**(Company name)**

**Affirmative Action Plan**

**June 2017 – June 2020**

(Company Street Address)

(Company City, State, Zip Code)

This document can be made available upon request in alternative formats by contacting (name) at (email address) or (phone number).

Table of Contents

[I. EXECUTIVE SUMMARY 5](#_Toc450905671)

[II. STATEMENT OF COMMITMENT 6](#_Toc450905672)

[III. INDIVIDUALS RESPONSIBLE FOR DIRECTING/IMPLEMENTING THE AFFIRMATIVE ACTION PLAN 7](#_Toc450905673)

[A. Company Head 7](#_Toc450905674)

[B. Affirmative Action Designee Designee 7](#_Toc450905675)

[C. Americans with Disabilities Act Designee 9](#_Toc450905676)

[D. Human Resources Director 9](#_Toc450905677)

[E. Directors, Managers, and Supervisors 10](#_Toc450905678)

[F. All Employees 11](#_Toc450905679)

[IV. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN 12](#_Toc450905680)

[A. Internal Methods of Communication 12](#_Toc450905681)

[B. External Methods of Communication 12](#_Toc450905682)

[V. COMPANY POLICY PROHIBITING DISCRIMINATION AND HARASSEMENT 12](#_Toc450905683)

[VI. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS FOR ALLEDGED DISCRIMINATION/HARASSMENT 14](#_Toc450905684)

[Responsibility of Employee: 15](#_Toc450905685)

[Who May File: 15](#_Toc450905686)

[Complaint Procedure: 15](#_Toc450905687)

[Filing Procedures: 15](#_Toc450905688)

[VII. REASONABLE ACCOMODATION POLICY 17](#_Toc450905689)

[Applicant 17](#_Toc450905690)

[Americans with Disabilities Act (ADA) Coordinator 17](#_Toc450905691)

[Direct Threat 17](#_Toc450905692)

[Essential Functions 17](#_Toc450905693)

[Interactive Process 18](#_Toc450905694)

[Individual with a Disability 18](#_Toc450905695)

[Qualified Individual with a Disability 18](#_Toc450905696)

[Major Life Activities 18](#_Toc450905697)

[Medical Documentation 18](#_Toc450905698)

[Reasonable Accommodation 19](#_Toc450905699)

[Reassignment 19](#_Toc450905700)

[Support Person 20](#_Toc450905701)

[Undue Hardship 20](#_Toc450905702)

[General Standards and Expectations 20](#_Toc450905703)

[Individuals who may request a reasonable accommodation include 20](#_Toc450905704)

[How to request a reasonable accommodation 20](#_Toc450905705)

[Timing of the request 21](#_Toc450905706)

[Form of the request 21](#_Toc450905707)

[The interactive process entails 22](#_Toc450905708)

[Company responsibilities for processing the request 22](#_Toc450905709)

[Analysis for processing requests 23](#_Toc450905710)

[Obtaining medical documentation in connection with a request for reasonable accommodation 24](#_Toc450905711)

[Confidentiality requirements 24](#_Toc450905712)

[Approval of requests for reasonable accommodation 25](#_Toc450905713)

[Funding for reasonable accommodations 26](#_Toc450905714)

[Procedures for reassignment as a reasonable accommodation 26](#_Toc450905715)

[Denial of requests for reasonable accommodation 26](#_Toc450905716)

[Consideration of undue hardship 27](#_Toc450905717)

[Determining direct threat 27](#_Toc450905718)

[Appeals process in the event of denial 27](#_Toc450905719)

[Information tracking and records retention 28](#_Toc450905720)

[VIII. EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES 28](#_Toc450905721)

[Evacuation Options: 28](#_Toc450905722)

[Evacuation Procedures for Individuals with Mobility, Hearing, or Visual Disabilities: 29](#_Toc450905723)

[Severe Weather Evacuation Options: 30](#_Toc450905724)

[IX. GOALS AND TIMETABLES 30](#_Toc450905725)

[X. AFFIRMATIVE ACTION PROGRAM OBJECTIVES 32](#_Toc450905726)

[Objective #1: (Name objective here) 32](#_Toc450905727)

[Action Steps: 32](#_Toc450905728)

[Evaluation: 32](#_Toc450905729)

[Objective #2: (Name objective here) 32](#_Toc450905730)

[Action Steps: 32](#_Toc450905731)

[Evaluation: 32](#_Toc450905732)

[Objective #3: (Name objective here) 33](#_Toc450905733)

[Action Steps: 33](#_Toc450905734)

[Evaluation: 33](#_Toc450905735)

[XI. METHODS OF AUDITING, EVALUATING, AND REPORTING PROGRAM SUCCESS 33](#_Toc450905736)

[A. Pre-Employment Review Procedure/Monitoring the Hiring Process 33](#_Toc450905737)

[B. Pre-Review Procedure for Layoff Decisions 34](#_Toc450905738)

[C. Other Methods of Program Evaluation 34](#_Toc450905739)

[XII. RECRUITMENT PLAN 35](#_Toc450905740)

[A. Advertising Sources 35](#_Toc450905741)

[B. Job and Community Fairs 35](#_Toc450905742)

[C. College and University Recruitment Events 35](#_Toc450905743)

[D. Recruitment for Individuals with Disabilities 36](#_Toc450905744)

[E. Relationship Building and Outreach 37](#_Toc450905745)

[F. Internships 37](#_Toc450905746)

[G. Supported Employment 37](#_Toc450905747)

[H. Additional Recruitment Activities 37](#_Toc450905748)

[XIII. RETENTION PLAN 38](#_Toc450905749)

[A. Individual(s) Responsible for the Company’s Retention Program/Activities 38](#_Toc450905750)

