



State of Minnesota  
2013-2015

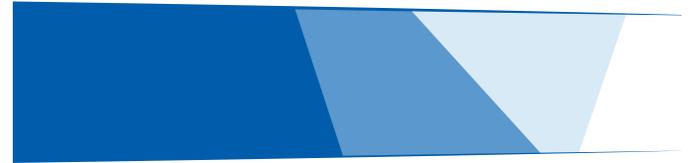
# AFFIRMATIVE ACTION PLAN



12-12-028

FROM THE METROPOLITAN COUNCIL'S  
OFFICE OF DIVERSITY AND EQUAL OPPORTUNITY

2013-2015



# AFFIRMATIVE ACTION PLAN

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## STATEMENT OF POLICY

The Council's employment practices and business operations shall reflect a value and respect for the diversity among its employees, customers and citizens of the Metropolitan region. Diversity means all of the influences that shape the unique identity each individual brings to the work place and the Regional community. We are committed to providing a respectful work environment that appreciates and promotes the contributions of all of our employees.

The Metropolitan Council shall provide equal opportunity in all areas of employment including recruitment, selection, compensation, benefits, promotion, transfer, demotion, discipline action, layoff, termination, training, and other terms, conditions and privileges of employment. The Council shall not discriminate against any employee or job applicant:

- a. On the basis of race, color, creed, religion, national origin, sex, disability, age, marital or public assistance status, sexual orientation, special disabled veterans and Vietnam era veterans, membership or activity in a human rights commission, or on any other basis prohibited by federal, state or local law; and
- b. The Council shall take affirmative action to overcome the present effects of historical employment discrimination against women, people of color, people with disabilities, special disabled veterans and Vietnam era veterans. The Council's Affirmative Action Plan includes goals and timetables for the hiring of women, people of color and people with disabilities where they are underrepresented on the Council's work force.

Successful achievement of diversity, equal opportunity and affirmative action objectives will benefit the Council through fuller use and development of previously underutilized human resources.

The Council shall provide equal opportunity in access to public services, and shall not discriminate in its provision of public services against any individual on the basis of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status.

The Director of Equal Opportunity is responsible for implementation of the Council's diversity, affirmative action and equal opportunity programs. All Council managers and supervisors share responsibility for implementing these programs. Managers' and supervisors' performance will be evaluated on the basis of the success of these programs in their work units, in the same way that manager/supervisor performance on other agency and business goals is evaluated.

The Council shall act aggressively to maintain a work atmosphere and provide public services in a manner free of harassment. Intimidation, discrimination, sexual harassment, and harassment by or of employees on the basis of race, gender, disability, religion, color, national origin, age, sexual orientation, special disabled veterans and Vietnam era veterans and all other bases are prohibited by law and **WILL NOT BE TOLERATED.**

If an employee or job applicant believes that they have been discriminated against or harassed, they should contact their supervisor or the Office of Equal Opportunity.

**Regional Administration and Environmental Services Office of Equal Opportunity**, 390 N Robert Street, St. Paul, MN 55101; 651-602-1085

**Metro Transit Office of Equal Opportunity**, 560 6<sup>th</sup> Ave. N., Minneapolis, MN 55411; 612-349-7683.

Retaliation against an individual for bringing an employment or public service discrimination complaint, or for cooperating in a complaint inquiry, is prohibited.

This policy and the *Discriminatory Harassment/Inappropriate Behavior Policy* are posted on METNET, <http://metnet/Pages/default.aspx>, the internal Council website. A copy of the entire Affirmative Action Plan is available from the Council's Office of Equal Opportunity Offices. It is the responsibility of each employee to support the affirmative action program and to apply the principles of equal opportunity and diversity in their day-to-day work.



Pat Born, Regional Administrator

7.18.12

Date



# THE METROPOLITAN COUNCIL ORGANIZATION

## METROPOLITAN COUNCIL

The Metropolitan Council is the regional planning agency serving the Twin Cities seven-county metropolitan area and providing essential services to the region. The Council works with local communities to provide these critical services:

- operates the region's largest bus system, and collects and treats wastewater
- engages communities and the public in planning for future growth
- provides forecasts of the region's population and household growth
- provides affordable housing opportunities for low- and moderate-income individuals and families
- provides planning, acquisitions and funding for a regional system of parks and trails
- provides a framework for decisions and implementation for regional systems including aviation, transportation, parks and open space, water quality and water management.

The Council is committed to environmental stewardship, sustainable solutions, and reduced energy use.

## GOVERNANCE

The 17-member Metropolitan Council has 16 members who each represent a geographic district and one chair who serves at large. They are all appointed by and serve at the pleasure of the governor. The State Senate confirms Council member appointments.

## MISSION

The mission of the Metropolitan Council is to foster efficient and economic growth for a prosperous metropolitan region.

## FINANCE

The Council employs about 3,700 people and has an annual operating budget of \$739 million: 70% of spending is for day-to-day operations; 19% is debt service for wastewater and transportation capital projects; and 11% is pass-through grants to other agencies. The \$78 million of grants to local jurisdictions are for regional park operations, community development projects, suburban transit agency operations, and housing assistance for low-income families. On the operations revenue side, 45% of revenues are from user fees, such as wastewater charges and bus fares; 41% is state and federal funds; 10% is a regional property tax; and 4% other sources. The bulk of the Council's employees operate the region's transit and regional wastewater treatment systems.

**Website:** [www.metrocouncil.org](http://www.metrocouncil.org)

**Online newsletter** [www.metrocouncil.org/directions/index.htm](http://www.metrocouncil.org/directions/index.htm)

**Metro Transit** [www.metrotransit.org/](http://www.metrotransit.org/)

**24-Hour Transit Information** 612-333-3373

**Metro HRA** 651-602-1428

### Street Address

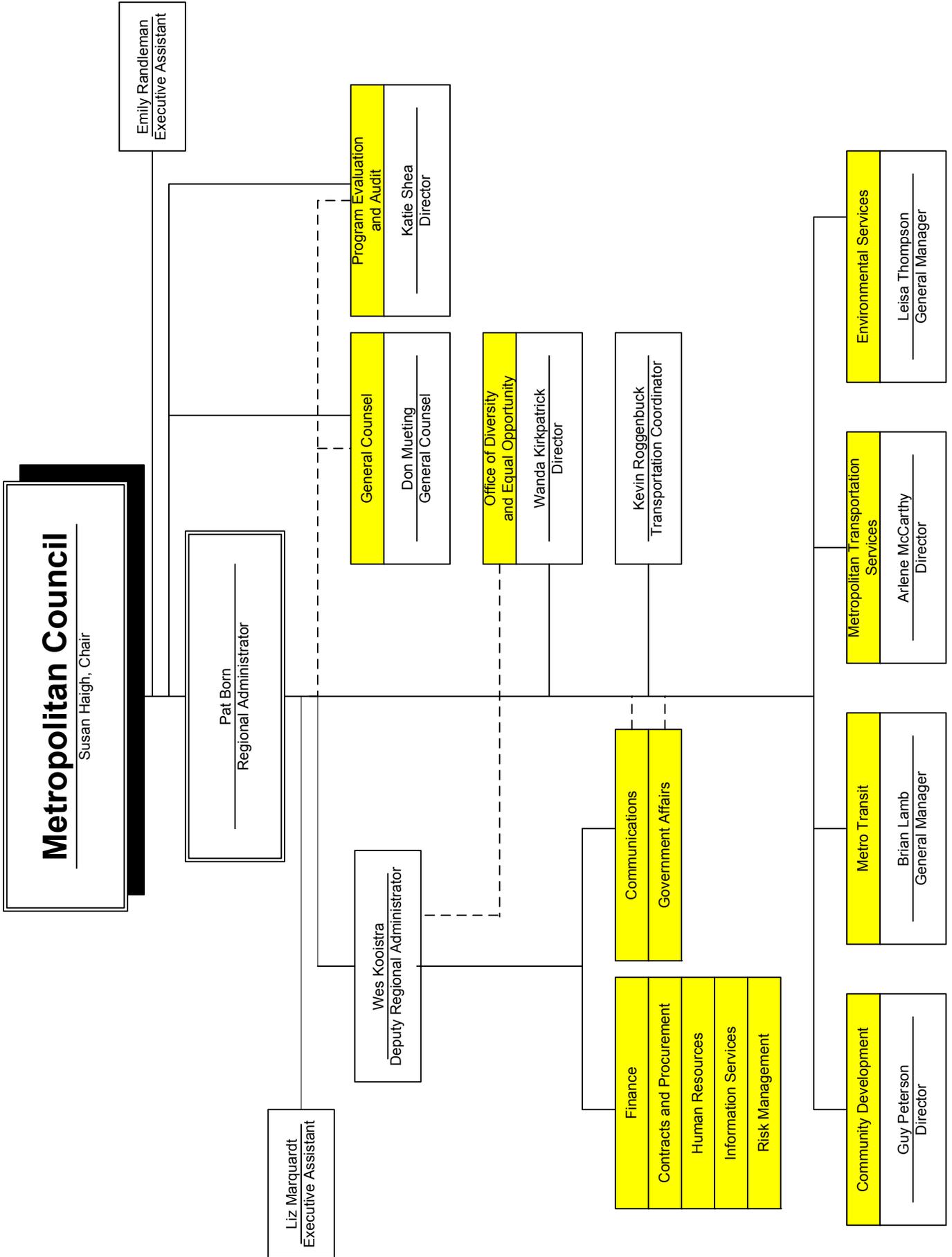
Metropolitan Council  
390 N. Robert Street  
Saint Paul MN 55101

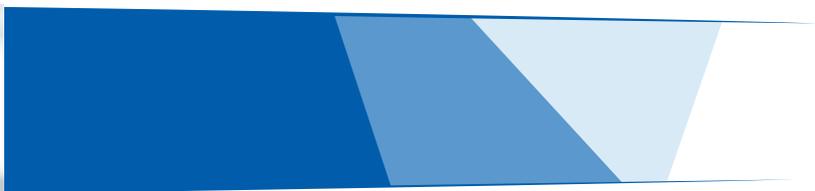
Phone: 651-602-1000 • TTY: 651-291-0904 • Public Information: 651-602-1140

**E-mail:** [public.info@metc.state.mn.us](mailto:public.info@metc.state.mn.us)

July 7, 2012

Chart No. 01.0





# TRANSMITTAL

Global Metropolitan Council  
5/31/2010

## Transmittal Form

EEO CODE	EEO Job Categories/Groups	Protected Class Needs		
		Minority	Female	Disability
1A	Officials/Administrators (Executives)			
1B	Managers/Supervisors (Administration)		X	X
1C	Managers/Supervisors (Technical)		X	X
1D	Managers/Supervisors (Transportation)		X	X
2A	Professionals (Administration)		X	X
2B	Professionals (Technical)	X		X
3A	Technician/Para-Professional (Administration)	X	X	X
3B	Technician (Technical)	X		X
4	Protective Service Worker		X	X
5A	Administrative Support (Secretarial)		X	X
5B	Administrative Support (Clerks)		X	X
6E	Skilled Craft (Electricians)			
6F	Skilled Craft (Electro-Mechanical/Scada Signals/Comm)		X	X
6I	Skilled Craft (Interceptor Serviceworker II)	X		X
6M	Skilled Craft (Machinists)	X	X	X
6O	Skilled Craft (Operators)	X		X
6P	Skilled Craft (Pipefitters)			
6S	Skilled Craft (Boiler Maint & Stationary Engineers)		X	
6X	Skilled Craft (Bricklayers & Painters)			
8A	Service Maintenance (Asst Operators & Laborers)			X
8B	Service Maintenance (Drivers & Instructors)		X	X
8C	Service Maintenance (Rail Transportation)	X	X	X

X - Need Exists

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Wanda Kirkpatrick, Director, Office of Diversity & Equal Opportunity      Date

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Pat Born, Regional Administrator

Date



## POLICIES AND PROCEDURES

### POLICY – DIVERSITY, EQUAL OPPORTUNITY AND AFFIRMATIVE ACTION

*Section/Number:* 4-2 *Total Pages:* 2

*Dept. Responsible:* Office of Diversity

*Effective Date:* 9/11/98

*Special Note:* Supersedes all previous policies regarding diversity, equal opportunity and affirmative action.  
*Revision No.*

#### **I. Policy:**

The Metropolitan Council's employment practices and business operations will reflect a value and respect for the diversity among its employees and customers and the citizens of the Twin Cities. The Council will provide a respectful work environment that appreciates and promotes the contributions of all employees.

