
STATE OF MINNESOTA

DEPARTMENT OF AGRICULTURE

Affirmative Action Plan

August 2014 – August 2016

625 Robert Street North
St. Paul, MN 55155-2538

This document can be made available upon request in alternative formats by contacting Sherry Thomas-Berry at sherry.thomas-berry@state.mn.us or (651)201-6513.

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I. EXECUTIVE SUMMARY

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

Table 1. Underutilization Analysis of Protected Groups

PROTECTED GROUPS			
Job Categories	Women	Racial/Ethnic Minorities	Individuals with Disabilities
Officials/Administrators	XX		XX
Professionals	XX	XX	XX
Office/Clerical			
Technicians		XX	XX
Service Maintenance		XX	XX

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 Department of Agriculture’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 Signature: Signed original on file Date: _____

HR Director/Designee Signature: Signed original on file Date: _____

Commissioner/Agency Head Signature: Signed original on file Date: _____

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II. STATEMENT OF COMMITMENT

This statement reaffirms the Minnesota Department of Agriculture 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, 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.

Commissioner/Agency Head Signature: Signed original on file Date: _____

III. INDIVIDUALS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN

A. Commissioner or Agency Head

David J. Frederickson, Commissioner

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 or designee and include accountability for the administration of the agency's Affirmative Action Plan in his or her position description;
- Take action, if needed, on complaints of discrimination and 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 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 Governor and indirectly to the Minnesota Management and Budget Commissioner on matters pertaining to equal opportunity and affirmative action.

B. Affirmative Action Officer or Designee

Sherry Thomas-Berry, Human Resources Consultant 1

Responsibilities:

The Affirmative Action Officer or designee 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.

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Duties:

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

- Prepare and oversee the Affirmative Action Plan, including development and setting of agency-wide goals;
- Monitor the compliance and fulfill all affirmative action reporting requirements;
- Inform the 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 Human Resources Director and indirectly to the Commissioner on matters pertaining to affirmative action and equal opportunity.

C. Americans with Disabilities Act Coordinator or Designee Anthony Becker, Safety Administrator

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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 the Human Resources Director.

D. Human Resources Director or Designee

Mandy Papenguth, Human Resources Director 3

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;

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- 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 the 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;

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- Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan;
- Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis;
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives;
- 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, 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.

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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 at <http://www.mda.state.mn.us/uddernet/index.htm> or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- 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 at <http://www.mda.state.mn.us/> or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- The agency's website homepage, letterhead, publications, and all job postings, will include the statement "an equal opportunity employer."

Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented 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 HARASSEMENT

It is the policy of the of the State of Minnesota and the Department of Agriculture to prohibit harassment of its employees based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights, disability, sexual orientation, or age. This prohibition with respect to harassment includes both overt acts of harassment and those acts that create a negative work environment.

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Any employee subjected to such harassment should file a complaint internally with the agency's Affirmative Action Officer or designee. If the employee chooses, a complaint can be filed 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 in the Office of Equal Opportunity and Diversity at Minnesota Management and 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 or designee will be expected to keep the Minnesota Department of Agriculture and its employees apprised of any changes in the law or its interpretation regarding this form of discrimination. The Affirmative Action Officer or designee is also responsible for:

Notifying all employees and applicants of this policy; and

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 employment, 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:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;
- 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

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- 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:

- Among peers or coworkers;
- Between managers and subordinates; or
- Between employees and members of the public.

Employees who experience discrimination or harassment should bring the matter to the attention of the Minnesota Department of Agriculture's Affirmative Action Officer or designee. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Officer or 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 none the less 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 they have experienced discrimination or harassment based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint of discrimination.

Complaints of discrimination or harassment can be filed using the internal complaint procedure included in this Affirmative Action Plan.

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

The Minnesota Department of Agriculture has established the following discrimination/harassment complaint procedure to be used by all employees and applicants. Coercion, reprisal, or intimidation against anyone filing a complaint or serving as a witness under this procedure is prohibited.

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Responsibility of Employees:

All employees shall respond promptly to any and all requests by the Affirmative Action Officer or designee for information and for access to data and records for the purpose of enabling the Affirmative Action Officer or designee to carry out responsibilities under this complaint procedure.

Who May File:

Any employees or applicants who believes that they have been discriminated against or harassed by reason of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age may file a complaint. Employees who are terminated are encouraged to file their internal complaint prior to their actual separation; however, complaints will be taken for a reasonable period of time subsequent to the actual separation date.

Complaint Procedure:

The internal complaint procedure provides a method for resolving complaints involving violations of this agency's policy prohibiting discrimination and harassment within the agency. Employees and applicants are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels is prohibited. The Affirmative Action Officer or designee may contact the Office of Diversity and Equal Opportunity if more information is needed about filing a complaint.

Filing Procedures:

1. The employee or applicant completes the "Complaint of Discrimination/Harassment Form" provided by the Affirmative Action Officer or designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve discrimination or harassment. The Affirmative Action Officer or designee will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Officer or designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Officer or designee shall also discuss other options for resolution, such as the workplace mediation.
 - If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Officer designee will inform the complainant, in writing, within ten (10) working days.
 - If the complaint is related to discrimination, the Affirmative Action Officer or designee will, within ten (10) working days, contact all parties named as respondents and outline the basic facts of the complaint. The respondents will be asked to provide a response to the allegations within a specific period of time.

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3. The Affirmative Action Officer or designee shall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Officer or designee shall notify the complainants and respondents that the investigation is completed. The Affirmative Action Officer or designee shall then review the findings of the investigation.
 - If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
 - If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the respondents dismissing the complaint.
4. A written answer will be provided to the parties within sixty (60) days after the complaint is filed. The complainants will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.
5. Disposition of the complaint will be filed with the Commissioner of the Minnesota Management and Budget within thirty (30) days after the final determination.
6. All documentation associated with a complaint shall be considered investigative data under the Minnesota Government Data Practices Act. The status of the complaint will be shared with the complainants and respondents. After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the Minnesota Government Data Practices Act.
7. 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:
 - Interviews or written interrogatories with all parties involved in the complaint, i.e., complainants, respondents, and their respective witnesses; officials having pertinent records or files, etc.; and
 - All records pertaining to the case i.e., written, recorded, filmed, or in any other form.
8. The Affirmative Action Officer or designee shall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.