[B. Separation and Retention Analysis by Protected Groups 38](#_Toc450905751)

[C. Methods of Retention of Protected Groups 38](#_Toc450905752)

[APPENDIX 39](#_Toc450905753)

[Complaint of Discrimination/Harassment Form 39](#_Toc450905754)

[Employee/Applicant Request for ADA Reasonable Accommodation Form 42](#_Toc450905755)

[Company Profile and Organizational Chart 44](#_Toc450905756)

[Underutilization Analysis Worksheets 44](#_Toc450905757)

[Separation Analysis by Protected Groups Worksheets 44](#_Toc450905758)

[Other Relevant Company Information, Policies, or Documents 44](#_Toc450905759)

1. EXECUTIVE SUMMARY

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

**Table 1: UNDERUTILIZATION ANALYSIS OF PROTECTED GROUPS**

| **Job Categories** | **Women** | **Racial/Ethnic Minorities** | **Individuals With Disabilities** |
| --- | --- | --- | --- |
| Officials/Administrators | BLANK CELL | BLANK CELL | **XX** |
| Professionals | BLANK CELL | BLANK CELL |  |
| Protected Services: Sworn | **XX** | BLANK CELL | **XX** |
| Protected Services: Non-sworn | BLANK CELL | BLANK CELL | **XX** |
| Office/Clerical | BLANK CELL | BLANK CELL | BLANK CELL |
| Technicians | BLANK CELL | **XX** | BLANK CELL |
| Skilled Craft | **XX** | BLANK CELL | **XX** |
| Service Maintenance | BLANK CELL | BLANK CELL | BLANK CELL |

Once approved, information about how to obtain or view a copy of this plan will be provided to every employee of the Company. Our intention is that every employee to is aware of (Company name)’s commitments to affirmative action and equal employment opportunity. The plan will also be posted on the Company’swebsite and maintained in the Human Resources Office.

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

| Blank space for signature | Blank space for date |
| --- | --- |
| Affirmative Action Designee | Date Signed |
| Blank space for signature | Blank space for date |
| Human Resources Director | Date Signed |

1. STATEMENT OF COMMITMENT

This statement reaffirms (Company name)is committed to affirmative action efforts and providing equal employment opportunity to all employees and applicants in accordance with equal opportunity and affirmative action laws.

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

* No individual shall be discriminated against in the terms and conditions of employment, personnel practices, or access to and participation in programs, services, and activities with regard to race, sex, color, creed, religion, age, national origin, sexual orientation, disability, marital status, status with regard to public assistance, or membership or activity in a local human rights commission.
* This Company is committed to the implementation of the affirmative action policies, programs, and procedures included in this plan to ensure that employment practices are free from discrimination. Employment practices include, but are not limited to the following: hiring, promotion, demotion, transfer, recruitment or recruitment advertising, layoff, disciplinary action, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. We will provide reasonable accommodation to employees and applicants with disabilities.
* This Company will continue to actively promote a program of affirmative action, wherever minorities, women, and individuals with disabilities are underrepresented in the workforce, and work to retain all qualified, talented employees, including protected group employees.
* This Company will evaluate its efforts, including those of its directors, managers, and supervisors, in promoting equal opportunity and achieving affirmative action objectives contained herein. In addition, this Company will expect all employees to perform their job duties in a manner that promotes equal opportunity for all.

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

| Blank space for signature | Blank space for date |
| --- | --- |
| Chief Executive Officer | Date Signed |

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

(Delete or combine roles as needed.)

1. Company Head

**(Name and Title of Commissioner or Company Head)**

**Responsibilities:**

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

**Duties:**

The duties of the Company Head shall include, but are not limited to the following:

* Appoint the Affirmative Action Designee and include accountability for the administration of the Company’s Affirmative Action Plan in his or her position description;
* Take action, if needed, on complaints of discrimination and harassment;
* Ensure the Affirmative Action Plan is effectively communicated to all employees on an annual basis;
* Make decisions and changes in policy, procedures, or accommodations as needed to facilitate effective affirmative action and equal employment opportunity;
* Actively promote equal opportunity employment; and
* Require all Company directors, managers, and supervisors include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in their position descriptions and annual objectives.

**Accountability:**

The Company Head is accountable directly to the Board of Directors on matters pertaining to equal opportunity and affirmative action.

1. Affirmative Action Designee

**(Name and Title of Affirmative Action Designee)**

**Responsibilities:**

The Affirmative Action Designee is responsible for implementation of the policy’s contained in the Company’s affirmative action plan, and oversight of the Company’s compliance with equal opportunity and affirmative action laws.

**Duties:**

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

* Prepare and oversee the Affirmative Action Plan, including development and setting of Company-wide goals;
* Monitor the compliance and fulfill all affirmative action reporting requirements;
* Inform the Company’s Company Head of progress in affirmative action and equal opportunity and report potential concerns;
* Review the Affirmative Action Plan at least annually and provide updates as appropriate;
* Provide an Company-wide perspective on issues relating to affirmative action and equal opportunity and assist in the identification and development of effective solutions in problem areas related to affirmative action and equal opportunity;
* Identify opportunities for infusing affirmative action and equal opportunity into the Company’s considerations, policies, and practices;
* Participate in and/or develop strategies to recruit individuals in protected groups for employment, promotion, and training opportunities;
* Stay current on changes to equal opportunity and affirmative action laws and interpretation of the laws;
* Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention, progress on hiring goals, reasonable accommodations, and other opportunities for improvement; and

**Accountability:**

The Affirmative Action Designee is accountable directly to (Title of role) and indirectly to the Company Head on matters pertaining to affirmative action and equal opportunity.

