



**MINNEAPOLIS**  
COMMUNITY & TECHNICAL  
**COLLEGE™**

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**State of Minnesota**

**Minneapolis Community & Technical College**

**2018-2020 Affirmative Action Plan**

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**Minneapolis Community & Technical College**  
**1501 Hennepin Ave.**  
**Minneapolis, MN 55403**  
**612-659-6000**  
**MN Relay 711 or 800-627-3529**  
[www.minneapolis.edu](http://www.minneapolis.edu)  
[Human.Resources@minneapolis.edu](mailto:Human.Resources@minneapolis.edu)

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Equal Opportunity Educator and Employer – Member of the Minnesota State College and Universities

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## Executive Summary

This Affirmative Action Plan meets the requirements as set forth in statute, in Administrative Rule, and 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.

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

Table 1: Underutilization Analysis of Protected Groups

Job Categories	Women	Racial/Ethnic Minorities	Individuals with Disabilities	Veterans
Officials & Administrators			X	X
Professionals			X	X
Faculty			X	X
Paraprofessionals			X	X
Protective Services: Non-Sworn	X		X	
Office/Clerical				X
Technicians				
Skilled Craft	X		X	X
Service Maintenance	X			

Information about how to obtain or view a copy of this Plan will be provided to every employee of the college. Our intention is to make every employee aware of Minneapolis College's commitments to affirmative action and equal employment opportunity. The Plan will also be posted on the college's website and maintained in the Human Resources/Affirmative Action Office.

Affirmative Action Officer: Bobby A. Davis Date Signed: 8/06/18  
 Chief Human Resources Director: K. Vanessa Cruz Date Signed: 8/7/18  
 College President: Sharon J. Peerce Date Signed: 8.6.18

## Organizational Profile (Brief Overview)

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Minneapolis College (Minneapolis College) is a public two-year college located in the heart of downtown Minneapolis. Minneapolis College enrolls over 11,000 credit students annually and is an active partner in initiatives designed to strengthen the social, economic and cultural vitality of the Twin Cities metropolitan area.

Created in 1996, and a member of Minnesota State, Minneapolis College is the result of the merger of two institutions: a technical college with a long history of vocational education dating back to 1914 and an open-enrollment community college established in 1965.

## Statement of Commitment

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This statement reaffirms Minneapolis College 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, or subject to harassment, on the basis of race, sex (including pregnancy), color, creed, religion, age, national origin, sexual orientation, gender expression, gender identity, disability, marital status, familial status, status with regard to public assistance, or membership or activity in a local human rights commission.
- The prohibition of discrimination on the basis of sex precludes sexual harassment, gender-based harassment, and harassment based on pregnancy.
- This college 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 college will continue to actively promote a program of affirmative action, wherever minorities, women, veterans and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.
- This college 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 college will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

It is the college'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.

College President Sharon J. Pucci Date Signed: 8.7.18

# Individuals Responsible for Directing/Implementing the Affirmative Action Plan

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## A. President

### Responsibilities

The President 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 President shall include, but are not limited to the following:

- Appoint the Affirmative Action Officer or designee and include accountability for the administration of the college'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 college 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 President is accountable directly to the Governor and indirectly to the Minnesota Management and Budget Commissioner on matters pertaining to equal opportunity and affirmative action.

### Name of individual(s) responsible

Name: Sharon PIERCE

Title: President

Email: Sharon.pierce@minneapolis.edu

Phone: 612.659.6300

## **B. Affirmative Action Officer**

### **Responsibilities**

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

### **Duties**

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

- Prepare and oversee the Affirmative Action Plan, including development and setting of college-wide goals;
- Monitor the compliance and fulfill all affirmative action reporting requirements;
- Inform the President 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 college-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 college'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 college liaison with Minnesota Management and Budget's Office of Equal Opportunity and Diversity and enforcement agencies.

### **Accountability**

The Affirmative Action Officer is accountable to the Chief Human Resources Officer for program impacts and for ongoing program activities and direction. The Affirmative Action Manager oversees the administrator of ADA Title II, administrator of Diversity and Inclusion.

### **Name of individual(s) responsible**

1. Name: <u>Dianna Cusick</u>	Email: <u>Dianna.Cusick@minneapolis.edu</u>
Title: <u>Chief Human Resources Officer</u>	Phone: <u>612-659-6319</u>
2. <u>Bobbie Denson Davis</u>	Email: <u>Bobbi.Davis@minneapolis.edu</u>
Title: <u>Sr. HR Business Partner/Equity and Inclusion Officer</u>	Phone: <u>612-659-6572</u>

## C. Americans with Disability Act Designee(s)

### Responsibilities

The Americans with Disabilities Act Coordinator or designee is responsible for the oversight of the college’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 college management with regard to the Americans with Disabilities Act in the development and implementation of the college’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 college’s services, and reports reasonable accommodations annually to Minnesota Management and Budget.
- Research case law rules and regulation and update Human Resources Directors on evolving ADA issues. Meet bi-annually with ADA Coordinators and provide updates on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Officer in designing and delivering specific ADA training for targeted groups.

- Submit reasonable accommodation reimbursement under the guidelines of the statewide accommodation fund.
- Provide reasonable accommodations to qualified individuals (as defined by ADA) with known physical or mental disabilities, to enable them to compete in the selection process or to perform the essential functions of the job and/or enjoy equal benefits and privileges. The ADA coordinator and the regional human resources director (RHRD) who also serves as the regional ADA coordinator, in consultation with the employee and supervisor, and other individuals who may need to be involved must:
  - Discuss the purpose and essential functions of the particular job and complete a step-by-step job analysis;
  - Determine the precise job-related limitations;
  - Identify the potential accommodations and assess the effectiveness each would have in allowing the employee to perform the essential functions of the job; and
  - After discussion and review, select and implement the accommodations that are appropriate for both the employee and the employer using the Reasonable Accommodation Agreement.

### **Accountability**

The Americans with Disabilities Act Coordinator (s) reports directly to college’s CHRO on matters pertaining to the college’s compliance with the Americans with Disabilities Act.

### **Name of individual(s) responsible**

1. Name: Bobbie Denson Davis

Title: Title: Sr. HR Business Partner/Equity and Inclusion Officer

Email: Bobbi.Davis@minneapolis.edu

Phone: 612-659-6572

## **D. Americans with Disabilities Act Title II Coordinator**

### **Responsibilities**

The Americans with Disabilities Act (ADA) Title II Coordinator is responsible for the oversight of the college/university’s compliance with the ADA Title II – Public Services, in accordance with the ADA - as amended and the Minnesota Human Rights Act.

## Duties:

The duties of the ADA Title II Coordinator shall include, but not limited to, the following:

- Provide guidance, coordination, and direction to college/university management with regard to the ADA in the development and implementation of college/university policy, procedures, and practices to ensure college/university services and programs are accessible and nondiscriminatory for the public.
- Provide training, technical guidance, and consultation to the college/university's management and staff on compliance and best practices with regards and obligations to members of the public with disabilities as well as the provision of reasonable modifications to visitors.
- Track and facilitate requests for reasonable modifications for members of the public accessing college/university services, and report reasonable modifications annually to MMB.
- Research case law rules and regulation and update Executive team on evolving ADA issues. Meet bi-annually with state ADA Coordinators and learn updates on ADA.
- Ensure compliance with ADA reporting according to state and federal requirements.
- Assist the Affirmative Action Manager in designing and delivering specific ADA training for college/university employees assisting ADA modifications for the public.
- Provide reasonable modifications to members of the public (as defined by ADA) with known physical or mental disabilities, to ensure equal access and privileges to programming and services. The ADA Title II coordinator in consultation with the member of the public in need of a modification shall:
  - Discuss the purpose and essential functions of a particular reasonable modification;
  - Identify the potential modifications and assess the effectiveness of each request.
  - After discussion and review, select and implement the modifications that are appropriate for both the member of the public and the college/university. This review shall be documented and reported in the State ADA Annual Report.

## Accountability:

The ADA Title II Coordinator is accountable to the college's CHRO on matters pertaining to the college's compliance with the Americans with Disabilities Act.

## Name of individual(s) responsible

- 1. Name:** Caidin Riley  
**Title:** Directory of Accessibility Services  
**Email:** [Caidin.Riley@minneapolis.edu](mailto:Caidin.Riley@minneapolis.edu)  
**Phone:** Phone: 612-659-6107

## **E. Chief Human Resources Officer or Designee**

### **Responsibilities**

The Chief Human Resources Office is responsible for ensuring equitable and uniform administration of all personnel policies. Human Resources Directors are responsible for ensuring timely responses to all Americans with Disabilities Act (ADA) requests for accommodations to remove barriers to equal employment opportunity with the college, assisting managers and supervisors in human resources management activities.

Staff within Human Resources who work on affirmative action and diversity issues are accountable to the Human Resources Director or designee.

### **Duties**

The duties of Chief Human Resources Officer shall include, but not be limited to, the following:

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

## Accountability

Human resources staff are accountable to the Chief Human Resource Officer. Additionally, Human Resources Department ensures that aggregate data and trends of complaints of illegal discrimination in hiring are provided and shared with the Affirmative Action Manager on a quarterly basis.