VII. REASONABLE ACCOMMODATION POLICY

Policy

This policy statement establishes the department's workforce standard for providing accommodations to the needs of disabled employees. Reasonable accommodation requirements apply to both job applicants as well as current employees. The policy follows the guidelines as established in the Section 504 regulation of the 1973 Rehabilitation Act as amended in 1978, Chapter 363 of the State Human Rights Act and the American with Disabilities Act.

State and federal laws require that employers make adjustments for persons with physical or mental limitations or "otherwise qualified employees." These laws apply to selection, placement, recruitment, training, promotions and reassignments, unless making the accommodation would impose an undue hardship on the employer. Undue hardship is defined as:

- the accommodation would impose an undue hardship on the agency;
- the accommodation does not overcome the effects of the person's disability;
- the person with a disability is not qualified to perform that particular job.

To be reasonable, the accommodation should enable the applicant or employee to perform all major functions of the job and should encourage the employment and promotion of any qualified person. Reasonable accommodations may include modifying work sites, adjusting work schedules, job restructuring (without changing the essential job duties) or providing assistance such as readers or interpreters.

Definitions

Disability:

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

Reasonable Accommodation:

A modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy an equal employment opportunity.

Examples of accommodations may include acquiring or modifying equipment or devices; modifying training materials; making facilities readily accessible; modifying work schedules; and reassignment to a vacant position.

Reasonable accommodation applies to three aspects of employment:

1. To assure equal opportunity in the employment process;

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2. To enable a qualified individual with a disability to perform the essential functions of a job; and
3. To enable an employee with a disability to enjoy equal benefits and privileges of employment.

Qualified Individual:

Someone who has the skills, experience, education and other qualifications required for the position, and who, with or without reasonable accommodation, can perform the essential functions of the job.

Essential Functions:

Essential functions are those duties that are considered to be most critical to the job. When determining essential functions, employers look at: (1) Whether removing a function would fundamentally change the job; (2) whether the position exists to perform the function; (3) whether the function is highly specialized and the person in the position was hired for special expertise or the ability to perform the function; and (4) whether there are a limited number of other employees available who could perform the function, or among whom the function could be distributed.

Request for Reasonable Accommodations for Current Employees and Methods for Providing Accommodations:

The MN Department of Agriculture will post this policy on their Employee Intranet site.

It is the requesting employee's responsibility to initiate the ADA process and inform their supervisor or the ADA Coordinator designee of their need for an accommodation in the workplace.

Once notified, the ADA Coordinator will provide the employee with the necessary "Request for Reasonable Accommodation Forms" to complete.

The ADA Coordinator will communicate the requirement for medical substantiation of the individual's functional limitations to support the request. Any medical documentation must be collected and maintained on separate forms and in separate, locked files. No one will be told or have access to medical information unless required by the MDA Human Resources Division as a part of the Reasonable Accommodation process or if the disability might require emergency medical treatment.

Once all of the required "Request for Reasonable Accommodation" forms are submitted to HR by the employee and their physician, the ADA Coordinator will consult with the MDA Human Resources Director and the appropriate division management to determine what/if any accommodations can be provided. The ADA Coordinator will provide a decision to the employee regarding their requests for accommodation within a reasonable amount of time. If an accommodation cannot overcome the existing barriers or if the accommodation would cause an undue hardship on the operation of the business, the employee, the ADA Coordinator and the employee's division management shall work together in an interactive process to determine what / if any alternate reasonable accommodations can be provided.

As part of the interactive process, the following issues may be discussed:

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- Discuss the purpose of the requested accommodations and the essential functions of the particular job involved.
- Determine the precise job-related limitation.
- Discuss the reasonable accommodations requested by the employee and their physician and assess the effectiveness each would have in allowing the individual to perform the essential functions of the job.
- Discuss, select and implement any alternate accommodations that are appropriate for both the individual and the employer. While an individual's preference will be given consideration, the MN Department of Agriculture is free to choose among equally effective accommodations and may choose the one that is less expensive or easier to provide.

Undue Hardship:

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

- overall business structure of the requesting employee's division which includes the number and type of facilities, size of budget, number of employees / supervisors, etc.;
- nature and cost of the accommodation;
- documented good faith efforts to explore less restrictive or less expensive alternatives, including consultation with the person with a disability or with knowledgeable persons with disability organizations.

Funding for Reasonable Accommodations:

The Department of Agriculture will make funds available to provide reasonable accommodations to disabled employees/job applicants. The requesting employee's division management (in conjunction with the MDA Human Resources Division) will determine the amount of funds to be used based on the type of reasonable accommodation that has been approved.

Purchasing and Maintenance of Accommodations:

The person requesting reasonable accommodation (in conjunction with their physician) will suggest appropriate accommodations. The Department of Agriculture is free to choose the specific accommodation provided to qualified disabled persons. The department may provide another accommodation equal or superior to the one proposed in practicality, usefulness, or cost effectiveness. All tangible accommodations purchased by this department will be the property of the State of Minnesota and shall be used only for the job-related functions. The maintenance of equipment will be the responsibility of the department and projected maintenance costs will be a factor in the initial decision to provide accommodations.

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Request for Reasonable Accommodations for Job Applicants Including Employees Seeking Promotions:

All initial communication with job applicants regarding vacancies shall indicate the willingness of the agency to make reasonable accommodations and shall invite the applicant to contact the agency designee for the required accommodation.

The division should contact the ADA Coordinator regarding a reasonable accommodation for a potential applicant. In order to ensure that any necessary accommodations for the interview are provided, requests shall be handled in a timely manner and in written format.

The ADA Coordinator shall contact the job applicant to discuss the needed accommodation. If the accommodation requested seems reasonable, the ADA Coordinator shall approve the accommodation.

If the accommodation is a major consideration, the ADA Coordinator shall request approval of the accommodation from the Human Resources Director and applicable division management.

If the accommodation is approved, the ADA Coordinator will take the necessary steps with the appropriate division management to see that the accommodation is implemented.

Denial of Accommodation:

All denials of requests for reasonable accommodation will be documented and kept on file by the ADA Coordinator. A copy of the document denying the request for reasonable accommodation will be given to the requesting employee and the applicable division management / supervisor.

Appeals:

Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the agency head, within a reasonable period of time, for a final decision.