The Council will provide equal opportunity in all areas of employment including recruitment, selection, compensation, benefits, promotion, transfer, demotion, disciplinary action, layoff, termination, training, and other terms, conditions and privileges of employment.

The Council will not discriminate against any employee or job applicant:

- A. on the basis of race, color, creed, religion, national origin, sex, disability, age, marital or public assistance status, sexual orientation, membership or activity in a human rights commission, or on any other basis prohibited by federal, state or local law; or
- B. because they are a disabled or Vietnam era veteran.

The Council will take affirmative action to overcome the present effects of historical employment discrimination against women, people of color, people with disabilities, and Vietnam era veterans.

The Council will provide equal opportunity in access to public services, and will not discriminate in its provision of public services against any individual on the basis of race, color, creed, religion, national origin, disability, sex, sexual orientation, or public assistance status.

Retaliation against an individual for bringing an employment or public service discrimination complaint, or for cooperating in a complaint inquiry, is prohibited.

## II. Purpose of policy:

- A. To articulate the Council's commitment to valuing diversity, providing equal opportunity in employment and public services, and practicing affirmative action to correct the historic underrepresentation of certain groups in its work force.
- B. To define what is meant by diversity.
- C. To identify all bases (race, sex, etc.) on which employment and public service discrimination is prohibited by federal, state and local law.
- D. To identify the four groups for whom affirmative action in employment will be taken.

## III. Background and reasons for policy:

- A. Diversity means all of the influences that shape the unique identity each individual brings to the work place and the regional community.
- B. Tapping the reservoir of diverse skills, insights and needs among employees and the public; providing equal opportunity in employment and public services makes sound business sense.
- C. Equal opportunity and affirmative action are the law.

## IV. Implementation/Accountability:

### Related policies:

Discrimination Harassment/Inappropriate Behavior  
Reasonable Accommodation and Workplace Adjustments

### Implementing procedures:

Discrimination Complaint Investigations

### Accountability:

All Council employees are expected to conduct themselves in accord with the spirit and requirements of this policy. Discrimination may result in corrective action, including discipline.

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## POLICY - DISCRIMINATION, HARASSMENT AND INAPPROPRIATE BEHAVIOR

*Section/Number: 4-2-1*

*Total Pages: 4*

*Dept. Responsible:*

*Office of Diversity*

*Effective Date:*

*9/11/98*

*Special Note: Supersedes all previous policies regarding diversity, equal opportunity and affirmative action*

*Revision No. 1 (1/12/05)*

## I. Policy:

It is the policy of the Metropolitan Council to provide a work atmosphere and deliver public services in a manner that is free of discriminatory harassment and inappropriate behavior.

Harassment or inappropriate behavior in the employment setting based on race, color, creed, religion, national origin, sex, marital or public assistance status, sexual orientation, disability, age, or membership or activity in a local human rights commission will not be tolerated. The term "employment setting" includes employer-sponsored events held at off-site locations.

Harassment or inappropriate behavior in the provision of public services on the basis of race, color, creed, religion, national origin, sex, disability, sexual orientation, or public assistance status will not be tolerated. Employees, Council members, Parks and Open Space Commission members, and Council advisory committee and task force members are prohibited from harassing or exhibiting inappropriate behavior towards others in the performance of Council-related business or while on Council premises.

Retaliation against an individual because of reporting a suspected incident of harassment or inappropriate behavior, or cooperating in an investigation, is prohibited.

## II. Purpose of policy:

- A. To assure all Metropolitan Council employees and their customers and clients that no form of harassment or inappropriate behavior will be tolerated.
- B. To establish clear guidelines for acceptable workplace behavior and encourage an environment of respect and dignity.
- C. To encourage employees to report discriminatory harassment/inappropriate behavior to management or Office of Equal Opportunity staff.

## III. Background and reasons for policy:

- A. To educate Council employees about what constitutes discriminatory harassment and inappropriate behavior, recognizing that prevention is the best tool for safeguarding the work place from discrimination.
- B. To identify all bases (race, sex, etc.) on which harassment in employment and public services is prohibited by federal, state or local law.

### Definitions

- A. Discriminatory harassment is verbal or physical conduct or communication that occurs on the basis of characteristics identified in law or Council policy as improper bases for discrimination, AND is unwelcome, AND
  - 1. Submission to such conduct or communication is made either explicitly or implicitly a term or condition of an individual's employment or access to public services; OR
  - 2. Submission to or rejection of such conduct or communication by an individual is used as a basis for decisions affecting that individual's employment or access to public services; OR
  - 3. Such conduct or communication has the purpose or effect of:
    - a. Creating an intimidating, hostile, or offensive work environment or atmosphere in which public services are provided; OR
    - b. Substantially interfering with an individual's work performance or use of public services, OR
    - c. Otherwise adversely affecting an individual's employment opportunities or receipt of public services.

Discriminatory harassment includes harassment directed at an individual or group because of their sex, race, national origin, sexual orientation, disability, age, religion, or any other basis prohibited by law.

- B. Inappropriate behavior is conduct or communication based on race, color, creed, religion, national origin, sex, marital or public assistance status, sexual orientation, disability or age that is hostile, derogatory, offensive or exploitive, but may not be so severe or pervasive as to constitute harassment.
- C. Specific Definitions
  - 1. *Sexual harassment* includes sexually motivated physical contacts, sexually derogatory

statements, physical and verbal sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature.

2. *Gender-based harassment* includes verbal or physical conduct or communication that is hostile, derogatory, offensive or exploitive, but not of a sexual nature, relating to the gender of another individual or group.
3. Harassment on the basis of *sexual orientation* includes hostile, demeaning, offensive or exploitive verbal or physical conduct or communication relating to the sexual or affectionate orientation of an individual or group.
4. *Racial harassment* includes hostile, offensive, degrading or exploitive verbal or physical conduct or communication relating to the race or color of an individual or group
5. Harassment on the basis of national origin includes hostile, offensive, degrading or exploitive verbal or physical conduct relating to the national origin of an individual or group.
6. *Disability harassment* includes hostile, derogatory, offensive or exploitive verbal or physical conduct or communication relating to the disability of an individual or group. It includes behavior that maligns a reasonable accommodation provided by the Council to enable an individual with disabilities to compete for or perform Council jobs, or to utilize Council services. It covers actions such as tampering or interfering with assistive devices used by an individual.
7. *Age harassment* includes insulting, intimidating or demeaning verbal or physical conduct or communication relating to the age of an individual or group. It includes negative characterizations or stereotypes of an individual or group based on age.
8. *Religious harassment* includes antagonistic or denigrating verbal or physical conduct relating to the religious beliefs or affiliation of any individual or group. It includes applying unwelcome, undue pressure on others, while on Council premises or performing Council work, to subscribe to particular religious beliefs or to join a particular religious group.

#### D. Examples

The following may constitute discriminatory harassment or inappropriate behavior:

1. Physical
  - a. Assault
  - b. Touching
  - c. Coerced physical contact or attempts to engage in such contact
  - d. Brushing against someone's body
  - e. Blocking
2. Verbal
  - a. Sexual propositions
  - b. Offensive jokes about traits relating to gender, race, disability, age, sexual orientation, etc.
  - c. Suggestive, insulting or vulgar comments
  - d. Derogatory characterizations of a person's or group's ability based on national origin, age, gender, disability, etc.
  - e. Comments or inquiries about a person's sexual behavior
  - f. Explicit or implicit promises of preferential treatment for submitting to or tolerating harassment or offensive behavior
3. Non-verbal
  - a. Suggestive or insulting sounds or gestures
  - b. Leering
  - c. Displaying or bringing into the work place derogatory, intimidating or sexually suggestive material or items.

These examples should not be construed as an all inclusive list of harassing or inappropriate behavior.

#### IV. Implementation/Accountability

Related policies:

Diversity, Equal Opportunity and Affirmative Action, Reasonable Accommodation and Workplace Adjustments

Implementing procedures:

Discrimination Complaint Investigations

Accountability:

- A. All Metropolitan Council officials and employees will be held accountable for treating one another, their customers and clients with courtesy, dignity and respect, and for complying with this policy. Any individual found, through an inquiry, to have engaged in discriminatory harassment, inappropriate behavior or retaliation while in the performance of their job or while on Council premises, shall be subject to disciplinary action up to and including discharge.
- B. An employee who believes that he or she has been subjected to or witnessed discriminatory harassment or inappropriate behavior is encouraged to report it to their supervisor, a manager in their management chain, or the Office of Equal Opportunity.
- C. Council members must notify the County Deputy or Regional Administrator regional administrator immediately if they learn of possible work place harassment or inappropriate behavior.
- D. Managers and supervisors will be held accountable for taking prompt and appropriate action whenever they become aware of possible discriminatory harassment or inappropriate behavior. Managers and supervisors must notify their manager or director and the Office of Equal Opportunity of such behavior. Failure to do so may result in disciplinary action up to and including discharge.

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#### PROCEDURE - DISCRIMINATION COMPLAINT INVESTIGATION

Section/Number: 4-2-1a      Total Pages: 3

Dept. Responsible:          Office of Diversity

Effective Date:              11/23/98

Special Note: *This procedure supersedes previous complaint Investigation procedures*

Revision No. 1 (9/15/00)

#### COMPLAINT INVESTIGATION PROCEDURES

##### I. Policy:

It is the policy of the Metropolitan Council to provide a work atmosphere and deliver public services in a manner that is free of discriminatory harassment and inappropriate behavior.

The Metropolitan Council's employment practices and business operations will reflect a value and respect for the diversity among its employees and customers and the citizens of the Twin Cities. The Council will provide a respectful work environment that appreciates and promotes the contributions of all employees.

Harassment or inappropriate behavior in the employment setting based on race, color, creed, religion, national origin, sex, marital, or public assistance status, sexual orientation, disability, age, or membership or activity in a local human rights commission will not be tolerated. The term "employment setting" includes employer-sponsored events held at off-site locations

Retaliation against an individual for bringing an employment or public service discrimination complaint, or for cooperating in a complaint inquiry, is prohibited. Retaliation against an individual because of reporting a suspected incident of harassment or inappropriate behavior, or cooperating in an investigation, is prohibited.

(NOTE: This procedure applies to both the Diversity, Equal Opportunity and Affirmative Action Policy and the Discrimination, Harassment and Inappropriate Behavior Policy. The policy statement above is an excerpt of each of these Policies. Please reference Policy 4-2 and 4-2-1 for further clarification)

## **II. Procedure:**

### **A. Scope**

1. Complaints must be filed within one year of the alleged discriminatory event and will be investigated in accordance with this procedure.
2. The steps in this procedure are not a prerequisite to filing a complaint with an external agency. Neither does this procedure limit a person's right to file a complaint with an external agency such as the Minnesota Department of Human Rights, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Transportation or the Federal Transit Administration. Such complaints include but are not limited to:
  - a. Complaints of employment discrimination, including discriminatory harassment, hiring, discipline, training, etc.
  - b. Complaints of discrimination in the delivery of Council public services.
  - c. Americans with Disabilities Act "grievances" alleging noncompliance with or discrimination prohibited by Titles I and II of the Act.
  - d. Discrimination in the award of Council procurements and contracts.
  - e. Customer complaints against Council employees where there is an allegation of discrimination or discriminatory harassment based on an EEO protected characteristic.
3. Exceptions  
The following complaints will not be investigated under this procedure:
  - a. Service restrictions placed on Metro Mobility riders or denials of Metro Mobility rider eligibility certification. These are appealed through the Metro Mobility Appeals Panel Procedures.
  - b. Customer complaints against Metro Transit employees. These complaints are handled under Metro Transit's Commendation and Complaint Process.
  - c. Complaints by Section VIII rent assistance recipients alleging discrimination by a property owner or manager. These complaints are made with Metro HRA.
  - d. Disputes as a result of an employment action in which an arbitrator has ruled pursuant to a grievance procedure of a collective bargaining or the Non-Represented Plan.

