



Affirmative Action Plan ***2018-2020***

Metropolitan Mosquito Control District

Metro Counties Government Center • 2099 University Avenue West • St. Paul, MN • 55104-3431 •
www.mmcd.org

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|--|---|---|
| <p><i>Our Mission</i></p> <p><i>To promote health and well being by protecting the public from disease and annoyance caused by mosquitoes, black flies, and ticks in an environmentally sensitive manner.</i></p> | <p><i>Our Vision</i></p>  | <p><i>Our Values</i></p> <p><i>We value integrity, trust, cooperation, respect and competence in our interactions with colleagues and customers.</i></p>  |
|--|---|---|

The Metropolitan Mosquito Control District (MMCD) was created by the Minnesota state legislature (Minn. Statute 473.704) in 1958 for the benefit of citizens of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties. MMCD’s mission is to promote health and well-being by protecting the public from disease and annoyance caused by mosquitoes, black flies and ticks, in an environmentally safe manner. MMCD strives to be the leading mosquito abatement district in the world.

MMCD governed by a board of 18 elected county commissioners (Metropolitan Mosquito Control Commission) and is supported by property taxes. An Executive Director is responsible for the operation of the program and reports to the Commission.

Affirmative Action/Equal Opportunity Employer

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TRANSMITTAL SHEET

A. The June 30, 2018 annual utilization analysis revealed underutilization of the following protected groups:

| Goal Units | Protected Groups | | |
|--|------------------|------------|-------------------------------|
| | Women | Minorities | Individuals with Disabilities |
| Regular Fulltime Staff | | | |
| Officials/Administration/ Professionals | | X | X |
| Technicians/Paraprofessionals/ Administrative Support | X | X | X |
| Service/Maintenance | X | X | X |
| Seasonal Fulltime Staff | | | |
| Technicians/Paraprofessionals/ Administrative Support | X | | X |
| Service/Maintenance | X | X | X |

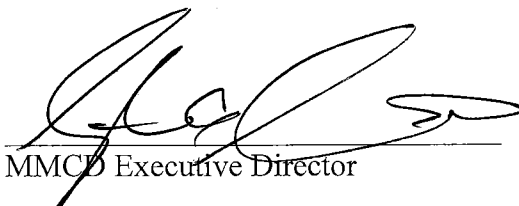
B. Copies of the plan are available on MMCD’s external website, it’s internal website, posted in each field facility, from the Affirmative Action Officer, or the Human Resource Manager.

C. This two-year plan also contains rules governing affirmative action, Minnesota Statute 473.143 internal procedures for processing complaints of alleged discrimination and/or harassment by employees or members of the public, and complaints against MMCD employees or tenants. Each employee has been apprised of this procedure and will be informed of the District’s 2018-2020 hiring goals.

Diana Crane
Affirmative Action Officer

September 26, 2018
Date

D. This annual plan contains clear designations of those persons and groups responsible for implementing the attached Affirmative Action Plan as well as my personal statement of commitment to achieving the goals and timetables described herein.


MMCD Executive Director

26 Sept 2018
Date

EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

The personnel policies and practices of the Metropolitan Mosquito Control District (District) are to recruit, hire, and promote for all job classifications without regard to 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; except where age or mental or physical condition is a bona fide occupational qualification.

In carrying out such affirmative action policy of providing equal employment opportunity, the District will continue to observe the following policies and practices:

1. Appropriate steps will be taken to ensure that all employees and job applicants are advised of this policy of job nondiscrimination and the District's interest in actively and affirmatively providing equal employment opportunity.
2. All management and others in a position to implement this policy, including those engaged in recruiting, hiring, training, and other personnel activities, shall be fully advised of this policy.
3. Appropriate steps shall be taken to assure that placement in and promotion to all job levels in the District will be carried out on the basis of the individual's qualifications as related to the requirements of the position under consideration.

STATEMENT OF COMMITMENT

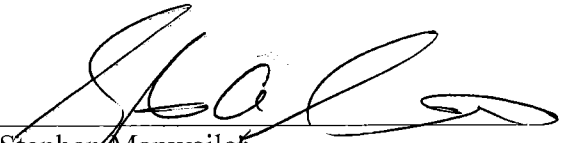
The Metropolitan Mosquito Control District and I are committed to providing equal opportunity to all persons without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, membership or activity in a local human rights commission, disability, sexual orientation, or age. All Metropolitan Mosquito Control District standards, policies, and procedures are reviewed periodically to identify and eliminate any barriers to equal employment opportunity within the existing system.

I also endorse and support the State of Minnesota's affirmative action program and the District's Affirmative Action Plan. Affirmative action is a concept of taking positive steps to improve the work opportunities of groups discriminated against in the past and who continue to suffer the effects of that discrimination. Our State Legislature has designated three protected groups: racial/ethnic minorities, women, and individuals with disabilities. We will make every effort to recruit and hire qualified protected group members where they are under-represented.

I have designated Diann Crane to serve as our Affirmative Action Officer. Our plan is posted on the bulletin board at each of our separate locations including the administrative office in St. Paul. I urge all employees to become acquainted with our Affirmative Action Plan.

It is the responsibility of all employees to promote and apply the principles of equal opportunity in their work and to cooperate fully with the agency's plan of action. Affirmative action is a positive effort to utilize the skills and resources not only of those who have been denied opportunity in the past, but also of all present and future employees.

I urge you to join me in a continuing effort to make equal employment opportunity a reality.