State Commitment to Equal Opportunity:

The State of Minnesota is committed to providing equal employment opportunities for persons with disabilities. MN Management and Budget ensures that the state's hiring practices complies with the Americans with Disabilities Act and the State Human Rights Act. Both acts require employers to make reasonable accommodations for qualified job applicants or employees with a disability.

Supported Employment:

In accordance with M.S. 43 A, 191, the department supports the hiring of persons with severe disabilities as defined in M.S. 268.01, subdivision 13.1. The department will make a good-faith effort to actively recruit and retain persons identified in the supported employment program. The ADA Coordinator from MN Management and Budget (MMB) may assist the MDA Human Resources Division in their efforts to employ persons registered in the Supported Employment Program. The MDA Human Resources Division also works closely with the Council on Disability for referral information.

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Requests for Assistance:

All reasonable accommodation requests for information or assistance in determining reasonable accommodation for qualified disabled employees or job applicants may be directed to the department's ADA Coordinator or the Human Resources Director.

VIII. EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

Employees with temporary or permanent mobility impairments, or those who feel they would be unable to evacuate the building in a timely manner due to a personal health condition, may choose to select two Evacuation Assistants to provide aid during an emergency.

Mobility impaired employees and their Evacuation Assistants should form a plan to meet in a specific area of the workplace for all emergencies to eliminate lost time spent looking for each other before actually evacuating the area. Near, but not inside the central stairwells would be a good area to meet.

Once at the predetermined location (central stairwell) the Evacuation Assistant(s) will assist the mobility impaired employee in evacuating the building.

If safe to do so, the Evacuation Assistant will remain with the mobility impaired employee if they are unable to evacuate.

The Evacuation Assistant will then instruct a fellow employee (Floor Warden or another Evac Assistant) to leave and report to the Building Emergency Coordinator or Building Security Guard the location of the mobility impaired employee and remaining Evacuation Assistant.

These individuals will remain at this location until their rescue is assisted by St. Paul Fire Department personnel. If, due to building conditions, they are unable to remain at this location, they will relocate to an area behind doors (an office or conference room), and will call 9-911 to advise them of their relocation.

If the mobility impaired employee is in another area of the building, or one or both of the Evacuation Assistants is not available to help, the mobility impaired employee will ask for assistance from other individuals evacuating the building.

Severe Weather Procedures

Action to take at work (during business hours):

Notice of weather-related threats (tornadoes, thunderstorms) will usually be initiated by the National Weather Service (NWS). The NWS is monitored by the City of St Paul / Ramsey County Emergency Coordination Center. The City of St Paul / Ramsey County will activate sirens across the area for

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tornado warnings and severe thunderstorms that have winds in excess of a certain mph. In the event that the severe weather sirens are activated, a Building Emergency Coordinator will issue relocation orders through the front desk building Public Address (PA) System.

When the relocation order is given, the Floor Wardens will:

Direct employees and any visitors to move away from windows and move to the assigned safe areas on first floor. If no safe area has been assigned, move to the center of the building.

Remind individuals assigned as Evacuation Assistants and employees with mobility impairments to meet in their pre-determined area and relocate to their pre-assigned safe area.

Once relocated, the Floor Warden will:

Conduct a head count, if requested by the Building Emergency Coordinator, and resolve the whereabouts of all employees assigned to your division and report the status of your division to the Building Emergency Coordinator.

Keep employees informed on the status of the emergency.

Announce the "All Clear", when authorized by the Building Emergency Coordinator.

Action to take at home (during Non-business hours):

In the case of severe weather emergencies, all employees are asked to monitor local radio and television stations. The closure of state offices will be announced by MN Management and Budget (MMB) on the radio prior to shift start times and will also be posted on the MMB home page. In addition, an outgoing message will be placed on the MDA Employee Mainline (651) 201-6000 for those staff that wish to call in to determine the status of building closures. Closure after the start of the shift will be announced by the Building Emergency Coordinator or Capitol Security. Supervisors should ensure that their hearing impaired employees are made aware of the closure of state offices (e.g., ensure that employees have made arrangements with their Evacuation Assistants, supervisors, relatives or friends to be contacted through the use of the Minnesota Relay Service or some other means.

A copy of the MDA's Building Emergency Procedures can be found under the policies section of the MDA Employee Intranet site. For questions feel free to contact the MDA Safety Administrator at 651 201-6640.

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IX. GOALS AND TIMETABLES

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

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Table 2. Underutilization Analysis and Hiring Goals for 2014-2016

Job Categories	UNDERUTILIZATION – # OF INDIVIDUALS			HIRING GOALS FOR 2014-2016		
	Women	Racial/ Ethnic Minorities	Individuals With Disabilities	Women	Racial/ Ethnic Minorities	Individuals With Disabilities
Officials/Administrators	1	0	1	1	0	1
Professionals	5	6	17	5	4	5
Office/Clerical	0	0	0	0	0	0
Technicians	0	2	3	0	1	1
Service Maintenance	0	12	3	0	3	2

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Availability:

The agency determined the recruitment area for each job category to be the Minneapolis/St. Paul metropolitan area according to the 2010 Labor Workforce Availability provided by the American Fact Finder, operated by the U.S. Census Bureau. In conducting its underutilization analysis, the agency used the two-factor analysis. The agency determined it was best to use this type of analysis because a majority of our positions are located in the metropolitan area.

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

Women:

At the agency, the population of women has improved in the following job categories: Officials and Administrators, Professionals, Office/Clerical, Technicians and Service Maintenance.

In the Officials and Administrators job group the agency does not have a lot of turnover or new positions, however the agency has acknowledged and made an effort to recruit and select women into this job group. The goal set in the 2012 -2014 plan was met and the agency did improve in this area.

For the 2014 – 2016 plan, the agency will continue to strive to improve the underutilization of women in the Officials and Administrators group. Based on an analysis of the conditions in the agency, we do not expect this job group to change much in the next two years. There is a slight potential for retirements and if those were to occur, the agency would strive to hire women into these areas following the recruitment plan.

The Professionals job group is the largest job group in the agency and there is steady turn-over. The goal set in the 2012 – 2014 was almost met and the agency did improve in this area.

For the 2014 – 2016 plan, the agency will continue to strive to improve the underutilization of women in the Professional group. Based on an analysis of the conditions in the agency, we do expect this job group to continue to change. This job group typically changes due to resignations and retirements. It is difficult to predict additional change because some of the divisions within the agency are experiencing growth, while others due to budget constraints, will not be filling behind vacancies.

