



EXECUTIVE ORDER NO. 168

Providing for the reaffirmation of the establishment of an affirmative action program and repealing Executive Order Nos. 76 and 76A.

I, Rudy Perpich, Governor of the State of Minnesota, by virtue of the authority vested in me by the Constitution and applicable statutes, do hereby issue this Executive Order:

WHEREAS, the State of Minnesota is committed by the Minnesota Human Rights Act to actively promote Equal Employment Opportunity throughout State government; and

WHEREAS, the State of Minnesota is committed by Federal laws to formulate an Affirmative Action Program to provide Equal Employment Opportunity in all positions in State government employment; and

WHEREAS, the State of Minnesota has a responsibility to insure the optimum use of the State's human resources and the career development of State employees;

NOW THEREFORE, I order that the State of Minnesota shall take immediate affirmative action to insure equal employment opportunity for all its employees and for all applicants seeking employment in State government. A Statewide Affirmative Action Program shall be established and maintained and shall include, but not be limited to, the following personnel functions: hiring, recruitment, selection, benefits, promotion, transfer, layoff, return from layoff, compensation, equality of wages, and employee development programs such as apprenticeship and training.

1. The Commissioner of Personnel shall be responsible for the overall administration of the State's affirmative action program. The Commissioner shall establish within the Department of Personnel a Division of Equal Opportunity to be managed by a State Director of Equal Opportunity.
2. The State Director of Equal Opportunity, appointed by and directly accountable to the

Commissioner, shall have the authority and responsibility for development, implementation, and administration of the Statewide Affirmative Action Program. The State Director shall be indirectly accountable to the Governor for the success of the program.

3. The State Director of Equal Opportunity shall issue such policies and procedures as are appropriate and in accordance with State and Federal laws and with this order.
4. The State Director shall be responsible for coordinating the State's compliance with all Federal laws, orders, and regulations relating to affirmative action and equal employment opportunity. The State Director is hereby designated as the liaison between the State and Federal governments for all such matters.
5. Each Commissioner or Department Head shall be held accountable directly to the Governor and indirectly to the State Director of Equal Opportunity for his or her department's compliance with this order, with the Statewide Affirmative Action Plan, and with State and Federal laws, regulations, and orders relating

to equal employment opportunity. As such, each Commissioner or Department Head will:

- a. Develop, implement, and maintain in his or her department an affirmative action plan consistent with the Statewide Affirmative Action Plan.
- b. Include in his or her Position Description, Performance Evaluation and Activity Report, and Individual Development Plan specific objectives and plans designed to facilitate affirmative action and equal employment opportunity. Performance will be judged, in part, on the basis of accomplishment in this area.
- c. Require all managers and supervisors to include such objectives and plans in their Position Descriptions, Performance Evaluation and Activity Reports, and Individual Development Plans and will notify them that merit increases will be awarded, in part, on the basis of their accomplishments in affirmative action.
- d. Require the appropriate employees to take such affirmative action-related

training courses as may be made available by the Department of Personnel or the departmental Training Coordinators/Affirmative Action Officers.

6. The State Director of Equal Opportunity shall determine the compliance status of each department and shall report same to the Governor quarterly. The Governor will take any appropriate action to ensure a department's compliance with the Statewide Affirmative Action Plan.
7. This Order supersedes Executive Order No. 76, issued March 1, 1974, and Executive Order No. 76A, issued December 31, 1975. This Order shall be effective fifteen days after publication in the State Register.

IN TESTIMONY WHEREOF, I hereunto set my hand on this 28th day of February, 1978.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
FEB 28 1978

Joan Anderson Grove
Secretary of State

Rudy Perpich
Rudy Perpich, Governor

Filed according to Law:

Joan Anderson Grove
Joan Anderson Grove
Secretary of State

2-28-78
Date