### **B. Guidelines**

1. Employees (including interns) and job applicants are encouraged to use informal mechanisms that can be accessed through the Human Resources or Equal Opportunity offices or management/supervisory staff, to attempt to resolve discrimination issues before filing a complaint under this procedure.
2. Management/supervisory staff must take prompt and appropriate action, as described below, when they learn of possible discriminatory actions, discriminatory harassment, or inappropriate behavior.
  - a. Immediately report allegations of conduct that is severe, repeated or broad in scope to the Office of Equal Opportunity.
  - b. Inquire into and address less serious behavior, such as an isolated offensive joke or comment, posted or circulated material, or unwanted nonsexual touch. Managers and supervisors must complete the Inappropriate Behavior Report form and submit it to the Office of Equal Opportunity within seven (7) days of receiving the report of behavior. Management staff may request the assistance of the Office of Equal Opportunity in dispatching these responsibilities.
3. Investigations will be conducted in a discreet and impartial manner, and the results will be communicated in accordance with the Minnesota Government Data Practices Act. A Data Practices Notice will be given to each person interviewed during a complaint investigation.
4. Management/supervisory personnel are required to cooperate in investigations as part of their job duties.
5. The Regional Administrator, a Council Division Director or General Manager, or the Director of Public

Safety may designate a complaint investigation for compulsory cooperation by nonsupervisory personnel. In the absence of such a designation, nonsupervisory employee participation will be voluntary.

6. Complainants, witnesses or respondents represented by a bargaining unit may bring a union representative with them to an investigative interview.
7. Whenever possible, investigations will be completed within 90 calendar days or days of receipt of the signed Discrimination Complaint Form by the Office of Equal Opportunity. An investigation is completed when the investigative report is sent to the appropriate management staff for review and disposition. Should an investigation exceed 90 days, the investigator will notify the complainant and respondent(s) of the delay and an estimated completion date.
8. Any employee found to have acted in a discriminatory manner may be disciplined up to and including discharge. A manager or supervisor who fails to take prompt and appropriate action upon learning of discriminatory harassment or inappropriate behavior may be disciplined, up to and including discharge.
9. The person bringing the complaint may file an appeal with the General Manager, Division Director, or Regional Administrator when the investigation conclusion does not support the allegation. Such an appeal must be submitted in writing to the Regional Administrator within 15 calendar days of the complainant's notification of the investigation results.



## DESIGNATION OF RESPONSIBILITIES

### DESIGNATION OF RESPONSIBILITIES

#### **A. COUNCIL**

**Responsibilities:** Set policy on affirmative action and equal opportunity.

**Duties:**

1. Adopt equal opportunity, affirmative action and human resources policies that are consistent with equal opportunity and affirmative action laws and regulations.
2. Adopt Affirmative Action Plan.
3. Hold Regional Administrator accountable for organizational achievement of equal opportunity and affirmative action goals.
4. Approve discrimination complaint settlements requiring board authorization.

**Reports to:** Governor.

#### **B. COUNCIL CHAIR**

**Responsibilities and Duties:** Provide leadership to the Council in the discussion and adoption of Council equal opportunity, affirmative action and human resources policies, and Affirmative Action Plan.

**Reports to:** Governor.

#### **C. REGIONAL ADMINISTRATOR**

**Responsibilities:** Provide executive leadership of the Council's diversity, equal opportunity and affirmative action programs.

**Duties:**

1. Recommend and submit equal opportunity, affirmative action and human resources policies, and an Affirmative Action Plan to the Metropolitan Council.
2. Issue administrative procedures that implement Council affirmative action/equal opportunity policies.
3. Ensure that the Council's work atmosphere and delivery of public services are free of discriminatory harassment and inappropriate behavior.
4. Establish management/supervisory accountability; assess manager performance for engaging in nondiscriminatory employment practices and achieving affirmative action objectives in their work units.
5. Authorize hiring in accordance with affirmative action goals and equal employment opportunity principles.

6. Ensure organization-wide consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring Regional Administrator authorization; obtain Council approval when board authorization is needed.
7. Review and decide appeals of complaint investigations relating to discriminatory reprisal.
8. Appoint the chair and members of the Diversity Committee, in consultation with the Executive Management Team.
9. Appoint Director of the Office of Equal Opportunity

**Reports to:** Metropolitan Council.

#### **D. COUNCIL DIVISION DIRECTORS, GENERAL MANAGERS**

**Responsibilities:** Direct and manage the division/operating unit in accordance with diversity, equal opportunity, and affirmative action principles, policies and procedures.

**Duties:**

1. Direct strategies for meeting diversity, affirmative action, and equal opportunity objectives within the division/operating unit.
2. Recommend diversity, equal opportunity and affirmative action strategies to the Regional Administrator.
3. Identify barriers to equal opportunity/affirmative action within the division/operating unit, and take or recommend corrective action.
4. Establish management/supervisory accountability; assess manager performance within the division/operating unit for meeting affirmative action/equal opportunity objectives.
5. Approve hiring recommendations in accordance with affirmative action goals and equal employment opportunity principles.
6. Ensure division/operating unit consistency of corrective action when discrimination complaints are substantiated. Approve corrective action requiring Division Director/General Manager authorization.
7. Provide support and resources to Director of the Office of Equal Opportunity and management/supervisory staff to facilitate success of the equal opportunity program.

**Reports to:** Regional Administrator.

#### **E. DIRECTOR OF THE OFFICE OF EQUAL OPPORTUNITY (AFFIRMATIVE ACTION OFFICER)**

**Responsibilities:** Direct and manage the Council's diversity, affirmative action and equal opportunity programs.

**Duties:**

1. Develop and implement the Affirmative Action/Equal Opportunity Plan.
2. Develop and recommend EEO/Diversity Policies and Procedures.
3. Ensure Council compliance with equal opportunity and affirmative action laws, regulations and agency policies.
4. Develop strategies, in collaboration with Human Resources and management staff, for the recruitment of women, people of color and persons with disabilities and disabled and Vietnam era Veterans.
5. Review the selection criteria used in the staffing process including minimum qualifications, interview questions and written tests to ensure a nondiscriminatory hiring process. Concur on all job hiring recommendations having an affirmative action goal.
6. Investigate and manage the investigation of discrimination complaints and assist management in developing corrective actions when discrimination complaints are substantiated.
7. Facilitate resolution of conflicts relating to diversity, including informal discrimination complaints. Processes formal discrimination complaints.

8. Design and manage the equal opportunity and affirmative action auditing and reporting systems to measure program effectiveness and to determine where progress has been made and where further action is needed.
9. Assist management in collecting and analyzing employment data, identifying problem areas and setting goals, timetables and programs to achieve these goals.
10. Meet periodically with the Regional Administrator, Executive Management Team members and management/supervisory staff to report on organizational and work unit performance related to the agency's affirmative action/equal opportunity goals.
11. Consult with and support all levels of management regarding issues and concerns related to diversity.
12. Identify, design and provide diversity, affirmative action and equal opportunity training.
13. Serve as the agency's ADA Coordinator and manage the reasonable accommodation/work place adjustment process. Coordinate the ADA Title II grievance procedure.
14. Provide leadership to employee-based diversity committee and sub-committees and task forces.
15. Serve as the agency liaison to State, Federal and local governments, regulatory agencies and community organizations that serve women, people of color, persons with disabilities and veterans.
16. Recommend and help implement mechanisms for communicating the Council's Affirmative Action/Equal Opportunity Plan, policies and procedures and progress reports.
17. In concert with the Legal Department, disseminate legal updates related to equal opportunity and affirmative action to the agency managers and supervisors.
18. Manage the work of the Office of Diversity staff.

**Reports to:** Regional Administrator (Metropolitan Council Chief Executive Officer)

#### **F. HUMAN RESOURCES DIRECTOR/HUMAN RESOURCES MANAGERS**

**Responsibilities:** Develop, recommend and administer a human resources system that is consistent with and promotes diversity, equal opportunity and affirmative action objectives.

**Duties:**

1. Develop and recommend Council human resources policies, procedures and programs that integrate diversity, equal opportunity and affirmative action principles and objectives.
2. Administer human resources programs, policies and procedures in accordance with current applicable federal, state and local statutes and regulations, and the Council's AAP.
3. Advise managers and supervisors to ensure that personnel actions taken are consistent with equal opportunity/affirmative action principles.
4. Develop and implement Human Resources Information System. Provide data for equal employment opportunity and affirmative action reports and audits.
5. In concert with the Director, Equal Opportunity, advise management staff on appropriate corrective action when discrimination complaints are substantiated through investigations.
6. Collaborate with Office of Diversity to identify, develop and conduct training relating to diversity issues.

**Reports to:** Regional Administrator

#### **G. MANAGEMENT/SUPERVISORY STAFF**

**Responsibilities:** Manage work unit in accord with diversity, equal opportunity and affirmative action policies and plan.

**Duties:**

1. Actively support the Council in developing, implementing and achieving its affirmative action/

- equal opportunity goals.
2. As needed, review the qualifications of all unit employees to assure that persons of color, women, people with disabilities and disabled and Vietnam era veterans are given full opportunities in all terms and conditions of employment, e.g. transfers, promotion and training.
  3. Ensure all unit employees have access to career counseling and career development opportunities.
  4. In collaboration with the Office of Diversity & Equal Opportunity, represent the Council on outreach initiatives with community organizations serving women, people of color, persons with disabilities and veterans.
  5. Take prompt and appropriate action upon learning of a possible violation of the agency's Discriminatory Harassment and Inappropriate Behavior Policy in accordance with agency procedures.
  6. Cooperate in discrimination complaint investigations and take remedial actions as needed to address problems identified in the complaint process.
  7. Address conflicts related to diversity issues including initiating and participating in the informal complaint process.
  8. Partner with Office of Diversity to facilitate interactive process for workplace adjustments and reasonable accommodations.
  9. Understand your role in and follow the Council's policy on inclusion of disadvantaged businesses in all purchasing and contracting efforts.
  10. Participate in agency audits including employment practices, facility ADA compliance and display of EEO poster and agency diversity policies and procedures.
  11. Assist the Office of Equal Opportunity and senior management staff in identifying agency and work unit problem areas and establishing agency and work unit goals and objectives.
  12. Participate in regular meetings with other managers, supervisors and employees to assure that the agency's diversity policies and procedures are communicated and being followed.
  13. Assist the Office of Diversity in developing and implementing diversity training.

**Reports to:** Through chain of command to Council General Managers, Division Directors, Regional Administrator.

## **H. LEGAL COUNSEL**

**Responsibilities:** Provide legal advice to management, Office of Equal Opportunity and Human Resources staff on legal compliance with equal opportunity/affirmative action requirements; Federal and state laws and regulations.

**Duties:**

1. Provide ongoing legal advice to the Regional Administrator, all management staff, Equal Opportunity and Human Resources Offices, on equal opportunity and affirmative action legal requirements and case law.
2. Advise the Office of Equal Opportunity and management/supervisory staff during the handling of discrimination complaints on laws, regulations, Council policy, court cases and administrative decisions by enforcement agencies, and standards for determining whether a claim of discrimination is substantiated.
3. Prepare responses to discrimination charges filed with enforcement agencies.

**Reports to:** Council.

## **I. EMPLOYEES**

**Responsibilities and Duties:** To support the affirmative action program and to apply the principles of equal opportunity and diversity in their day-to-day work.