The Office/Clerical job group was not underutilized in the 2012 – 2014 plan; however there was a slight improvement in this job group. The agency will strive to continue to meet or exceed its goals.

For the 2014 – 2016 plan, the Paraprofessionals are being counted into the Technicians job group. This is because the State of Minnesota has an EEO-4 category of Paraprofessional, but the U.S. Census does not have availability percentages for the group. Adding the Paraprofessionals into the Technicians job group makes it appear that there was significant hiring done in this area; however in actuality it is because the two groups were combined. There was still a significant improvement in this area and the 2012 – 2014 goals were met and there is no longer an underutilization. The agency does not anticipate

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a significant increase or decrease in the number of people employed in this job category and anticipates most turn-over in the form of resignations or retirement. The agency will strive to continue to meet or exceed our goals.

The Service Maintenance job group had a slight decline in the total number of employees since the 2012 – 2014 plan. This job group may continue to see a decline in numbers due to cuts in funding. This job group is made up of, for the most part, by the job classification of Agricultural Technician. These positions require a lower skill level, are often physically demanding, and may be temporary in nature and/or have short working periods (six to ten weeks on average). These positions are filled at varying locations across the state where the candidate pools may be quite small.

The Service Maintenance job group was underutilized for women in the 2012 – 2014 plan, however the goal for women was met and there is no longer an underutilization. This job group is constantly changing and this is often due to the limited number of work hours available, the type of work duties, and the seasonality of the work. Although the group is constantly changing, the agency will strive to continue to meet or exceed our goals for women.

Minorities:

At the agency, the population of minorities has remained the same in the following job categories: Officials and Administrators and Office/Clerical and has not improved in the following job categories: Professionals, Technicians and Service Maintenance.

In the Officials and Administrators job group the agency does not have a lot of turnover or new positions. Due to this, it can be difficult to meet goals.

For the 2014 – 2016 plan, the agency will continue to strive to improve the underutilization of minorities in the Officials and Administrators group. Based on an analysis of the conditions in the agency, we do not expect this job group to change much in the next two years. There is a slight potential for retirements and if those were to occur, the agency would strive to hire minorities into this area following the recruitment plan.

The Professionals job group is the largest job group in the agency and there is steady turn-over. The goal set in the 2012 – 2014 were not met and our underutilization has grown, although there does not appear to be any identifiable reason as to why.

For the 2014 – 2016 plan, the agency will continue to strive to improve the underutilization of minorities in the Professional group. Based on an analysis of the conditions in the agency, we do expect this job group to continue to change. This job group typically changes due to resignations and retirements. It is difficult to predict additional change because some of the divisions within the agency are experiencing growth, while others due to budget constraints, will not be filling behind vacancies.

The Office/Clerical job group was not underutilized in the 2012 – 2014 plan for minorities and has remained the same. The agency will strive to continue to meet or exceed our goals.

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For the 2014 – 2016 plan, the Paraprofessionals are being counted into the Technicians job group. This is because the State of Minnesota has an EEO-4 category of Paraprofessional, but the U.S. Census does not have availability percentages for the group. Adding the Paraprofessionals into the Technicians job group makes it appear that there was significant hiring done in this area; however in actuality it is because the two groups were combined. This job group remains relatively steady with little change.

There was not an underutilization in the 2012 – 2014 plan in this job group and the underutilization now being seen may be due to combining the Technicians and Paraprofessionals. The agency does not anticipate a significant increase or decrease in the number of people employed in this job category and anticipates most turn-over in the form of resignations or retirements. The agency will strive to hire more minorities into the group.

The Service Maintenance job group had a slight decline in the total number of employees since the 2012 – 2014 plan. This job group may continue to see a decline in numbers due to cuts in funding. This job group is made up of, for the most part, by the job classification of Agricultural Technician. These positions require a lower skill level, are often physically demanding, and may be temporary in nature and/or have short working periods (six to ten weeks on average). These positions are filled at varying locations across the state where the candidate pools may be quite small.

The Service Maintenance job group was underutilized for minorities in the 2012 – 2014 plan, and has not improved. This job group is constantly changing and this is often due to the limited number of work hours available, the type of work duties, and the seasonality of the work. Although the group is constantly changing and we are seeing a slight decline in the job group, the agency will strive to hire more minorities.

Individuals with Disabilities:

At the agency, the population of individuals with disabilities has improved in the Office/Clerical job category, has remained the same for Officials and Administrators, and has not improved in the Professionals, Technicians, and Service Maintenance job categories.

For the 2014 – 2016 plan, new external availability numbers were used (7% across the board for all job categories for individuals with disabilities). This is a significant difference from the 2012 – 2014 plan and has created a substantially higher underutilization number for the Professionals job category. For example, in the previous plan year the external availability was 4.42% for the professional job category.

In the Officials and Administrators job group the agency does not have a lot of turnover or new positions. Due to this, it can be difficult to meet goals.

For the 2014 – 2016 plan, the agency will continue to strive to improve the underutilization of individuals with disabilities in the Officials and Administrators group. Based on an analysis of the conditions in the agency, we do not expect this job group to change much in the next two years. There is a slight potential for retirements and if those were to occur, the agency would strive to hire individuals with disabilities into the job group following the recruitment plan.

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The Professionals job group is the largest job group in the agency and there is steady turn-over. The goals set in the 2012 – 2014 were not met and our underutilization has grown. This seems to be largely in part due to the change in the external availability numbers. The actual number of individuals with disabilities in the agency did not change within the plan years.

For the 2014 – 2016 plan, the agency will continue to strive to improve the underutilization of individuals with disabilities in the Professionals group. Based on an analysis of the conditions in the agency, we do expect this job group to continue to change. This job group typically changes due to resignations and retirements. It is difficult to predict additional change because some of the divisions within the agency are experiencing growth, while others due to budget constraints, will not be filling behind vacancies.

The Office/Clerical job group was underutilized in the 2012 – 2014 plan for individuals with disabilities, but is no longer underutilized. Some of this change may be because the Paraprofessionals in the 2013 – 2014 plan were placed into the Office/Clerical job group, but for the 2014 – 2016 it was decided to move them into the Technicians job group. The agency will strive to continue to meet or exceed our goals.