1. Americans with Disabilities Act Designee

**(Name and Title of Americans with Disabilities Act Designee)**

**Responsibilities:**

The Americans with Disabilities Act Designee is responsible for the oversight of the Company’s compliance with the Americans with Disabilities Act and the [STATE] Human Rights Act.

**Duties:**

The duties of the Americans with Disabilities Act Designee shall include, but not limited to the following:

* Provide guidance, coordination, and direction to Company management with regard to the Americans with Disabilities Act in the development and implementation of the Company’s policy, procedures, practices, and programs to ensure they are accessible and nondiscriminatory;
* Provide consultation, technical guidance, and/or training to directors, managers, supervisors, and staff regarding best practices in recruitment, selection, and retention of individuals with disabilities, provisions of reasonable accommodations for employees and applicants, and other opportunities for improvement; and
* Track and facilitate requests for reasonable accommodations for employees and applicants, as well as members of the public accessing the Company’s services, and reports reasonable accommodations annually to the Board of Directors

**Accountability:**

The Americans with Disabilities Act Designee reports directly to (Title of role).

1. Human Resources Director

**(Name and Title of Human Resources Director)**

**Responsibilities:**

The Human Resources Director is responsible for ensuring equitable and uniform administration of all personnel policies including taking action to remove barriers to equal employment opportunity with the Company.

**Duties:**

The duties of the Human Resources Director include, but are not limited to the following:

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

**Accountability:**

The Human Resources Director is directly accountable to (Title of role).

1. Directors, Managers, and Supervisors

**Responsibilities:**

Directors, Managers, and Supervisors are responsible for implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with the Company’s affirmative action programs and policies to ensure fair and equal treatment of all employees and applicants.

**Duties:**

The duties of directors, managers, and supervisors include, but are not limited to the following:

* Assist the Affirmative Action Designee in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity;
* Communicate the Company’s affirmative action policy to assigned staff;
* Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan;
* Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis;
* Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives;
* To provide a positive and inclusive work environment; and
* To refer complaints of discrimination and harassment to the appropriate parties.

**Accountability:**

Directors, managers, and supervisors are accountable directly to their designated supervisor and indirectly to the Company’sCompany Head.

1. All Employees

**Responsibilities:**

All employees are responsible for conducting themselves in accordance with the Company’s equal opportunity and Affirmative Action Plan and policies.

**Duties:**

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

* Exhibit an attitude of respect, courtesy, and cooperation towards fellow employees and the public; and
* Refrain from any actions that would adversely affect the performance of a coworker with respect to their race, sex, color, creed, religion, age, national origin, disability, marital status, status with regard to public assistance, sexual orientation, gender identity, gender expression, or membership or activity in a local human rights commission.

**Accountability:**

Employees are accountable to their designated supervisor and indirectly to the Company’sCompany Head.

1. COMMUNICATION OF THE AFFIRMATIVE ACTION PLAN

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

1. Internal Methods of Communication

* A memorandum detailing the location of the Affirmative Action Plan and the responsibility to read, understand, support, and implement equal opportunity and affirmative action will be sent from the Company’s leadership or alternatively, the Affirmative Action Designee, to all staff on an annual basis.
* The Company’s Affirmative Action Plan is available to all employees on the Company’s internal website at (internal website link) or in print copy to anyone who requests it. As requested, the Company will make the plan available in alternative formats.
* Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented and accessible to employees.

1. External Methods of Communication

* The Company’s Affirmative Action Plan is available on the Company’s external website at (external website link) or in print copy to anyone who requests it. As requested, the Company will make the plan available in alternative formats.
* The Company’s website homepage, letterhead, publications, and all job postings, will include the statement “an equal opportunity employer.”
* Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented by and accessible to members of the public. Examples of posters displayed include: Equal Employment Opportunity is the law, Employee Rights under the Fair Labor Standards Act, and the Americans with Disabilities Act Notice to the Public.

1. STATEWIDE POLICY PROHIBITING DISCRIMINATION AND HARASSEMENT

(The statewide policy is listed below. All Affirmative Action Plans will contain this statewide policy.)

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

Any employee subjected to such harassment should file a complaint internally with the Company’s Affirmative Action Designee. If the employee chooses, a complaint can be filed externally with the [State] Department of Human Rights, the Equal Employment Opportunity Commission, or through other legal channels. These agencies have time limits for filing complaints, so individuals should contact the agencies for more information. Any unintentional or deliberate violation of this policy by an employee will be cause for appropriate disciplinary action.

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

* Notifying all employees and applicants of this policy; and
* Informing all employees of the complaint procedure and ensuring that all complaints will be investigated promptly and carefully.

***Definitions:***

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

Sexual harassment has also been specifically defined by the [STATE] Human Rights Act, which states in regard to employment, that:

“Sexual harassment” includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

* Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment;
* Submission to or rejection of that conduct or communication by an individual is used as a factor in decision affecting that individual's employment; or
* That conduct or communication has the purpose or effect of substantially interfering with an individual's employment, and in the case of employment, the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

It is possible for discriminatory harassment to occur:

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

Employees who experience discrimination or harassment should bring the matter to the attention of the (Company name)'s Affirmative Action Designee. In fulfilling our obligation to maintain a positive and productive work environment, the Affirmative Action Designee and all employees are expected to address or report any suspected harassment or retaliation.

Varying degrees of discriminatory harassment violations can occur and require varying levels of progressive discipline. Individuals who instigate harassment are subject to serious disciplinary actions up to and including suspension, demotion, transfer, or termination. Additionally, inappropriate behaviors that do not rise to the level of discriminatory harassment, but are none the less disruptive, should be corrected early and firmly in the interests of maintaining a barrier-free work place. Individuals who participate in inappropriate behaviors at work are also subject to disciplinary actions.

