

# EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION PLAN



8.2022

Office of Diversity, Equity and Inclusion

Metropolitan Airports Commission

6040 28<sup>th</sup> Avenue South

Minneapolis, MN 55450

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If there is conflicting policy language or procedural information between the Equal Employment Opportunity and Affirmative Action Plan and the Human Resources Policy and Procedures Guide, the language of the Human Resources Policy and Procedures Guide will supersede the Plan's language. Efforts have been made to have policy and procedure language written identical in both documents.

# I. TRANSMITTAL TO THE MINNESOTA MANAGEMENT AND BUDGET DEPARTMENT


**A.** The 2021 annual utilization analysis revealed underutilization (of (disparities) for the following protected groups:

Job Group	Females	Racial Minorities	People with Disabilities
Officials/Administrators	MONITOR	MONITOR	MONITOR
Supervisors/Managers	NO	MONITOR	YES
Professionals	YES	YES	MONITOR
Technicians	YES	MONITOR	MONITOR
Office Clerical	YES	NO	YES
Protective Services (Firefighters)	NO	YES	YES
Protective Services (Police/CSO/911/TCA)	MONITOR	MONITOR	YES
Skilled Craft	NO	YES	YES
Maintenance	NO	YES	MONITOR

No = no hiring goal in job category    Yes = hiring goal in job category

**B.** Copies of the plan are available in the Office of Diversity, Equity, and Inclusion, MAC General Offices, SharePoint, and the MAC website. For a copy of the Plan please contact Geri Kane at (612) 726-8173.

**C.** This two-year plan also contains rules governing affirmative action, Minnesota Statute 473.143, internal procedures for processing complaints of alleged discrimination by employees or members of the public, and complaints against MAC employees or tenants. Each employee has been apprised of this procedure, and will be informed of the Commission's most recent hiring goals.

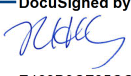
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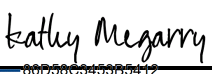
Affirmative Action Officer

Date

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

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MAC Chairperson

11/8/2022  
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Date

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Vice President of Human Resources  
and Labor Relations

11/8/2022  
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Date

## II. STATEMENT OF COMMITMENT

### Equal Employment Opportunity and Affirmative Action Policy Statement

This statement is to affirm the Metropolitan Airports Commission's (MAC) commitment to affirmative action and equal opportunity. Affirmative action (AA) is an intentional effort to improve employment opportunities of members of historically disadvantaged groups.

MAC is also committed to providing equal employment opportunity (EEO) to all persons without regard to gender, disability, race, color, creed, religion, national origin, marital status, familial status, sexual orientation, public assistance status, age or membership or activity in a local human rights commission in accordance with applicable federal, state and local laws and regulations.

MAC shall provide equal opportunity in all areas and eliminate any discriminatory barriers. Such employment practices include, but are not limited to the following: recruitment, selection, testing, promotion, retention, reclassification, disciplinary actions, terminations, training, rates of pay, or other forms of compensation. Retaliation against an individual for bringing an employment or public service discrimination complaint, or for cooperation in a complaint inquiry, is prohibited.

I endorse and support MAC's EEO and Affirmative Action Plan. MAC shall take affirmative action to overcome the present effect of historical discrimination against females, racial minorities, people with disabilities, and veterans. Successful achievement of the affirmative action objectives will benefit MAC.

I expect all employees to perform their job duties in a manner that promotes equal opportunity for all. We will make every effort to recruit, hire, and retain protected group members for all MAC positions. Biannual training will be required of management and supervisory personnel focused on addressing alleged acts of discrimination and biased conduct.

I have designated the Manager of the Office of Diversity, Equity and Inclusion to be the Affirmative Action/EEO Officer. If any employee or applicant believes they have been subjected to discriminatory practices, they should contact the Affirmative Action/EEO Officer at 612-726-8196 or by email at [tekia.jefferson@mspmac.org](mailto:tekia.jefferson@mspmac.org).

MAC's Affirmative Action Plan is available on SharePoint and in MAC's Human Resources' Office of Diversity, Equity and Inclusion. Affirmative Action is a positive effort to utilize the skills and resources of a diverse workforce.

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*Brian Ryks*  
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Brian Ryks,  
Executive Director/Chief Executive Officer

11/8/2022  
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Date

## III. RESPONSIBILITIES, DUTIES AND ACCOUNTABILITY

### A. Metropolitan Airports Commission

**Responsibilities:** Establish policy.

**Duties:**

1. Set EEO, affirmative action, personnel, contracting and procurement policies.
2. Provide a work environment free of discrimination and discriminatory harassment.