For the 2014 – 2016 plan, the Paraprofessionals are being counted into the Technicians job group. This is because the State of Minnesota has an EEO-4 category of Paraprofessional, but the U.S. Census does not have availability percentages for the group. Adding the Paraprofessionals into the Technicians job group makes it appear that there was significant hiring done in this area; however in actuality it is because the two groups were combined. This job group remains relatively steady with little change.

There was an underutilization in the 2012 – 2014 plan in this job group and the underutilization grew slightly which may be contributed to combining the Technicians and Paraprofessionals. The agency does not anticipate a significant increase or decrease in the number of people employed in this job category and anticipates most turn-over in the form of resignations or retirements. The agency will strive to hire more individuals with disabilities into the job group.

The Service Maintenance job group had a slight decline in the total number of employees since the 2012 – 2014 plan. This job group may continue to see a decline in numbers due to cuts in funding. This job group is made up of, for the most part, by the job classification of Agricultural Technician. These positions require a lower skill level, are often physically demanding, and may be temporary in nature and/or have short working periods (six to ten weeks on average). These positions are filled at varying locations across the state where the candidate pools may be quite small.

The Service Maintenance job group was underutilized for individuals with disabilities in the 2012 – 2014 plan and continues to be so, but has improved. This job group is constantly changing and this is often due to the limited number of work hours available, the type of work duties, and the seasonality of the work. Although the group is constantly changing and we are seeing a slight decline in the job group, the agency will strive to hire more individuals with disabilities.

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X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

In pursuing the agency's commitment to affirmative action, the agency will take the following actions during 2014-2016:

Objective #1: To increase the overall hiring of women, but in particular the Officials/Administrators and Professionals job categories.

Action Steps:

- Provide information to supervisors and managers on the underutilization of protected group members and the agency's commitment to meeting affirmative action goals.
- Discuss recruitment strategies for underutilized job categories with Elizabeth Nelson, the Statewide Recruiter and Workforce Diversity Consultant at Minnesota Management and Budget.
- Discuss and recommend additional recruitment methods with supervisor and managers.
- Post all job announcements on the Workforce Community Email Listserv which is comprised of over 500 diversity contacts.
- Encourage employees to promote the State of Minnesota and the Department of Agriculture as an employer.
- Increase the use of preferred qualifications in job announcements. This will aid in selecting the best qualified candidate for the position and assists in justifying why minimally qualified candidates were not selected.
- Utilize the "What is Great about this Job" section on the Minnesota Careers website. This is a great tool to explain to applicants why they would want to work for the Department of Agriculture. This section can also be used to highlight the employment benefits of working for the State (i.e. paid holidays, vacation & sick leave, health insurance, etc.).
- Develop materials for career fairs and attend at a minimum three career fairs per fiscal year. At least one of the career fairs will focus on diversity. The first career fair the agency is attending is the University of Minnesota St. Paul Campus Job & Internship Fair in September of 2014.
- Supervisors and managers will work with the Affirmative Action Officer to discuss candidate selection prior to any job offer being made. This will help ensure the best qualified candidate is selected based upon the knowledge, skills and abilities required for the position.
- Attend the State Recruiters and ACCESS Partnership meetings and serve on project work groups.

Evaluation:

A similar objective was set in the 2012 – 2014 plan and we were able to meet some of the action steps outlined in it.

- During this period, various recruitment options were discussed and recommended to hiring supervisors and managers.

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- The “What is Great About this Job” section of the careers website was utilized on occasion.
- Consistently added a statement to job postings reflecting the agency’s commitment to affirmative action efforts and equal employment opportunity.
- During the 2012 -2014 plan years we were unable to attend career fairs as hoped. This was due to lower than average staffing levels in the Human Resources Division. Now that staff numbers have improved, we plan on attending the first career fair in September of 2014, with a goal of three per fiscal year.
- Other efforts outlined in the previous plan are being moved into the Retention Plan section of this document where they appear to fit better.

Objective #2: To increase the overall hiring of minorities, but in particular in the Professionals, Technicians and Service Maintenance job categories.

Action Steps:

- Provide information to supervisors and managers on the underutilization of protected group members and the agency’s commitment to meeting affirmative action goals.
- Discuss recruitment strategies for underutilized job categories with Elizabeth Nelson, the Statewide Recruiter and Workforce Diversity Consultant at Minnesota Management and Budget.
- Discuss and recommend additional recruitment methods with supervisor and managers.
- Post all job announcements on the Workforce Community Email Listserv which is comprised of over 500 diversity contacts.
- Encourage employees to promote the State of Minnesota and the Department of Agriculture as an employer.
- Increase the use of preferred qualifications in job announcements. This will aide in selecting the best qualified candidate for the position and assists in justifying why minimally qualified candidates were not selected.
- Utilize the “What is Great about this Job” section on the Minnesota Careers website. This is a great tool to explain to applicants why they should want to work for the Department of Agriculture. This section can also be used to highlight the employment benefits of working for the State (i.e. paid holidays, vacation & sick leave, health insurance, etc.).
- Develop materials for career fairs and attend at a minimum three career fairs per fiscal year. At least one of the career fairs will focus on diversity. The first career fair the agency is attending is the University of Minnesota St. Paul Campus Job & Internship Fair in September of 2014.
- Supervisors and managers will work with the Affirmative Action Officer to discuss candidate selection prior to any job offer being made. This will help ensure the best qualified candidate is selected based upon the knowledge, skills and abilities required for the position.
- Attend the State Recruiters and ACCESS Partnership meetings and serve on project work groups.

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Evaluation:

A similar objective was set in the 2012 – 2014 plan and we were able to meet some of the action steps outlined in it.

- During this period, various recruitment options were discussed and recommended to hiring supervisors and managers.
- The “What is Great About this Job” section of the careers website was utilized on occasion.
- Consistently added a statement to job postings reflecting the agency’s commitment to affirmative action efforts and equal employment opportunity.
- During the 2012 -2014 plan years we were unable to attend career fairs as hoped. This was due to lower than average staffing levels in the Human Resources Division. Now that staff numbers have improved, we plan on attending the first career fair in September of 2014, with a goal of three per fiscal year.
- Other efforts outlined in the previous plan are being moved into the Retention Plan section of this document where they appear to fit better.