### Name of individual(s) responsible

1. Name: Dianna Cusick Email: Dianna.Cusick@minneapolis.edu  
Title: Chief Human Resources Officer Phone: 612-659-6319

## F. Executive Team Members, Directors, and Supervisors

### Responsibilities

Executive Team Members, Directors, and Supervisors are responsible for implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with the college'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 college's affirmative action policy to assigned staff;
- Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan;
- Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis;
- Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives;
- To provide a positive and inclusive work environment; and
- To refer complaints of discrimination and harassment to the appropriate parties;
- Inform and evaluate managers and supervisors on their equal employment opportunity efforts and results in addition to other job performance criteria;

- Demonstrate and practice a discrimination and harassment free work environment for all employees.

### **Accountability:**

Executive Team Members, Directors and Supervisors are accountable directly to their designated supervisor and/or to the college's President.

## **G. All Employees**

### **Responsibilities**

All employees are responsible for conducting themselves in accordance with the college'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 college's President. Employees are responsible for maintaining an environment free from harassment and discrimination. All employees are responsible for conducting themselves in accordance with the Affirmative Action Plan.

## **Communication of the Affirmative Action Plan**

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

## 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 [https://www.minneapolis.edu/~media/External-Site/Files/Human-Resources/MINNEAPOLIS COLLEGE-Affirmative-Action-Plan.pdf](https://www.minneapolis.edu/~media/External-Site/Files/Human-Resources/MINNEAPOLIS%20COLLEGE-Affirmative-Action-Plan.pdf) 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.

## External Methods of Communication

- The college's Affirmative Action Plan is available on the agency's public website at [https://www.minneapolis.edu/~media/External-Site/Files/Human-Resources/MINNEAPOLIS COLLEGE-Affirmative-Action-Plan.pdf](https://www.minneapolis.edu/~media/External-Site/Files/Human-Resources/MINNEAPOLIS%20COLLEGE-Affirmative-Action-Plan.pdf) or in print copy to anyone who requests it. As requested, the agency will make the plan available in alternative formats.
- The college'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.

## Underutilization Analysis and Affirmative Action Goals

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

Factors used in determining goals: Expected staff retirements, terminations and resignations; analysis of hiring patterns from previous years; opportunities to hire full-time unlimited staff, budget considerations, and statewide available work force.

**Table 2. Underutilization Analysis and Hiring Goals for 2018-2020**

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

Job Categories	Underutilization - # of Individuals				Hiring Goals for 2018-2020			
	Women	Racial/ Ethnic Minorities	Persons with Disabilities	Veterans	Women	Racial/ Ethnic Minorities	Persons with Disabilities	Veterans
Officials/ Administrators	0	0	1	1	0	0	1	1
Professionals	0	0	3	7	0	0	1	2
Faculty	0	0	4	5	0	0	0	1
Paraprofessionals	0	0	1	1	2	0	1	1
Protected Services: Non-	7	0	1	0	1	2	0	1
Office/Clerical	0	0	0	3	0	0	0	2
Technicians	0	0	0	0	0	1	0	0
Skilled Craft	1	0	1	1	1	0	1	1
Service Maintenance	8	0	0	0	1	0	0	0

## Availability

The college determined the recruitment area to be statewide for all job categories except Officials/Administrators, which was determined to be national. The availability for Paraprofessionals was determined by adding half of the statewide availability of Technicians and half of the statewide availability of Office/Clerical. In conducting its underutilization analysis, the agency used the two-factor analysis. The college determined it was best to use this type of analysis to assure that equal employment opportunity and affirmative action measures are correctly communicated throughout the organization in order to outline the college's intention to provide a diverse workforce internally versus externally.

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. The EEO4 job categories and bargaining unit codes identified in this Affirmative Action Plan are included below. Analysis identified that the college has underutilized employment of protected classes in the following groups:

- Officials and Administrators: this group includes all MnSCU Excluded Administrators 220. There are disparities of one (1) Individual w/ Disability and one (1) Veteran.
- Professionals: this group includes all MAPE 214, all MMA 216 unless listed below. There are three (3) Individuals w/ Disability and a disparity of seven (7) Veterans.
- Faculty: This group includes all MSCF 210 Faculty. There are disparities of four (4) Individuals w/ Disabilities and five (5) Veterans.
- Paraprofessionals: this group includes AFSCME 207 College Lab Assistants, AFSCME 207 Library Technicians, AFSCME 207 Higher Education Tutors. There are disparities of one (1) Individual w/ Disability and one (1) Veteran.
- Protective Service (Non-sworn): this group includes all AFSCME 203 Security Officers and includes MMA 216 Campus Security Supervisor. There are disparities of seven (7) Women and one (1) Individual w/ Disability and one (1) Veteran.
- Office/Clerical: this group includes all AFSCME 206, and includes MMA 216 Office Services Supervisor, MMA 216 College Bookstore Supervisor, Commissioner's Plan 217 Office and Administrative Specialist Senior, and Commissioner's Plan 217 Executive 2. There is a disparity of three (3) Veterans.
- Technicians: this group includes AFSCME 207 Accounting Technicians, AFSCME 207

Graphic Arts Specialist, and AFSCME 207 State Program Admin. Tech. Specialist. There is a disparity of zero (0).

- Skilled Craft: this group includes all AFSCME 202, and includes AFSCME 216 Building Maintenance Supervisor. There are disparities of one (1) Woman, one (1) Individual w/ Disability, and one (1) Veteran.
- Service Maintenance: this group includes all AFSCME 203 other than Security Officers listed above, and includes MMA 216 Building Services Supervisor and Manager. There is a disparity of eight (8) Women.

### **Women:**

At the college, the population of women in the following job categories: Officials/Administrators, Faculty, Office/Clerical, Faculty, Technicians and Service Maintenance, there is either no change or the populations of women continue to exceed the availability of individuals in those job categories. However, the Protective Services: Non-sworn have not improved. For the 2016-2018 Affirmative Action Plan, the college set a goal to hire three (3) in the Protective Services Non-Sworn. Although there were openings for this position, other candidates were seen as more qualified and filled by other individuals. The college will continue to use a variety of recruitment methods to accomplish the 2018-2020 goal of hiring one (1) women in Protective Services Non-Sworn category.

### **Minorities:**

At the college, the population of minorities has improved in the following job categories: Faculty and Technicians. There is either no change or the populations of minorities continue to exceed the availability of individuals in those job categories. The 2016-2018 goal to hire a faculty in this category were met. Due to little turnover in the area of Skilled Craftsman, the position remain filled. The college lost (2) two Public Safety Officers, and (1) Technician will retire. The college will continue to use a variety of recruitment methods to accomplish the 2018-2020 goal of hiring two (2) Protective Services Non-Sworn one (1) Technicians in this group.

### **Individuals with Disabilities:**

At the college, the population of individuals with disabilities has not improved in the following job categories: Professionals and Faculty, and Skilled Craft. Utilization of individuals with disabilities have not changed in Official/Administrator, Paraprofessionals, Protective Services: Non-Sworn, Office/Clerical and Technical. During the 2016-2018 year, the college worked with Connect 700 and various agencies to fill these positions. The college was not able to meet all goals in these categories, but will continue to recruit from various diverse agencies and utilize Connect 700 to meet their 2018-2020 goals to hire individuals with disabilities to fill Official/Administrator, Professionals, Paraprofessional and Skilled Craft positions.

## Veterans:

At the college, the utilization for veterans has not improved in the following job categories: Professionals, Faculty, and Paraprofessionals. Utilization of Veterans have remained the same in other job categories. The hiring goals for 2016-2018 were not improved. The college had position openings in these job groups, however, other candidates were seen as more qualified. In the Faculty job group, the college's open Faculty positions are in specialized teaching areas, such as Biology or Nursing, which decreased the size of the candidate pool. For 2018-2020, the college will work with Yellow Ribbon agencies and other Veteran groups to strategically recruit from this applicant pool.

## Separation and Retention Analysis by Protected Groups

Dianna Cusick, Chief Human Resources Officer	612-659-6319/ Dianna.Cusick@minneapolis.edu
Bobbie Denson Davis, HR Sr. Business, Equity and Inclusion Officer	612-659-6572/Bobbi.Davis@minneapolis.edu

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

Table 2 Type of Separation

Type of Separation FY2016-2018	Total Number	Total Percentage	Percentage of Women	Percentage of Minorities	Percent of Persons w/ Disabilities	Percent of Veterans
Dismissals/Non Certification	<10	7.07%	71.43%	42.86%	42.86%	0.00%
Resignations	41	41.41%	68.29%	29.27%	0.00%	2.44%
Enhanced Separation	<10	3.03%	100.00%	33.33%	0.00%	0.00%
Retirement	20	20.20%	50.00%	15.00%	15.00%	0.00%
Death	<10	3.00%	0.00%	33.33%	0.00%	0.00%
Lay Off	<10	9.09%	55.56%	0.00%	0.00%	0.00%
Termination w/o Rights	17	17.17%	58.82%	47.06%	0.00%	5.88%

Type of Separation FY2016-2018	Total Number	Total Percentage	Percentage of Women	Percentage of Minorities	Percent of Persons w/ Disabilities	Percent of Veterans
Total Separations	100	100.00%	61.00%	28.00%	6.00%	2.00%

## Women

Women represent approximately 54.93% of the total college workforce. The college saw a total of 100 separations from FY 2016 and FY 2018. Women were 61% of all separations. This is proportionately higher relative to their total college workforce representation. Recommended to analyze separation rates by EEO4 job category and separation type for deeper analysis.