**Accountability:** To the Governor of Minnesota.

### B. Chairperson of the Commission

**Responsibilities:** Provide policy leadership to the Commission and staff on affirmative action and EEO.

**Duties:**

1. Provide leadership to the Commission in the discussion and implementation of MAC's EEO and Affirmative Action Plan.
2. Provide leadership to the Executive Director/Chief Executive Officer, management and supervisory staff and employees in the implementation of MAC's EEO and Affirmative Action Plan.

**Accountability:** To the Governor of Minnesota.

### C. Operations, Finance and Administration Committee

**Responsibilities:** Recommend and implement strategies to increase MAC's understanding on issues of diversity. Review and recommend policies, plans, programs and other diversity initiatives to the Office of Diversity, Equity and Inclusion.

**Duties:**

1. Review MAC's EEO and Affirmative Action Plan and recommend to the Commission the adoption of MAC's EEO and Affirmative Action Plan.
2. Review MAC's Federal Disadvantaged Business Enterprise (DBE) Program and progress reports.
3. Review MAC's Targeted Group Business (TGB) Program and progress reports.

**Accountability:** To the Commission.

#### **D. Executive Director/Chief Executive Officer**

**Responsibilities:** Provide overall administration of the MAC's EEO and affirmative action program, enforcing its policies and implementing them through administrative procedures.

**Duties:**

1. Appoint the Affirmative Action and Equal Opportunity Officer or designee and include accountability for the administration of the agency's Affirmative Action Plan in his or her position description.
2. Ensure the EEO and AA Plan is effectively communicated to all employees on an annual basis.
3. Recommend policies to the Chair and Commission.
4. Issue administrative procedures that implement MAC's EEO and Affirmative Action Plan and EEO policies.
5. Establish management and supervisory accountability for meeting EEO and affirmative action objectives.
6. Authorize employment actions in accordance with affirmative action goals and EEO principles.
7. Make the final determination on discrimination complaints brought under the EEO and Affirmative Action Plan internal complaint procedure.
8. Make the final determination on requests from employees and applicants with disabilities for reasonable accommodations.
9. Make the final determination on requests from employees and applicants regarding religious accommodation.
10. Provide a work environment that is free of discrimination and harassment.

**Accountability:** To the Commission.

#### **E. General Counsel**

**Responsibilities:** Provide legal advice to the Affirmative Action and EEO Officer and management staff on legal compliance with affirmative action and EEO requirements.

**Duties:**

1. Provide advice and review documents submitted by the Affirmative Action Officer for legal compliance to ensure MAC's EEO and Affirmative Action Plan is consistent with current statutory and regulatory law.
2. Keep abreast of current case law in the area of affirmative action and EEO and provide ongoing legal assistance to the Executive Director/Chief Executive Officer,

Affirmative Action Officer and Human Resources to assure compliance with applicable federal and state laws and regulations.

3. Advise the Affirmative Action and EEO Officer and management during the handling of discrimination complaints on laws, regulations, Commission policy, court cases, administrative decisions by enforcement agencies, and standards for determining whether a claim of discrimination is substantiated.

**Accountability:** To the Executive Director/Chief Executive Officer

## **F. Senior Staff, Directors, and Assistant Directors**

### **Responsibilities:**

Senior Staff, Directors, and Assistant Directors are responsible for implementation of equal opportunity and affirmative action within their respective areas of supervision and compliance with the agency's EEO and affirmative action programs and policies to ensure fair and equal treatment of all employees and applicants.

**Duties:** The duties of senior staff, directors, and assistant directors include, but are not limited to the following:

1. Assist the Affirmative Action Officer in identifying and resolving problems and eliminating barriers which inhibit equal employment opportunity.
2. Communicate the agency's affirmative action policy to staff.
3. Carry out supervisory responsibilities in accordance with the equal employment opportunity and affirmative action policies embodied in this plan.
4. Maintain a consistent standard within the workforce so that employees are evaluated, recognized, developed, and rewarded on a fair and equitable basis.
5. Include responsibility statements for supporting affirmative action, equal opportunity, diversity, and/or cultural responsiveness in staff position descriptions and annual objectives.
6. Provide a positive and inclusive work environment.
7. Refer complaints of discrimination and harassment to the Office of Diversity, Equity, and Inclusion.

**Accountability:** Senior staff, directors, and assistant directors are accountable directly to their designated supervisor and to the Executive Director/CEO.