Objective #3: To increase the overall hiring of individuals with disabilities for all job categories.

Action Steps:

- Provide information to supervisors and managers on the underutilization of protected group members and the agency’s commitment to meeting affirmative action goals.
- Discuss recruitment strategies for underutilized job categories with Elizabeth Nelson, the Statewide Recruiter and Workforce Diversity Consultant at Minnesota Management and Budget.
- Discuss and recommend additional recruitment methods with supervisor and managers.
- Post all job announcements on the Workforce Community Email Listserv which is comprised of over 500 diversity contacts.
- Encourage employees to promote the State of Minnesota and the Department of Agriculture as an employer.
- Increase the use of preferred qualifications in job announcements. This will aide in selecting the best qualified candidate for the position and assists in justifying why minimally qualified candidates were not selected.
- Utilize the “What is Great about this Job” section on the Minnesota Careers website. This is a great tool to explain to applicants why they should want to work for the Department of Agriculture. This section can also be used to highlight the employment benefits of working for the State (i.e. paid holidays, vacation & sick leave, health insurance, etc.).
- Develop materials for career fairs and attend at a minimum three career fairs per fiscal year. At least one of the career fairs will focus on diversity. The first career fair the agency is attending is the University of Minnesota St. Paul Campus Job & Internship Fair in September of 2014.

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- Supervisors and managers will work with the Affirmative Action Officer to discuss candidate selection prior to any job offer being made. This will help ensure the best qualified candidate is selected based upon the knowledge, skills and abilities required for the position.
- Attend the State Recruiters and ACCESS Partnership meetings and serve on project work groups.

Evaluation:

A similar objective was set in the 2012 – 2014 plan and we were able to meet some of the action steps outlined in it.

- During this period, various recruitment options were discussed and recommended to hiring supervisors and managers.
- The “What is Great About this Job” section of the careers website was utilized on occasion.
- Consistently added a statement to job postings reflecting the agency’s commitment to affirmative action efforts and equal employment opportunity.
- During the 2012 -2014 plan years we were unable to attend career fairs as hoped. This was due to lower than average staffing levels in the Human Resources Division. Now that staff numbers have improved, we plan on attending the first career fair in September of 2014, with a goal of three per fiscal year.
- Other efforts outlined in the previous plan are being moved into the Retention Plan section of this document where they appear to fit better.

XI. METHODS OF AUDITING, EVALUATING, AND REPORTING PROGRAM SUCCESS

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

The agency will evaluate its selection process to determine if its requirements unnecessarily screen out a disproportionate number of women, minorities, or individuals with disabilities. The agency will use the monitoring the hiring process form for every hire to track the number of women, minorities, and individuals with disabilities in each stage of the selection process.

Supervisors and managers will work closely with human resources and the Affirmative Action Officer in reviewing the requirements for the position, posting the position, and interviewing and selection to ensure equal opportunity and affirmative action is carried out. Supervisors and managers will be asked to document their hiring decisions and equal opportunity professionals will review for bias.

Any time the agency cannot justify a hire, the agency takes a missed opportunity. The Affirmative Action Officer will be asked to authorize the missed opportunity. The agency will report the number of affirmative and non-affirmative hires as well as missed opportunities to Minnesota Management and Budget on a quarterly basis.

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When candidates are offered interviews, employees scheduling interviews will describe the interview format to the candidate and provide an invitation to request a reasonable accommodation for individuals with disabilities to allow the candidate equal opportunity to participate in the interview process. For example, describe if interview questions are offered ahead of time or what technology may be used during the interview process. This allows for an individual with a disability to determine if a reasonable accommodation is needed in advance of the interview.

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

B. Pre-Review Procedure for Layoff Decisions

The Affirmative Action Officer, in conjunction with the agency's human resources office, shall be responsible for reviewing all pending layoffs to determine their effect on the agency's affirmative action goals and timetables.

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

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;

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

XII. RECRUITMENT PLAN

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

Recruitment costs incurred during the 2012-2014 plan year total: \$2,185.56

Below are various recruitment methods or strategies utilized by the agency during the past two years and the plans for the upcoming plan years 2014-2016.

A. Advertising Sources

The agency has utilized the following sources for recruitment:

- Minnesota Management and Budget's career website
- Newspapers (i.e. Park Rapids Enterprise, Park Rapids Express, Fargo Forum, Grand Forks Herald, Worthington Daily Globe)
- The State listserv
- MN Works.net
- The State Diversity listserv
- Association for Women Geoscientists
- Monster.com
- Various University/College websites
- Various professional organizations (i.e. Cooperative Network, MN Grain and Feed Association, MN Crop Production Retailers)
- Graystone Advertising Group
- Ag Careers.com
- Jobs HQ
- Soil Science Society Career Placement Center
- Diversity Focused Internet Sites (i.e. Hmong American Partnership, Association for Women Geoscientists)

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- Employee suggestions
- Regional government or private industry contacts

The agency has not been tracking the success rate of these advertising sources but will continue to utilize the various sources as deemed appropriate. It is the agency's understanding that Minnesota Management and Budget will be tracking where applicants hear about positions and we will utilize this information in the future.

The agency has the following recruitment plans for the upcoming plan years:

- Discuss recruitment strategies for underutilized job categories with Elizabeth Nelson, the Statewide Recruiter and Workforce Diversity Consultant at Minnesota Management and Budget.
- Discuss and recommend additional recruitment methods with supervisor and managers.
- Post all job announcements on the Workforce Community Email Listserv which is comprised of over 500 diversity contacts.
- Encourage employees to promote the State of Minnesota and the Department of Agriculture as an employer.
- Develop materials for career fairs and attend at a minimum three career fairs per fiscal year. At least one of the career fairs will focus on diversity. The first career fair the agency is attending is the University of Minnesota St. Paul Campus Job & Internship Fair in September of 2014.

B. Job and Community Fairs

The agency did not attend any job or community fairs in the past year, although we have been involved in community events. These events are listed in the Relationship Building and Outreach section below.

The agency is developing materials for career fairs and we will attend the first career fair in September at the University of Minnesota. Our goal is to attend three careers fairs per fiscal year, with at least one fair that focuses on diversity.

C. College and University Recruitment Events

The agency did not attend any recruitment events at colleges or universities.