**Reports to:** Management/supervisory staff.



# COMMUNICATION PLAN

## COMMUNICATION/DISSEMINATION PLAN

The dissemination of the Affirmative Action Plan (AAP) is essential to the implementation of the program. This will be accomplished by the Office of Diversity as follows:

### A. INTERNAL

1. The Regional Administrator will sign a policy statement endorsing the AAP.
2. A copy of the AAP will be posted on the Council's MetNet Office of Equal Opportunity webpage.
3. Copies of the AAP will be available to all employees from the Office of Equal Opportunity, their manager, and the Council Library.
4. The Director of the Office of Equal Opportunity will provide a copy of the full plan and will meet with the Executive Management Team to discuss the plan at least semi-annually.
5. The Council Division Directors and General Managers will review the plan with their respective senior managers.
6. Managers and supervisors will be responsible for providing opportunities for employees to review the plan.
7. Managers and supervisors will receive training on the implementation of the AAP which will include training in how to handle alleged acts of discrimination in the workplace.
8. The Director conducts a session during New Manager Orientation informing new managers of the Council's commitment to Affirmative Action and Equal Employment Opportunity.

### B. EXTERNAL

1. Information regarding the 2012 plan will be included in the appropriate Council publications.
2. All advertisement, job opening announcements, stationery, invoices, contractors, leases, and purchase orders include the "Equal Opportunity/Affirmative Action Employer" legend.
3. An EO policy statement is included in all Council written contracts.
4. Community resources and recruitment resources are notified of the agency's EO/AA policy and plan. They shall also receive on an ongoing basis, information regarding job opportunities.
5. A copy of the affirmative action policy statement will be posted on the Council's website ([www.metrocouncil.org](http://www.metrocouncil.org)).



## AUDITING AND REPORTING

### 2013-2015 AUDITING AND REPORTING

Data and information will be collected and maintained to provide for periodic evaluation of the results of the Affirmative Action/Equal Opportunity Plan. The data will be used to provide both internal and external reports on the agency's progress and will include the following.

Office of Equal Opportunity staff will meet semi-annually with the Metropolitan Council's Executive Management Team to review progress made toward meeting our affirmative action goals as well as identifying any problem areas that require additional agency attention.

#### Report

#### Responsibility

##### Federal

1. EEO-4  
Provide comprehensive break-down of the Council's workforce composition and salary.

Office of Diversity  
*Semi-Annually*

##### State and Metropolitan Council Executive Management

2. Minorities, Women and Persons with Disabilities Utilization Report  
Provides complete breakdown of the Council employees by federal job category, job classification, and protected group status. Data is tallied and summarized.

Office of Diversity  
*Monthly*

3. Affirmative Action Score Card  
Provides demographics of hires on jobs with affirmative action needs. Provides agency-wide percent of goals met and missed.

Office of Diversity  
*Quarterly*

4. Disciplinary Actions  
Provides statistical data on suspensions, demotions, and other hire or promotion.

Office of Diversity  
*Quarterly*

- |     |   |   |
|-----|---|---|
| 5.  | <u>Transfer and Promotion</u><br>Provides statistical data on transfers and promotions.   | Office of Diversity<br><i>Quarterly</i> |
| 6.  | <u>Termination</u><br>Provides statistical data of termination.   | Office of Diversity<br><i>Quarterly</i> |
| 7.  | <u>Complaint Monitoring*</u><br>Written reports showing the number and nature of complaints filed with the Office of Diversity, as well as charges filed with enforcement agencies. | Office of Diversity<br><i>Monthly</i>   |
| 8.  | <u>Applicant Flow</u><br>Statistical count of applicants by race, sex and disability. When the AA goals are not met a pre-employment review is conducted.                           | Office of Diversity<br><i>Quarterly</i> |
| 9.  | <u>Interview Report</u><br>Provides statistical data on minorities, women and persons with disabilities interviewed for hire or promotion.  | Office of Diversity<br><i>Quarterly</i> |
| 10. | Periodic surveying of agency workforce to determine employee attitudes toward implementation of the AA plan   |   |

\*Metro Transit tracks EEO customer complaints monthly and reports the total at the end of the year.



## GOALS AND TIMETABLES

### 2013-2015 GOALS AND TIMETABLES TO CORRECT UNDER-UTILIZATION

- GOAL:** **DISTRIBUTION OF 2013-2015 AA PLAN**  
Activities: Update website to include new plan. Publish articles in employee newsletters directing them to the site. Provide training to manager.  
Target Date: As soon as possible after plan is approved.  
Partner: IS, Communication
- GOAL:** **PROVIDE EEO/AFFIRMATIVE ACTION TRAINING**  
Activities: Develop and implement third in the series of "Travel Toward Management Success" manager supervisor training. This training is mandatory.  
Target Date: Winter 2013 (Every two years)  
Partners: IS, HR
- GOAL:** **PROVIDE EFFICIENT, STANDARDIZED COMPLAINT INVESTIGATIONS AND RESPONSES.**  
Activities: Internal investigation complete within 45 days. External responses to legal office three days prior to enforcement agency.  
Target Date: Ongoing
- GOAL:** **PROVIDE MATERIALS FOR RECRUITMENT.**  
Activities: Create recruitment brochure that includes women, minorities and disabled employees to attract a diverse pool of candidates.  
Target Date: Ongoing  
Partners: Communications, HR, OFFICE OF EQUAL OPPORTUNITY
- GOAL:** **DEVELOP AND IMPLEMENT EMPLOYEE BASE DIVERSITY COMMITTEE.**  
Activities: Secure buy-in from new Executive Management, recruitment members, develop a work plan and implement the plan.  
Target Date: 2013  
Partners: OFFICE OF EQUAL OPPORTUNITY, Communications
- GOAL:** **RECRUITMENT INITIATIVE - SUPPORT MORE EFFICIENT RECRUITMENT STRATEGY FOR FURTHER DIVERSIFICATION OF METROPOLITAN COUNCIL STAFF.**  
Activities: Strengthen targeted recruitment, focus referral relationships, build manager support of recruitment, possess and enhance referral relationships with community agencies.



## 2012-2015 METHODS FOR EVALUATING AND IMPLEMENTING PERSONNEL PROCESSES AND RECRUITMENT

### PHILOSOPHY

This plan supports the Metropolitan Council's policy of providing a work atmosphere and delivering public services in a manner that is free of discriminatory harassment and inappropriate behavior. The Council's ability to fulfill its mission hinges on the competency, motivation and commitment of staff who work in the organization. Recruitment and retention of the staff are key processes, the quality of which directly determines the business outcome. As a service organization, our people drive all functions of the organization.

All Council staff must share the mission of the organization. Staff must be equipped with educational and training credentials, experience, personal skills, and values to work in their assigned capacity so cooperation, creativity and the opportunity to contribute are enhanced. As an organization, the Council respects each individual's ability to contribute. By creating a culture with respect for those with whom we work and interact, where learning is reinforced and values shared, we believe that feelings of personal and professional fulfillment and job security are enhanced.

### SELECTION PROCESS

The Council will evaluate our selection process using an adverse impact analysis to determine if our requirements screen out a disproportionate number of minorities, women or people with

## METHODS

disabilities. Personnel involved in the recruitment, screening, selection, promotion, disciplinary and related processes will be carefully selected and trained to ensure that there is a commitment to the affirmative action program and its implementation.

*Schedule for Review of Job Requirements:* The Council Office of Equal Opportunity staff and Human Resources staff will regularly review all physical and mental job requirements to ensure that these requirements do not tend to screen out qualified individuals with disabilities. Staff will determine whether these requirements are job-related and are consistent with business necessity and the safe performance of the job, and will remove any physical or mental requirements that do not meet these criteria. Any job descriptions or requirements changed after review will be available in an updated class specification available to hiring and supervising managers on the Council's NeoGov site.

*Pre-Employment Medical Examination:* If the Council requires medical examinations or inquiries as a part of our selection process, all exams or inquiries will be conducted after a conditional offer of employment. Only job-related medical examinations and inquiries will be conducted, and the results of these examinations or inquiries will not be used to screen out qualified individuals with disabilities. Information obtained in response to such inquiries or examinations will be kept confidential except that (a) Office of Equal Opportunity (b) supervisors and managers may be informed regarding restrictions on the work or duties of individuals with disabilities and regarding accommodations, (c) occupational health, and (d) officials of state or federal agencies investigating compliance will be informed if they request such information.

### ACCOMMODATIONS TO PHYSICAL AND MENTAL LIMITATIONS OF EMPLOYEES

The Council will make reasonable accommodations and workplace adjustments to

the physical and mental limitations of an employee or applicant unless such an accommodation or adjustment would impose an undue hardship on the conduct of the business of the Council.

## RECRUITMENT

Under the recruitment plan, an important consideration is whether external recruitment will be necessary in order to generate protected group applicants to assist the Council in meeting an Affirmative Action (AA) need. The Council's staffing plan drives its recruitment efforts. The identified hiring needs are derived from the variance between staffing levels approved during the budgeting process, business necessity, and actual levels of staff in the organization. The number and skill mix of personnel reflect the Council's management assessment of human resource needs reached after evaluation of services to be provided based on feedback from customers, analysis of operating realities and fiscal goals.

The Human Resources (HR) Department coordinates all recruitment efforts. HR recruiters work with hiring managers and Office of Equal Opportunity staff throughout the recruitment process. The Council believes that competent, qualified staff, who reflect a strong work ethic and desire to contribute to our mission, are critical to our success. Recruitment efforts are implemented both internally (through job transfer and promotion), as well as, externally (through the hiring of staff new to the organization). These efforts are carried out in accordance with Council administrative policies and procedures.

The hiring process begins when the hiring manager initiates a personnel requisition for a job opening. During the pre-advertisement period, the Office of Equal Opportunity staff reviews, signs, and annotates on the requisition whether there are any under-represented groups as reflected in the current AA plan.

### EXTERNAL

An affirmative, proactive recruitment strategy will be developed for each externally recruited job opening. The strategy will include the following measures:

The Office of Equal Opportunity staff will develop and maintain a list of recruitment sources

capable of referring protected group applicants. When a job opening is announced notice will be posted to those recruitment sources that have been identified as providing the most qualified and diverse applicant pool by HR. The HR staff will always post to the designated diversity-related electronic job boards. The Office of Equal Opportunity, HR and the hiring manager will jointly develop an unique AA recruitment strategy for specific jobs for which attracting minority candidates has been deemed problematic. Job openings will be advertised in media with large audiences among protected classes. Job openings will include the job title, brief job description, essential qualifications, starting salary or salary range, application deadline, and instructions on how to apply. All job openings will include the statement, "An Equal Opportunity Employer."

The Office of Equal Opportunity staff and HR staff will periodically attend local job fairs that have a protected group focus. The Office of Equal Opportunity staff, HR staff, and Council managers and supervisors may also engage in other affirmative recruitment strategies at the local, regional or national level to attract candidates from under-represented, protected groups. In such instances, the HR Department remains as the focal point for coordinating these efforts.

The Council shall act affirmatively to recruit and hire students who are women, minorities, and persons with disabilities into Council internships to provide protected group students the opportunity to gain skills that will help qualify them for possible future employment with the Council.

Note: See appendix 6 for recruitment sources.

### INTERNAL

All applicants for employment must complete an application through NeoGov. The application provides information required to evaluate the potential match in skills and work history. An application secures authorization to check references, an applicant's background, and credentials. New hires and current employees who meet minimum qualifications and pass prescribed tests, where applicable and who compete for promotion and transfer opportunities

are interviewed. When an extremely high number of applicants apply for a job opening where a single or relatively few positions are to be filled, the HR Department will establish an interview cutoff score based on objective criteria. The interview process results in a recommendation for hire. At this point reference checks, medical clearance, salary determination, orientation schedule, and start date must be finalized. HR representatives will communicate this information to the applicant. The HR Department will also notify those applicants who did not receive an interview opportunity and those who were interviewed but not hired of their status. This notification will include an invitation to continue expressing an interest in employment opportunities with the Council and an expression of appreciation for already having done so.