## **G. All Management**

**Responsibilities:** Manage and supervise work in accordance with affirmative action and EEO policies and procedures.

**Duties:**



1. Develop and deliver on strategies for meeting equal opportunity and affirmative action with workgroups.
2. Communicate the policies and importance of the EEO and Affirmative Action Plan to staff.
3. In accordance with EEO principles, affirmative objectives and organizational goals, develop with assistance from Human Resources and/or the Office of Diversity, Equity and Inclusion an EEO and affirmative action plan for personnel actions.
4. Identify and remove barriers that affect the recruitment and hiring of qualified protected group applicants.
5. Create a non-discriminatory work environment and be held accountable for taking prompt and appropriate action when aware of possible discrimination, harassment, inappropriate behavior, or retaliation. Managers and supervisors must notify their directors, managers, and the Office of Diversity, Equity and Inclusion of such behavior.
6. Fully cooperate in investigations regarding claims of discrimination, harassment, inappropriate behavior, or retaliation.
7. Ensure all employees have access to career counseling and career development by creating opportunity for employees to obtain training and education so they can successfully perform the job and develop skills for career advancement.
8. In collaboration with the Office of Diversity, Equity and Inclusion represent the MAC on outreach initiatives with community organizations serving females, racial minorities, persons with disabilities and veterans.
9. Partner with Human Resources to facilitate the interactive process for workplace adjustments and reasonable accommodations.
10. Understand your role in creating inclusion of disadvantaged businesses in all purchasing and contracting efforts.
11. Participate in agency audits including employment practices, facility ADA compliance and display of EEO poster and agency diversity policies and procedures.
12. Assist the Office of Diversity, Equity and Inclusion and senior staff in identifying agency and work unit problem areas and establishing agency and work unit goals and objectives.
13. Participate in meetings with other managers, supervisors and employees to assure that the agency's diversity policies and procedures are communicated and being followed.
14. Assist the Office of Diversity, Equity and Inclusion in developing and implementing diversity training.

**Accountability:** To the appropriate level of management.

## H. Human Resources' Office of Diversity, Equity and Inclusion

**Responsibilities:** The Human Resources' Office of Diversity, Equity and Inclusion administers MAC's EEO and Affirmative Action Plan at the direction of the Chair of the Commission and the Executive Director/Chief Executive Officer through the Manager of Diversity, Equity and Inclusion Manager, designated as the Affirmative Action and EEO Officer.

### **Duties:**

#### **A. EEO/AA Duties**

1. Develop and update the affirmative action and EEO policy statement and the Affirmative Action Plan consistent with state and federal guidelines. Coordinate with Human Resources personnel discussions with hiring authorities and management regarding MAC's EEO and affirmative action goals and recruitment strategies.
2. Implement the EEO and Affirmative Action Plan and post on internal and external sites.
3. Coordinate EEO and affirmative action training for MAC staff.
4. Ensure that employees are provided equal access to MAC-sponsored training programs, recreation, social activities, benefit plans, pay and other terms and conditions of employment.
5. Receive, investigate, and attempt to resolve internal complaints of harassment and discrimination by MAC employees, tenants or concessionaires. Use outside counsel as appropriate.
6. Identify affirmative action and EEO problem areas and recommend solutions to the Executive Director/Chief Executive Officer.
7. Monitor and measure MAC's progress toward its affirmative action goals and report results to the Executive Director/Chief Executive Officer.
8. Maintain affirmative action and EEO reports and records, and submit to the appropriate monitoring agencies, such as the U.S. Equal Employment Opportunity Commission, the Minnesota Department of Human Rights, and the Minnesota Management and Budget Department.
9. Coordinate the implementation of necessary remedial actions to meet compliance requirements and goals.
10. Oversee monitoring of sub-contractors and work sites to ensure compliance in such areas as:
  - a. Contracting with those in the Disadvantaged Business Enterprise (DBE) and Targeted Group Business (TGB) programs;

