- AchieveMPLS- South High School
- Hmong Language and Culture Charter Elementary and Middle School in St. Paul
- MnDOT Indigenous Employee Resource Group and the Department of Human Services American Indian Training Team - Native American Heritage Month Event - Indigenous Women

We do not have a way to measure how many applicants come from career fairs, but we are looking at implementing a stay interview so that data would become accessible.

C. College and University Recruitment Events

The MPCA has participated in the University of Minnesota Environmental Internship and Career Fair, the St. Cloud State Diversity Job and Internship Fair, the Minnesota State Universities Job and Internship Fair, Minnesota’s Private Colleges Job and Internship Fair, and the University of Minnesota Job and Internship Fair.

We do not have a way to measure how many applicants come from career fairs, but we are looking at implementing a stay interview so that data would become accessible.
D. Recruitment for Persons with Disabilities

1. Many vacancies are announced on Minnesota Works.net, which is sponsored by the Minnesota Department of Employment and Economic Development (DEED). DEED offers employment services to people with disabilities.

2. Supported Employment (M.S. 43A.191, Subd. 2(d)). This agency supports the employment of individuals with disabilities and employs several members of this program in an agency imaging project.

3. Our agency will review physical and sensory requirements on position descriptions and job postings and ensure they are job-related and consistent with business necessity. Every effort will be made to use inclusive language in describing the physical and sensory requirements of a job.

4. At the time of application and once a year, our agency will communicate to our employees that we collect summary data related to the number of individuals who have applied for positions and who are in our workforce. We will inform employees that we collect this summary data to make determinations about where we need to improve in terms of recruitment, selection, or retention of individuals with disabilities.

5. We will prominently display on our career site that we will provide reasonable accommodation to qualified individuals with a disability who apply for our positions where needed. Once hired, we will educate employees, supervisors, and managers on accommodating employees in the workplace.

6. Our agency will conduct periodic self-checks to determine if our systems or documents are accessible, language in our job postings is inclusive, and reasonable accommodations have been provided and staff have been trained on how to provide reasonable accommodations.

7. Our current plan is to continue to recruit at job fairs, partner with DNR and BWSR on the LLMCR Initiative, send announcements to Voc Rehab, and to start targeting high schools and the inner city of Minneapolis.

8. Our agency will conduct a quarterly analysis of the number of individuals with disabilities who have applied for positions and the number of individuals with disabilities hired.


E. Cost
The total cost of recruiting in A-D for 2014-2015 was $255.00.

F. Relationship Building and Outreach

Human Resources Affirmative Action staff will continue to partner with agency Environmental Justice staff to strengthen the relationship between citizens of low income, inner city neighborhoods and the MPCA.

The MPCA is exploring the possibility of employing an Urban Scholar summer 2017 to work on our efforts outlined in our Diversity and Inclusion Plan. The MPCA does not have a full-time recruiter.
XIII. RETENTION PLAN

Person Responsible for Agency's Retention Program Initiatives

Vonnie Phillips, MPCA Assistant Human Resources Director

Methods of Retention

A. Supervisor's New Employee Orientation

A comprehensive process is outlined for supervisors involved in the hiring process, with step-by-step instructions on how to proceed in orienting and training new employees. This is key to the retention of good employees.

B. Telecommuting and (Flexible) Compressed Time Policy

As a method of retaining all employees, this agency offers telecommuting and compressed time schedules. Upon supervisory approval, employees may telecommute or work flexible schedules, which are in keeping with the agency's guidelines of eight, nine-hour days, one, eight-hour day and one day off per pay period.

C. Employee Development through Work Plans/Training Plans

The policy of the MPCA is to link agency priorities to the work of staff and to facilitate communication between supervisors and staff about the accomplishment of agency priorities through the use of a work planning and performance appraisal. One of the purposes of work planning is to identify, discuss and agree on each employee's development needs and goals. By doing so, personal strengths can be capitalized and plans to address development needs can be mutually created. This process provides a continuous opportunity for dialogue and feedback between the supervisor and employee to ensure open communication and elimination of misunderstanding. Communication enhances the relationship between the supervisor and employee and encourages personal development that is key to an employee's job satisfaction.

D. Analysis of Separation and Layoff Patterns

There were 15 resignations, 23 retirements, 1 non-certification, 2 layoffs and 4 deaths from the MPCA the most recent fiscal year. The number of minority or disabled employees in protected groups who separated from the agency was not proportionately higher than the representation of protected groups in the total employee population. The percentage of professional females who resigned was proportionately greater than their representation in the professional group. The agency plans to continue to monitor separations of members of protected groups to determine whether any pattern exists. Data is analyzed and reviewed, as appropriate, with management and on a quarterly basis and presented to senior leadership.