Stephen Manweiler,
Executive Director

26 Sept 2018

Date

AFFIRMATIVE ACTION GOAL ACHIEVEMENT REPORT

Following is the anticipated hiring of disparate protected group members. Consideration of turnover, growth, and retraction is made for each goal unit and for each of the protected classes. The hiring authority considers hiring goals for disparate groups whenever underutilization exists and there is one or more anticipated hires in the job group. Shown below is the District’s work force composition, percent availability, number of persons underutilized, and annual hiring goals. Turnover for the District is unpredictable; a great number of seasonal staff returns each year and turnover for regular full-time positions is low. Therefore, the District prefers to set annual hiring goals as positions become available. Regular, full-time staff statistics and seasonal, full-time statistics are from 6/30/2018, which reflect the full staffing of seasonal positions and the reevaluation of some regular full-time positions.

| | Current Work Force Total / (% available) | | | | No. Underutilized/ (Hiring Goals) | | |
|---|---|--------------|-------------------|-------------|--|-------------------|-------------|
| | Total | Women | Minorities | IwD* | Women | Minorities | IwD* |
| Regular Full-time Staff | | | | | | | |
| Officials/Administration & Professionals | 13 | 5 (41.49) | 0 (5.57) | 0 (11.21) | 0 (0) | 1 (1) | 2 (1) |
| Technicians/Paraprofessionals/ Admin. Support | 11 | 6 (64.0) | 0 (7.08) | 0 (11.53) | 1 (1) | 1 (1) | 1 (1) |
| Service/Maintenance | 30 | 7 (43.6) | 1 (14.3) | 0 (11.37) | 6 (2) | 3 (1) | 3 (1) |
| Seasonal Full-time Staff | | | | | | | |
| Technicians/Paraprofessionals/ Admin. Support | 12 | 6 (64.0) | 4 (7.08) | 0 (11.53) | 2 (2) | 0 (1) | 1 (1) |
| Service/Maintenance | 201 | 42 (43.6) | 14 (14.3) | 0 (11.37) | 46 (15) | 15 (5) | 22 (5) |

*IwD = Individuals with disabilities

Eight regular full-time positions became available for hiring during the period from July 2016 through June 2018, two in the Officials/Administration & Professionals (OAP) category, one in the Technicians/Paraprofessionals/Admin Support (TPAS) category, and five in the Service/Maintenance (SM) category. The District uses an advertising company which targets a diverse number of sources, including those specific to protected groups. As is our practice, the District interviewed protected group members for all vacant positions.

One female was hired for one of the two vacant OAP positions, which allowed us to maintain our representation of women. The female protected group is now fully represented in the OAP category. Our number of underutilized for minority and individuals remains at one – the same as at the end of 2016.

The opening in the TPAS position was filled by a woman, resulting in no change in protected group underutilization or hiring goals for any protected group in that job category.

There were five retirements in the SM category. The District hired a woman for one position and a minority for another position, consequently we reduced our number of underutilized by one for each of those protected groups. One position remains unfilled.

Diversity in our seasonal staff has remained similar over the years; however, we have made some progress. In 2018 for the TPAS job classification, we reduced the number of underutilized women to two (down from four), and for the first time not only have we reached our hiring goal (1) for the minority protected group, but we exceeded it by three! Currently we do not have any hires in the individual with disability category, which is a decrease of one from the previous report (AA Plan 2016)

Increasing protected group representation in the Service Maintenance category remains a challenge. In 2018, under-utilization of women, minorities, and individuals with disabilities remained high.

We continue to review our recruiting practices yearly to ensure we have an applicant pool that reflects workforce potential in the metropolitan area. The District is committed to recruiting and hiring qualified persons with disabilities who can perform the essential functions of the job with or without accommodation. Additionally, we are committed to improving recruitment of all protected classes and continuing to strive to meet our hiring goals.

AFFIRMATIVE ACTION OFFICER DUTIES AND RESPONSIBILITIES

The Affirmative Action Officer administers the District's Affirmative Action Plan and reports directly to the Executive Director in carrying out the following duties and responsibilities. Diann M. Crane has been designated the District's Affirmative Action Officer.

1. Works with the Human Resources Manager to develop and update the AA/EEO policy statement and the Affirmative Action Plan, consistent with state and federal guidelines and to establish affirmative action goals and objectives.
2. Implements the Affirmative Action Plan, including internal and external dissemination of the District's plan.
3. Coordinates AA/EEO training for District staff.
4. Coordinates with Human Resources Manager the recruitment of qualified women, minorities, and persons with disabilities.
5. Meets with the Executive Director, Business Administrator, Regional Operations Managers, and Field Operations Supervisor to assist in resolving AA/EEO issues.
6. Ensures that all employees are provided equal opportunity to District sponsored training programs, recreation, and social activities.
7. Receives, investigates, and attempts to resolve internal complaints of harassment and discrimination by District employees, tenants, or contractors (i.e., janitorial service) with advice from outside counsel as appropriate.
8. Identifies AA/EEO problem areas and recommends solutions to the Executive Director.
9. Monitors and measures the District's progress toward its affirmative action goals and reports the results to the Executive Director.
10. Reviews AA/EEO reports and records compiled by the Human Resources Manager who submits them to the appropriate monitoring agencies such as the Equal Employment Opportunity Commission, the Minnesota Department of Human Rights, and the Minnesota Department of Management and Budget.
11. May monitor facilities to ensure Plan compliance in such areas as employment of protected group members, proper display of AA/EEO posters, work conditions free from harassment, and intimidation based on protected group status
12. Informs management of developments in equal opportunity and affirmative action laws and regulations.
13. Interprets the affirmative action policies to all District employees, tenants, interested

minority groups, women's organizations and other community groups.