- b. Proper display of Affirmative Action and EEO posters per federal rules; and/or
  - c. Ensuring working conditions are free from discrimination, harassment, and intimidation based on protected group status.
11. Inform management of developments in EEO and affirmative action laws and regulations.
  12. Serve as a liaison between protected groups and MAC.
  13. Develop and maintain communication with agencies and organizations representing protected groups for recruitment and business opportunities.
  14. Collaborate with Human Resources in conducting ongoing analysis of testing procedures and other aspects of the recruitment, promotions, selection and placement processes to ensure that artificial barriers to hiring or promoting qualified protected class members are non-existent. Reviews ~~and audits~~ examination and other selection criteria to assure compliance with law, remove artificial barriers, and create unbiased processes.
  15. Counsel hiring authorities to ensure compliance with EEO laws and the achievement of MAC's affirmative action goals.
  16. Develop and manage diversity strategies, recommendations and/or programs that are designed to facilitate change to enhance systems, practices or assumptions and behaviors that affect MAC staff.
  17. Provide community, educational and training resources to employees interested in upward mobility and provide counseling regarding such opportunities.
  18. Include a section that describes responsibilities related to EEO and affirmative action in all job descriptions for supervisory positions.
  19. Provide employees and applicants who raise concerns about discrimination with information regarding their rights under provisions of the Civil Rights Act of 1964, as amended by the Employment Opportunity Act of 1972, and of the Minnesota Human Rights Act.
  20. Review and recommend changes in the Human Resources Policy and Procedures Guide to ensure compliance with federal and state statutes and judicial mandates regarding EEO.

**B. ADA Coordinator Duties**

1. The Americans with Disability Act (ADA) Coordinator is responsible for providing guidance, coordination and direction to management with regard to the ADA in the

development and implementation of MAC's policy, procedures, practices and programs to ensure they are accessible and nondiscriminatory:

- a. Provide consultation, technical guidance, and/or training to directors, manager, supervisors, and staff regarding best practices in recruitment, selection and retention of individuals with disability, and reasonable accommodations for employees and applicants.
  - b. Coordinate with Human Resources personnel to track and facilitate requests for reasonable accommodations for employees and applicants.
  - c. Track and facilitate request for reasonable accommodations for employees, applicants, and members of the public accessing services.
2. Participate in and/or develop strategies to recruit individuals in protected groups for employment, promotion, and training opportunities.

**Accountability:** To the Executive Director/Chief Executive Officer and V.P. of Human Resources and Labor Relations.

## **I. Human Resources Division**

### **Duties:**

1. Establish personnel policies that are non-discriminatory and protect the rights of employees and applicants.
2. Periodically review the recruitment, posting, application, and classification systems to ensure that qualified minorities, females, and applicants with disabilities are included in the selection process.
3. Work to recruit qualified females, minorities, and persons with disabilities, so that departments have the opportunity to meet their affirmative action hiring and promotion goals.
4. Recruit qualified minorities, females and persons with disabilities by maintaining contact with those agencies and organizations that refer protected group applicants.
5. Administer screening and testing in a manner ensuring fair treatment of all applicants.
6. Ensure that compensation practices are fair for all employees without regard to protected group status.
7. Evaluate job requirements continuously to assure that they are job-related and do not present artificial barriers to qualified minorities, females and persons with disabilities.
8. Work with departments to assure a job-related performance evaluation system.

9. Offer career development information to all MAC employees.
10. Ensure that training programs are accessible to all employees with disabilities, and protected class employees based on job need.

**Accountability:** The Vice President of Human Resources and Labor Relations.

## **J. All Employees**

**Responsibilities:** All employees are responsible for conducting themselves in accordance with the agency's Equal Employment Opportunity and Affirmative Action Plan and related policies.

### **Duties:**

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

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

**Accountability:** Employees are accountable to their designated supervisor and indirectly to the agency's Executive Director/CEO.

## IV. COMMUNICATION OF THE PLAN

### A. COMMUNICATION WITH EMPLOYEES

1. Policy statement and nondiscrimination posters will be displayed in common spaces such as lunch areas, on employee bulletin boards, and on MAC's internal website.
2. A copy of the policy statement, including information on how to access the EEO and Affirmative Action Plan, will be sent to staff annually.
3. MAC's EEO and Affirmative Action Plan and nondiscrimination and harassment policies will be communicated to prospective employees and new employees as part of New Employee Orientation.
4. MAC's EEO and Affirmative Action policies are included in the Human Resources Policy and Procedures Guide.
5. Include nondiscrimination clauses in all union employment agreements, and review all contractual provisions to ensure that they are not discriminatory.
6. Ensure that all MAC publications and printed materials reflect the diversity of its workforce and the region it serves.
7. A copy of MAC's EEO and Affirmative Action Plan is available on Human Resources' SharePoint.

### B. TRAINING OF MANAGEMENT AND SUPERVISORS IN IMPLEMENTATION OF THE EEO AND AFFIRMATIVE ACTION PLAN

MAC has quarterly organizational staff meetings that include MAC's vice presidents, directors, managers and supervisors. The Affirmative Action Officer will present affirmative action information at this meeting once a year.