## Minorities

Minorities represent approximately 30.54% of the total college workforce. The college saw a total of 100 separations from FY 2016 and FY 2018. Minorities were 28% of all separations. This is proportionately lower relative to their total college workforce representation. Recommended to analyze separation rates by EEO4 job category and separation type for deeper analysis.

## Individuals with Disabilities

Individuals with Disabilities represent approximately 4.43% of the total college workforce. The college saw a total of 100 separations from FY 2016 and FY 2018. Individuals with Disabilities were 6% of all separations. This is proportionately higher relative to their total college workforce representation. Recommended to analyze separation rates by EEO4 job category and separation type for deeper analysis.

## Veterans

Veterans represent approximately 3.94% of the total college workforce. The college saw a total of 100 separations from FY 2016 and FY 2018. Veterans were 2.00% of all separations. This is proportionately lower relative to their total college workforce representation. Recommended to analyze separation rates by EEO4 job category and separation type for deeper analysis.

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

---

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

This section will identify ways this college has determined to eliminate barriers, provide corrective actions, and achieve affirmative action goals for underutilized protected group applicants/employees. These objectives have been developed as strategic, actionable and measurable efforts the college has committed to pursuing and implementing from 2018-2020.

Minneapolis College has now completed a three-year pilot program utilizing competency-based hiring for staff positions. New data provided by Minnesota State show that from FY14 and FY18, Minneapolis College had the most growth in workforce diversity, moving from 24.3% to 28.86% people of color in employment. The college saw the biggest jump in this percentage between FY15 and FY16 after the first full year of the competency-based hiring program was implemented and the percentage has continued to increase.

Competency-based hiring removes barriers to creating a diverse candidate pool by eliminating any arbitrary minimum qualification. Examples of these barriers include establishing degree requirements that are unnecessary for a job and setting a minimum number of years of experience for positions rather than focusing on a candidate's competencies and ability to perform the functions of a job. For example, implementing an arbitrary requirement for a bachelor's degree may eliminate talented individuals with desired competencies that have a two-year degree or no degree at all. Implementing a five-year experience requirement creates a barrier to considering talented candidates who have less, but more successful experience in a particular field.

Additionally, the Chief Human Resources Officer serves as co-chair the Equity and Inclusion Steering Committee to ensure that we address matters of equity through both a student and employee lens. These efforts continue to demonstrate a high level of success in diversifying our workforce.

### **Recruitment action for all categories:**

The following corrective action has been planned to eliminate the barriers for all categories.

The college will continue to use competency-based hiring to ensure that people of all ages and backgrounds receive consideration, regardless of the length of their formal experience or other factors.

Through this practice, the college will achieve diversity in hiring of Women, Minorities, Individuals with Disabilities and Veterans in all job categories.

### **Past Evaluation:**

In the 2016-2018 plan the college committed to :

#### **Objective #1:**

Continue our commitment to a model of competency-based hiring, specifically in non-faculty positions. Competency-based hiring focuses on candidate's skills, talents and abilities rather than credentials, and ensures that minimum qualifications are not arbitrary and are narrowly tailored for the work of the position, thus eliminating barriers for hiring.

**Action Steps:**

- Continue to review all position descriptions and job postings to ensure that all non-faculty positions use competency-based minimum qualifications.
- Continue to review data and analyze the results of hires and retention rates under this model.
- Continue to work with hiring supervisors to ensure a full understanding of and compliance with this model.

This objective will be evaluated by a review of hiring, retention and employee satisfaction data.

**Objective #2:**

Continue to build a culturally competent workforce through professional development and dialogue.

**Action Steps:**

- Create an online cultural competency training program for new employees as part of onboarding.
- Continue offering training campus-wide for faculty, staff and administrators in the field of cultural competence.
- Incorporate into all position descriptions the expectation for all employees to participate in cultural competency training.

This objective will be evaluated by measuring the number of employees who complete training, the incorporation of training into employee professional development plans, and by the results of a campus-wide cultural competency assessment tool.

**Objective #3:**

Improve hiring and retention of veterans.

**Action Steps:**

- Establish a mentor program for new veteran hires that provides peer support and facilitates adjustment to the civilian workplace culture, thereby helping the veteran reach his or her full potential within the organization.
- Partner with the college's Veteran's Upward Bound program to create a pipeline for employment at Minneapolis College.

Each program objective will be evaluated throughout the plan period based on feedback from job categories and a review of retention rates.

**In the 2018-2020 plan the college is committed to:****Objective #1**

Continue our commitment to a model of competency-based hiring, specifically in non-faculty positions. Competency-based hiring focuses on candidate's skills, talents and abilities rather than credentials, and ensures that minimum qualifications are not arbitrary and are narrowly tailored for the work of the position, thus eliminating barriers for hiring.

**Action Steps:**

- We will review all position descriptions and job postings to ensure that all non-faculty positions use competency-based minimum qualifications.
- We will review data and analyze the results of hires and retention rates under this model.
- We will work with hiring supervisors to ensure a full understanding of and compliance with this model.

This objective will be evaluated by a review of hiring, retention and employee satisfaction data.

**Objective #2:**

Continue to build a culturally competent workforce through professional development and dialogue.

- Curate an online platform to house cultural competence related professional development and training opportunities available to all employees
- Include a strong cultural competency component during new hire orientation
- Advertise and administer the Intercultural Development Inventory to all employees
- Collaborate with Equity and Inclusion division to identify training needs for Minneapolis College
- Continue to work with hiring supervisors to ensure a full understanding of and compliance with this model.

**Evaluation**

The evaluation of these objectives will be measured by tracking the number of professional development opportunities that are offered and employees take advantage of. Additionally, progress will be evaluated by tracking employees' development by measuring their movement along the continuum that is part of the Intercultural Development Inventory.

## **Methods of Auditing, Evaluating, and Reporting Program Success**

### **Pre-Employment Review Procedure/Monitoring the Hiring Process**

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

State law governing affirmative action programs requires Minneapolis College to establish methods of auditing, evaluating and reporting program success. This includes a procedure for pre-employment review of all hiring decisions for units where underutilization currently exists. When such a vacancy occurs, the established procedure is to be followed before an offer of employment is made.

### **Minneapolis College Hiring and Promotions**

Minneapolis College is committed to the principles of affirmative action and equal opportunity in recruiting and hiring qualified individuals, and in retaining and promoting qualified existing employees. The College recognizes that the search process plays a significant role in the recruitment, search and selection of candidates for hire. However, because Minneapolis College is also committed to providing growth and advancement opportunities for existing employees, the College retains the right to make promotions from within the institution without utilizing an external search process.

#### **External Searches**

External vacancies are open to all qualified job seekers. The type of search, size and composition of search committee, and process may vary depending on the position. When utilizing an external search to fill permanent faculty positions or administrative positions with campus-wide significance, the College shall utilize a full search committee with representatives from administration, liberal arts and career/technical faculty, staff and students. When utilizing an external search to fill other administrative and professional positions, the College may utilize a condensed search within a unit or division. The President shall determine which positions have campus-wide significance and when a full external search shall be utilized.

#### **Interim Appointments**

The College may make interim appointments without utilizing a search process. Interim appointments shall not exceed one year. Interim employees are not eligible for promotion into another position. Interim employees may apply for the permanent position they held on an interim basis. Interim employees who were not previously Minneapolis College employees may not be appointed permanently to the position they held on an interim basis without participating in a search process.

#### **Reassignment of Administrators**

The College has the right to laterally reassign administrators as necessary.

### **Classified Staff Hiring**

Hiring of classified staff shall be done in accordance with established procedures from the Minnesota Department of Employee Relations.

Date effective: 7/1/1999

## **Minneapolis College Search Process for Unclassified Positions**

### **Recruiting and Hiring Candidates**

Minneapolis College is committed to the recruitment and selection of highly qualified applicants whose skills and abilities will help the college achieve its strategic goals. Minneapolis College is committed to the principles of equal opportunity and affirmative action. This procedure establishes the search process used when hiring unclassified college employees covered by the following employment agreements: MnSCU Administrator Plan, Minnesota State College Faculty, Minnesota Association of Professional Employees, and Middle Management Association.

### **Application and Search Process**

#### **Position Posting**

The Human Resources Department and the hiring manager have responsibility for establishing minimum and preferred qualifications for vacant positions. The hiring manager may consult with staff or faculty regarding qualifications and recruitment for the position. At a minimum, all positions will be posted on the Minneapolis College website. The hiring manager, Human Resources Department and the Affirmative Action Officer will determine additional recruitment measures that will ensure recruitment of a diverse and qualified pool of candidates.

#### **Application**

All applicants interested in an Minneapolis College job opportunity must apply using the college's applicant tracking software through the Minneapolis College website.