Any employee or applicant who believes that they have experienced discrimination or harassment based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity ina local human rights commission, disability, sexual orientation, or age may file a complaint of discrimination.

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

1. COMPLAINT PROCEDURE FOR PROCESSING COMPLAINTS FOR ALLEDGED DISCRIMINATION/HARASSMENT

(The following is a template procedure. Company is encouraged to write their own procedure as long as it meets the requirements set forth in [STATE] Rules)

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

## Responsibility of Employee:

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

## Who May File:

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

## Complaint Procedure:

The internal complaint procedure provides a method for resolving complaints involving violations of this Company’s policy prohibiting discrimination and harassment within the Company. Employees and applicants are encouraged to use this internal complaint process. Retaliation against a person who has filed a complaint either internally or through an outside enforcement Company or other legal channels is prohibited. The Affirmative Action Designeeor Human Resource department if more information is needed about filing a complaint.

## Filing Procedures:

1. The employee or applicant completes the “Complaint of Discrimination/Harassment Form” provided by the Affirmative Action Designee. Employees are encouraged to file a complaint within a reasonable period of time after the individual becomes aware that a situation may involve discrimination or harassment. The Affirmative Action Designee will, if requested, provide assistance in filling out the form.
2. The Affirmative Action Designee determines if the complaint falls under the purview of Equal Employment Opportunity law, i.e., the complainant is alleging discrimination or harassment on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age; or if the complaint is of a general personnel concern. The Affirmative Action Designeeshall also discuss other options for resolution, such as the workplace mediation.
   * If it is determined that the complaint is not related to discrimination but rather to general personnel concerns, the Affirmative Action Designeewill inform the complainant, in writing, within ten (10) working days.
   * If the complaint isrelated to discrimination, the Affirmative Action Designeewill, within ten (10) working days, contact all parties named as respondents and outline the basic facts of the complaint. The respondents will be asked to provide a response to the allegations within a specific period of time.
3. The Affirmative Action Designeeshall then investigate the complaint. At the conclusion of the investigation, the Affirmative Action Designeeshall notify the complainants and respondents that the investigation is completed. The Affirmative Action Designeeshall than review the findings of the investigation.
   * If there is sufficient evidence to substantiate the complaint, appropriate action will be taken.
   * If insufficient evidence exists to support the complaint, a letter will be sent to the complainants and the respondents dismissing the complaint.
4. A written answer will be provided to the parties within sixty (60) days after the complaint is filed. The complainants will be notified should extenuating circumstances prevent completion of the investigation within sixty (60) days.
5. Disposition of the complaint will be filed with Human Resources within thirty (30) days after the final determination.
6. All documentation associated with a complaint shall be considered investigative data under the [STATE] Government Data Practices Act. The status of the complaint will be shared with the complainants and respondents. After an investigation is completed and all appeals are exhausted, all documentation is subject to the provisions of the [STATE] Government Data Practices Act.
7. All data collected may at some point become evidence in civil or criminal legal proceedings pursuant to state or federal statutes. An investigation may include, but isnot limited to, the following types of data:
   * Interviews or written interrogatories with all parties involved in the complaint, i.e., complainants, respondents, and their respective witnesses; officials having pertinent records or files, etc.; and
   * All records pertaining to the case i.e., written, recorded, filmed, or in any other form.
8. The Affirmative Action Designeeshall maintain records of all complaints and any pertinent information or data for three (3) years after the case is closed.
9. REASONABLE ACCOMODATION POLICY

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

* A qualified applicant with a disability needs an accommodation to have an equal opportunity to compete for a job;
* A qualified employee with a disability needs an accommodation to perform the essential functions of the employee’s job; and

A qualified employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., trainings, office sponsored events).

## Applicant

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

## Americans with Disabilities Act (ADA) Designee

Each Company is required to appoint an ADA Designee, depending on Company size, to direct and coordinate Company compliance with Title I of the ADA.

## Direct Threat

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

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

## Essential Functions

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

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

## Interactive Process

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

## Individual with a Disability

An individual who:

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

## Qualified Individual with a Disability

An individual who:

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

## Major Life Activities

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

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

## Medical Documentation

Information from the requestor’s treating provider which is sufficient to enable the employer to determine whether an individual has a disability and whether and what type of reasonable accommodation is needed when the disability or the need for accommodation is not obvious. Medical documentation can be requested using the standardized [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider.](http://www.mn.gov/mmb/employee-relations/laws-policies-and-rules/statewide_hr_policies/)

## Reasonable Accommodation

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

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

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

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

## Reassignment

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

## Support Person

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

## Undue Hardship

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

## General Standards and Expectations

### *Individuals who may request a reasonable accommodation include*

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

The Company must abide by the **[State] Government Data Practices Act**, in obtaining or sharing information related to accommodation requests.

### *How to request a reasonable accommodation*

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

* Immediate supervisor or manager in the employee’s chain of command;
* Company Affirmative Action Designee;
* Company ADA Designee;
* Company Human Resources Office;
* Any Company official with whom the applicant has contact during the application, interview and/or selection process.

### *Timing of the request*

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

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

### *Form of the request*

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

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

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

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

Company request forms can be found at: “[Employee/Applicant Request for Reasonable Accommodation Form](http://mn.gov/mmb/images/request-for-accomm-form.docx)”.

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

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

### *The interactive process entails*

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

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

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

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

The Company ADA Designee shall be consulted when:

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

### *Company responsibilities for processing the request*

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

Company Head

The Company head has the ultimate responsibility to ensure compliance with the ADA and this policy and appoint an ADA Designee.

ADA Designee

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

Supervisors and Managers

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

* Requests for standard office equipment that is needed as a reasonable accommodation and adaptive items costing less than $100. [Agencies can adjust the dollar amount based on their needs]; and
* Requests for a change in a condition of employment such as modified duties, or a change in schedule, or the location and size of an employee’s workspace.