### C. EXTERNAL METHODS OF COMMUNICATION

1. The agency's EEO and Affirmative Action Plan is available on the agency's external website at [www.metroairports.org](http://www.metroairports.org) or in print to anyone who requests it. If requested, MAC will make the plan available in alternative formats.
2. The MAC's website homepage, letterhead, publications and all job postings will include the statement "an equal opportunity employer."
3. Nondiscrimination and equal opportunity statements and posters are prominently displayed and available in areas frequented by and accessible to members of the public. Examples of posters displayed include: "Equal Employment Opportunity is the Law," "Employee Rights under the Fair Labor Standards Act," and the "Americans with Disabilities Act Notice to the Public."

## V. PLAN DEVELOPMENT AND EXECUTION

### A. Affirmative Action Review

The Human Resources staff will review whether a hiring goal exists for job openings. If there is a goal, a recruitment plan with the hiring manager is developed to attract a diverse applicant pool.

The strategy for recruitment will include review of minimum job qualifications to ensure requirements are inclusive and the removal of unnecessary barriers. The Affirmative Action/EEO Officer will be privy to all steps in the hiring process and may consult the hiring authority or division leadership regarding hiring qualified candidates that fit the affirmative action need.

MAC will engage in various efforts to create opportunity and maximize hiring opportunities for females, racial minorities, and individuals with disabilities. Internships is one tool MAC will use to increase exposure to future employment opportunities with MAC. MAC has used and will continue to use internship programs such as Step-Up and Urban Scholars.

### B. Job Fairs

The Office of Diversity, Equity and Inclusion will actively recruit at diverse job fairs, as appropriate.

### C. EEO Tracking

Application packages will solicit only information relevant for employment consideration. In addition to completing an application package, applicants will be asked to voluntarily complete an EEO form that requests information needed to monitor and evaluate MAC's affirmative action efforts. This information will be confidential and maintained in the hiring file which is only accessible by Human Resources personnel.

### D. Job Requirements

The specific duties and responsibilities of a job classification shall be established before any recruiting is done. After an analysis, Human Resources and the hiring department's management staff shall establish essential job qualifications.

### E. Examinations

All examinations will be job relevant. A periodic review will be completed to ensure all requirements are job related and inclusive. All interview hiring panels will be diverse and/or include a designated diversity representative. A diversity representative means a member of human resources trained to ensure equal opportunity during the hiring process. Standards for scoring examinations shall be uniformly applied throughout a hiring process.

### F. Expanded Certification

Expanded Certification is an equal opportunity and affirmative action personnel procedure used to ensure qualified females, minorities, and people with disabilities are among the applicants to be considered for positions at MAC. The expanded certification process recognizes that not all attributes of a great candidate is captured on an application in the

first stage of the hiring process and allows Human Resources to create a talented and diverse applicant pool. The applicant pool for all positions will be reviewed to determine if expanded certification can be used in a job group.

#### **G. Reference Checks**

Human Resources staff will be responsible for reference checks. All forms used for reference checks will be reviewed by the Affirmative Action/EEO Officer to ensure that they are job related and nondiscriminatory. The hiring manager is authorized to conduct research on or make inquiries about the applicant under the following circumstances:

- In coordination with Human Resources;
- After an applicant has been interviewed; and
- As long as the same research process is followed for each applicant.

#### **H. Selection**

A qualified candidate will be selected for appointment based on job-relevant qualifications and consideration of affirmative action objectives and organizational goals. The Office of Diversity, Equity and Inclusion will evaluate the selection process and determine whether to use an adverse impact analysis if the requirements screen out a disproportionate number of minorities, females or people with disabilities.

The Office of Diversity, Equity and Inclusion staff and Human Resources staff will also regularly review all physical and mental job requirements to ensure that these requirements do not tend to screen out qualified individuals with disabilities. Staff will also determine whether these requirements are job-related and are consistent with business necessity and the safe performance of the job and will remove any physical or mental requirements that do not meet these criteria. Any job descriptions or requirements changed after review will be made available to hiring and supervising managers.

#### **I. Pre-Employment Medical Examination**

If MAC requires medical examinations or inquiries as a part of the selection process, all exams or inquiries will be conducted after a conditional offer of employment. Only job-related medical examinations and inquiries will be conducted, and the results of these examinations or inquiries will not be used to screen out qualified individuals with disabilities. Information obtained in response to such inquiries or examinations will be kept confidential except that (a) Human Resources (b) supervisors and managers may be informed regarding restrictions on the work or duties of individuals with disabilities and regarding accommodations, and (c) officials of state or federal agencies investigating compliance will be informed if requested.