#### **Preliminary Search**

The Human Resources Department, in consultation with the hiring manager, dean or responsible administrator, will review all applications to identify the applicants who meet the minimum qualification and have the most relevant competencies.

#### **Search Committee**

The Search Committee may include staff, faculty, appointed by the appropriate agency Union representatives, community members, and students. Whenever possible, the Search Committee will include faculty and staff whose work is directly related to the position. The composition of the committee will be reviewed with the Chief Human Resources Officer and the Affirmative Action Officer who may suggest additional members for the Search Committee.

### **Evaluation of Applicants**

The Search Committee will evaluate and rank applicants using the competency based model developed by the Human Resources Department and the hiring manager, dean and/or Search Committee Chair. The applicants with the most relevant competencies will be invited for an initial interview with the Search Committee. The number of applicants selected for interviews may vary based on the unique needs of the search, ranking ties, multiple vacancies, size of applicant pool, or budgetary concerns.

The Search Committee will identify the strengths and weaknesses of each interviewee and recommend at least two finalists for the position.

### **Evaluation of Finalists**

For faculty and administrator positions, the Search Committee Chair forwards the names of the recommended finalists to the President, who may schedule a second interview. Finalists for other professional positions may be invited for a second interview with a vice president or other administrator. In either case, the President or Vice President/Administrator may request additional recommendations for finalists from the Search Committee. Finalists for senior administrator positions may be invited to an all-college forum.

### **Hiring Authority**

All decisions regarding the hiring of positions are ultimately at the discretion of the college President. Decisions regarding hiring of permanent unclassified positions may be made at levels appropriate to the position, but all such hiring decisions must be approved by the college President.

### **Job Offers**

After the hiring process is complete, an offer is extended to the finalist who, in the estimation of college leadership, has a demonstrable combination of education, skills and experience appropriate for the position. All offers are contingent upon the successful completion of background and reference checks.

### **President's Discretion in Unique Circumstances**

In unique circumstances consistent with MnSCU Personnel Guideline 007, the President may make appointments without utilizing the steps outlined in this procedure. The President shall consult with the Affirmative Action Officer when the search process is waived or modified. The College shall document search process waivers and modifications and the unique circumstances as determined by the President.

### **Compliance with State and Federal Laws**

#### **Data Practices Act**

Application materials are considered private under the Minnesota Data Practices Act. All employees participating in the selection process are responsible for safeguarding candidate information. The names of finalists are public.

#### **Americans with Disabilities Act**

Applicants with disabilities have the right to request reasonable accommodations to assist them through the application and interview process. The Human Resources Department shall consult with the college's ADA Coordinator in determining appropriate accommodations.

#### **Classified Staff Hiring**

This procedure applies only to the hiring of unclassified positions. The hiring of classified staff shall be done in accordance with the process established through the Minnesota Management and Budget.

Date effective: 6/1/1999

Date last amended: 9/28/2011

## **Pre-Review Procedure for Layoff Decisions**

Minneapolis College will make lay-off determinations consistent with applicable collective bargaining agreements and personnel plans. Proposed lay-off decisions will be reviewed by the Equal Opportunity/Affirmative Action Officer to evaluate their effect on Minneapolis College's affirmative action program.

## **Other Methods of Program Evaluation**

The college will submit the following compliance reports to Minnesota Management and Budget as part of the efforts to evaluate the college'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 (submitted to MMB within 30 days of final disposition).

Minneapolis College will also evaluate the Affirmative Action Plan in the following ways:

- The Chief Human Resources Officer will monitor the pre-employment procedure for unclassified positions to evaluate progress and ensure that the Nondiscriminatory policy is carried out as well as monitor the recruitment process for classified positions.
- Human Resources will advise administrators, supervisors, and search committees about the recruitment process and hiring goals for their respective units.
- On a biennial basis, the college will conduct a self-assessment of its efforts and progress and compliance with federal and state regulations regarding equal opportunity and affirmative action.
- Review the accessibility of online systems and websites, and ensures that reasonable accommodations can be easily requested; and
- Monitor and evaluate the recruitment activities of search committees and the results of such activities.

- Discusses progress with college leadership on a periodic basis and makes recommendations for improvement.
- The college will retain records on hires, turnover, protected group reports, advertisement and recruitment costs, monitoring of the hiring process forms and discrimination complaints.

## **RECRUITMENT PLAN**

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

Below are various recruitment methods or strategies utilized by the college during the past two years.

### **A. Advertising Sources**

- Vacancy posted in MnSCU Employment Opportunities Bulletin
- Vacancy posted on minnesotadiversity.com
- Vacancy posted on Upper Midwest HERC (Higher Education Recruitment Consortium)
- Vacancy notice posted on college's Human Resources bulletin board
- Vacancy notice posted in Minneapolis College's SharePoint
- Vacancy notice emailed to the MN Department of Employment and Economic Development
- Word ad placed in Star & Tribune newspaper
- Vacancy notice placed on Chronicle Careers website (faculty and administrator vacancies)
- Vacancy Notice placed on Goldpass (University of MN job, internship and volunteer listings)
- Announcement sent to Latino Economic Development Center, Minneapolis

- Announcement sent to workforce diversity email list
- Announcement sent to various professional Listserves and mailing lists (specific to each job, such as Nursing professional mailing lists, MN Association of Financial Aid Administrators listserv) and Aviation Technical Education Council website.
- Announcement sent to Local Workforce Centers
- Announcement sent to all college employees via Inside MCTC and Minneapolis College Connect

**B. Job and Community Fairs**

Due to budget shortfall, the college has once again not had the resources or personnel to attend job or community fairs. Available resources have been primarily dedicated to student-focused services.

**C. College and University Recruitment Events**

Once again, the college has not had the resources or personnel to attend recruitment events and has focused on the methods listed above.

**D. Recruitment for Individuals with Disabilities**

The college has not had the resources or personnel to dedicate to recruitment, other than by the methods noted above, due to budget shortfall.

**E. Relationship Building and Outreach**

Due to budget shortfall, the college has not had the resources or personnel to dedicate to this important component of recruitment. However, because Minneapolis College is situated in the center of the Twin Cities it has cultivated diverse and ongoing connections to local communities and the region.

**F. Internships**

Due to budget shortfall, the college has not had the resources or personnel to dedicate toward developing a campus employment internship program.

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

This college 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 Human Resources Department continues to utilize NeoGov for the college's online job posting process.

## Appendix

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### Minneapolis College Equal Opportunity and Non-discrimination in Employment and Education Policy

#### Part 1. Policy Statement

Minneapolis College is committed to a policy of nondiscrimination in employment and education opportunity. No person 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, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or familial status. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

Harassment on the basis of race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or familial status is prohibited. Harassment may occur in a variety of relationships, including faculty and student, supervisor and employee, student and student, staff and student, employee and employee, and other relationships with persons having business at, or visiting the educational or working environment.

This policy is directed at verbal or physical conduct that constitutes discrimination/harassment under state and federal law and is not directed at the content of speech. In cases in which verbal statements and other forms of expression are involved, Minneapolis College will give due consideration to an individual's constitutionally protected right to free speech and academic freedom. However, discrimination and harassment are not within the protections of academic freedom or free speech.

Minneapolis College shall maintain and encourage full freedom, within the law, of expression, inquiry, teaching and research. Academic freedom comes with a responsibility that all members of our education community benefit from it without intimidation, exploitation or coercion.

This policy shall apply to all individuals affiliated with Minneapolis College, including but not limited to, its students, employees, applicants, volunteers, agents, and Board of Trustees, and is intended to protect the rights and privacy of both the complainant and the respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy shall be subject to disciplinary or other corrective action.

#### Part 2. Definitions

##### Subpart A. Consensual Relationship

A sexual or romantic relationship between two persons who voluntarily enter into such a relationship. Employees who are members of the same household should also refer to the MINNEAPOLIS COLLEGE Nepotism Policy 6.02.

### **Subpart B. Discrimination**

Discrimination is defined as conduct that is directed at an individual because of his or her protected class and that subjects the individual to different treatment by agents or employees so as to interfere with or limit the ability of the individual to participate in, or benefit from, the services, activities, or privileges provided by the college or otherwise adversely affects the individual's employment or education.

### **Subpart C. Discriminatory Harassment**

Discriminatory harassment is defined as verbal or physical conduct that is directed at an individual because of his or her protected class, and this is sufficiently severe, pervasive, or persistent so as to have the purpose or effect of creating a hostile work or educational environment.

As required by law, Minnesota State College and Universities has further defined sexual harassment as a form of sexual discrimination which is prohibited by state and federal law. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education, evaluation of a student's academic performance, or term or condition of participation in student activities or in other events of activities sanctioned by the college; or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions or other decisions about participation in student activities or other events as sanctioned by the college; or
3. Such conduct has the purpose and effect of threatening an individual's employment; interfering with an individual's work or academic performance; or creating an intimidating, hostile, or offensive work or educational environment.

### **Subpart D. Employee**

Minneapolis College personnel include all faculty, staff, administrators, and student employees.