### *Analysis for processing requests*

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

1. Determine if the requestor is a qualified individual with a disability;
2. Determine if the accommodation is needed to:

* Enable a qualified applicant with a disability to be considered for the position the individual desires;
* Enable a qualified employee with a disability to perform the essential functions of the position; or
* Enable a qualified employee with a disability to enjoy equal benefits or privileges of employment as similarly situated employees without disabilities;

1. Determine whether the requested accommodation is reasonable;
2. Determine whether there is a reasonable accommodation that will be effective for the requestor and the Company; and
3. Determine whether the reasonable accommodation will impose an undue hardship on the Company’s operations.

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

### *Obtaining medical documentation in connection with a request for reasonable accommodation*

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

* The information submitted by the requestor is insufficient to document the disability or the need for the accommodation;
* A question exists as to whether an individual is able to perform the essential functions of the position, with or without reasonable accommodation; or
* A question exists as to whether the employee will pose a direct threat to himself/herself or others.

Where medical documentation is necessary, the Company ADA Designee must make the request and use the [Letter Requesting Documentation for Determining ADA Eligibility from a Medical Provider](http://mn.gov/mmb/images/letter-to-med-provider.docx). The Company ADA Designee must also obtain the requestor’s completed and signed [Authorization for Release of Medical Information](http://mn.gov/mmb/images/ada-auth-release-form.docx).

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

### *Confidentiality requirements*

Medical Information

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

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

* Supervisors, managers or Company HR staff who have a need to know may be told about the necessary work restrictions and about the accommodations necessary to perform the employee’s duties. However, information about the employee’s medical condition should only be disclosed if strictly necessary, such as for safety reasons;
* First aid and safety personnel may be informed, when appropriate, if the employee may require emergency treatment or assistance in an emergency evacuation;
* To consult with the ADA Designee or employment law counsel about accommodation requests, denial of accommodation requests or purchasing of specific assistive technology or other resources; or
* Company officials assigned to investigate Company compliance with the ADA.

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

Accommodation Information

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

General Information

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

### *Approval of requests for reasonable accommodation*

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

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

### *Funding for reasonable accommodations*

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

### *Procedures for reassignment as a reasonable accommodation*

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

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

### *Denial of requests for reasonable accommodation*

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

* The individual is not a qualified individual with a disability;
* The reasonable accommodation results in undue hardship or the individual poses a direct threat to the individual or others. Undue hardship and direct threat are determined on a case-by-case basis with guidance from the Company ADA Designee; or
* Where no reasonable accommodation, including reassignment to a vacant position, will enable the employee to perform all the essential functions of the job.

The explanation for denial must be provided to the requestor in writing. The explanation should be written in plain language and clearly state the specific reasons for denial. Where the decision maker has denied a specific requested accommodation, but has offered a different accommodation in its place, the decision letter should explain both the reasons for denying the accommodation requested and the reasons that the accommodation being offered will be effective.

### *Consideration of undue hardship*

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

Agencies may deny reasonable accommodations based upon an undue hardship. Prior to denying reasonable accommodation requests due to lack of financial resources, the Company will consult with counsel.

### *Determining direct threat*

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

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

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

### *Appeals process in the event of denial*

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

* Must include review by an Company official;
* May include review by the ADA Designee; and/or
* Must inform the requestor of the statutory right to file a charge with the Equal Employment Opportunity Commission or the [STATE] Department of Human Rights.

### *Information tracking and records retention*

The Human Resource department will track reasonable accommodations requested and report the number and types of accommodations requested, approved, denied and other relevant information.

The Human Resources department will retain reasonable accommodation documentation according to the Company’s document retention schedule, but in all cases for at least one year from the date the record is made or the personnel action involved is taken, whichever occurs later.

1. EVACUATION PROCEDURES FOR INDIVIDUALS WITH DISABILITIES

(Describe plans for evacuations and weather emergency procedures for individuals with disabilities. Indicate methods of communication and evacuation and safety for individuals with disabilities or employees with needed assistance.)

A copy of the Company’s weather and emergency evacuation plans can be found at:(add location here, whether a website link or other location).

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

Everyone has a responsibility to develop their own personal emergency evacuation plan, this includes individuals with disabilities or individuals who will need assistance during evacuation. The Americans with Disabilities Act Designee will work to develop a plan and consult the appropriate building and safety personnel. (Work with your safety administrator to ensure an appropriate plan is in place and list the appropriate contacts in the Affirmative Action Plan.)

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

(Add Company contact(s) here. Include name, title, phone number, and email address.)

## Evacuation Options:

Individuals with disabilities have four basic, possibly five, evacuation options (Note: Not all of the options will apply to your Company depending on the location, building type, and type of equipment available for evacuations):

* Horizontal evacuation: Using building exits to the outside ground level or going into unaffected wings of multi-building complexes;
* Stairway evacuation: Using steps to reach ground level exits from building;
* Shelter in place: Unless danger is imminent, remain in a room with an exterior window, a telephone, and a solid or fire resistant door. If the individual requiring special evacuation assistance remains in place, they should dial 911 immediately and report their location to emergency services, who will in turn relay that information to on-site responders. The shelter in place approach may be more appropriate for sprinkler protected buildings where an area of refuge is not nearby or available. It may be more appropriate for an individual who is alone when the alarm sounds;
* Area of rescue assistance: Identified areas that can be used as a means of egress for individuals with disabilities. These areas, located on floors above or below the building’s exits, can be used by individuals with disabilities until rescue can be facilitated by emergency responders; and/or
* For agencies equipped with an evacuation chair: Evacuation chairs or a light-weight solution to descending stairways can be used and generally require single user operation. If anCompany is equipped with an evacuation chair, best practice indicates that all employees are trained and have practiced evacuating using an evacuation chair.