#### **J. Promotion, Assignments, Appointments, and Transfers**

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



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

Promotions, assignments, appointments, and transfers will be based on job-relevant qualifications and MAC's EEO/affirmative action objectives. MAC conducts adverse impact analyses to ensure that females, racial minorities, and employees with disabilities are promoted at rates substantially similar to those of men, non-minorities, and employees without disabilities. MAC will develop and refine strategies to correct all identified problems in this area, if any.

#### **K. Training Programs**

Training programs at MAC are available to all employees regardless of race, sex, disability, or any protected class status. The internal training programs for MAC will be varied by different needs of different departments and job functions. The Police Department, for example, has specific training programs on self-defense, firearms use and security training that is not offered to non-police department members. Each department may have specific job training programs.

1. MAC will provide training programs whenever possible to provide professional promotional growth opportunities for all employees.
2. Training and educational programs MAC sponsors or supports will be reviewed to ensure racial minorities, females, and employees with disabilities are given equal opportunity to participate.
3. MAC will encourage all employees to increase their skills and job potential through participation in training and educational programs.
4. MAC will ensure all employees, including racial minorities, females, and employees with disabilities, are invited to supervisory training classes.
5. In job categories where high underutilization of females, racial minorities, and people with disabilities exist, MAC may develop and implement training programs to increase opportunities.

#### **L. Disciplinary Action**

Disciplinary action will be for just cause only and not based on race, color, creed, religion, national origin, sex, age, disability, marital status, public assistance status, sexual orientation, gender identity, familial status, local human rights commission activity, or political affiliations.

MAC will use discipline that is spelled out in each bargaining unit before terminating employees, where appropriate.

## **M. Retention**

Retaining the talents of our staff is critical to MAC's success. The ability to attract and retain our valued workforce affects our bottom line and is ultimately a measure of our success. Tenure is valued with a commitment to openness for change.

The turnover rate at MAC is less than 5% per year. The best retention strategies are to provide employees with a positive work environment, opportunities to learn about workforce diversity and cultural competence, and opportunities to gain skills to advance their careers.

Accordingly, MAC will:

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

## **N. Survey Plan**

MAC will periodically conduct surveys to obtain relevant information for reporting purposes and to gather information that will assist with implementing this plan. An employee committee will review the suggestions for implementing the plan and make additional recommendations.

Exit interviews will ask employees to comment on equal opportunity and diversity policies and be supportive of respectful resolution of employee conflicts and grievances. These exit interviews will be reviewed by the Affirmative Action/EEO Officer and/or a designated Human Resources staff to track patterns and determine if any corrective action is needed.

## VI. SELECTION: PRE-EMPLOYMENT REVIEW

The Affirmative Action/EEO Officer and Human Resources staff will review positions to determine whether underutilization exists for a posted position. If a goal is set to hire a female, minority, or person with a disability, and the job is posted, a recruitment plan to generate a diverse applicant pool will be executed. The goal of the recruitment plan is to give the hiring authority a diverse “eligibility list” from which to hire.

Human Resources staff will inform the hiring authority and management of any goal for a particular job opportunity. Once it is determined that a candidate meets minimum qualifications, Expanded Certification may be used to consider a candidate from an underrepresented group, if necessary. A qualified candidate will be selected for appointment based on relevant job qualifications and MAC’s affirmative action objectives and organizational goals.

### **System of Audit and Reporting**

The Human Resources Office of Diversity, Equity, and Inclusion will monitor all protected class personnel records of applicants, hires, transfers, promotions, demotions, layoffs, and terminations. Records will be reviewed with all levels of management, as appropriate.

The Office of Diversity, Equity, and Inclusion will do the following:

- Report to other agencies, as required by regulation, such as the Federal Aviation Administration (FAA), Department of Justice Civil Rights Division, Minnesota Department of Human Rights, and Minnesota Management and Budget.
- Forward all Title VI complaints to the FAA within 15 days of receipt and maintain a list of such complaints received in the previous three years.
- Track trainings provided to employees in order to analyze career mobility impact. These records will include information on job assignments, job progressions, promotions, transfers by job classifications, bargaining units, racial or ethnic groups, genders, and disabilities.
- Improve the audit and reporting system in order to regularly analyze and measure EEO and affirmative action programs. MAC will continue to use the new hires and separations information—which includes all eligible list hires, non-eligible list hires, and all discharges/terminations (including the job classifications, bargaining units, racial or ethnic groups, genders, and disabilities).
- Track internal disciplinary actions. Disciplinary actions will identify the employee's name, job classification, bargaining unit, racial or ethnic group, gender, and disability.
- Track and monitor all discrimination complaints.
- Document and monitor recruitment strategies and the results of targeted recruitment for underrepresented job classifications.