Notices of job openings will be posted prominently on all bulletin boards for the appropriate number of days per labor contract to encourage employees to apply for positions for which they meet the essential qualifications. HR staff will also provide notices of all job openings to the Office of Equal Opportunity staff. The Office of Equal Opportunity staff will make themselves available to provide information and encouragement to employees seeking job advancement and career opportunities.

## **RECRUITMENT STRATEGIES**

### **JOB FAIRS**

When appropriate, the Office of Equal Opportunity will attend major job fairs that targets protected group populations. This attendance will serve to place special emphasis on those populations where underrepresentation exists.

### **ADVERTISING**

In addition to posting all specific job openings in the major Twin Cities and area minority job boards, the Council will invest additional resources to include advertisements in regional and national newspapers and publications (as appropriate), when targeted recruitment is needed to expand the applicant pool of qualified, underrepresented, protected groups. HR staff, Office of Equal Opportunity staff, and the hiring manager will determine the need for this more extensive advertisement on a case-by-case basis. All job postings are also listed on the Council's website.

### **VISIBILITY**

The Office of Equal Opportunity, the HR Department, and other Council program staff will continue to partner in representing the Council at community events such as: Cinco de Mayo, Juneteenth, the Hmong Soccer Tournament, and other activities as identified by Office of Equal Opportunity. Managers will encourage staff that have not had exposure to these communities to accompany them to these events.

### **CONTACTS**

The Office of Equal Opportunity staff will make personal visits to organizations in the local area to strengthen the Council's current relationships with community partners and to develop additional opportunities. The goal of this strategy is to increase the regular referral of job applicants by community agencies.

### **COMPUTER POSTING**

The OEO will work with the HR Department, Communications and Information Services to expand our web page in listing our career opportunities and promoting the Council as an employer of choice.

### **RECRUITMENT SOURCE EFFECTIVENESS**

The Office of Equal Opportunity will meet with the HR staff on a quarterly basis to review and analyze the effectiveness of the recruitment source list. We will pay particular attention to the number of applicants referred and the number of applicants hired.

### **RETENTION**

Retaining the talents and energy of our staff is critical to the success of the Council. Our ability to attract and retain our valued workforce and customer base affects our bottom line and is ultimately a measure of our success. Tenure is valued with a commitment to openness for change. Change is reflected in two key activities – educational pursuit and career mobility. The Council facilitates the transfer and promotion of its staff throughout the organization, recognizing that the temporary inefficiencies of the internal turnover are offset by the growth of staff that are already knowledgeable about Council operations and committed to organizational values and mission. The Council through its learning and development procedure supports seminar participation and

other training opportunities that result in the attainment of new knowledge and skills.

The compensation program is reviewed periodically to ensure that staff members do not voluntarily end employment due to shortfalls in this area. Benefits and salary scales are structured to reward Council employees who contribute to the accomplishment of the Council's mission. The Council does recognize that turnover is natural and healthy for an organization. This allows for the recruitment of new staff, people whose talents may be new to the organization and from whom we can learn and improve.

The Council employs the following retention strategies:

- Identify and eliminate barriers that inhibit career advancement for protected class groups.
- Design and implement preparatory programs targeted to improve workforce skills and diversity representation by selecting and grooming qualified employees wishing to advance to management level.
- Instruct managers throughout the Council on how to effectively use the performance management process to develop employees and advance their careers.

## PROMOTIONS

The primary purpose of the strategies and initiatives in the promotion plan is to provide all employees within the Council the opportunity to acquire the requisite knowledge, skills, and abilities in order to position themselves for future promotions, career enhancing opportunities and positions of increased responsibility. Among these initiatives, the Council will make available opportunities such as internship programs, developmental assignments and training programs, and upward mobility programs.

The Council believes that learning and development are essential components of work performance and are directly linked to the achievement of agency mission, goals, strategic planning, workforce planning and providing service to the public. Managers and employees share a mutual responsibility in determining their learning and development needs. Identifying the work goals, knowledge and skills necessary to achieve these goals is directly linked to promotion

planning.

In addition to establishing systems and constantly monitoring turnover rates to measure whether there is a higher turnover among protected class employees, the Council will develop and refine strategies to correct all identified problems in this area. We conduct adverse impact analyses to ensure that women, minorities, and employees with disabilities are promoted at rates substantially similar to those of men, non-minorities, and employees without disabilities.

The performance appraisal discussion and the numerous opportunities to provide ongoing feedback on performance throughout the rating period are directly linked to the primary purpose of providing all employees the opportunity to acquire the requisite knowledge, skills, and abilities to position themselves for promotional opportunities.

The Council's Learning and Organizational Development (LOD) unit works with divisions and business units to identify broad agency learning needs, provides learning opportunities for employees, measures performance improvement results, and tracks participation in the various learning and development opportunities.

In addition to offering internal and external learning opportunities (such as seminars, workshops and conferences), the Council provides tuition reimbursement and continuing education through accredited colleges and universities. There are two options. Required/Level 1 training requires employees to participate in training associated with critical job duties on paid time. Essential/Level 2 training is associated with job-related development and is typically done on paid time depending upon work load and training schedule. All full and part-time regular employees who have successfully completed their probationary period are eligible to participate.

The LOD unit has put together a number of programs which provide employees the opportunity to develop professionally and personally. The unit provides employees and managers with tools to assist them in entering into meaningful development discussions. The LOD unit also has developed specific training curricula in professional, managerial and technical training areas. Web-based training is also available which

is available 24/7 and allows employees to work at their own pace.

### **TERMINATION PROCESS**

The Council will use discipline that is spelled out in each bargaining unit before terminating employees, where appropriate. All employees are made aware of the Council's discipline process. Adverse impact analyses are conducted to ensure that women, minorities, and employees with disabilities do not leave the Council at rates substantially dissimilar to those of men, non-minorities, and employees without disabilities.

### **RELIGION AND NATIONAL ORIGIN DISCRIMINATION AND ACCOMMODATION FOR RELIGIOUS OBSERVANCE AND PRACTICE**

As a part of the Council's commitment to equal employment opportunity for all, we have made specific efforts to ensure that national origin and religion are not factors in recruitment, selection, promotion, transfer, termination, or participation in training. The following activities are undertaken to ensure religion and national origin are not used as a basis for employment decisions:

- Recruitment resources are informed of the Council's commitment to provide equal employment opportunity without regard to national origin or religion.
- Council employees are informed of our policy and their duty to provide equal opportunity without regard to national origin or religion.
- Employment practices exist and are reviewed to ensure that we implement equal employment opportunity without regard to national origin or religion.
- The religious observances and practices of Council employees are accommodated, except where the requested accommodation would cause undue hardship on the conduct of our business.
- The Council does not discriminate against any qualified applicant or employee because of race, color, creed, disability, age, sex, sexual orientation, marital status, or status with regard to public assistance in implementing the policy concerning non-discrimination based on national origin or religion.

### **2013-2015 TRAINING**

#### **DIVERSITY MANAGEMENT TRAINING; TRAVEL TOWARD MANAGEMENT SUCCESS**

This is a mandatory full day of training designed to help our managers and supervisors build their management skills, work more effectively in partnership with our diverse employee population and stakeholders, and to collaborate with the Office of Equal Opportunity. It challenges our managers and supervisors and causes them to rethink their approaches and develop proactive methods to deal with issues of diversity, equal opportunity and affirmative action. The Travel Toward Management Success conference is scheduled every other year.

#### *Objective:*

1. Transition managers and supervisors from being reactive to proactive.
2. Refresh policies and procedures with managers and supervisors
3. Open discussion on topics such as racism and ethics.
4. To ensure the Council is hiring, retaining and promoting employees as prescribed in our state and federal AA Plans.

This training is presented semi annually. LOD and the Office of Equal Opportunity develop the curriculum and uses knowledgeable internal staff as well as external presenters to deliver the content.

Council training and development services are conducted by the Learning and Organizational Development Division of the Human Resources department. LOD support employee learning by providing training, education and development opportunities for Council employees. They also support the overall effectiveness of the organization by providing consulting services to managers and leaders.

#### **ORGANIZATIONAL DEVELOPMENT AND CONSULTING SERVICES**

Organizational Development (OD) is the process used to improve organization effectiveness – its ability to adapt its capacity for self-renewal, its health and its development of new and creative ideas. OD looks at the organization culture, structure, strategy and processes. It looks for congruence between key organizational factors. OD efforts are usually directed toward the whole

organization or large segments of it. LOD staff members serve as internal consultants in creating customized solutions for a wide variety of business challenges.

## LEARNING SERVICES

LOD provides training, education and development, with a focus on training. We believe that people learn in all kinds of ways and provide support for on-the-job learning and self-directed learning as well as classroom instruction. Our open-enrollment calendar of events includes:

### Management and Leadership Development

We provide core courses and create a variety of learning opportunities that help to build managerial and leadership skill and effectiveness.

### Professional Skill Development

We provide a broad base of development opportunities for all employees to:

- Maintain professional skills and build new competencies that support organization goals
- Build computer expertise and support computer upgrades through varied learning options

## WORKSHOPS ARE BASED ON THE PRINCIPLES OF ADULT LEARNING

- Adults bring considerable experience with them. Therefore, they wish to speak, participate, and contribute to the proceedings They dislike long lectures and one-way communication.
- Adults have something to lose. They have a strong need to maintain their self-esteem. Therefore, they should be listened to and we should set up the course so they will be successful.
- Adults want courses that focus on real-life problems and tasks rather than academic material. A strong how-to focus is desire. They become restless if their time is being wasted.
- Adults see learning as a means to an end rather than an end in itself. They must know what there is to gain and they must see progress being made.
- Adults have a here-and-now viewpoint and with to focus on current issues rather than material that may be useful in the distant future.
- Adults are accustomed to being active. They should be given an opportunity for active participation whenever possible.
- Adults are accustomed to being self-directing.

They have expectations and wants to be met. Instructors must consult and work with adults rather than be too directive.

Some of the training delivery methods used to engage a wide variety of learning styles include:

- Job aids
- Structured on-the-job training
- Web-based training
- Instructor-led, classroom training

It is one of LOD's main priorities is to ensure minority, female, and disabled employees will be afforded a full opportunity and will be encouraged to participate in all organization sponsored educational and training programs. LOD and Office of Equal Opportunity will always seek the inclusion of qualified minority, female, and disabled employees in any training, education, and apprenticeship programs provided by the Council.

## SEX DISCRIMINATION GUIDELINES

The Council incorporates the following commitments into this AAP to ensure that all laws related to the prohibition of discrimination based on sex are followed:

- Employment opportunities and conditions of employment are not related to the sex of any applicant or employee. Salaries are not related to or based upon sex.
- Women are encouraged to attend all training programs that can facilitate their chances for promotion, and to apply for all positions for which they are qualified.
- The Council does not deny employment to women or men with young children and do not penalize, in conditions of employment, women or men who require time away from work for parental leave.
- Appropriate physical facilities are provided to both sexes.

## PREVENTION OF HARASSMENT AND DISCRIMINATION

The Metropolitan Council has developed policies and procedures prohibiting the harassment of or discrimination against any employee because of any characteristic protected under Civil Rights laws. These policies can be found on MetNet, the internal website for current employees and they are incorporated as a part of new employee orientation. Employees are aware of contact persons to report any violation of these policies.



# APPENDICES

## 1. COMPLAINT FORM

### INTERNAL

### METROPOLITAN COUNCIL COMPLAINT FORM

*Note: The following information is needed to assist in processing your complaint.*

#### Complainant's Information:

Name:

Address:

City/State/Zip Code:

Telephone Number (Home)—Best time to call:

Telephone Number (Work)—Best time to call:

#### Person Discriminated Against (if someone other than complainant)

Name:

Address:

City/State/Zip Code:

Telephone Number (Home):

Telephone Number (Work):

#### Which of the following best describes the reason you believe the discrimination took place?

- Race/Color (Specify)  Religion
- National Origin (Specify)  Age
- Sex  Disability
- Other

#### On what date(s) did the alleged discrimination take place?

**Please explain as briefly and clearly as possible what happened and how you believe your were discriminated against. Indicate who was involved. Be sure to include how you feel you were treated differently than others and why you believe these events occurred. (Please use additional sheets if necessary and attach a copy of written material pertaining to your case).**

List names and contact information of persons who may have knowledge of the alleged discrimination.