## Evacuation Procedures for Individuals with Mobility, Hearing, or Visual Disabilities:

Individuals with disabilities should follow the following procedures:

* Mobility disabilities (individuals who use wheelchairs or other personal mobility devices (“PMDs”):Individuals using wheelchairs should be accompanied to an area of rescue assistance by an employee or shelter in place when the alarm sounds. The safety and security staff will respond to each of the areas of rescue assistance every time a building evacuation is initiated to identify theindividuals in these areasand notify to emergency responders how many individuals need assistance to safely evacuate.
* Mobility disabilities (individuals who do not use wheelchairs):Individuals with mobility disabilities, who are able to walk independently, may be able to negotiate stairs in an emergency with minor assistance. If danger is imminent, the individual should wait until the heavy traffic has cleared before attempting the stairs. If there is no immediate danger (detectable smoke, fire, or unusual odor), the individual with a disability may choose to wait at the area of rescue assistance until emergency responders arrive to assist them.
* Hearing disabilities:The Company’s buildings are equipped with fire alarm horns/strobes that sound the alarm and flash strobe lights. The strobe lights are for individuals with who are deaf and/or hard of hearing. Individuals with hearing disabilities may not notice or hear emergency alarms and will need to be alerted of emergency situations.
* Visual disabilities: The Company’s buildings are equipped with fire alarm horn/strobes that sound the alarm and flash strobe lights. The horn will alert individuals who are blind or have visual disabilities of the need to evacuate. Most individuals with visual disabilities will be familiar with their immediate surroundings and frequently traveled routes. Since the emergency evacuation route is likely different form the common traveled route, individuals with visual disabilities may need assistance in evacuating. The assistant should offer assistance, and if accepted, guide the individual with a visual disability through the evacuation route.

## Severe Weather Evacuation Options:

Individuals with disabilities or who are in need of assistance during an evacuation have three evacuation options based on their location in their building:

* Horizontal evacuation: If located on the ground or basement floor, severe weather shelter areas are located throughout each floor;
* Elevator evacuation: If there are no safe areas above the ground floor, the elevator may be used to evacuate to the ground or basement levels; and/or
* Shelter in Place: Seeking shelter in a designated severe weather shelter and remaining there until the all clear is used.

1. GOALS AND TIMETABLES

(Identify hiring goals and timelines for this Affirmative Action Plan period. Be sure to adequately explain the information you relied upon to come up with the hiring goals.)

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

**Table 2. Underutilization Analysis and Hiring Goals for 2017-2020**

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

**Underutilization - # of Individuals Hiring Goals for 2016-2018**

| **Job Categories** | **Women** | **Racial/Ethnic Minorities** | **Individuals With Disabilities** | **Women** | **Racial/Ethnic Minorities** | **Individuals With Disabilities** |
| --- | --- | --- | --- | --- | --- | --- |
| Officials/Administrators | BLANK CELL | BLANK CELL | BLANK | BLANK | BLANK | BLANK |
| Professionals | BLANK CELL | BLANK CELL |  | BLANK | BLANK | BLANK |
| Protected Services: Sworn | BLANK | BLANK CELL | BLANK | BLANK | BLANK | BLANK |
| Protected Services: Non-sworn | BLANK CELL | BLANK CELL | BLANK | BLANK | BLANK | BLANK |
| Office/Clerical | BLANK CELL | BLANK CELL | BLANK CELL | BLANK | BLANK | BLANK |
| Technicians | BLANK CELL | BLANK | BLANK CELL | BLANK | BLANK | BLANK |
| Skilled Craft | BLANK | BLANK CELL | BLANK | BLANK | BLANK | BLANK |
| Service Maintenance | BLANK CELL | BLANK CELL | BLANK CELL | BLANK | BLANK | BLANK |

**Availability:**

The Company determined the recruitment area to be [statewide/nationwide] for all job categories (describe whether you used statewide availability, metropolitan availability, or another specific recruitment area and for each job category listed in the table). In conducting its underutilization analysis, the Company used the (one-, two-, or multiple-) factor analysis. The Company determined it was best to use this type of analysis because (describe reasons here).

Underutilization Analysis worksheets are attached in the appendix.

**Women:**

At the Company, the population of women has improved in the following job categories: (list job categories here) and has not improved in the following job categories: (list job categories here). (Describe the factors that lead to the Company’s improvement or not. Also, describe how the Company arrived or did not arrive at the goal it did for 2014-2016 with regards to anticipated hiring needs, budget constraints, and other reasons. What will the Company do to address these constraints and strive towards the goals set for 2017-2020?)

**Minorities:**

At the Company, the population of minorities has improved in the following job categories: (list job categories here) and has not improved in the following job categories: (list job categories here). (Describe the factors that led to the Company’s improvement or not. Also, describe how Company arrived or did not arrive at the goal it did for 2014-2016 with regards to anticipated hiring needs, budget constraints, and other reasons. What will the Company do to address these constraints and strive towards the goals set for 2017-2020?)

**Individuals with Disabilities:**

At the Company, the population of individuals with disabilities has improved in the following job categories: (list job categories here) and has not improved in the following job categories: (list job categories here). (Describe the factors that led to the Company’s improvement or not. Also, describe how the Company arrived or did not arrive at the goal it did for 2014-16 with regards to anticipated hiring needs, budget constraints, and other reasons. What will the Company do to address these constraints and strive towards the goals set for 2017-2020?)

1. AFFIRMATIVE ACTION PROGRAM OBJECTIVES

(Identify and describe methods for developing programs designed to meet affirmative action goals. Identify new program objectives and evaluate past objectives. These will be unique to your Company and dependent upon the Company’s needs and resources. Please use the below format.)