The agency is developing materials for job fairs and will be attending the University of Minnesota St. Paul Campus Job & Internship Fair in September of 2014. We are also hoping to attend the Agriculture Expo at North Dakota State University next fiscal year.

D. Recruitment for Individuals with Disabilities

In the past two years the agency has worked to recruit through colleges/universities websites, professional organizations, list servs, newspapers, on-line newspaper services and through agency employees. The agency will continue with these methods and begin to utilize career fairs as well as the Workforce Community Email Listserv which is comprised of over 500

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diversity contacts. The agency has in the past had the opportunity to work with a Disability Specialist at DEED and we would like to continue this relationship.

To recruit individuals with disabilities the agency will:

- 1) Review job postings for physical and sensory requirements and ensure that qualifications in job postings are inclusive and do not pose any unnecessary barriers.
 - a. All job postings will be reviewed for physical and sensory requirements and determine if the qualifications for the position are job-related and consistent with business necessity.
- 2) Supported Employment (M.S. 43A.191, Subd. 2(d))
 - a. The agency supports the employment of individuals with disabilities and will review vacant positions to determine if job tasks can be performed by a supported employment workers. We will work with community organizations that provide employment services to individuals with disabilities to recruit for these positions.
 - b. Implement and ensure that reviews of positions are taking place. We will work with Vocational Rehabilitation Services (VRS) or the MMB State ADA Coordinator to assist us in our efforts.
- 3) 700-Hour Program
 - a. Where possible, our agency will utilize the 700-hour program which allows our agency to hire an individual with a disability and provide them training. At the end of this period, our agency can hire the individual.
- 4) Accessibility Matters Campaign
 - a. Our agency will distribute marketing material and resources to our staff to remind them to create accessible electronic documents and systems, so that employees with disabilities coming into the workforce can contribute to the workforce and will be able to access similar information and resources as other employees.
- 5) Reasonable Accommodations
 - a. 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) Strategic Partnerships
 - a. Our agency will build strategic partnerships with DEED - VRS, DEED - State Services for the Blind ("SSB"), and other state agency partners to conduct job evaluations and to assist in recruitment or referral of candidates to open positions. Our agency will work to inform VRS or SSB when a position is posted or prior to a posting, if possible, about the positions. Additionally, we will post positions for at least seven days to ensure equal opportunity to apply for the position.
- 7) Self-Analysis
 - a. 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

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E. Relationship Building and Outreach

The agency is very involved in relationship building and public outreach and will continue to do so. These outreach efforts have a positive impact on the people served and helps to build and strengthen relationships.

Some examples of relationship building and outreach include:

- In 2013 there was a presentation on program activities at the Minnesota Jewish Community Center.
- In 2013 there was a careers presentation at Medford High School.
- Healthy Markets, a series of outreach efforts (in-person and using local media) geared towards local users of live animal markets which serve a culturally diverse population to address foodborne illness issues and other zoonotic disease issues recently identified as being sourced from Minnesota markets.
- Minnesota Ag in the Classroom's (MAITC) mission is to promote understanding and awareness of the importance of agriculture. The educational programs provide a wealth of opportunities for embedding agriculture, food and natural resources education into the K-12 classroom. MAITC seeks to improve student achievement by applying authentic agricultural examples to teach core curriculum concepts in science, social studies, language arts, math and nutrition. These programs cultivate an understanding and appreciation of the food and fiber system that we all rely on every day.
- The agency works with public, private, non-profit and for-profit businesses and organizations to identify the barriers and explore how to work collaboratively to resolve some of the issues immigrant farmers face. The MDA works to strengthen the capacity of immigrants to farm successfully in Minnesota.
- The MDA has an agricultural microloan pilot program designed for new, underserved borrowers with modest farm capital needs. The program is designed to assist farmers that have modest lending needs and lack the experience and records typically required by other agricultural lenders. To be eligible for the pilot program, potential borrowers must:
 - Be a resident of Minnesota;
 - Be a current farmer or potential farmers, growing specialty crops and/or eligible livestock;
 - Have a documented business plan, including a viable cash flow projection and a marketing plan, and
 - Be a protected group or qualified non-citizen as defined by MN Statute 43A.02; Subd. 33 as females, persons with disabilities, and members of the following minorities: Black, Hispanic, Asian or Pacific Islander, and American Indian or Alaskan native.

F. Internships

The agency utilizes interns. Interns may contact the Human Resource Division and express interest in working in a certain type of program. The Human Resource Division then contacts the appropriate division and asks if they are willing to take on an intern and if so, the two parties are connected. The divisions also notify Human Resources when contacted by with an

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interested student. The division is given guidance and assistance in the hiring process. These methods seem to work well and will be continued. The agency may also consider announcing positions on the careers website, at colleges/universities, and through word of mouth by agency employees.

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

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

H. Additional Recruitment Activities

The agency has not been involved in additional recruitment activities, but will continue to try and build relationships. We will improve attendance at recruitment and ACCESS Partnership meetings and serve on related project work groups.

XIII. RETENTION PLAN

The agency is committed to the recruitment and retention of women, minorities, and individuals with disabilities.

A. Individual(s) Responsible for the Agency's Retention Program/Activities

Sherry Thomas-Berry, Affirmative Action Officer, and Mandy Papenguth, Human Resources Director will be responsible for the oversight of retention programs and activities.

- Sherry Thomas-Berry, Human Resources Consultant 1, 651/201-6513, sherry.thomas-berry@state.mn.us
- Mandy Papenguth, Human Resources Director 3, 651/201-6361, mandy.papenguth@state.mn.us

B. Separation and Retention Analysis by Protected Groups

The agency had a total of 39 separations in Fiscal Year 2013. Of those, 66.7% were resignations, 7.7% were dismissal or non-certification, and 25.6% were retirements. Of the 39 separations, 46.2% were women, 7.7% were minority and 2.6% were disabled.

The agency had a total of 35 separations in Fiscal Year 2014. Of those, 40% were resignations, 20% were dismissal or non-certification, 37.1% were retirement, and 2.9% were death. Of the 35 separations, 37.1% were women, 2.9% were minority and 0% was disabled.