14. Works with the Human Resources Manager to develop and maintain communication with agencies and organizations representing protected groups for recruitment and business opportunities.
15. Reviews and recommends changes to the current list of organizations and media resources utilized in the recruitment of members of protected groups.
16. Assists the Human Resources Manager in conducting ongoing analysis of recruitment, selection, and placement processes to ensure that artificial barriers to hiring or promoting qualified protected class members are non-existent; reviews examination and other selection criteria to assure compliance with the law.
17. Participates in the hiring process and provides observations and recommendations to the extent necessary to achieve the District's affirmative action goals.
18. Encourages employees belonging to protected classes to apply and compete for promotional positions.
19. Encourages employees belonging to protected classes to increase their skills by participation in further education and training.
20. Conducts periodic attitudinal surveys of District staff regarding affirmative action awareness.
21. Maintains an annual monitoring program as outlined herein which will measure the effectiveness of the affirmative action program.
22. Works with the Human Resources Manager to review and recommend changes to the personnel policies to ensure compliance with federal and state statutes and judicial mandates regarding equal employment opportunity.
23. Develops resources for employees on culture and diversity issues.
24. Serves as the District's Americans with Disabilities Act Coordinator.

PROGRAM OBJECTIVES 2018-2020

1. Present an appropriate harassment, diversity, or discrimination situation to our supervisory staff for discussion.
 - Select an appropriate presentation and conduct discussions and utilize group critique to improve perceptions and reactions.
Target dates: November of each year
Persons responsible: Affirmative Action Officer, HR Representative
2. Review hiring goals and underutilized classes from previous year with supervisory staff.
Target date: February of each year
Person responsible: Affirmative Action Officer
3. Review changes to the District's Affirmative Action Plan, Americans with Disabilities Act compliance, and enhancement of cultural diversity efforts with all full-time employees.
Target date: November of each year
Persons responsible: Affirmative Action Officer
4. Place notification of job openings for seasonal crewmembers to be hired with female, minority, and individuals with disabilities recruitment and community organizations.
 - Contact selected organizations and make them aware of our openings.
Target date: ongoing through hiring process
Persons responsible: Human Resources Manager
5. Pursue the focused targeted-group recruitment program created in 1991 toward generating an applicant flow that will eventually mirror our relevant external labor pool.
 - Pursue contacts with the previously identified recruitment agencies and develop new contacts as available.
Target date: ongoing through hiring process
Persons responsible: Human Resources Manager
6. Conduct an introduction to the District's Affirmative Action Plan at each employee orientation session.
 - Ensure that the subject of the District's AAP is discussed at a standard orientation.
Target date: ongoing
Persons responsible: Affirmative Action Officer
 - Conduct an overview and introduction to the Plan at each new employee orientation.
Target date: ongoing
Persons responsible: Affirmative Action Officer
7. Make affirmative action activities and objectives more visible.
 - Post Plan updates both inside the Plan document and separately on bulletin boards; post notices of upcoming activities of interest on bulletin boards.
Target date: Ongoing
Persons responsible: Affirmative Action Officer, Human Resources Manager, and Regional Operations Managers.

8. Coordinate with each facility to schedule and conduct building evacuation drills.
Target date: Annually
Persons responsible: Affirmative Action Officer and Regional Operations Managers
9. Periodically evaluate staff awareness of affirmative action issues.
Target date: Ongoing
Persons responsible: Affirmative Action Officer and Human Resources Manager
10. Evaluate current recruiting strategies and implement identified alternatives with a goal to have the District's applicant pool mirror the appropriate available labor pool in the metropolitan area.
Target date: Ongoing
Persons responsible: Human Resources Manager, HR Task Force, Affirmative Action Officer

DISSEMINATION OF AFFIRMATIVE ACTION POLICY

Internal

1. The District's commitment to affirmative action will be explicitly stated in the field operation and administrative manuals.
2. The District's commitment to affirmative action will be stressed during employee orientation and training sessions.
3. A copy of the Affirmative Action Plan and its updates will be forwarded to all District facilities for dissemination and posting.
4. As needs arise, appropriate District personnel may be required to attend training sessions aimed at creating an awareness of the purpose and goal of affirmative action and the state and federal guidelines and laws pertaining to affirmative action.
5. An attitudinal survey will be conducted periodically to elicit employee attitudes and comments regarding the Affirmative Action Plan and its implementation.
6. Equal opportunity/affirmative action posters and signs will be displayed in prominent places throughout the District's administrative and field offices.
7. The AA plan will be posted on the District's internal website.

External

1. All specifications for contract work and purchase orders will include the "Affirmative Action Employer" statement. All stationery will carry the "Affirmative Action Employer" statement (i.e., letterhead, training bulletins, etc.).
2. All position announcements will carry the "Affirmative Action Employer" statement.
3. Upon request, a copy of the Affirmative Action Plan shall be made available through the Human Resources Manager to any applicant for employment.
4. A copy of the Executive Directors' statement of commitment to equal employment opportunity shall be posted in the District's Human Resources office and may otherwise be made available to each applicant for employment.
5. Protected group organizations will be provided a copy of the District's statement of commitment.
6. All parties doing business directly with the District shall be notified and made aware of the District's Equal Opportunity/Affirmative Action Policy.
7. The AA plan will be posted on the District's website.

EMPLOYEE ADVICE COMMITTEE

The District has adopted a team organizational structure and identified Human Resources (HR) as one of the agency's core processes. The District's Human Resources Task Force, composed of employees from throughout the organization, will serve to advise on the Plan implementation and any needed Plan changes.

Responsibilities Generally, the HR Task Force will be responsible for assisting the organization in its affirmative action efforts.

Examples of Duties

1. To review and to recommend changes in the District's Affirmative Action Plan and programs and make recommendations to the District.
2. To provide and serve as affirmative action monitors for District selection interviews, when called upon to do so.
3. To serve as a forum for transmitting employee concerns regarding affirmative action to the AAO and the Executive Director.
4. To participate, upon request, in accordance with the District's internal discrimination complaint procedure.
5. To identify problem areas and to propose solutions.
6. To assist in such other activities as may be outlined in the Affirmative Action Plan when needed.