In pursuing the Company’s commitment to affirmative action, the Company will take the following actions during 2017-2020:

## **Objective #1:**(Name objective here)

### Action Steps:

(Describe how you will meet the objective.)

### Evaluation:

(Describe if this objective was set in your last Affirmative Action Plan? Was there progress made and if so, what type? What kept you from fully meeting the objective from last time?)

## Objective #2: (Name objective here)

### Action Steps:

(Describe how you will meet the objective.)

### Evaluation:

(Describe if this objective was set in your last Affirmative Action Plan? Was there progress made and if so, what type? What kept you from fully meeting the objective from last time?)

## Objective #3: (Name objective here)

### Action Steps:

(Describe how you will meet the objective)

### Evaluation:

(Describe if this objective was set in your last Affirmative Action Plan? Was there progress made and if so, what type? What kept you from fully meeting the objective from last time?)

1. METHODS OF AUDITING, EVALUATING, AND REPORTING PROGRAM SUCCESS
2. Pre-Employment Review Procedure/Monitoring the Hiring Process

(Describe how your Company implements the pre-employment review procedure or incorporates the Monitoring the Hiring Process before an offer of employment is made. This is a mandatory section. Agencies are required to have a pre-employment review procedure to ensure that equal opportunity and affirmative action principles are infused in the hiring process.

Sample text is listed below. Agencies may edit the below text as need to be consistent with their practices. Another good sample of a pre-employment review procedure can be found in the [STATE] Department of Revenue’s Affirmative Action Plan.)

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

Any time the Company cannot justify a hire, the Company takes a missed opportunity. Company leadership will be asked to authorize the missed opportunity. The Company will report the number of affirmative and non-affirmative hires as well as missed opportunities on a quarterly basis.

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

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

1. Pre-Review Procedure for Layoff Decisions

(Describe how your Company implements layoff decisions and the effects on protected groups. Sample text is listed below.)

TheAffirmative Action Designee, in conjunction with the Company’s human resources office, shall be responsible for reviewing all pending layoffs to determine their effect on the Company’s affirmative action goals and timetables.

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

1. Other Methods of Program Evaluation

(The Company should describe what other methods they use to periodically review their affirmative action program. Sample text is listed below. Delete or add as needed.)

TheCompany completes the following compliance reports as part of the efforts to evaluate the Company’s affirmative action program:

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

The Companyalso evaluates the Affirmative Action Plan in the following ways (specify timelines and what corrective actionsare taken if necessary):

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

1. RECRUITMENT PLAN

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

Recruitment costs incurred during the 2017-2020 plan year total: (list total for the Company’s money spent on recruitment during the Affirmative Action Plan reporting period).

Below are various recruitment methods or strategies utilized by the Company during the past year.

1. Advertising Sources

(Describe your Company’s strategy and/or list the recruitment sources your Company used to attract qualified applicants during the previous year. For example, list websites, job boards, newspapers, memberships, listservs, staffing agencies, etc. How effective or ineffective were these strategies and/or sources? Which will you continue to use? Which will you re-evaluate?)

1. Job and Community Fairs

(Describe your Company’s strategy and/or list any job fairs, community events, conferences, etc. you attended during the previous year. How effective or ineffective were these strategies and/or events? Which will you continue to attend? Which will you re-evaluate?)

1. College and University Recruitment Events

(Describe your Company’s strategy and/or list any college/university recruitment events youattended in the previous year. For example, list college job fairs, mock interviews, employer panels, college/classroom visits, etc. How effective or ineffective were these strategies and/or events? Which will you continue to attend? Which will you re-evaluate?)

1. Recruitment for Individuals with Disabilities

(Describe your Company’s strategies and/or methods to improve recruitment of individuals with disabilities. How effective or ineffective were these strategies and/or methods? Which will you continue to use? Which will you re-evaluate?)

1. Review of job postings for physical and sensory requirements and follow the Guidelines for Inclusive Job Postings.
   1. Our Company will review all job postings for physical and sensory requirements and determine if the qualifications for the position are job-related and consistent with business necessity. Additionally, our Company will edit language pertaining to physical and sensory requirements and change this language to reflect more inclusive language for job qualifications.
2. Self-Identification
   1. At the time of application and once a year, our Company will communicate to our employees that we collect summary data related to the number of individuals who have applied for positions and who are in our workforce. We will inform employees that we collect this summary data to make determinations about where we need to improve in terms of recruitment, selection, or retention of individuals with disabilities.
3. Supported Worker
   1. When our Company posts a position, we will review the position for tasks that can be completed by a supported worker.
4. Reasonable Accommodation
   1. We will prominently display on our career site that we will provide reasonable accommodation to qualified individuals with a disability who apply for our positions where needed. Once hired, we will educate employees and supervisors and managers on accommodating employees in the workplace.
5. Strategic Partnerships
   1. Our Company will build strategic partnerships with \_\_\_\_\_\_\_\_\_\_\_, and other Company partners to conduct job evaluations and to assist in recruitment or referral of candidates to open positions. Our Company will work to inform \_\_\_\_\_when a position is posted or prior to a posting if possible about the positions. Additionally, we will post positions for at least 7 days to ensure equal opportunity to apply for the position.
6. Self-Analysis
   1. Our Company will conduct periodic self-checks to determine if our systems or documents are accessible, language in our job postings is inclusive, and reasonable accommodations have been provided and staff have been trained on how to provide reasonable accommodations.
7. Reporting
   1. Our Company will conduct a quarterly analysis of the number of individuals with disabilities who have applied for positions and the number of individuals with disabilities hired.
8. Relationship Building and Outreach

(Describe your Company’s strategy and/or outreach efforts and relationship building with schools, community organizations, etc. How effective or ineffective were these strategies and/or outreach efforts? Which will you continue to use? Which will you re-evaluate?)