The diversity and inclusion strategic plan activities includes the creation of a Diversity Committee and inclusion and diversity training for all employees and this efforts should support or retention efforts.
APPENDIX

Complaint of Discrimination/Harassment Form......................................................2 pages
Employee Request for ADA Reasonable Accommodation Form........................2 pages
Organizational Chart.........................................................................................1 page
Labor Force Availability.....................................................................................2 pages
Utilization Analysis.........................................................................................6 pages
COMPLAINT OF HARRASSMENT/DISCRIMINATION

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
651-757-2034

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

<table>
<thead>
<tr>
<th>Complainant (You)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Job Title</td>
</tr>
<tr>
<td>Work Address</td>
<td>City, State, Zip Code</td>
</tr>
<tr>
<td>Agency</td>
<td>Division</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Respondent (Person Who Harassed/Discriminated Against You)</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Job Title</td>
</tr>
<tr>
<td>Work Address</td>
<td>City, State, Zip Code</td>
</tr>
<tr>
<td>Agency</td>
<td>Division</td>
</tr>
</tbody>
</table>

The Complaint

Basis of Complaint ("X" all that apply):

- [ ] Race
- [ ] Color
- [ ] Disability
- [ ] Sexual Orientation
- [ ] Sex
- [ ] Creed
- [ ] Marital Status
- [ ] Status with Regard to Public Assistance
- [ ] Age
- [ ] Religion
- [ ] National Origin
- [ ] Membership or Activity in a Local Human Rights Commission
- [ ] Familial Status

Date most recent act of harassment/discrimination took place: 

If you filed this complaint with another agency, give the name of that agency:

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

<table>
<thead>
<tr>
<th>Information on Witnesses Who Can Support Your Case</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Name</td>
<td>Work Address</td>
</tr>
<tr>
<td>1.</td>
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<tr>
<td>2.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
</tr>
</tbody>
</table>
MINNESOTA POLLUTION CONTROL AGENCY  
AFFIRMATIVE ACTION PLAN 2016 – 2018  

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

<table>
<thead>
<tr>
<th>Complainant Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Affirmative Action Officer Signature</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
EMPLOYEE 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.

A. 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?

   YES  NO

   a. If yes, please explain.

B. 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?
MINNESOTA POLLUTION CONTROL AGENCY
AFFIRMATIVE ACTION PLAN 2016 – 2018

2. What, if any, employment benefits 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: ____________________________________________________________________

ORGANIZATIONAL CHART

http://www.pca.state.mn.us/index.php/about-mpca/mpca-overview/agency-structure/mpca-organization.html
## 2010 Labor Force Availability

### 2010 Minneapolis-St. Paul Metropolitan Statistical Area (MSA) Labor Force Availability

<table>
<thead>
<tr>
<th>Job Categories</th>
<th>Women</th>
<th>Racial/Ethnic Minorities</th>
<th>Individuals With Disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officials/Administrators</td>
<td>42.9%</td>
<td>9.5%</td>
<td>7%</td>
</tr>
<tr>
<td>Professionals</td>
<td>53.7%</td>
<td>12.5%</td>
<td>7%</td>
</tr>
<tr>
<td>Protected Services: Sworn</td>
<td>22.2%</td>
<td>16.1%</td>
<td>7%</td>
</tr>
<tr>
<td>Protected Services: Non-sworn</td>
<td>59.1%</td>
<td>11.9%</td>
<td>7%</td>
</tr>
<tr>
<td>Office/Clerical</td>
<td>61.3%</td>
<td>13.4%</td>
<td>7%</td>
</tr>
<tr>
<td>Technicians</td>
<td>51.0%</td>
<td>14.0%</td>
<td>7%</td>
</tr>
<tr>
<td>Skilled Craft</td>
<td>6.5%</td>
<td>12.2%</td>
<td>7%</td>
</tr>
<tr>
<td>Service Maintenance</td>
<td>43.9%</td>
<td>26.6%</td>
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### 2010 Minnesota Statewide Labor Force Availability

<table>
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<td>Professionals</td>
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<td>7%</td>
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<td>Protected Services: Sworn</td>
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<td>13.2%</td>
<td>7%</td>
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<td>60.1%</td>
<td>10%</td>
<td>7%</td>
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<tr>
<td>Office/Clerical</td>
<td>63.4%</td>
<td>10.5%</td>
<td>7%</td>
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<tr>
<td>Technicians</td>
<td>57.2%</td>
<td>10.6%</td>
<td>7%</td>
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<tr>
<td>Skilled Craft</td>
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<tr>
<td>Service Maintenance</td>
<td>44.4%</td>
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### 2010 National Labor Force Availability