PRE-HIRING REVIEW

The pre-hiring review process makes it possible to track all opportunities to hire from disparate protected groups for all job categories. MMCD is required to have a pre-hiring review procedure to alert management and the hiring authorities that a disparity exists when there is an opportunity to hire. The pre-hiring review procedure follows.

1. All vacancies (regular full-time and seasonal full-time) approved for filling will be reviewed by the designated Affirmative Action Officer and the Human Resources Manager to determine whether or not the agency is disparate in one or more protected groups for which goals have been assigned. Human Resources staff or the Affirmative Action Officer informs all personnel involved in the hiring process of those job categories that are under-represented.
2. Where the following conditions would be met: 1) a disparity exists; 2) protected group candidate(s) who are both qualified and who would help fulfill the goal; and 3) the intended hiring selection is not a protected group member who would help fulfill the goal, then the Human Resources Manager will obtain the hiring authority's rationale to discuss with the AAO. The AAO, Human Resources staff, and the hiring authority will review the rationale and attempt to resolve the hiring situation.
3. If agreement cannot be reached, the Executive Director will approve or deny the selection after careful review of the facts and discussion with the AAO.
4. If there is no under-represented group candidate(s) who meet the minimum qualifications, the Human Resources Manager must provide evidence supporting the fact that all disparate protected groups have been appropriately targeted for recruitment.

RECRUITMENT PRACTICES

The recruitment program of the District targets specific protected groups in response to annual underutilization analyses. The practice is to hire eligible seasonal workers without regard to 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. Consequently, when posting for seasonal workers, the District places employment advertisements in the Twin Cities' major, suburban, and local newspapers; periodicals; newsletters; college and university science and health departments; vocational and technical institutes; and state and local job service offices.

The District's practice is to staff many regular full-time positions with experienced seasonal personnel by promotion. Even though the practice favors internal promotion, staffing is conducted externally for all regular, full-time positions.

The current recruitment policies and practices will continue for the general population. However, whatever group or groups not adequately represented at the District, as determined by affirmative action reports and reviews, will be the major focus for the District's affirmative recruitment efforts.

For example, if racial/ethnic minorities were determined to be a protected group not adequately represented within a particular job category, job recruitment would be targeted at the minority populations. Job announcements and posters would be placed in the various minority publications (e.g., The Circle newspaper). District staff may conduct on-site visits to the minority placement and cultural centers. Finally, minority organizations and services within the Twin Cities metropolitan area with which the District has developed a relationship would receive notices of position openings. Other protected group or groups that are under-represented would have its population targeted for recruitment in much the same manner as described above.

Typical Recruitment Sources & Examples The District places position announcements in a variety of sources. Advertisements are placed in weekly community newspapers and with college and vocational institutes located within the seven-county metropolitan area (e.g., Dunwoody Industrial Institute, community colleges, Minnesota Daily, etc.). Professional newsletters and periodicals such as the Bulletin of the Society of Vector Ecologists, Entomological Society of America, and the American Mosquito Control Association have advertised open District positions.

Protected group agencies also receive notice of position openings (e.g., Asian American Pages, Hmong Times, La Prensa, Minnesota Spokesman Recorder, The Circle, Women's Press). The Minnesota Department of Economic Security and Work Force Centers as well as other services and programs in the seven metropolitan counties are also targeted for recruitment.

RETENTION AND PROMOTION OF PROTECTED GROUP MEMBERS

Retention Exit interviews will be conducted and reasons for protected group members leaving will be explored as a means to identify, for subsequent investigation and remedy, any discriminatory treatment alleged to exist.

Protected group members will be encouraged to communicate their views of District operations and/or personnel that might hinder or halt their continued employment. The District will also provide appropriate complaint procedure(s) with directions on filing complaints verbally or in writing, and will assure all confidentiality available.

Promotion It is the District's practice to favor the filling of regular, full-time job vacancies from within. Therefore, when job vacancies occur, the District looks for and strongly considers opportunities to promote those members of the current work force (seasonal and regular, full-time) who possess the required skills and abilities to perform the job tasks.

To meet the District's affirmative action goals and objectives, it will make a concerted effort to promote under-represented protected group members. Opportunities will be sought that foster on-the-job work experience required for promotion, and protected group members will be encouraged to participate.

Reimbursement of 75% of tuition will be granted to all regular, full-time employees who complete courses ("C" average or better) that have a direct relationship to their current position or positions they can reasonably hope to advance to. This policy shall include undergraduate and graduate courses when taken toward a degree. This policy shall also include seminars, workshops and other courses deemed appropriate by the District.

AUDITING AND REPORTING SYSTEM

To determine effectiveness, the District's Affirmative Action Plan includes methods of auditing, evaluating and reporting program success, including a procedure that requires a pre-employment review of all hiring opportunities for occupational groups with unmet affirmative action goals.

1. General

The following internal reports provide the tools to analyze and measure the affirmative action program's effectiveness:

- a. Annual report of all hires, terminations and discharges, including the job classification, job category, racial/ethnic group, sex, and disability.
- b. List of all disciplinary actions taken during the past quarter including, job classification, job category, racial/ethnic group, sex, and disability.
- c. List of all recruitment resources used and a record of recruitment strategies used to help fill specific vacancies for which there was under-representation.
- d. List of all formal and informal discrimination complaints filed and/or received in the past quarter.
- e. Record of all training provided to employees.

These records are analyzed for upward mobility impact. This should include job assignment, job progression, promotion, and transfer by job classification, job category, racial/ethnic group, sex, and disability.

2. Statistical Reports

The following statistical reports are analyzed to provide evaluation of program performance:

- a. Annual employee rosters, cross-tabulations, and the Goal Achievement Report as provided by Minnesota Management and Budget, State of Minnesota.
- b. An analysis of agency performance in meeting its goals that includes a comparison with previous quarters.
- c. Copies of all protected group reports and an ongoing analysis of agency compliance.