1. Internships

(If your Company utilized internships during the previous year, indicate the strategies and/or methods used to recruit and hire interns. How effective or ineffective were these strategies and/or methods? Which will you continue to use? Which will you re-evaluate?)

1. Supported Employment

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

1. Additional Recruitment Activities

(List any additional recruitment strategies and/or methods used during the previous year. How effective or ineffective were these strategies and/or methods? Which will you continue to use? Which will you re-evaluate?)

1. RETENTION PLAN

TheCompanyis committed to not just the recruitment of women, minorities, individualswith disabilities, and veterans, but also to the retention of these protected groups.

1. Individual(s)Responsible for the Company’s Retention Program/Activities

(List a specific individuals(s) or office that has the overall authority or oversight of retention programs and activities. Provide that individual’s name, title, phone number, and email address.)

1. Separation and Retention Analysis by Protected Groups

(Include an analysis of the separation and retention report by protected groups. If you do not have access to this report, contact the State Affirmative Action Designee at [phone #]. Include the Separation and Retention Report by protected groups in the appendix.)

1. Methods of Retention of Protected Groups

(List your methods of retention for protected groups.)

# **APPENDIX**

## Complaint of Discrimination/Harassment Form

Company Name

Street Address

City, State Zip Code

Telephone Number

**Please Read Before Completion of Form**

Any complaint of discrimination/harassment is considered confidential data under [STATE] Statute \_\_\_. This information is being collected for the purpose of determining whether discrimination/harassment has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Affirmative Action Designee, the complainant, the respondent and appropriate personnel.

| **Complainant (You)** | | |
| --- | --- | --- |
| Complainant’s Name | Job Title | |
| Enter your name here | Enter your job title here | |
| Work Address | Telephone | |
| Enter your work address here | Enter your work phone # here | |
| Company | Division | Manager |
| Enter the Complainant’s Company name here | If appropriate, identify Division within Company here | Enter Division/Company manager’s name here |

| **Respondent (Individual Who Discriminated Against/Harassed You)** | | |
| --- | --- | --- |
| Respondent’s Name | Respondent’s Job Title | |
| Enter Respondent’s name here | Enter Respondent’s job title here | |
| Respondent’s Work Address | Respondent’s Telephone | |
| Enter Respondent’s work address here | Enter Respondent’s work phone # here | |
| Respondent’s Company | Division | Manager |
| Enter the Respondent’s Company name here | If appropriate, identify Division within Company here | Enter Division/Company manager’s name here |

| **The Complaint** | | | |
| --- | --- | --- | --- |
| **Basis of Complaint**  **Place an “X” in the box for all that apply:** | | | |
| Race | Disability | | Sexual Orientation |
| Sex | Marital Status | | Status with Regard to Public Assistance |
| Age | National Origin | | Membership or Activity in a Local Human Rights Commission |
| Color | Creed | | Religion |
| Date most recent act of discrimination/ harassment took place: | | If you filed this complaint with another Company, give the name of that Company: | |
| Enter date | | Enter name of other Company | |
| Describe how you believe that you have been discriminated/harassed against (names, dates, places, etc.). Use a separate sheet of paper if needed and attach to this form. | | | |
| Use this space to describe the discrimination or harassment. | | | |

|  |  |  |
| --- | --- | --- |
| **Information on Witnesses Who Can Support Your Case** | | |
| **Witness Names** | **Witness Work Addresses** | **Witness Work Telephones** |
| Witness #1 name | Witness #1 work address | Witness #1 phone number |
| Witness #2 name | Witness #2 work address | Witness #2 phone number |
| Witness #3 name | Witness #3 work address | Witness #3 phone number |
| Additional witnesses may be listed in “Additional Information” or on a separate sheet attached to this form. | | |

| This complaint is being filed on my honest belief that the [COMPANY NAME] has discriminated against/harassed me. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief. | | |
| --- | --- | --- |
| Blank space for complainant’s signature | | Date signed |
| Complainant Signature | | Date |
| Blank space for Affirmative Action signature | | Date signed |
| Affirmative Action Designee Signature | | Date |

## Employee/Applicant Request for ADA Reasonable Accommodation Form

**(Company name)**

**Employee/Applicant Request for ADA Reasonable Accommodation Form**

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

| Blank space for employee’s name | Blank space for job title |
| --- | --- |
| Employee Name | Job Title |

| Blank space for name of complainant’s work location |
| --- |
| Work Location |

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

**Questions to clarify accommodation requested.**

1. What specific accommodation are you requesting?
2. If you are not sure what accommodation is needed, do you have any suggestions about what options we can explore.
   1. If yes, please explain.

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

1. What, if any job function are you having difficulty performing?
2. What, if any employment benefit are you having difficulty accessing?
3. What limitation as result of your physical or mental impairment is interfering with your ability to perform your job or access an employment benefit?
4. If you are requesting a specific accommodation, how will that accommodation be effective in allowing you to perform the functions of your job?

**Information Pertaining to Medical Documentation**

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

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

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

| Blank space for employee’s signature | Blank space for date |
| --- | --- |

Employee Signature Date

## Company Profile and Organizational Chart

(Attach a description of the work your Company does and a high-level organizational chart, in particular noting where the affirmative action/ADA functions reside.)

## Underutilization Analysis Worksheets

(Attach all underutilization worksheets here, including one-, two-, or multiple-factor analysis worksheets.)

## Separation Analysis by Protected Groups Worksheets

(Attach the separation analysis by protected groups worksheets here.)

## Other Relevant Company Information, Policies, or Documents

(Attach these items here.)