## VII. COMPLAINT PROCESS

MAC provides a work atmosphere free from discrimination and harassment for its employees and applicants and provide public services in a nondiscriminatory and harassment-free manner. Retaliating against a person for filing a charge, participating in an investigation, or opposing illegal discrimination or harassment, or because of their association with persons of a protected class is prohibited. Protected classes include sex (including gender), disability, race, color, creed, religion, national origin, familial status, marital status, sexual orientation, public assistance status, age, or membership or activity in a local human rights commission.

Commission members, management and supervisory staff are expected to take prompt and appropriate action whenever they receive a complaint or become aware of discriminatory or harassing behavior.

All MAC employees are prohibited from engaging in retaliatory action against anyone because a person has made a complaint or has cooperated in the investigation of a complaint. An employee who believes they are being retaliated against should immediately report this to the Affirmative Action/EEO Officer.

Any individual who believes they have been subjected to, or has witnessed, discrimination or harassment is encouraged to file a report. Individuals may report discrimination or harassment to the Affirmative Action/EEO Officer, Executive Director/Chief Executive Officer, vice presidents, directors, managers or supervisors, or the Commission's Chair. Individuals who wish to report a complaint of discrimination or harassment are encouraged to use MAC's internal complaint procedure outlined below. Management is required to report discrimination complaints to MAC's Affirmative Action/EEO Officer.

### A. How to Make a Complaint

An employee who feels they have been subjected to discriminatory treatment may complete following steps:

1. An employee who feels comfortable doing so should respectfully inform the person(s) engaging in perceived behavior that such conduct or communications is offensive, against MAC policy, and must stop.
2. When an employee does not feel comfortable communicating directly with the person(s) whose actions are offensive, or when such direct communication has not been effective, the employee should immediately contact their supervisor.
3. If the employee's supervisor is engaging in the offensive conduct, or if the employee does not feel comfortable for any reason in contacting their supervisor, the employee should immediately contact a Human Resources representative or the Affirmative Action/EEO Officer.

## **B. Procedure for Internal Complaints**

1. The employee(s) contact(s) the Affirmative Action/EEO Officer to discuss the alleged complaint. The complaint may be submitted in writing (by email, correspondence, etc.), phone, or in-person. The employee should be prepared to provide the following information:
  - a. The name(s) of the person/people involved and date(s) of the alleged behavior(s).
  - b. The name(s) of any witnesses.
  - c. The alleged discrimination/harassment behaviors, actions or policy/practice violations.
  - d. The corrective action suggested.
2. The Affirmative Action/EEO Officer notifies the appropriate managerial staff about the receipt of the complaint and conducts a thorough investigation when necessary. The Affirmative Action/EEO Officer may offer other methods to resolve the complaint such as mediation.
3. If the Affirmative Action/EEO Officer determines there is a conflict of interest to process an internal complaint investigation, the complaint may be referred to a neutral party for investigation.
4. Upon completion of a thorough investigation, the Affirmative Action/EEO Officer or neutral party provides a written finding of fact to the Executive Director/Chief Executive Officer or designee determining whether there has or has not been a policy violation.

The Affirmative Action /EEO Officer has up to 60 days to complete the investigation from the date the complaint is received. The Office of Diversity, Equity and Inclusion will make every effort to complete investigation within 90 days, but may extend this timeframe based on department need, availability of staff and witnesses, and availability of data, etc. The Office of Diversity, Equity, and Inclusion will notify the complainant and the subject of complaint in writing, if the investigation will not be completed within 90-days.

5. The determination by the Affirmative Action/EEO Officer is automatically reviewed by the Executive Director/Chief Executive Officer. The Executive Director/Chief Executive Officer determines whether there is evidence to support the Affirmative Action/EEO Officer's determination of whether or not a policy violation exist.
6. If after reviewing the report the Executive Director/Chief Executive Officer confirms a policy violation exists, the report will be forwarded to Human Resources and/or Labor Relations for a recommendation on the appropriate disciplinary or corrective action to be administered by management.
7. The complaint and subject of complaint will be notified when the investigation is closed, and a final determination is made.

All internal complaints of discrimination/harassment shall be investigated in a timely, thorough and impartial manner by MAC's Affirmative Action/EEO Officer or designee. The investigation will proceed as discreetly as possible. Information gathered will be disclosed only as necessary to conduct the investigation, and to others on a business need-to-know basis.