<table>
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<th>Job Categories</th>
<th>Women</th>
<th>Racial/Ethnic Minorities</th>
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<tr>
<td>Officials/Administrators</td>
<td>40.4%</td>
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<tr>
<td>Professionals</td>
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<td>24.7%</td>
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<tr>
<td>Protected Services: Sworn</td>
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<td>35.4%</td>
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<td>Protected Services: Non-sworn</td>
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<td>28.2%</td>
<td>7%</td>
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<tr>
<td>Office/Clerical</td>
<td>64.1%</td>
<td>30%</td>
<td>7%</td>
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<tr>
<td>Technicians</td>
<td>56.2%</td>
<td>29%</td>
<td>7%</td>
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<tr>
<td>Skilled Craft</td>
<td>5.5%</td>
<td>30.7%</td>
<td>7%</td>
</tr>
<tr>
<td>Service Maintenance</td>
<td>42.8%</td>
<td>43.5%</td>
<td>7%</td>
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Source: American Fact Finder, operated by the U.S. Census Bureau.
Labor Statistics for women and minorities compiled from the American Community Survey (2006-2010), released in March of 2013. Statistics for individuals with disabilities and veterans are taken from OFCCP (Office of Federal Contract Compliance Programs) and are based upon data derived from the American Community Surveys (2006-2010).
### MINNESOTA POLLUTION CONTROL AGENCY
### AFFIRMATIVE ACTION PLAN 2016 – 2018
### UTILIZATION ANALYSIS

**Minneapolis Pollution Control Agency**

**JOB CATEGORY AVAILABILITY/UTILIZATION/UNDERUTILIZATION ANALYSIS & ANNUAL GOALS**

Worksheet for comparing incumbency to availability and setting goals to correct underutilization.

<table>
<thead>
<tr>
<th>WOMEN</th>
<th></th>
<th></th>
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<th></th>
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</tr>
</thead>
<tbody>
<tr>
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<td>Total Number of Women in Group</td>
<td>% of Women in the Group</td>
<td>Availability %</td>
<td>Availability Number</td>
<td>AAP 2014-2016 Number Underutilized</td>
<td>AAP 2012-2014 Underutilized</td>
</tr>
<tr>
<td>Officials/Administrators</td>
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<td>42.16%</td>
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<td>50.00%</td>
<td>57.20%</td>
<td>25</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td>Totals</td>
<td>866</td>
<td>405</td>
<td>46.77%</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>MINORITIES</th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Categories</td>
<td>Total Employees in Job Group</td>
<td>Total Number of Minorities in Group</td>
<td>% of Minorities in the Group</td>
<td>Availability %</td>
<td>Availability Number</td>
<td>AAP 2014-2016 Number Underutilized</td>
<td>AAP 2012-2014 Underutilized</td>
</tr>
<tr>
<td>Officials/Administrators</td>
<td>46</td>
<td>3</td>
<td>6.52%</td>
<td>5.29%</td>
<td>2</td>
<td>-1</td>
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<tr>
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<td>10.60%</td>
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<td>-1</td>
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<tr>
<td>Totals</td>
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<td>6.70%</td>
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<table>
<thead>
<tr>
<th>INDIVIDUALS WITH DISABILITIES</th>
<th></th>
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<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Job Categories</td>
<td>Total Employees in Job Group</td>
<td>Total Number of indiv./w/ Disabilities in Group</td>
<td>% of Indiv. w/ Disabilities in the Group</td>
<td>Availability %</td>
<td>Availability Number</td>
<td>AAP 2014-2016 Number Underutilized</td>
<td>AAP 2012-2014 Underutilized</td>
</tr>
<tr>
<td>Officials/Administrators</td>
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<td>2</td>
<td>4.35%</td>
<td>4.33%</td>
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</tr>
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<td>Professionals</td>
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<td>3.17%</td>
<td>7.00%</td>
<td>49</td>
<td>27</td>
<td>28</td>
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<td>Office/Clerical</td>
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<td>4</td>
<td>4.94%</td>
<td>7.00%</td>
<td>6</td>
<td>2</td>
<td>1</td>
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<tr>
<td>Technicians</td>
<td>44</td>
<td>3</td>
<td>6.82%</td>
<td>7.00%</td>
<td>3</td>
<td>0</td>
<td>-1</td>
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<td>3.58%</td>
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</tr>
</tbody>
</table>

Source: American Fact Finder, operated by the U.S. Census Bureau. Labor Statistics for women and minorities compiled from the American Community Survey (2006-2010), released in March of 2013. Statistics for individuals with disabilities are taken from OFCCP (Office of Federal Contract Compliance Programs) and are based upon data derived from the American Community Surveys (2006-2010).