Name	Address	Telephone
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#### Have you filed this complaint with any other federal, state, or local agency, or with any federal or state court?

**Check all that apply.**

- Federal Agency  Federal Court
- State Agency  State Court
- Local Agency

#### Please provide the following information about a contact person at the agency/court where the complaint was filed.

Name:	City/State/Zip Code:
-------	----------------------

Address:

Telephone Number (Work):

**How can this/these issue(s) be resolved to your satisfaction?**

**If an advisor will be assisting you in the complaint process, please provide his/her name and contact information.**

Name

Name of Business

Address

Position/Title

Telephone Number

**Please sign below. You may attach any written materials or other information that you think is relevant to your complaint.**

**This Discrimination Complaint form or your written complaint statement must be signed and dated in order to address your allegation(s). Additionally, this office will need your consent to disclose your name, if necessary, in the course of our inquiry. The Discrimination Complaint Consent/Release form is attached for your convenience. If you are filing a complaint of discrimination on behalf of another person, our office will also need this person's consent to disclose his/her name.**

I certify that to the best of my knowledge the information I have provided is accurate and the events and circumstances are as I have described them. As a complainant, I also understand that if I indicated an advisor assisted me complete this form, my signature below authorizes the named individual to receive copies of relevant correspondence regarding the complaint and to accompany me during the investigation.

Complainant Signature \_\_\_\_\_

Date \_\_\_\_\_

**Attachments:**  Yes  No

## THE METROPOLITAN COUNCIL DISCRIMINATION COMPLAINT CONSENT/RELEASE FORM

Name  
Address  
City/State

As a complainant, I understand that in the course of an investigation it may become necessary for the Metropolitan Council, hereafter referred to as the Council, to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of the Council to honor requests under the State or Federal law. I understand that it may be necessary for the Council to disclose information, including personally identifying details, which it has gathered as part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by the Council policies and practices from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes and regulations which are enforced by the Metropolitan Council.

### Please check one:

**I CONSENT** and authorize to have the Council, as part of its investigation, reveal my identity to persons at the organization, business or institution, which has been identified by me in my formal complaint of discrimination. I also authorize the Council to discuss, receive and review materials and information about me from the same and with appropriate administrators or witnesses for the purpose of investigating this complaint. In doing so, I have read and understand the information at the beginning of this form. I also understand that the material and information received will be used for authorized civil rights compliance activities only. I further understand that I am not required to authorize this release, and do so voluntarily.

**I DENY CONSENT** to have the Council reveal my identity to persons at the organization, business or institution under investigation. I also deny consent to have the Council disclose any information contained in this complaint with any witnesses I have mentioned in the complaint. In doing so, I understand that I am not authorizing the Council to discuss, receive nor review any materials and information about me from the same. In doing so, I have read and understand the information at the beginning of this form. I further understand that my decision to deny consent may impede this investigation and may result in the unsuccessful resolution of my case.

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

*Submit form and any additional information to:*

Metropolitan Council ODEO	Phone 651-602-1084
Director Equal Opportunity	Fax 651-602-1031
390 Robert Street North	St. Paul, MN 55044-1805

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## METROPOLITAN COUNCIL OFFICE OF DIVERSITY AND EQUAL OPPORTUNITY DISCRIMINATION COMPLAINT PROCEDURES

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program or activity administered by the Metropolitan Council (Council) or its sub-recipients, consultants, and/or contractors. Intimidation or retaliation of any kind is prohibited by law.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies such as the Department of Human Rights, the US Equal Employment Opportunity Commission, etc, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include punitive damages or compensatory remuneration for the complainant. Complaints include but are not limited to:

- a. Complaints of employment discrimination, including discriminatory harassment, hiring, discipline, training, etc.
- b. Complaints of discrimination in the delivery of Council public services.
- c. Americans with Disabilities Act "grievances" alleging noncompliance with or discrimination prohibited by Title I and II of the Act.
- d. Discrimination in the award of Council procurements and contracts.
- e. Customer complaints against Council employees where there is an allegation of discrimination or discriminatory harassment based on an EEO protected characteristic.

Employees and job applicants are encouraged to use informal mechanisms that can be accessed through the Office of Equal Opportunity, Human Resources or management/supervisory staff to attempt to resolve discrimination issues before filing a formal complaint. Once a complaint is filed every effort will be made to obtain early resolution at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and the Director of the Office of Equal Opportunity may be utilized for resolution, at any stage of the process. The Director will make every effort to pursue a resolution of the complaint. Initial interviews with the complainant and the respondent will request information regarding specifically requested relief and settlement opportunities.

### **Procedures**

1. Any individual, group of individuals, or entity that believes they have been subjected to discrimination prohibited by the Councils discrimination policies and procedures may file a complaint with the Council Director of the Office of Equal Opportunity. A formal complaint must be filed within 1 year of the alleged occurrence or when the alleged discrimination became known to the complainant. The complaint must meet the following requirements.
  - a. Formal complaints shall be in writing, fax, email, or received by telephone. Faxed, email and telephone allegations will be reduced to writing and provided to complainant for confirmation or revision before processing and signed by the complainant(s).
  - b. Include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which that conduct was discontinued or the latest instance of the conduct).
  - c. Present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident.
  - d. Complaint forms can be found on the Office of Equal Opportunity intranet site
2. Upon receipt of the complaint, the Director of the Office of Equal Opportunity will determine its jurisdiction, acceptability, and need for additional information, as well as investigate the merit of the complaint.
3. In order to be accepted, a complaint must meet the following criteria:
  - a. The complaint must be filed within one year of the alleged occurrence or when the alleged discrimination became known to the complainant.
  - b. The allegation(s) must involve a covered basis such as race, color, national origin, Creed, religion, sex, marital status, public assistance status, sexual orientation, disability, age, or membership or activity in a local human rights commission.
4. A complaint may be dismissed for the following reasons:
  - a. The complainant requests the withdrawal of the complaint.
  - b. The complainant fails to respond to repeated requests for addition information needed to process the complaint.
5. Once the Director decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within seven calendar days. The complaint will receive a case number and will then be logged into the Councils records identifying its basis and alleged harm.
6. In cases where the Council assumes the investigation of the complaint, the investigation will be conducted in a discreet and impartial manner in accordance with the Minnesota Government Data Practices Act.
7. Complainants, witnesses or respondents represented by a bargaining unit may bring a union representative with them to an investigative interview.
8. The Councils final investigative report and a copy of the complaint will generally be forwarded to the appropriate management staff for review within 90 calendar day of the receipt of the signed complaint document by the ODEO. Should an investigation exceed 90 days, the investigator will notify the complainant and the respondent of the delay and an estimated completion date.
9. The Council will notify the parties of its final decision.
10. If complainant is not satisfied with the results of the investigation of the alleged discrimination and practices, the complainant will be advised of the right to appeal to the appropriate State or Federal Agency.

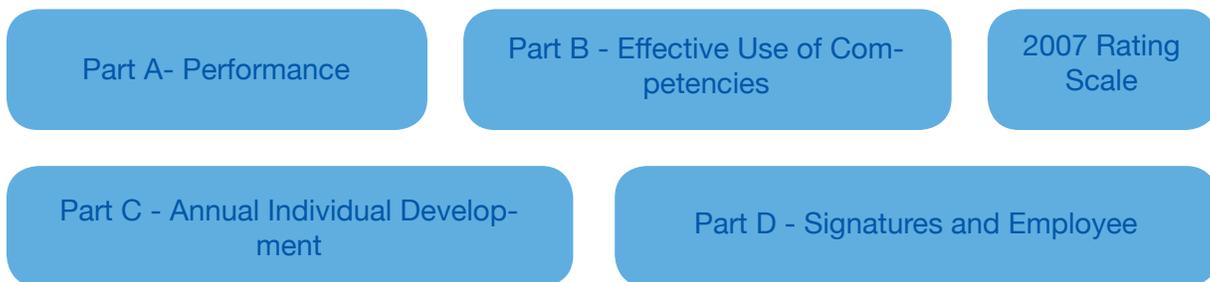
# APPENDICES

## 2. MANAGER PERFORMANCE

### METROPOLITAN COUNCIL PERFORMANCE REVIEW; MANAGEMENT

Date of Review		Division	
Employee's Name:		Employee No.:	
Job Title:		Department:	
Supervisor's Name:		Supv. No.:	
Type of Review:	<b>Annual</b>	Period of review – From	To

#### NAVIGATIONAL ASSISTANCE:



#### DIRECTIONS:

- Together the employee and supervisor create performance goals and a development plan at the beginning of performance period.
- The supervisor determines the relative weight of each of the performance factors (must equal 100%).
- At the end of the review period, document year-end results (employee or supervisor may complete results section).
- The supervisor completes comments about the year-end results and rates each performance goal.
- The supervisor completes observations and ratings for competencies – see rating scale on back page.
- The supervisor verifies completion dates for development plans.
- Calculate the overall performance rating using the “Performance Review Calculation Worksheet.”
- Next level supervisor reviews and approves review form before conducting performance review meeting.
- Hold the performance review meeting.
- Make two copies of the final performance review form and the Excel calculation worksheet. Send original to Human Resources, one copy to the employee, and one copy for the supervisor file.

**PART A: PERFORMANCE FACTORS**

*This section provides a description of the critical performance categories important to success at the Metropolitan Council within which professional/technical staff performance goals are set – the “what” of performance.*

- 1. Organizational Effectiveness:** Performs primary objectives of the position. Achieves department and division objectives in an efficient and effective manner. Shows continuous improvement and demonstrates accountability.

Note: Add rows as necessary; add the same number of rows to the Excel calculator.

Performance factor weight for section A-1:

Enter as a decimal (i.e., 20% = .2)

	Performance Goals	Year End Results	Comments	Rating
1.A				
1.B				
1.C				
1.D				

- 2. Customer Service and Stakeholder Relationships:** Develops and maintains strong customer and stakeholder relationships in order to fulfill public responsibility. Sets standards and meets expectations for quality service.

Performance factor weight for section A-2:

	Performance Goals	Year End Results	Comments	Rating
2.A				
2.B				
2.C				

- 3. Finance Integrity:** Efficiently uses financial resources through planning, provision of cost competitive service, financial compliance and controls, and effective use of staff.

Performance factor weight for section A-3:

	Performance Goals	Year End Results	Comments	Rating
3.A				
3.B				
3.C				

- 4. Work Environment and Management Practices:** Creates a productive, equitable, positive work environment. Promotes participative decision-making, individual accountability, appropriate recognition of accomplishment and continuous improvement. Values diversity and the contributions of all employees. Creates an inclusive, safe and healthy work environment that promotes the continuous learning, development and contributions of all employees. (OPTIONAL FOR SUPERVISORS WITHOUT DIRECT REPORTS, OK TO LEAVE BLANK)

**Performance Levels for 4A.**

- 1: Disregards Council policy by overtly or covertly acting in a manner to undermine diversity and affirmative action.
- 2: Fails to attend required training.
- 3: Attends required Diversity management training; posts EEO policies in a visible location; utilizes DBE vendors; models behavior in keeping with policy. Conducts fair, job-related interviews in line with Council procedure. Internal complaints investigated promptly. EEO staff informed and involved when appropriate.
- 4: Verbally communicates EEO policy to staff, creates department ground rules for mutual respect. Sponsors diversity training for staff enrichment.
- 5: Models behavior and provides leadership in support of diversity, equal opportunity and affirmative action.