When combined, Fiscal Year 2013 and 2014 reflected the following break-down by job category:

- Professionals:

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- 17 resignations total, 47.06% were women, 11.76% minorities, 5.88% individuals with disabilities
- 5 dismissal/non-certification, 40% women, 0% minorities, 0% individuals with disabilities
- 11 retirements, 36.36% women, 0% minorities, 0% individuals with disabilities
- Office/Clerical:
 - 5 retirements, 80% women, 20% minorities, 0% individuals with disabilities
 - 1 other separation
- Technicians:
 - 6 resignations, 50% women, 0% minorities, 0% individuals with disabilities
 - 4 retirements, 25% women, 0% minorities, 0% individuals with disabilities
 - 1 death
- Service Maintenance
 - 4 dismissal/non-certification, 0% women, 0% minorities, 0% individuals with disabilities
 - 17 resignations, 47.06% women, 5.88% minorities, 0% individuals with disabilities
 - 3 retirements, 0% women, 0% minorities, 0% individuals with disabilities
- There were no separations in the Officials/Administrators job group.

Based upon this information it does not appear that protected group members are leaving the agency at a higher rate than others.

C. Methods of Retention of Protected Groups

The agency will focus on the following retention methods over the next two years:

- The Employee Exit Interview form will be revised and will be offered to voluntarily separating employees. The interviews may be oral or written and summary data will be reviewed once every two years to determine if protected group members are leaving the agency at higher rates than other employees.
- The Human Resource Division will work with supervisors and managers who have employees serving a probationary period in an effort to ensure employees are successful in their positions. Recommendations to supervisors and managers may include:
 - Provide additional training and education
 - Set clear expectations, goals and objectives
 - Weekly progress meetings
 - Individual development plans
 - Additional performance reviews
 - Recommend the Employee Assistance Program (EAP) where appropriate
 - Extend probationary period, if appropriate
- The agency will work to retain employees who have passed their probationary period. In an attempt to decrease the dismissal rate, the Human Resources Division will make recommendations to supervisors and managers to:
 - Provide additional training and education
 - Set clear expectations, goals and objectives

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- Schedule progress meetings
- Complete individual development plans
- Complete additional performance evaluations
- Recommend Employee Assistance Program (EAP), if appropriate
- Provide effective communication and conflict management
- Take corrective disciplinary action, as appropriate
- In an effort to retain talented employees, the MDA will strive to:
 - Set clear expectations for employees
 - Provide feedback to employees
 - Recognize good performance and reinforce positive performance
 - Set clearly defined performance goals and objectives
 - Complete annual performance reviews
 - Provide effective communication and conflict management
 - Provide a flexible and supportive work environment by offering options such as telecommuting, alternative work schedules, and the Employee Assistance Program
 - Provide training, offer varying job assignments and educational opportunities
 - Effectively recognize employees through performance reviews, service and achievement awards
 - Provide a strong, dependable team environment
- Create opportunities for training and professional development around cultural competence, unconscious bias, disability awareness, etc.
- Ensure accessibility of electronic systems, physical office spaces, and other aspects of the employment experience.
- Continue to improve the agency new employee orientation program to help employees feel welcomed, valued and engaged.

The Minnesota Department of Agriculture will strive to create an environment that promotes the retention of a diverse workforce. The MDA is committed to Minnesota's affirmative action efforts and equal employment opportunity.

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APPENDIX

A. Complaint of Discrimination/Harassment Form

COMPLAINT OF DISCRIMINATION/HARASSMENT FORM

Minnesota Department of Agriculture
625 Robert Street North
St. Paul, MN 55155-2538
651/201-6023

PLEASE READ BEFORE COMPLETION OF FORM

Any complaint of discrimination/harassment is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. This information is being collected for the purpose of determining whether discrimination/harassment 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 or designee, the complainant, the respondent and appropriate personnel.

Complainant (You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone
Agency	Division	Manager/Supervisor's Name

Respondent (Individual Who Discriminated Against/Harassed You)		
Name	Job Title	
Work Address	City, State, Zip Code	Telephone

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Respondent (Individual Who Discriminated Against/Harassed You)		
Agency	Division	Manager/Supervisor's Name

The Complaint		
Basis of Complaint (Place an "X" in the box for all that apply):		
<input type="checkbox"/> Race	<input type="checkbox"/> Disability	<input type="checkbox"/> Sexual Orientation
<input type="checkbox"/> Sex (Gender)	<input type="checkbox"/> Marital Status	<input type="checkbox"/> Status with Regard to Public Assistance
<input type="checkbox"/> Age	<input type="checkbox"/> National Origin	<input type="checkbox"/> Membership or Activity in a Local Human Rights Commission
<input type="checkbox"/> Color	<input type="checkbox"/> Creed	<input type="checkbox"/> Religion

Date most recent act of discrimination or harassment took place:

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

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

Information on Witnesses Who Can Support Your Case		
Name	Work Address	Work Telephone
1.		
2.		
3.		

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

This complaint is being filed on my honest believe that the State of Minnesota has discriminated against or harassed 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.

Signatures	
Complainant Signature	Date
Affirmative Action Officer Signature	Date

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B. Employee/Applicant Request for ADA Reasonable Accommodation Form



STATE OF MINNESOTA – DEPARTMENT OF AGRICULTURE

EMPLOYEE/APPLICANT REQUEST FOR ADA REASONABLE ACCOMMODATION FORM

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

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

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

Questions to clarify accommodation requested.

1. What specific accommodation are you requesting?

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

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

1. What, if any job function are you having difficulty performing?

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**State of Minnesota – Minnesota Department of Agriculture
Reasonable Accommodation Request Form, Page 2**

- 2. What, if any employment benefit are you having difficulty accessing?

- 3. What limitation as result of your physical or mental impairment is interfering with your ability to perform your job or access an employment benefit?

- 4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?

Information Pertaining to Medical Documentation

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

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

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

Employee/Applicant Signature:	Date:
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C. Agency Profile and Organizational Chart

[Org Chart.vsd](#)

<http://www.mda.state.mn.us/en/about/commissionersoffice.aspx>

D. Underutilization Analysis Worksheets

[Official & Administrators 2 Factor.xls](#)

[Professionals 2 Factor.xls](#)

[Office-Clerical 2 Factor.xls](#)

[Technicians 2 Factor.xls](#)

[Service Maintenance 2 Factor.xls](#)

Utilization Analysis is on file.

E. Separation Analysis by Protected Groups Worksheets

Separation Analysis is on file.

F. Other Relevant Agency Information, Policies, or Documents

<http://www.mda.state.mn.us/about.aspx>