### **Subpart E. Protected Class**

Protected class for the purpose of this policy means that discrimination and harassment in employment and education are prohibited on the basis of: race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation,

gender identity, gender expression, or familial status. In addition, membership or activity in a local human rights commission is a protected class in employment.

#### **Subpart F. Retaliation**

Retaliation includes, but is not limited to, intentionally engaging in any form of intimidation, reprisal or harassment against an individual because he or she made a complaint under this policy or assisted or participated in any manner in an investigation, or process under this policy, regardless of whether a claim of discrimination or harassment is substantiated; or associated with a person or group of persons who are members of a protected class. Retaliation may occur whether or not there is a power or authority differential between the individuals involved.

#### **Subpart G. Sexual Harassment and Violence as Sexual Abuse**

Under certain circumstances, sexual harassment or violence may constitute sexual abuse according to Minnesota law. In such situations, the college shall comply with the reporting requirements in Minnesota Statutes Section 626.556 (reporting of maltreatment of minors) and Minnesota Statutes Section 626.557 (Vulnerable Adult Protection Act). Nothing in this policy will prohibit the college from taking immediate action to protect victims of alleged sexual abuse.

#### **Subpart H. Student**

"Student" means an individual who is:

1. admitted, enrolled, registered to take or is taking one or more courses, classes, or seminars, credit or noncredit; or
2. between terms of a continuing course of study at the college, such as summer break between spring and fall academic terms; or
3. expelled or suspended from enrollment as a student at the college during the pendency of any adjudication of the student disciplinary action.

#### **Part 3. Consensual Relationships**

An employee of Minneapolis College shall not enter into a consensual relationship with a student or an employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence. In the event a relationship already exists, the evaluative authority will be reassigned to avoid violations of this policy. This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

#### **Part 4. Retaliation**

Retaliation as defined in this policy is prohibited at Minneapolis College. Any individual subject to this policy who intentionally engages in retaliation shall be subject to disciplinary or other corrective action as appropriate.

Related policies: MnSCU Board Policy 1B.1 Nondiscrimination in Employment and Education Opportunity <http://www.minnstate.edu/board/policy/1b01.html>

## **MINNEAPOLIS COLLEGE POLICY 2.01.01 – INVESTIGATING COMPLAINTS OF DISCRIMINATION AND HARASSMENT**

### **Part 1. Purpose and Applicability**

#### **Subpart A. Purpose**

This procedure is designed to further implement Minneapolis College's policies relating to nondiscrimination by providing a process through which individuals alleging violation of system nondiscrimination policies may pursue a complaint. This includes allegations of retaliation, or discrimination or harassment based on sex, race, age, disability, color, creed, national origin, religion, sexual orientation, gender identity, gender expression, marital status, familial status, or status with regard to public assistance. In addition, discrimination in employment based on membership or activity in a local commission as defined by law is prohibited.

#### **Subpart B. Applicability**

This procedure shall apply to all individuals affiliated with Minneapolis College, including its students, employees, and applicants for employment, and is intended to protect the rights and privacy of both the complainant and respondent and other involved individuals, as well as to prevent retaliation/reprisal. Individuals who violate this procedure shall be subject to disciplinary or other corrective action.

A single act of discrimination or harassment may be based on more than one protected class status. For example, discrimination based on anti-Semitism may relate to religion, national origin, or both; discrimination against a pregnant woman might be based on sex, marital status, or both; discrimination against a transgender or transsexual individual might be based on sex or sexual orientation, gender identity or gender expression.

Not every act that may be offensive to an individual or group constitutes discrimination or harassment. Harassment includes action beyond the mere expression of views, words, symbols or thoughts that another individual finds offensive. To constitute a violation of MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination, conduct must be considered sufficiently serious to deny or limit a student's or employee's ability to participate in or benefit from the services, activities, or privileges provided by Minneapolis College.

## **Subpart C. Scope**

This procedure is not applicable to allegations of sexual violence; allegations of sexual violence are handled pursuant to Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1. In addition, harassment and discrimination complaints not arising from alleged violations of MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination, are to be addressed under other appropriate policies and established practices.

## **Part 2. Definitions**

### **Subpart A. Designated officer**

Designated officer means an individual designated by the president to be primarily responsible for conducting an initial inquiry, determining whether to proceed with an investigation under this procedure, and investigating or coordinating the investigation of reports and complaints of discrimination/harassment in accordance with this procedure.

The designated officer for Minneapolis College is:

Dianna Cusick, director of legal affairs

612-659-6319, K3000

### **Subpart B. Decision maker**

Decision maker means a high level administrator designated by the president to review investigative reports, to make findings whether the nondiscrimination policy has been violated based upon the investigation, and to determine the appropriate action for the institution to take based upon the findings.

### **Subpart C. Retaliation**

Retaliation means any action against a complainant or other individual because the individual:

1. Participated in the investigation or resolution of a complaint under this procedure;
2. Opposed conduct the individual believes was in violation of nondiscrimination policies; or
3. Associates with another individual who is protected from discrimination under MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination.

## **Part 3. Consensual relationships**

MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination in Employment and Education Opportunity prohibits consensual relationships between an employee and a student or another employee over whom he or she exercises direct or otherwise significant academic, administrative, supervisory,

evaluative, counseling, or extracurricular authority or influence, whether or not both parties appear to have consented to the relationship, except as noted.

Examples of prohibited consensual relationships include, but are not limited to

- An employee and a student if the employee is in a position to evaluate or otherwise significantly influence the student's education, employment, housing, participation in athletics, or any other college or university activity (employee includes, for example, graduate assistants, administrators, coaches, advisors, program directors, counselors and residence life staff);
- A faculty member and a student who is enrolled in the faculty member's course, who is an advisee of the faculty member, or whose academic work is supervised or evaluated by the faculty member; and
- A supervisor and an employee under the person's supervision.

A faculty member or other employee is prohibited from undertaking a romantic or sexual relationship or permitting one to develop with a student or supervisee who is enrolled in the person's class or is subject to that person's supervision or evaluation.

If a consensual, romantic or sexual relationship exists between an employee and another individual and subsequent events create a supervisor/supervisee, faculty/student or similar relationship between them, the person with evaluative or supervisory authority is required to report the relationship to his or her supervisor so that evaluative functions can be reassigned if possible.

This procedure does not cover consensual relationships between individuals that do not require one to exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority or influence over the other.

This prohibition does not limit the right of an employee to make a recommendation on personnel matters concerning a person with whom they have a consensual relationship where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or compensation plan.

#### **Part 4. Reporting incidents of discrimination/harassment**

##### **Subpart A. Reporting an incident**

Any individual who believes she or he has been or is being subjected to conduct prohibited by MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination, is encouraged to report the incident to the designated officer. The report/complaint should be brought as soon as possible after an incident occurs.

Any student, faculty member or employee who knows of, receives information about or receives a complaint of discrimination/harassment is strongly encouraged to report the information or complaint to the designated officer.

### **Subpart B. Duty to report**

Administrators and supervisors shall refer allegations of conduct that they reasonably believe may constitute discrimination or harassment under MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination to the designated officer, or in consultation with the designated officer may inquire into and resolve such matters.

### **Subpart C. Reports against a president**

A report/complaint against a president of a college or university shall be filed with the Office of the Chancellor. However, complaints against a president shall be processed by the college or university if the president's role in the alleged incident was limited to a decision on a recommendation made by another administrator, such as tenure, promotion or non-renewal, and the president had no other substantial involvement in the matter.

### **Subpart D. Reports against Office of the Chancellor employees or Board of Trustees**

For reports/complaints that involve allegations against Office of the Chancellor employees, the responsibilities identified in this procedure as those of the president are the responsibilities of the chancellor. Reports/complaints that involve allegations against the chancellor or a member of the Board of Trustees shall be referred to the chair or vice chair of the Board for processing. Such reports/complaints may be assigned to appropriate system personnel or outside investigatory assistance may be designated.

### **Subpart E. False statements prohibited**

Any individual who is determined to have provided false information in filing a discrimination report/complaint or during the investigation of such a report/complaint may be subject to disciplinary or corrective action.

### **Subpart F. Withdrawn complaints**

If a complainant no longer desires to pursue a complaint, the Office of the Chancellor, colleges, and universities reserve the right to investigate and take appropriate action.

## **Part 5. Right to representation**

In accordance with federal law and applicable collective bargaining agreement and personnel plan language, represented employees may have the right to request and receive union representation during an investigatory meeting.

Nothing in this procedure is intended to expand, diminish or alter in any manner whatsoever any right or remedy available under a collective bargaining agreement, personnel plan or law. Any disciplinary

action imposed as a result of an investigation conducted under this procedure will be processed in accordance with the applicable collective bargaining agreement or personnel plan.

## **Part 6. Investigation and Resolution**

Minneapolis College has an affirmative duty to take timely and appropriate action to stop behavior prohibited by MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination, conduct investigations and take appropriate action to prevent recurring misconduct.

### **Subpart A. Personal resolution**

This procedure neither prevents nor requires the use of informal resolution by an individual who believes he or she has been subject to conduct in violation of MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination. In such a situation, the individual should clearly explain to the alleged offender as soon as possible after the incident that the behavior is objectionable and must stop. If the behavior does not stop or if the individual believes retaliation may result from the discussion, the individual should report to the designated officer. Under no circumstance shall an individual be required to use personal resolution to address prohibited behaviors.