**Performance Levels for 4B.**

- 1: Fails to provide regular performance feedback to employees.
- 2: Fails to complete performance reviews within expected time frame.
- 3: Effectively completes the employee performance review process established by HR within expected frames. Establishes annual performance goals or accountabilities with employee participation. Provides regular communication with employees to discuss progress and provide feedback. Conducts candid performance discussions.
- 4: Establishes development plans or actively works with employees to build strengths and address areas for growth.
- 5: Establishes a plan to build future leadership within work unit or department. Coaches and mentors others. Provides tasks and assignments to build skill and experience.

Note: If performance reviews are not completed, the total review rating cannot exceed 3.0.

Performance factor weight for section A-4:

	Performance Goals	Year End Results	Comments	Rating
4.A	Visibly supports the agency's Equal Opportunity and Affirmative Action policies, procedures and programs.			
4.B	Effectively manages employee performance.			
4.C				

**PART B: EFFECTIVE USE OF COMPETENCIES**

*This section outlines the key skills an employee uses to complete the work – the “how” of performance.*

		Performance Factor Weight:	<b>.30</b>
Competency		Comments:	Rating
<p><b>1. Strategic</b>  <b>Thinking (analyze issues; sound judgment).</b> Gathers relevant information, uses accurate logic in analyses, considers a broad range of issues or factors, creates solutions that work organizationally. Makes timely, creative, sound decisions under conditions of uncertainty.  <b>Leadership (provide direction, lead courageously, influence others, foster teamwork, motivate others, coach and develop, champion change).</b> Provides clear direction and priorities. Makes things happen through effective action of others. Encourages and empowers others to achieve. Provides specific feedback and coaching. Effectively champions and manages change.</p>			
<p><b>2. Personal</b>  <b>Motivation (drive for results, show work commitments).</b> Established high performance standards, works hard to attain those standards, take initiative, and demonstrates commitment to the organization.  <b>Self-management (act with integrity, demonstrate adaptability, develop oneself).</b> Demonstrates sound business ethics. Responds appropriately and confidently to the demands of work challenges when confronted with changes, ambiguity, adversity, or other pressures. Pursues learning and self-development. Seeks and uses feedback.</p>			

<p><b>3. Interpersonal</b>  <b>Managing diversity (build relationships, lead courageously, act with integrity).</b> Manages all kinds and classes of people equitably; deals effectively with all races, nationalities, cultures, disabilities, ages and both sexes; hires variety and diversity without regard to class; supports equal and fair treatment and opportunity for all.  <b>Interpersonal (build relationships, display organizational savvy, manage disagreements).</b> Interfaces with others in ways that enhance understanding and respect while recognizing the needs and perspectives of others; develops smooth working relationships, and deals effectively with conflict.</p>		
<p><b>4. Operational</b>  <b>Administrative (establishes plans, manages execution).</b> Develops plans that are comprehensive, realistic, and effective in meeting goals. Structures one's own activities and the activities of others; coordinates the use of resources in a way that maximizes productivity and efficiency.  <b>Organizational knowledge (technical/functional expertise, knowledge of the business).</b> Applies the knowledge and skills needed to do the job, including technical competence in one's own field and familiarity with policies and practices of the broader function, the organization, and the industry.</p>		
<p><b>5. Communication</b>  <b>Communication (speak and write effectively, foster open communication, listen to others).</b> Sends and receives information clearly, accurately, thoroughly, and effectively; encourages the open expression of ideas and opinions. Creates atmosphere in which timely information flows smoothly. Demonstrates attention to and conveys understanding of others' concerns.</p>		
<p><b>6. Other:</b></p>		

*LINK TO: [Performance Review Calculation Worksheet](#) to calculate total review rating*

**PART C: ANNUAL INDIVIDUAL DEVELOPMENT PLAN**

Use this section to indicate action steps necessary to:

- Gain skills necessary to reach performance goals for the year
- Address performance gaps from the previous review period
- ;Develop career path

Development plans should be made at the beginning of the performance period and checked for completion at the end of the performance period.

Development Objective Describe the development goal in specific terms	Action Steps Describe in detail each step needed in order to reach the objectives.	Target Date For either the whole objective or each action step	Completion Date
1.			
2.			
3.			
4.			
5.			
6.			

PART D: SIGNATURES AND COMMENTS

**Supervisor Comments:** This space is for general comments the supervisor would like to make regarding employee performance.

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Signature of direct supervisor

Signature of direct supervisor's supervisor

Date

Date

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**Employee comments:** This space is for the employee to make any comments regarding this performance appraisal.

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**I have reviewed and discussed the above information.**

Signature of employee

Date

2007 RATING SCALE

Category	TMSA Definition	MANA, and Non-Rep Definition	Rating	Overall Rating Cut-off
<b>Excellent</b>	Accomplished all objectives or performed all tasks and excelled in a substantial number	Consistently exceeds job goals and requirements	<b>5</b>	4.51 to 5.00
<b>Very good</b>	Accomplished all objectives or performed all tasks and excelled in some	Generally exceeds job goals and requirements	<b>4</b>	3.51 to 4.50
<b>Good</b>	Accomplished substantially all objectives or performed substantially all tasks assigned	Generally meets job goals and requirements	<b>3</b>	2.51 to 3.50
<b>Fair</b>	Accomplished some objectives or performed some tasks assigned	Falls short of some job goals and requirements	<b>2</b>	1.51 to 2.50
<b>Unsatisfactory</b>	Many objectives unrealized or many tasks not performed	Consistently falls short of job goals and requirements	<b>1</b>	Below 1.51

# APPENDICES

## 3. REASONABLE ACCOMMODATION POLICY

### POLICY - REASONABLE ACCOMMODATION AND WORKPLACE ADJUSTMENTS POLICY

*Section/Number:* 4-2-2 *Total Pages:* 3

*Dept. Responsible:* Office of Diversity

*Effective Date:* 12/17/98

*Special Note:* This supersedes any previous reasonable accommodation policies or procedures  
*Revision No.*

#### **I. Policy:**

The Metropolitan Council is committed to providing equal access to its facilities, services, and employment opportunities for all individuals. The Metropolitan Council will attempt to provide workplace adjustments and reasonable accommodations to employees who have a medical condition that limits their ability to perform their job without an adjustment. The Metropolitan Council's focus is on the person's ability rather than disability.

#### **II. Purpose of Policy:**

State and federal statutes identify an employer's duty to reasonably accommodate, without undue employer hardship, the known disability of a qualified person with a substantially limiting disability. The duty to reasonably accommodate qualified persons with disabilities applies to applicants for employment as well as current employees who are injured or become disabled either on or off the job.

The Metropolitan Council also recognizes that situations arise in which employees are unable to fully perform their job because of an impairment which does not meet the ADA definition of a disability. In such situations, the Metropolitan Council allows that at management's discretion and in consideration for business necessity and availability of resources or other considerations, workplace adjustments may be provided to employees whose mental or physical impairment limit their ability to completely perform the job. Workplace adjustments are not required by law or regulation.

#### **III. Background and reasons for policy:**

Prior to the 1989 Americans With Disabilities Act (ADA) Americans with disabilities were not ensured protections to equal opportunity to the mainstream of American life. The Metropolitan Council Reasonable Accommodation and Workplace Adjustments Policy reflects a recognition that its continued vitality, strength and vibrancy is through the full realization of the contributions of all of its employees.

### DEFINITIONS:

#### **Disability**

The Americans With Disabilities Act (ADA) states that an individual has a legal disability when they have:

- A physical or mental impairment that substantially limits one or more major life activity and is not temporary.
- A record of such an impairment.
- Is regarded as having such an impairment.

#### **Qualified Individual With A Disability**

A qualified individual with a disability is one who, with reasonable accommodation, can perform the essential function required for the job in question.

### **Undue Hardship**

The ADA states that the employer is not required to provide an accommodation to a qualified person with a disability if it will impose an undue hardship on the operation of its business. Undue hardship is defined by the ADA as an action that is:

“Excessively costly, extensive, substantial, or disruptive, or that would fundamentally alter the nature or operation of the business.”

### **Reasonable Accommodation**

The ADA and the Minnesota Human Rights Act make it the duty of the employer to reasonably accommodate the known disability of employees, applicants, and persons to whom we provide a public service.

Reasonable Accommodations include, but are not limited to:

- Making existing facilities readily accessible to and usable by all employees.
- Job restructuring.
- Acquisition or modification of equipment or assistive devices.
- Workplace Adjustments
- Workplace Adjustments include, but are not limited to:
  - Allowing paid or unpaid leave for absences for medical treatments.
  - Temporary assignment to a restricted duty job.
  - Physical or environmental adjustments to the employee's work space.

### **Restricted duty job assignments**

Employees who need temporary assignment to a restricted duty job, may be assigned to such work, subject to availability, for a period generally not to exceed six months. Manager/supervisors of employees assigned to a restricted duty job shall develop and individualized plan for the employee that will expedite their return to unrestricted work.

### **V. Implementation/Accountability for Reasonable Accommodations:**

Related Policies: Diversity, Equal Opportunity and Affirmative Action; Discrimination, Harassment and Inappropriate Behavior

#### *Implementing Procedure: Requesting Reasonable Accommodations or Workplace Adjustments*

Managers and supervisors will be held accountable for taking prompt and appropriate action to ensure that reasonable accommodations are provided, when possible, to the known disability of all:

- a. applicants;
- b. employees; or
- c. persons outside of the Metropolitan Council who access our services

### **VI. Implementation/Accountability for Workplace Adjustments:**

Related Policies: Diversity, Equal Opportunity and Affirmative Action; Discrimination, Harassment and Inappropriate Behavior

#### Implementing Procedures: Requesting Reasonable Accommodations or Workplace Adjustments

Metro Transit (Dis)Ability Management

Following careful consideration of business necessity, availability of resources, etceteras, managers and supervisors may provide Workplace Adjustments, when possible, to the known disability of all employees.

# APPENDICES

## 4. WEATHER EMERGENCIES POLICY

*Section/Number:* 4-9d *Total Pages:* 2

*Dept. Responsible:* Office of the Regional Administrator

*Effective Date:* 9/11/98

*Special Note:* This procedure supersedes all other weather emergency procedures

*Revision No.*

### **I. Policy:**

The Metropolitan Council is committed to protecting the safety and health of its employees, members of the public utilizing the Council facilities and services, as well as maintaining its facilities. The staff are expected to identify and follow sound risk control principles.

### **II. Procedure:**

The Metropolitan Council is responsible, through its operating divisions, for the continuous operation of the metropolitan wastewater collection and treatment system and the daily operation of the fixed-route transit and paratransit systems. Because of this need for the continuous operations of these systems, weather emergencies necessitating the official closing of Metropolitan Council facilities will only be declared under the most extreme circumstances.

### **III. Responsibilities:**

1. The Regional Administrator, or his/her designee, in consultation with the General Manager of Metro Transit and/or the Governor's Office, is authorized to declare an official weather emergency necessitating the closing of Council offices only in extreme circumstances. Extreme circumstances will be limited to a decision to pull transit service off the street due to hazardous conditions or to a specific request by the Governor's office to close the Metropolitan Council.
2. The Regional Administrator, or his/her designee, will notify the local news media in the event of a weather emergency that necessitates the official closing of Metropolitan Council offices.
3. The Regional Administrator, or his/her designee, will notify the Chair and Division Directors of the emergency. Division Directors, or their designees, are responsible for developing a communication system to notify appropriate staff in their department. Division Directors, or their designees, are also responsible for making special arrangements with hearing-impaired employees in order to communicate this information.
4. Council members will be contacted separately through the Regional Administrator's Office.
5. In the event of a weather emergency which closes Council offices, the Council's main phone number (651-602-1000 and 651-602-1001) will have a recorded message notifying the public that the offices are closed. The responsibility for this message will be with the Regional Administrator's Office and Central Services
6. In order to ensure that there are minimum continuing operations within Environmental Services, certain employees will be expected to report to work even in the event of an official weather emergency which closes Metropolitan Council offices (including Metro Transit facilities). The General Manager of Waste water Services is responsible for determining which employees would be expected to report to work in this weather emergency situation in order to ensure minimum continuing operations at the wastewater conveyance and treatment facilities.