3. Affirmative Action Plan Review

- a. A report of progress and completion of action oriented objectives will be forwarded to the District's Management and Regional Operations Manager teams as well as Human Resources staff.
- b. Status reports as requested by Minnesota Management and Budget, State of Minnesota.

TRAINING, SURVEYING, & PERFORMANCE EVALUATIONS

The District will periodically conduct training of all management and supervisory personnel in the implementation of its Plan. Topics of this training will include, but not be limited to, the following:

1. The definitions of Equal Employment Opportunity and Affirmative Action.
2. Management and supervisory responsibilities in implementation, administration and on-going review of the District's Affirmative Action Plan.
3. Management and supervisory responsibilities in dealing with alleged acts of discrimination in the workplace.
4. Commonly held misconceptions of protected groups and how to dispel them should they surface (e.g., females, as a class, are not capable of doing heavy work).

The District will also take advantage of various training programs offered through a variety of external training sources.

Further, the District will periodically survey its work force to determine employee attitudes toward implementation of its Affirmative Action Plan.

Performance evaluations for supervisors and managers will include an evaluation of their implementation of the plan and the prevention of forbidden discrimination in the workplace.

REASONABLE ACCOMMODATION POLICY

Policy The following policy statement establishes the District’s work force standard for accommodation to the needs of persons of disability. It is the policy of the District to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship, the accommodation does not overcome the effects of the person’s disability, or the person is not otherwise qualified to perform that particular job. In accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of the job, competing for a job, or to enjoy equal benefits or privileges of employment. This policy applies to applicants and employees.

The District will provide accommodations to qualified employees/job applicants with disabilities when such accommodations are directly related to performing a job or completing a job on equal basis. The primary factors in evaluating an accommodation is whether the accommodation will enable the person to perform the job on an equal basis in the most cost effective manner and in the most integrated setting possible.

Methods of providing reasonable accommodation may consist of, but are not limited to, job modification, flexible schedules, and assistant devices and/ or support services. Transportation to and from work is the responsibility of the employee.

Definition—Persons of Disability A person of disability, for the purposes of this policy, is one who has a physical or mental impairment which substantially limits one or more of such person’s major life activities.

Employee Request for Reasonable Accommodation Procedure An employee may request consultation with his/her immediate supervisor to determine the need for reasonable accommodation and to discuss alternatives such as job restructuring, job site modification, and assistant devices. Upon receipt of such a request, the supervisor shall meet with the employee at the earliest mutually convenient time. If agreement is not reached, the supervisor must submit the written request for reasonable accommodation to the Human Resources Manager.

The Human Resources Manager and the Affirmative Action Officer will gather information regarding availability and cost. The Human Resources Manager may request medical documentation to support the request.

Under normal circumstances, the Human Resources Manager will report to the Executive Director with a recommendation within five working days of first receiving the request for accommodation. The Executive Director will consider the available alternatives to decide whether to grant the requested accommodation and what accommodation should be provided. The decision will then be provided in writing to the supervisor and the requesting employee within five working days after the determination is made.

If the employee is not satisfied with the decision of the District, he/she may, within ten (10) working days after receiving the District’s decision, appeal that decision. The employee should

address a written appeal to the Executive Director within the ten (10) working days mentioned above and, upon receipt of that appeal; the Executive Director shall notify the Chair of the Metropolitan Mosquito Control Commission in writing that an appeal has been made.

The Chair will then schedule, within ten (10) working days, a review to be heard by three selected members of said Commission. The Commission shall render a decision in writing to the employee within five working days of the date of the review.

If the employee is not satisfied with the Committee's decision, the employee may file a discrimination complaint with the District (please see Discrimination/Harassment Complaint Procedure on page 25) or he/she may file a complaint with the Minnesota State Department of Human Rights, the Equal Employment Opportunity Commission, or the appropriate authority.

Undue Hardship In determining whether or not making a reasonable accommodation would impose an "undue hardship" on the operation of the District the following factors, among others, will be taken into consideration:

1. The overall size of the District (e.g., number and type of facilities, size of budget);
2. The type of activities performed at the District including the composition and structure of the District's work force;
3. The nature and cost of the accommodation needed;
4. The reasonable ability to finance the accommodation at each location, if necessary; and
5. Documented good faith efforts to explore less restrictive or less expensive alternatives including consulting with the individual with a disability or with knowledgeable individuals with disabilities or organizations.

Funding for Reasonable Accommodation The District will make funds available in order to provide reasonable accommodations to qualifying/qualified employees or job applicants. The Business Administrator will determine the amount and funds will be used only when a reasonable accommodation request has been approved and signed by the Business Administrator.

Purchase and Maintenance of Accommodations The District is free to choose the specific accommodation to be provided to qualified persons. The person requesting a reasonable accommodation(s) will suggest an appropriate accommodation(s). The District may provide another accommodation equal or superior to the one proposed in practicality, usefulness, and/or cost-effectiveness.

Any assistive device, equipment, furniture, etc. provided by the District in reasonable accommodation of the needs of a qualified person shall remain District property. It is expressly understood that an employee, upon separation from employment, shall not be entitled to any of the above described devices, etc.

The maintenance of equipment will be the responsibility of the District. Projected maintenance costs will be a factor in the initial decision to provide accommodations.

Job Applicant Requests for Reasonable Accommodation Initial communication with job applicants regarding job vacancies shall indicate the willingness of the District to make reasonable accommodations to the known physical or mental disability of an individual and shall invite the applicant to contact the District for the needed accommodation.

The individual contacted with the request shall contact the Human Resources Manager promptly. To ensure that the accommodation, if appropriate, is provided at the interview, requests shall be handled in a timely manner.