### **Subpart B. Information privacy**

Confidentiality of information obtained during an investigation cannot be guaranteed; such information, however, will be handled in accordance with applicable federal and state data privacy laws.

### **Subpart C. Processing the complaint**

The designated officer must be contacted in order to initiate a report/complaint under this procedure. The scope of the process used in each complaint/report shall be determined by the designated officer based on the complexity of the allegations, the number and relationship of individuals involved, and other pertinent factors.

1. Jurisdiction. The designated officer shall determine whether the report/complaint is one which should be processed through another college procedure available to the complainant; if appropriate, the designated officer shall direct the complainant to that procedure as soon as possible.
2. Conflicts. The designated officer should identify to the president any real or perceived conflict of interest in proceeding as the designated officer for a specific complaint. If the president determines that a conflict exists, another designated officer shall be assigned.
3. Information provided to complainant. At the time the report/complaint is made, the designated officer shall:
  - a.) inform the complainant of the provisions of the MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination, and this procedure;

- b.) provide a copy of or Web address for MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination and this procedure to the complainant;
- c.) determine whether other individuals are permitted to accompany the complainant during investigatory interviews and the extent of their involvement; and
- d.) inform the complainant of the provisions of MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination prohibiting retaliation.

**4. Complaint documentation.** The designated officer shall insure that the complaint is documented in writing. The designated officer may request, but not require the complainant to document the complaint in writing using the complaint form of the college.

**5. Information provided to the respondent.** At the time initial contact is made with the respondent, the designated officer shall inform the respondent in writing of the existence and general nature of the complaint and the provisions of the nondiscrimination policy. At the initial meeting with the respondent, the designated officer shall:

- a) provide a copy of or Web address for MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination and this procedure to the respondent;
- b.) provide sufficient information to the respondent consistent with federal and state data privacy laws to allow the respondent to respond to the substance of the complaint;
- c.) explain to the respondent that in addition to being interviewed by the designated officer, the respondent may provide a written response to the allegations;
- d.) determine whether other individuals are permitted to accompany the respondent during investigative interviews and the extent of their involvement; and
- e.) inform the respondent of the provisions of MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination prohibiting retaliation.

**6. Investigatory process.** The designated officer shall:

- a.) conduct a fact-finding inquiry or investigation into the complaint, including appropriate interviews and meetings;
- b.) inform the witnesses and other involved individuals of the prohibition against retaliation;
- c.) create, gather and maintain investigative documentation as appropriate;
- d.) disclose appropriate information to others only on a need to know basis consistent with state and federal law, and provide a data privacy notice in accordance with state law; and
- e.) handle all data in accordance with applicable federal and state privacy laws.

**7. Interim Actions.**

- a.) Employee reassignment or administrative leave. Under appropriate circumstances, the president or chancellor may, in consultation with system legal counsel and labor relations, reassign or place an employee on administrative leave at any point in time during the report/complaint process. In determining whether to place an employee on administrative leave or reassignment, consideration shall be given to the nature of the alleged behavior, the

relationships between the parties, the context in which the alleged incidents occurred and other relevant factors. Any action taken must be consistent with the applicable collective bargaining agreement or personnel plan.

b.) Student summary suspension or other action. Under appropriate circumstances, the president or designee may, in consultation with system legal counsel, summarily suspend a student at any point in time during the report/complaint process. A summary suspension may be imposed only in accordance with Board Policy 3.6 and associated system procedures. After the student has been summarily suspended, the report/complaint process should be completed within the shortest reasonable time period, not to exceed nine (9) class days. During the summary suspension, the student may not enter the campus or participate in any college or university activities without obtaining prior permission from the president or designee. Other temporary measures may be taken in lieu of summary suspension where the president or designee determines such measures are appropriate.

**8. No basis to proceed.** At any point during the processing of the complaint, the designated officer may determine that there is no basis to proceed under MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination. The designated officer shall refer the complaint as appropriate. The designated officer shall notify the complainant and respondent of the outcome as appropriate, in accordance with applicable data privacy laws.

#### **Subpart D. Resolution**

After processing the complaint the designated officer may consider one or more of the following methods to resolve the complaint as appropriate:

1. conduct or coordinate education/training;
2. facilitate voluntary meetings between the parties;
3. recommend separation of the parties, after consultation with appropriate Office of the Chancellor, college or university personnel;
4. other possible outcomes may include recommending changes in workplace assignments, enrollment in a different course or program, or other appropriate action;
5. the College may use alternative dispute resolution or mediation services as a method of resolving discrimination or harassment complaints. Alternative dispute resolution and mediation options require the voluntary participation of all parties to the complaint;
6. upon completion of the inquiry, the designated officer may dismiss or refer the complaint to others as appropriate.

#### **Subpart E. Decision process**

If the above methods have not resolved the complaint within a reasonable period of time to the satisfaction of the designated officer, or the designated officer feels additional steps should be taken, the procedures in this subpart shall be followed.

**1. Designated officer.** The designated officer shall:

- a.) prepare an investigation report and forward it to the decision maker for review and decision;
- b.) take additional investigative measures as requested by the decision maker; and
- c) be responsible for coordinating responses to requests for information contained in an investigation report in accordance with the Minnesota Government Data Practices Act and other applicable law including, but not limited to, the Family Educational Rights and Privacy Act (FERPA). In determining the appropriate response, the designated officer shall consult with the campus data practice compliance official and/or the Office of General Counsel.

**2. Decision maker.** After receiving the investigation report prepared by the designated officer, the decision maker shall:

- a.) determine whether additional steps should be taken prior to making the decision. Additional steps may include:

a request that the designated officer conduct further investigative measures;

a meeting with the complainant, respondent or other involved individuals. If a meeting involving a represented employee is convened, the complainant or respondent may choose to be accompanied by the bargaining unit representative, in accordance with the applicable collective bargaining agreement and federal and state law; and

a request for additional information which may include a written response from the complainant or respondent relating to the allegations of the complaint.

- b.) take other measures deemed necessary to determine whether a violation of MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination has been established;

- c.) when making the decision, take into account the totality of the circumstances, including the nature and extent of the behaviors, the relationship(s) between the parties, the context in which the alleged incident(s) occurred, and other relevant factors;

- d.) determine the nature, scope and timing of disciplinary or corrective action and the process for implementation if a violation of the nondiscrimination policy occurs. This may include consultation with human resources or supervisory personnel to determine appropriate discipline;

- e.) As appropriate, consistent with applicable state and federal data privacy laws, report in writing to the complainant, respondent and the designated officer her or his findings, and the basis for those findings, as to whether MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination has been violated. The written response to the complainant shall be provided within 60 days after a complaint is made unless reasonable cause for delay exists.

f.) Conduct that is determined not to have violated MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination shall be referred to another procedure for further action, if appropriate.

### **Part 7. Office of the Chancellor, college, or university action**

The Office of the Chancellor, college, or university shall take the appropriate corrective action based on results of the investigation, and the designated officer shall make appropriate inquiries to ascertain the effectiveness of any corrective or disciplinary action. Complainants are encouraged to report any subsequent conduct that violates MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination, as well as allegations of retaliation.

Written notice to parties relating to discipline, resolutions, and/or final dispositions resulting from the report/complaint process is deemed to be official correspondence from the Office of the Chancellor, college or university. In accordance with state law, the College is responsible for filing the complaint disposition concerning complaints against employees with the Commissioner of Employee Relations within 30 days of final disposition.

### **Part 8. Appeal**

#### **Subpart A. Filing an appeal**

The complainant or the respondent may appeal the decision of the decision maker. An appeal must be filed in writing with the president or designee within ten (10) business days after notification of the decision. The appeal must state specific reasons why the complainant or respondent believes the decision was improper. In a complaint against a president or other official who reports directly to the chancellor, an appeal may be considered by the chancellor whether or not the chancellor served as the decision maker.

#### **Subpart B. Effect of review**

For employees represented by a collective bargaining agreement, an appeal under this procedure is separate and distinct from, and is not in any way related to, any contractual protections or procedures. During the pendency of the appeal disciplinary or corrective action taken as a result of the decision shall be enforced. In addition, in cases involving sanctions of suspension for ten (10) days or longer, students shall be informed of their right to a contested case hearing under Minnesota Statutes Chapter 14.

#### **Subpart C. Appeal process**

The president or designee shall review the record and determine whether to affirm or modify the decision. The president or designee may receive additional information if the president or designee believes such information would aid in the consideration of the appeal. The decision on appeal shall be made within a reasonable time and the complainant, respondent and designated officer shall be notified in writing of the decision, consistent with applicable state and federal data privacy laws. The

decision on appeal exhausts the complainant's and respondent's administrative remedies under this procedure except as provided herein.

### **Part 9. Education and Training**

The College shall provide education and training programs to promote awareness and prevent discrimination/harassment, such as educational seminars, peer-to-peer counseling, operation of hotlines, self-defense courses, and informational resources. Education and training programs should include education about MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination and this procedure.