7. In the event that a weather emergency situation results in the Metropolitan Council **officially closing for the day**, employees will account for the time as follows:
  - Employees who are expected to report to work in a weather emergency situation will receive their regular pay for actual hours worked in the weather emergency situation and will accrue vacation, annual leave or compensatory time for each hour worked up to 8 hours.
  - Employees who are not expected to report to work in a weather emergency situation will be granted specially authorized "other paid leave."
  - Employees on previously approved vacation, sick or annual leave at the time of a weather emergency will not have such leave time restored to their balances.
  - Employees on duty at the time a weather emergency is declared who are required to remain on duty will be paid overtime or earn compensatory time, if they are required to be on duty for more than their normal workday.
  
8. Employees who choose to stay home on such days when the Council is still officially open, must use accumulated vacation time, compensatory time, or annual leave, for pay purposes.

# APPENDICES

## 5. WORKFORCE DATA CALCULATIONS

CODE	CODE TITLE	TOTAL	FEMALE	MALE	DISABLED	TOTAL MINORITY	B	A	I	H	PI	U
1A	Officials & Administrators (Executives) Ingroup	12	5	7	1	1	1					
	Percent of total	100.00%	41.67%	58.33%	8.33%	8.33%						
	Availability		26.20%		11.31%	7.32%						
	Underutilization		-1.856	-7	0.3572	-0.1216						
				<b>N</b>		<b>1</b>						
	Anticipated Openings 2013-2016	1										
	Numerical Goals 2013-2016											
1B	Directors, Managers, Supervisors (Middle Man Administration) Ingroup	51	19	32	1	4	1		2	1		
	Percent of total	100.00%	37.25%	62.75%	1.96%	7.84%						
	Availability		40.62%		11.31%	12.04%						
	Underutilization		1.7162	-32	4.7681	2.1404						
				<b>2</b>		<b>5</b>						
	Anticipated Openings 2013-2016	10										
	Numerical Goals 2013-2016		2		2	2						
1C	Directors, Managers, Supervisors (Middle Man Technical) Ingroup	57	6	51	2	5	3		2			
	Percent of total	100.00%	10.53%	89.47%	3.51%	8.77%						
	Availability		22.38%		11.31%	8.60%						
	Underutilization		6.76	-51.00	4.45	-0.10						
				<b>7</b>		<b>4</b>						
	Anticipated Openings 2013-2016	9										
	Numerical Goals 2013-2016		2		1	1						
1D	Directors, Managers, Supervisors (First Line Middle Man) Ingroup	277	68	209	7	39	26	6	3	4		
	Percent of total	100.00%	24.55%	75.45%	2.53%	14.08%						
	Availability		39.76%		11.31%	11.52%						
	Underutilization		42.14	-209.00	24.33	-7.09						
				<b>42</b>		<b>24</b>						
	Anticipated Openings 2013-2016	14										
	Numerical Goals 2013-2016		6		2	2						

Metropolitan Council's Affirmative Action Plan 2012

CODE	CODE TITLE	TOTAL	FEMALE	MALE	DISABLED	TOTAL MINORITY	B	A	I	H	PI	U
2A	Professionals (Administration)	210	123	87	8	37	16	14	1	5	1	
	Percent of total	100.00%	58.57%	41.43%	3.81%	17.62%						
	Availability		58.67%		10.88%	12.55%						
	Underutilization		0.21	-87.00	14.85	-10.65						
			<b>1</b>		<b>15</b>	<b>N</b>						
	Anticipated Openings 2013-2016	11										
	Numerical Goals 2013-2016		6		1	1						
2B	Professionals (Technical)	252	79	173	11	24	5	19				
	Percent of total	100.00%	31.35%	68.65%	4.37%	9.52%						
	Availability		33.66%		10.88%	17.67%						
	Underutilization		5.82	-173.00	16.42	20.53						
			<b>6</b>		<b>16</b>	<b>21</b>						
	Anticipated Openings 2013-2016	13										
	Numerical Goals 2013-2016		4		1	2						
3A	Technical/Para-Professional (Administration)	169	92	77	8	25	5	2	2	2		
	Percent of total	100.00%	54.44%	45.56%	4.73%	14.79%						
	Availability		79.26%		10.88%	14.59%						
	Underutilization		41.95	-77.00	10.39	-0.34						
			<b>42</b>		<b>10</b>	<b>N</b>						
	Anticipated Openings 2013-2016	8										
	Numerical Goals 2013-2016		6		1	1						
3B	Technican/Para-Professional (Technical)	109	26	83	5	12	4	5	1	2		
	Percent of total	100.00%	23.85%	76.15%	4.59%	11.01%						
	Availability		29.35%		11.52%	14.38%						
	Underutilization		5.99	-83.00	7.56	3.67						
			<b>6</b>		<b>8</b>	<b>4</b>						
	Anticipated Openings 2013-2016	5										
	Numerical Goals 2013-2016		1		1	1						

Metropolitan Council's Affirmative Action Plan 2012

CODE	CODE TITLE	TOTAL	FEMALE	MALE	DISABLED	TOTAL MINORITY	B	A	I	H	PI	U
4	Protective Service Workers	93	7	86	1	9	2	1	4	5	1	
	Percent of total	100.00%	7.53%	92.47%	1.08%	9.68%						
	Availability		12.16%		11.60%	15.47%						
	Underutilization		4.31	-86.00	9.79	5.39						
			<b>4</b>		<b>10</b>	<b>5</b>						
	Anticipated Openings 2013-2016	5										
	Numerical Goals 2013-2016		1		1	1						
5A	Administrative Support	78	55	23	5	17	10	1	1	4		1
	Percent of total	100.00%	70.51%	29.49%	6.41%	21.79%						
	Availability		76.31%		11.56%	19.57%						
	Underutilization		4.52	-23.00	4.02	-1.74						
			<b>5</b>		<b>4</b>	<b>N</b>						
	Anticipated Openings 2013-2016	4										
	Numerical Goals 2013-2016		3			1						
5B	Administrative Support (Clerks)	103	53	50	7	30	23	3	3	1		
	Percent of total	100.00%	51.46%	48.54%	6.80%	29.13%						
	Availability		70.14%		11.56%	22.03%						
	Underutilization		19.24	-50.00	4.91	-7.31						
			<b>19</b>		<b>5</b>	<b>N</b>						
	Anticipated Openings 2013-2016	5										
	Numerical Goals 2013-2016		3		1	1						
6E	Skilled Crafts (Electricians)	33	1	32	3	2	1					1
	Percent of total	100.00%	3.03%	96.97%	9.09%	6.06%						
	Availability		5.09%		11.55%	21.61%						
	Underutilization		0.68	-32.00	0.81	5.13						
			<b>1</b>		<b>1</b>	<b>5</b>						
	Anticipated Openings 2013-2016	2										
	Numerical Goals 2013-2016											

Metropolitan Council's Affirmative Action Plan 2012

CODE	CODE TITLE	TOTAL	FEMALE	MALE	DISABLED	TOTAL MINORITY	B	A	I	H	PI	U
6F	Skilled Crafts (Electro-Mechanical/Scada Signals/Comm)	73	1	72	0	1	1					
	Percent of total	100.00%	1.37%	98.63%	0.00%	1.37%						
	Availability		4.32%		11.55%	17.47%						
	Underutilization		2.15	-72.00	8.43	11.75						
				<b>2</b>		<b>8</b>	<b>12</b>					
	Anticipated Openings 2013-2016	4										
	Numerical Goals 2013-2016					1						
6I	Skilled Crafts (Interceptor Service Worker)	20	3	17	1	0						
	Percent of total	100.00%	15.00%	85.00%	0.00%	0.00%						
	Availability		10.73%		11.55%	19.95%						
	Underutilization		-0.85	-17.00	1.31	3.99						
				<b>N</b>		<b>1</b>	<b>4</b>					
	Anticipated Openings 2013-2016	1										
	Numerical Goals 2013-2016					1						
6M	Skilled Crafts (Machinist/Mechanics)	357	6	351	3	55	30	7	7	10	1	
	Percent of total	100.00%	1.68%	98.32%	0.84%	15.41%						
	Availability		1.75%		11.55%	15.94%						
	Underutilization		0.25	-351.00	38.23	1.91						
				<b>1</b>		<b>38</b>	<b>2</b>					
	Anticipated Openings 2013-2016	18										
	Numerical Goals 2013-2016				2	3						
6O	Skilled Crafts (Operators)	182	20	162	7	16	9	2	2	3		
	Percent of total	100.00%	10.99%	89.01%	3.85%	8.79%						
	Availability		9.44%		11.55%	7.78%						
	Underutilization		-2.82	-162.00	14.02	-1.84						
				<b>N</b>		<b>14</b>	<b>N</b>					
	Anticipated Openings 2013-2016	9										
	Numerical Goals 2013-2016		1		1	1						

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CODE	CODE TITLE	TOTAL	FEMALE	MALE	DISABLED	TOTAL MINORITY	B	A	I	H	PI	U
6P	Skilled Crafts (Pipefitters)	7	1	6	2	0						
	Percent of total	100.00%	14.29%	85.71%	28.57%	0.00%						
	Availability		5.00%		11.55%	11.03%						
	Underutilization		-0.65	-6.00	-1.19	0.77						
				<b>N</b>		<b>N</b>	<b>1</b>					
	Anticipated Openings 2013-2016											
	Numerical Goals 2013-2016											
6S	Skilled Crafts (Stationary Engineers)	12	0	12	0	2				2		
	Percent of total	100.00%	0.00%	100.00%	0.00%	16.67%						
	Availability		10.82%		11.55%	11.79%						
	Underutilization		1.30	-12.00	1.39	-0.59						
				<b>1</b>		<b>1</b>	<b>N</b>					
	Anticipated Openings 2013-2016	1										
	Numerical Goals 2013-2016											
6X	Skilled Crafts (Bricklayers/Painters)	6	0	6	0	0						
	Percent of total	100.00%	0.00%	100.00%	0.00%	0.00%						
	Availability		4.13%		11.55%	13.05%						
	Underutilization		0.25	-6.00	0.69	0.78						
				<b>1</b>		<b>1</b>	<b>1</b>					
	Anticipated Openings 2013-2016											
	Numerical Goals 2013-2016											
8A	Service Maintenance (Interceptor Serviceworker/Laborer)	118	26	92	2	29	20	2	6	1		
	Percent of total	100.00%	22.03%	77.97%	1.69%	24.58%						
	Availability		22.31%	12.80%	11.55%	29.33%						
	Underutilization		0.33	-88.67	11.63	5.61						
				<b>1</b>		<b>12</b>	<b>6</b>					
	Anticipated Openings 2013-2016	6										
	Numerical Goals 2013-2016		1		1	2						

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CODE	CODE TITLE	TOTAL	FEMALE	MALE	DISABLED	TOTAL MINORITY	B	A	I	H	PI	U
8B	Service Maintenance (Bus Transportation)	1431	319	1112	14	527	410	36	55	23		29
	Percent of total	100.00%	22.29%	77.71%	0.98%	36.83%						
	Availability		29.37%	12.80%	11.37%	29.30%						
	Underutilization		101.28	-1071.17	148.70	-107.72						
			<b>101</b>		<b>149</b>	<b>N</b>						
	Anticipated Openings 2013-2016	72										
	Numerical Goals 2013-2016		21		8	21						
8C	Service Maintenance (Rail Transportation)	53	8	45	0	21	15	4	1	1		
	Percent of total	100.00%	15.09%	84.91%	0.00%	39.62%						
	Availability		22.04%	12.80%	11.37%	36.93%						
	Underutilization		3.68	-43.98	6.03	-1.43						
			<b>4</b>		<b>6</b>	<b>N</b>						
	Anticipated Openings 2013-2016	3										
	Numerical Goals 2013-2016		1		1							

END