The Human Resources Manager or other designated District representative shall contact the job applicant to discuss the needed accommodations and possible alternatives. If the accommodation is approved, the Human Resources Manager will take the necessary steps to see that the accommodation is provided. If the requested accommodation is denied or if the applicant believes he/she has been discriminated against on the basis of disability, the Human Resources Manager shall advise the applicant of his/her right to file a complaint with the Department of Human Rights alleging violation of the Minnesota Human Rights Act (MN Stat. Sec. 363), the Equal Employment Opportunity Commission, or other legal remedies.

REQUEST FOR REASONABLE ACCOMMODATION FORM

Please print or type

DATE OF RECEIPT IN OFFICE _____

Name _____ **Date of Request** _____

Position/Empl. No. _____ **Position Applied For** _____

This information will be used by _____ or any other person, including the District's legal counsel who is authorized by my employer to handle medical information for ADA/MHRA purposes and any information concerning my physical or mental condition, that are necessary to determine whether I have a disability as defined by the Americans with Disabilities Act and/or the Minnesota Human Rights Act, and to determine whether any reasonable accommodations can be made. The provision of this information is voluntary, however if you refuse to provide it, your employer may refuse to provide reasonable accommodation.

1. Please describe the nature of your limitations, what life activity(s) it substantially limits, and how this life activity is substantially limited. _____

2. How does it affect your ability to perform your job? _____

3. Type of accommodation you are requesting (describe in detail): _____

4. How will the requested accommodation be effective in allowing performance of the essential job function(s)? _____

Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

Received by Human Resources Manager _____ Date _____

Comments: _____

Information on this form shall be confidential with the exceptions according to the Rehabilitation Act of 1973, Section 504, subd. 84.14 and the Minnesota Data Privacy Act.

REASONABLE ACCOMMODATION AGREEMENT FORM

This document is available in alternative formats to persons with disabilities by calling (651) 645-9149 or through the Minnesota Relay Service at 1-800-627-3529

DATE OF RECEIPT IN OFFICE _____

This form is to be completed by the Affirmative Action Officer after the reasonable accommodation decision has been made. Signatures on the bottom of this form indicate an agreement between the employee and the Metropolitan Mosquito Control District to the specific accommodation.

Name/Employee No. _____ Date of Request _____

The request for reasonable accommodation to the needs of the above named employee was:

Provided _____ Denied _____

Justification for the decision (indicate specific factors considered) _____

If reasonable accommodation was approved, was the employee's suggestion accepted?

(circle one) Yes No Partially

Comments: _____

Describe specific accommodations to be made. _____

Cost estimate \$ _____

I have read the Request for Reasonable Accommodation and the Reasonable Accommodation Agreement. I understand that all tangible accommodations purchased by the Metropolitan Mosquito Control District will become the property of the Metropolitan Mosquito Control District.

Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

Human Resources Manager Signature _____ Date _____

Affirmative Action Officer Signature _____ Date _____

Business Administrator Signature _____ Date _____

Information on this form shall be confidential with the exceptions according to the Rehabilitation Act of 1973, Section 504, subd. 84.14 and the Minnesota Data Privacy Act.

EMERGENCY OPERATION PLAN (EOP)

Severe Weather Metropolitan Mosquito Control District (District) administrative and field operations emanate from a central office and seven operating facilities located within the seven county metropolitan area (See Field Operations Manual for locations).

Weather plays a predominant role in District operations as the workplace, for the majority of the year, is in the field. It is therefore, an understandable priority for the welfare of all personnel and visitors to the District that conditions that threaten employee health and/or safety (inside a structure or out in the environment) are minimized or eliminated through planning, policy, and procedures trained on that objective.

Policy provides for centralized reporting of severe weather conditions to the Executive Director and identifies the Executive Director or designee as the only individuals authorized to communicate official declaration of weather emergencies. Environmental conditions most common in dictating severe weather emergency potential concerning District program activities and to/from work travel include: severe thunderstorms with lightning, tornadoes or surface winds in excess of 75 mph, flash flooding, winter storms and blizzard conditions including visibility near zero, and severe icing or hazardous travel conditions that require the cancellation of public transportation.

If release of District employees is brought about by an official declaration of weather emergency, the Executive Director or designee reports the release of employees to operating facility Regional Operations Managers. If this release happens before the start of work, employees (or emergency contacts) are contacted by their respective Regional Operations Managers (deaf /hard of hearing employees shall be contacted through the Minnesota Relay Service at 1-800-627-3529).

Effective communications for implementing safety and/or evacuation procedures are initiated by telephone and over the District's two-way radio system. All personnel and visitors without communication equipment are physically contacted for direction in a weather emergency. All District vehicles have AM/FM radios and personnel are oriented and trained to observe broadcasts made by or through the National Weather Service (with its severe weather watch and warning system) for immediate safety response.

Two primary groups (administrative operations and field operations) have responsibility among District staff to direct safety and evacuation of staff and visitors in the workplace. When a weather emergency is declared and safety and/or evacuation procedures are called for, District field staff (seasonal employees) report to their immediate supervisor (Field Operations Supervisor) who in turn report to their primary Regional Operations Manager at designated locations. Assignments are then made by the Regional Operations Manager to ensure that safety procedures are implemented and/or all areas are evacuated and that staff and visitors are directed to a safe area. Likewise, administrative staff report to the Business Administrator (primary Regional Operations Manager) for direction in an emergency.

Regional Operations Managers and the Business Administrator are responsible in seeing that all staff who handle safety and evacuation procedures include effective efforts in communicating this with any deaf or hard of hearing, blind, non-English speaking, and individuals with physical

or mental disabilities in order to assist them in getting to a safe area. There are designated safe areas in each of the operating region facilities and the District main office. When the weather emergency has passed or been canceled, and pending any unsafe structural damage or conditions, staff will secure the workplace and assist any visitors and individuals with disabilities in returning to work, home, or previously scheduled activities.