### **Part 10. Distribution**

Information regarding MINNEAPOLIS COLLEGE Policy 2.01 Nondiscrimination and this procedure shall, at a minimum, be distributed to students at the time of registration and to employees at the beginning of employment. Distribution may be accomplished by posting on an internet Web site, provided all students and employees are directly notified of how to access the policy and procedure by an exact address, and that they may request a paper copy. Copies of the policy and procedure shall be conspicuously posted at appropriate locations on the College campus at all times and shall include the designated officers' names, locations and telephone numbers.

Designated officers also must be identified by name, location and phone number in informational publications such as student catalogs, student and employee handbooks, bulletin boards, campus Web sites and other appropriate public announcements.

### **Part 11. Maintenance of report/complaint procedure documentation**

During and upon the completion of the complaint process, the complaint file shall be maintained in a secure location in the office of the designated officer for the College in accordance with the applicable records retention schedule. Access to the data shall be in accordance with the respective collective bargaining agreement or personnel plan, the Minnesota Government Data Practices Act, the Family Educational Rights and Privacy Act or other applicable law.

Related Policies:

<http://www.mnscu.edu/board/policy/1b01p1.html>

<http://www.mnscu.edu/board/procedure/1b01p1.html>



**MINNEAPOLIS**  
COMMUNITY & TECHNICAL  
COLLEGE

**DISCRIMINATION/HARASSMENT COMPLAINT FORM**

Name: \_\_\_\_\_ Date: \_\_\_\_\_  
*Person Filing Complaint (Complainant)*

Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
ID: \_\_\_\_\_

My status is:  
 Student       Employee       Other: \_\_\_\_\_

This complaint is about:  
 Discrimination     Harassment       Retaliation       Other

I believe I was discriminated against, harassed, or retaliated against based on my:

- |                                     |  |  |   |
|-------------------------------------|--|--|---|
| <input type="checkbox"/> Age        | <input type="checkbox"/> Familial Status   | <input type="checkbox"/> Membership or Activity in a | <input type="checkbox"/> Race               |
| <input type="checkbox"/> Color      | <input type="checkbox"/> Gender Expression | Local Human Rights Commission                        | <input type="checkbox"/> Religion           |
| <input type="checkbox"/> Creed      | <input type="checkbox"/> Gender Identity   | <input type="checkbox"/> National Origin             | <input type="checkbox"/> Sex                |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Marital Status    | <input type="checkbox"/> Public Assistance Status    | <input type="checkbox"/> Sexual Orientation |

**DETAILS OF COMPLAINT**

Name(s): \_\_\_\_\_  
*Person(s) You are Complaining About (Respondent)*

1. Please describe the action or incident that caused you to file this complaint. Include date, place, time, and witnesses (if any). Attach additional sheets if necessary.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. How have you tried to resolve this complaint? When? With whom?

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3. Have you informed any other college employee or filed any other complaint with another department? Please explain.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

4. How would you like to see this situation resolved?

\_\_\_\_\_  
 \_\_\_\_\_

Complainant's signature: \_\_\_\_\_ Date: \_\_\_\_\_

# MINNEAPOLIS COLLEGE POLICY 2.05.01 – PROCEDURES FOR REQUESTING REASONABLE WORKPLACE ACCOMMODATIONS

## Part 1. ADA Coordinator

Pursuant to state law, every agency must designate an individual to coordinate requests for accommodation under the Americans with Disabilities Act. The ADA coordinator on campus is:

Bobbie Denson Davis, Sr. HR Business Partner, Equity and Inclusion Officer

Phone: 612-659-6572

Office: K1101

Email: [bobbi.davis@minneapolis.edu](mailto:bobbi.davis@minneapolis.edu)

## Part 2. Requests for Accommodations

1. An employee requesting a job accommodation due to a disability should complete the appropriate form available in the ADA coordinator's office.
2. Employees must provide the ADA coordinator with appropriate medical documentation supporting the existence of a disability and detailing physical or mental limitations.
3. The ADA coordinator will then determine whether the employee meets the definition of a qualified individual with a disability under the ADA.
4. The ADA coordinator will review medical documentation and determine the precise job-related limitations.
5. If the employee meets the ADA-definition of a qualified individual with a disability, the ADA coordinator will then identify potential accommodations and assess the effectiveness each would have in allowing the individual to perform the essential job functions.
6. The ADA coordinator will select and implement the accommodation that is the most appropriate for both the individual and the employer. While an individual's preference for accommodations will be considered, the College is free to choose among equally effective accommodations.
7. If a request for accommodation is not approved, the ADA coordinator shall inform the employee of the reasons for non-approval in writing within 3 working days of the decision.
8. Employees or applicants who are dissatisfied with the decision(s) pertaining to his/her accommodation request may file an appeal with the President, within a reasonable period of time, for a final decision.

## Part 3. Rights and Responsibilities

As an employee with a disability, you have:

- The right to a reasonable accommodation so that you can carry out the essential functions of your job;
- The right to the elimination or reassignment of marginal functions of your job as a reasonable accommodation;
- The responsibility to carry out essential job functions;
- The responsibility to provide specific, relevant medical documentation of your need for a reasonable accommodation;

As an employer, the College has:

- The right to determine essential and marginal job duties;
- The right to establish job qualifications;
- The right to request medical documentation;
- The right to establish standards of performance for a job;
- The right to choose the accommodation, as long as it is effective;
- The right to deny a request for an accommodation to an individual who is not otherwise qualified to perform the essential job functions;
- The responsibility to treat each employee with a disability on an individual basis when determining reasonable accommodation;
- The responsibility to document the request for and approval or denial of an accommodation;
- The responsibility to maintain all medical documentation in a confidential file separate from the employee's personnel file.

**Please review the following forms:**

- [Employee/Applicant Request for Americans with Disabilities Act](#)
- [Authorization of Release of Medical Information for ADA Reasonable Accommodations](#)
- [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](#)

## REFERENCES

- [U.S. Equal Employment Opportunity Commission](#), *Enforcement Guidance*
- Pre-employment Disability-Related Questions and Medical Examinations at 5, 6-8, 20, 21-22, 8 FEP Manual (BNA) 405:7191, 7192-94, 7201 (1995).
- Workers' Compensation and the ADA at 15-20, 8 FEP Manual (BNA) 405:7391, 7398-7401 (1996).
- The Americans with Disabilities Act and Psychiatric Disabilities at 19-28, 8 FEP Manual (BNA) 405:7461, 7470-76 (1997).
- Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act (October 17, 2002), (clarifies the rights and responsibilities of employers and individuals with disabilities regarding reasonable accommodation and undue hardship).

- Disability-Related Inquiries and Medical Examinations of Employees (explains when it is permissible for employers to make disability-related inquiries or require medical examinations of employees).
- Fact Sheet on the Family and Medical Leave Act, the Americans with Disabilities Act, and Title VII of the Civil Rights Act of 1964 at 6-9, 8 FEP Manual (BNA) 4055:7371.

The [Genetic Information Nondiscrimination Act \(GINA\) of 2008](#) and [M.S. 181.974](#) prohibit employers from using genetic information when making decisions regarding employment.

[Minnesota Human Rights Act \(MHRA\)](#) prohibits employers from treating people differently in employment because of their race, color, creed, religion, national origin, sex, marital status, familial status, disability, public assistance, age, sexual orientation, or local human rights commission activity. The MHRA requires an employer to provide reasonable accommodation to qualified individuals with disabilities who are employees or applicants for employment, except when such accommodation would cause undue hardship or where the individual poses a direct threat to the health or safety of the individual or others. The MHRA prohibits requesting or requiring information about an individual's disability prior to a conditional offer of employment.

The [Family and Medical Leave Act](#) is a federal law requiring covered employers to provide eligible employees twelve weeks of job-protected, unpaid leave for qualified medical and family reasons.

[Executive Order 14-14, Providing for Increased Participation of Individuals with Disabilities in State Employment](#), directs colleges/universities to make efforts to hire more individuals with disabilities and report on progress.