Building Evacuation As indicated in the severe weather policy, building evacuation procedures are handled in a similar manner with regard to any condition that threatens the health and safety of any person on the premises of a District facility. In addition to severe weather emergencies, conditions that could dictate potential building evacuation would include: fires, structural damage, or conditions due to utility problems, spill, and bomb threats.

All staff and persons are assigned to a primary Regional Operations Manager for direction (administrative operations under Business Administrator or designee and field operations under the Regional Operations Manager or their designees). These individuals are responsible for ordering a building evacuation and establishing lines of succession for carrying out evacuation functions. Seasonal employees are assigned to Field Operations Supervisor for immediate direction in an emergency. Visitors are assigned to a staff member who in turn is responsible in seeing to their safety and their getting necessary directions.

Regional Operations Managers, according to the specific implementation plans of the various facilities, are responsible in seeing to the safety and/or evacuation of any individuals who may be hearing impaired, blind, non-English speaking, or with physical or mental disabilities, to ensure that all personnel understand and know where and how to evacuate the workplace in a coordinated and efficient manner.

Designated employees maintain and update the evacuation plan as needed and include facility maps indicating evacuation routes, building safety areas, and emergency equipment. Safe reassemble areas that will not leave evacuees unreasonably exposed to adverse weather conditions are also identified.

Periodic evaluation drills and safety meetings assure that all personnel know the evacuation routes, routines, and check-in procedures.

DISCRIMINATION/HARASSMENT POLICY

It is the policy of the Metropolitan Mosquito Control Commission to provide to its applicants and employees a working environment that is free of discrimination/harassment on the basis of, including, but not limited to, 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. Employees are prohibited from engaging in discrimination/harassment of other employees and non-employees based on any of these protected class characteristics while in the course of carrying out their employment duties.

Employees are also prohibited from:

- aiding or abetting another in committing illegal discrimination/harassment;
- taking an action of reprisal against another because that person filed a charge, participated in an investigation, or opposed illegal discrimination/harassment, or;
- taking an action of reprisal against another because of that person's association with person(s) as identified above.

Any applicant or employee who believes that he/she has been discriminated against or harassed in the workplace based on protected class characteristics, may file a complaint with the Metropolitan Mosquito Control District's (District) Affirmative Action Officer designate. The District's Affirmative Action Officer designate receives employment discrimination and harassment complaints and is, in conjunction with the District's human resources function, responsible for the investigation of those complaints in a timely manner. The specific method(s) of complaint investigation, however, depends upon the nature and complexity of the allegations.

DEFINITIONS

Discrimination: To act on the basis of prejudice, intentional or unintentional, because of an individual's or group's protected class characteristics with respect to hiring, tenure, compensation, terms, conditions, facilities or privileges of employment, except when based on a bona fide occupational qualification.

Harassment: Any behavior that is not welcome, is personally offensive, and is made based on an individual's or groups' protected class characteristics. Such behavior may affect morale and interfere with the employee's ability to perform his/her job duties, and is illegal.

Sexual Harassment: Unwelcome verbal and/or physical sexual conduct and/or communication when:

- i. Submission to such conduct and/or communication is explicitly or implicitly made a term or condition of an individual's employment, or
- ii. Submission to or rejection of such conduct and/or communication by an individual is used as the basis of employment decisions affecting the individual, or
- iii. Such conduct and/or communication has the purpose or effect of substantially interfering with an individual's employment or of creating an intimidating, hostile or offensive working environment, and the employer knows or should know of the existence of the harassment and fails to take timely and appropriate action.

EXAMPLES

Discrimination/Harassment may take, but is not limited to, the following forms:

- Sexually motivated physical contacts, sexually derogatory statements, physical and/or verbal sexual advances, requests for sexual favors and other verbal and/or physical conduct and/or communication of a sexual nature
- Exclusion from orientation, training, or teamwork
- Repeated disparaging, belittling, ridiculing, demeaning or insulting remarks directed at or about an individual, or a characteristic unique to the individual
- Repeatedly making an individual or a characteristic unique to the individual, the subject of jokes
- Behavior that maligns a reasonable accommodation provided by the District to enable an individual with a disability to compete for or perform District jobs or tampering or interfering with assistive device(s) used by an individual to overcome the effects of a disability

DISCRIMINATION/HARASSMENT COMPLAINT PROCESS

Procedure An employee or applicant may, and is encouraged to, contact his/her immediate supervisor to file the alleged complaint. The supervisor will refer the employee to the employees' choice of the Affirmative Action Officer (AAO) designate, the Human Resources Manager or the Executive Director. If the immediate supervisor is the subject of the complaint, the employee may directly contact his/her choice of the above positions.

Upon being referred as above, the complaint will be forwarded to the AAO designate. The AAO designate, in conjunction with the Human Resources Manager, will determine whether the complaint is a matter or subject to be reasonably and appropriately dealt with under these procedures. If the complaint is not found to be properly of discrimination or harassment (please see Administrative Dismissal of Complaints section, p. 26), the employee may be referred to other, more appropriate resource(s).

The employee will discuss the alleged complaint and complete a complaint form containing at least the following information:

1. The name(s) and signature(s) of the complainant(s).
2. The alleged discriminatory or harassing conduct and/or communication, behavior, action or policy/procedure/practice.
3. The name(s) of any employee(s) alleged to have engaged in the alleged discriminatory or harassing conduct and/or communication, behavior, action or policy/procedure/practice.
4. The date(s) and place(s) of occurrence of the alleged discriminatory or harassing conduct and/or communication, behavior, action or policy/procedure/practice.
5. The resolution/action desired by the complainant.

The Affirmative Action Officer designate will notify the appropriate individuals of the receipt of the complaint, potentially including the respondent(s), the supervisor(s) and management. The Affirmative Action Officer designate, in conjunction with the Human Resources Manager, will determine the method of investigation to utilize and will initiate such investigation. Upon completion of the investigation, the Affirmative Action Officer designate will submit a report, including the findings of fact from the investigation, with recommendations to the Executive Director.

The Executive Director determines the action to be taken; this determination will be made within 60 calendar days from the date of the filing of the complaint form. The Executive Director may from time to time extend the 60-day time limit for making such determination; reasons for extending this time limit will be specified in writing. The decision of the Executive Director constitutes the final internal resolution of an internal complaint of discrimination and/or harassment under this process.

Additional Procedures Related to Complaints Alleging Reprisal An employee may also file a complaint under this process that alleges an action of reprisal having been taken against an individual because that person filed a charge, participated in an investigation, or opposed illegal discrimination, or because of that person's association with person(s) as identified in the policy

statement. This type of complaint will be investigated as appropriate to the nature and complexity of the allegations and the Affirmative Action Officer designate will submit a written determination to the complainant and management.

The complainant will have thirty (30) working days from the date of written determination in which to appeal the determination directly to the Executive Director. If the complainant elects not to appeal or fails to appeal within the stated time limit, the Affirmative Action Officer designates determination shall be considered to be the final internal resolution of the complaint.

If the complainant does appeal directly to the Executive Director, he/she may submit any evidence and/or information that will support the allegation that action(s) of reprisal occurred as alleged. The Executive Director will review all relevant information, and may request additional information. The Executive Director will make a written determination that affirms, modifies or reverses the Affirmative Action Officer designates determination, and this determination will be considered the final internal resolution of the complaint.

Administrative Dismissal of Complaints Following is a list of some, but not all, of the reasons for which a complaint alleging discrimination and/or harassment may be administratively dismissed:

- The complaint is found to have been brought in bad faith (e.g., used simply as a means of protesting or trying to reverse an unpopular, but legitimate, decision).
- The complaint is based upon a temporary or partial disability that is so insignificant in its effect on an individual's perceived or real abilities or in the circumstances as a whole that it would be unlikely as a basis upon which to discriminate.
- The complaint is withdrawn by the complainant at any time prior to a determination being made; the complainant must provide a written and signed statement requesting and/or agreeing to the withdrawal.

Discrimination and/or Harassment Complaint Files Files of all discrimination and/or harassment complaints will be maintained. Such files will include all written materials that were used in processing the complaint and any document(s) that indicate the final internal resolution of the complaint. Each file will be maintained for a period of seven (7) years from the date of the final internal resolution. Any information relating to a discrimination complaint will not be included as part of the complainant's personnel file except as appropriate or as otherwise required. All discrimination complaint files are the property of the District and will be treated as confidential except as otherwise required by law.

Relevant Party Responsibilities Management and supervisory employees are responsible to, among other things:

- Take all steps reasonably necessary to prevent discrimination and/or harassment from occurring in the work place. Examples of such steps include affirmatively and appropriately raising and discussing the issues and concepts; expressing strong disapproval of any known occurrence(s), and; informing employees of their rights and responsibilities related to this process.
- Immediately contact the Affirmative Action Officer designate upon becoming aware

of a discrimination and/or harassment complaint.

- Cooperate fully with and participate as necessary in any investigation(s) of discrimination and/or harassment.

An employee who believes that they have been subjected to discrimination and/or harassment is responsible to, among other things:

- Immediately inform the person causing the alleged discrimination and/or harassment that the behavior is unwelcome and ask that it cease (the alleged discrimination and/or harassment may be reported to any supervisor or manager without confronting the person, however).
- Appropriately and promptly report the alleged discrimination and/or harassment if it does not cease.
- Cooperate fully with and participate as necessary in any investigation(s) of discrimination and/or harassment.

All employees of the District are responsible to, among other things:

- Promote and apply the principles of equal opportunity in their work and work to maintain a working environment that is free of discrimination and/or harassment.
- Cooperate fully with and participate as necessary in any investigation(s) of discrimination and/or harassment.

Complainant Rights All complainants have the right to pursue any discrimination and/or discriminatory harassment complaint through external agencies (e.g., the Minnesota Department of Human Rights or the Equal Employment Opportunity Commission). The Affirmative Action Officer designate will communicate the option of pursuing an internal or external complaint process and will make it clear that the use of the internal complaint process is not a prerequisite to filing an external complaint with the agencies mentioned above.

DISCRIMINATION/HARASSMENT COMPLAINT FORM

Date Received _____

PLEASE READ BEFORE COMPLETION OF FORM

Any complaint of discrimination/harassment is considered confidential data under Minnesota Statute 13.39, Subd. 1 and 2. This information is being collected for the purpose of determining whether discrimination/harassment has occurred. You are not legally required to provide this information, but without it, an investigation cannot be conducted. This information may only be released to the Affirmative Action Officer designee, the complainant, the respondent and appropriate personnel.

Name _____

Facility _____

Job Title _____

Supervisor _____

Nature of complaint (check all that apply)

Harassment _____

Discrimination _____

Based on: (circle all that apply)

Race color creed religion national origin sex marital status disability

sexual orientation age public assistance status human rights commission activity/membership

Individual(s) accused of discrimination and/or harassment (attach additional sheets if necessary).

1. Name _____

2. Name _____

Job title _____

Job title _____

Facility _____

Facility _____

Describe all instances of discrimination and/or harassment. List the most recent occurrence first. Be specific. Include names of all parties involved and witnesses; date, location, and time of each occurrence; what occurred before the discrimination and/or harassment; and, what was the result of the harassment and/or discrimination. Attach additional sheets if necessary. _____

What is your suggested resolution (be advised, your suggestion may not be implemented)

I swear or affirm that all statements made on this Discrimination/Harassment Complaint Form are true, complete, and correct to the best of my knowledge and belief.

Complainant Signature _____

Date: _____

Received by: _____

Date: _____

Affirmative Action Officer _____

Date: _____