## CONTACTS

Equal Opportunity Office at Minnesota Management and Budget via [ADA.MMB@state.mn.us](mailto:ADA.MMB@state.mn.us)

# Request for Reasonable Accommodation Form

<p>State of Minnesota – (Agency) _____ Date: _____</p> <p align="center"><b>Employee/Applicant Request for Americans with Disabilities Act (“ADA”) Reasonable Accommodation Form</b></p> <p>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.</p> <p>Employee/Applicant Name: _____</p> <p>Job Title: _____</p> <p>Work Location: _____ Phone Number: _____</p> <p><b>Data Privacy Statement:</b> 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.</p> <p><b>Questions to clarify accommodation requested.</b></p> <p>What specific accommodation are you requesting? _____</p> <p>If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore?    <input type="checkbox"/> YES    <input type="checkbox"/> NO</p> <p>If yes, please explain.</p> <div style="background-color: #e0e0ff; height: 100px; width: 100%;"></div>	<p><b>Questions to document the reason for the accommodation request (please attach additional pages if necessary).</b></p> <p>What, if any, job function are you having difficulty performing?</p> <div style="background-color: #e0e0ff; height: 30px; width: 100%;"></div> <p>What, if any, employment benefits are you having difficulty accessing?</p> <div style="background-color: #e0e0ff; height: 30px; width: 100%;"></div> <p>What limitation, as result of your physical or mental impairment, is interfering with your ability to perform your job or access an employment benefit?</p> <div style="background-color: #e0e0ff; height: 30px; width: 100%;"></div> <p>If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?</p> <div style="background-color: #e0e0ff; height: 30px; width: 100%;"></div> <p><b>Information Pertaining to Medical Documentation:</b> 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.</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>This form 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.</p> </div>
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[Employee/Applicant Request for ADA Reasonable Accommodation Form](#)

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## EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

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A copy of the college's weather and emergency evacuation plans can be found at:

<https://www.minneapolis.edu/About-Us/Human-Resources/Policies/Equal-Opportunity-Policies/205-Individuals-with-Disabilities/20502-Evacuation-Procedures-for-Students-and-Employees-with-Disabilities>

Directors, managers, and supervisors should review the emergency evacuation procedures with staff, including informing all staff that if additional assistance may be needed, and individuals with disabilities should contact the following college contacts below to request the type of assistance they may need.

Curt Schmidt, Director of Public Safety  
[612-659-6902/Curt.Schmidt@minneapolis.edu](mailto:Curt.Schmidt@minneapolis.edu)

Bobbie Denson Davis, Sr. HR Business Partner, Equity and Inclusion Officer  
[612-659-6572/Bobbi.Davis@minneapolis.edu](mailto:Bobbi.Davis@minneapolis.edu)

### College Policy 2.05.02

#### Evacuation Procedures for Students and Employees With Disabilities

In the event the fire alarm is sounded in any building on the MINNEAPOLIS COLLEGE campus, or an emergency evacuation is warranted for other reasons, the following procedures shall be used to assist in the timely and safe evacuation of mobility and sensory impaired students and employees.

##### Part 1. Responsibility

1. Instructors and supervisors who have mobility or sensory impaired individuals in a classroom or work area shall ask the individual if they require assistance during an emergency evacuation. If assistance is needed, instructors and supervisors shall escort or direct the individual outside or to the nearest evacuation area as designated below.
2. The College has designated emergency response teams with authority to coordinate and lead the evacuation process. Until the response of such team(s), the Public Safety and Facilities staff shall send representatives to the designated evacuation areas to assist with the evacuation if warranted of individuals waiting at these sites.

##### Part 2. Evacuation Areas

1. Kopp Hall: First floor hallway west of College Advancement. Avoid the lobby and other areas exposed to exterior glass.
  - **Mobility impairments:** 2nd floor near K2700 by elevator; 3rd floor near K3355 by elevator.

2. Bowman Hall (Gym): Physical education basement hallway and locker rooms. Keep out of gym in severe weather to avoid possible roof collapse.
3. T-Building: Entire basement is safe. Evacuate 1st, 2nd and 3rd floors to basement by Stairwell A (near Hennepin Skyway) or stairwell B (near T.2300). Evacuate 4th and 5th floors to basement by Stairwell A. Stairwells C, D, and E do not go to the basement.
  - **Mobility impairments:** Basement stay in place. Floors 1, 2, 3, 4 and 5 the primary safe areas are the landings in Stairwell A. Alternate safe areas are landings in Stairwell C.
4. Fine Arts Building: Fine Arts 1st and 2nd floors evacuate to Helland Center basement via Stairwell D, southeast Helland Center stairwell.
  - **Mobility impairments:** Fine Arts 1st floor evacuate to H.104 hallway area. Fine Arts 2nd floor evacuate to rest rooms vicinity of H2200.
5. Helland Center: Entire basement is safe. Evacuate 1st, 2nd and 3rd floors to basement using Stairwells B, C and D. Evacuate 4th and 5th floors to Helland Center basement by stairwell B, northwest stairwell.
  - **Mobility impairments:** Basement stay in place. 1st floor to H1200 interior hallway. 2nd floor move to rest rooms near H.2200. 3rd floor near elevator and restrooms, 4th floor to H4004 interior hallway. 5th floor to H5003 interior hallway.
6. Wheelock Whitney Hall: Library, evacuate to rooms L.1300 and L.1200. 3rd floor evacuate to L.1300 and L.1200. If the library is closed follow Kopp Hall evacuation process.
  - **Mobility impairments:** To elevator lobby areas on 2nd or 3rd floor.
7. Parking Ramp: All basement level stairwells and basement elevator lobby are safe areas.
8. Science Building: All levels evacuate to the basement by nearest route.
  - **Mobility impairments:** to Stairwell "A" 1st, 2nd and 3rd floor stair lobbies.
9. Management Education Center: All levels evacuate to the basement by nearest route. (Staff or Faculty to unlock). Mobility impairments: To Elevator lobby areas on the 1st or 2nd floor.
10. Aviation evacuate to the designated safe shelter area(s).

**Date effective:** 7/1/1999

**Date last amended:** 1/1/2012

## Utilization Analysis Tables

WOMEN									
Job Categories	Total Employees in Job Group	Total Number of Women in Group	% of Women in the Group	Availability %	Availability Number	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	17	<10	52.94%	40.40%	7	0	0	Same	0
Professionals	118	74	62.71%	55.70%	66	0	0	Same	0
Faculty	146	81	55.48%	46.20%	67	0	0	Same	0
Paraprofessionals	17	12	70.59%	61.30%	10	0	0	Same	0
Protective Services: Non-sworn	12	<10	0.00%	60.10%	7	7	6	Not Improved	1
Office/Clerical	55	41	74.55%	63.40%	35	0	0	Same	0
Technicians	4	<10	50.00%	57.20%	2	0	0	Same	0
Skilled Craft	9	<10	0.00%	6.30%	1	1	1	Same	0
Service Maintenance	28	<10	14.29%	44.40%	12	8	8	Same	0
<b>Totals</b>	<b>406</b>	<b>223</b>	<b>54.93%</b>						

MINORITIES									
Job Categories	Total Employees in Job Group	Total Number of Women in Group	% of Women in the Group	Availability %	Availability Number	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	17	<10	23.54%	21.70%	4	0	0	Same	0
Professionals	118	40	33.90%	10.60%	13	0	0	Same	0
Faculty	146	38	26.03%	24.90%	36	0	1	Improved	1
Paraprofessionals	17	<10	23.53%	10.55%	2	0	0	Same	0
Protective Services: Non-sworn	12	<10	33.33%	10.00%	1	0	0	Same	0
Office/Clerical	55	19	34.55%	10.50%	6	0	0	Same	0
Technicians	4	<10	25.00%	10.60%	0	0	1	Improved	1
Skilled Craft	9	<10	11.11%	8.80%	1	0	0	Same	0
Service Maintenance	28	13	46.43%	19.50%	5	0	0	Same	0
<b>Totals</b>	<b>406</b>	<b>124</b>	<b>30.54%</b>						

## Utilization Analysis Tables

INDIVIDUALS WITH DISABILITIES									
Job Categories	Total Employees in Job Group	Total Number of Women in Group	% of Women in the Group	Availability %	Availability Number	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	17	<10	0.00%	7.00%	1	1	1	Same	0
Professionals	118	<10	4.24%	7.00%	8	3	0	Not improved	2
Faculty	146	<10	4.11%	7.00%	10	4	0	Not improved	2
Paraprofessionals	17	<10	0.00%	7.00%	1	1	1	Same	0
Protective Services: Non-sworn	12	<10	0.00%	7.00%	1	1	0	Same	1
Office/Clerical	55	<10	7.27%	7.00%	4	0	0	Same	1
Technicians	4	<10	25.00%	7.00%	0	0	1	Same	0
Skilled Craft	9	<10	0.00%	7.00%	1	1	0	Not improved	1
Service Maintenance	28	<10	7.14%	7.00%	2	0	2	Improved	2
<b>Totals</b>	<b>406</b>	<b>18</b>	<b>4.43%</b>						

VETERANS									
Job Categories	Total Employees in Job Group	Total Number of Women in Group	% of Women in the Group	Availability %	Availability Number	AAP 2018-2020 Number Underutilized	AAP 2016-2018 Underutilized	Improved, Not Improved, Same	Numerical Difference in the Two Plans
Officials/Administrators	17	<10	0.00%	8.00%	1	1	1	same	0
Professionals	118	<10	1.69%	8.00%	9	7	5	Not improved	2
Faculty	146	<10	4.79%	8.00%	12	5	4	Not improved	1
Paraprofessionals	17	<10	0.00%	8.00%	1	1	2	Not improved	1
Protective Services: Non-sworn	12	<10	8.33%	8.00%	1	0	0	same	0
Office/Clerical	55	<10	1.82%	8.00%	4	3	3	same	0
Technicians	4	<10	0.00%	8.00%	0	0	0	same	0
Skilled Craft	9	<10	0.00%	8.00%	1	1	2	same	0
Service Maintenance	28	<10	17.86%	8.00%	2	0	0	same	0
<b>Totals</b>	<b>406</b>	<b>16</b>	<b>3.94%</b>						