### **C. Procedures for Internal Complaints Alleging Retaliation**

An employee, or any other person, who has participated in a complaint may file a complaint under the internal discrimination or harassment complaint procedures that alleges retaliation against an employee for opposing a forbidden practice or for filing a charge, testifying, or participating in investigation proceedings or a hearing related to a forbidden practice. The complaint will be investigated, and a written determination will be made by the Affirmative Action/EEO Officer. Unless appealed, the Affirmative Action/EEO Officer's determination shall be considered the final internal resolution of the complaint.

### **D. Appeals to Retaliation Complaint Determinations**

When an internal complaint alleges retaliation, the complainant or subject of the complaint has 10 calendar days from receipt of the written decision to appeal the Affirmative Action/EEO Officer's determination directly to the Executive Director/Chief Executive Officer. The responding or complaining party may submit any evidence and/or information regarding the alleged retaliation as part of the appeal.

The Executive Director/Chief Executive Officer will provide a written decision to party appealing within 30 days following receipt of the appeal. The Executive Director/Chief Executive Officer's determination will be considered the final internal resolution of the complaint.

### **E. Evaluation of Complaints**

1. Allegations will be reviewed by looking at the whole record and at the totality of circumstances, including the nature of the alleged harassing or discriminatory conduct and the context in which it occurred.
2. All facts will be reviewed on a case-by-case basis.
3. In evaluating harassment, the acts shall be reviewed from the perspective of the complainant using a "reasonable person" standard.
4. All applicable provisions of collective bargaining agreements apply.

## **F. INVESTIGATIONS**

MAC's Affirmative Action/EEO Officer receives employment discrimination and harassment complaints and is responsible for the investigation of those complaints in a timely manner; however, depending on the complexity of the allegations, or if there is a conflict of interest, a neutral party or designee may investigate the complaint.

## **G. FACT-FINDING CONFERENCE**

A fact-finding conference is one tool that may be used to investigate an internal complaint. In the fact-finding conference a complainant and relevant witnesses may be jointly interviewed to clarify conflicting issues, statements, and other relevant information. The Affirmative Action/EEO Officer may conduct the interviews. MAC staff deemed to be relevant witnesses to the internal investigation are required to participate in fact-finding conferences.

## **H. PRE-DETERMINATION SETTLEMENTS**

A pre-determination settlement is one way to resolve an alleged discrimination complaint. The Affirmative Action/EEO Officer will work to settle the matter absent a finding that either substantiates or fails to substantiate the allegations of discrimination or harassment. This is a voluntary resolution of an internal complaint.

If successful, a written pre-determination settlement document will be prepared for appropriate signatures. Pre-determination settlements may not be an option to address all complaints, such as allegations of sexual harassment. Sexual harassment allegations will be investigated.

## **I. DISMISSAL OF COMPLAINT**

A complaint alleging discrimination or harassment may be dismissed for the following reasons:

1. The allegation is brought in bad faith; the complainant states protected class status was not the reason for the action complained about; or the complaint is blatantly false. Such assessments will be based on facts (a comment by the complainant, for example), rather than circumstantial information.
2. The complainant refuses or is unwilling to cooperate with the investigation.

## **J. EXTERNAL COMPLAINTS**

The use of the internal complaint process is not a prerequisite to filing an external complaint with the state or federal agencies such as the Minnesota Department of Human Rights or the Equal Employment Opportunity Commission (EEOC). Nothing in this complaint procedure prevents an employee from filing a formal charge/external complaint with the Minnesota Department of Human Rights or U.S. Equal Employment Opportunity

Commission (EEOC). The Affirmative Action/EEO Officer, General Counsel, or other designee may respond to external complaints.

In addition, MAC's Human Resources Policy and Procedures Guide includes information on the MAC EEO and Affirmative Action Plan complaint process. MAC employees have the option to file an internal discrimination or harassment complaint using the EEO and Affirmative Action Plan's complaint process or to file a complaint with their collective bargaining agent. Each collective bargaining agreement includes a nondiscrimination clause and represented employees may opt to use their union grievance process to file a discrimination complaint. The collective bargaining agreements do not place a limit on an employee's right to file a discrimination/harassment complaint outside of the grievance process. An employee can opt to file a complaint through their union in addition to filing complaints through the EEO and Affirmative Action Plan complaint process and through external agencies such as the Minnesota Department of Human Rights or the U.S. Equal Employment Opportunity Commission.

## **K. COMPLAINTS BY OUTSIDE PARTIES**

If a person other than a MAC employee alleges discrimination or harassment by MAC personnel or alleges discrimination or harassment by (a) MAC tenant(s), concessionaire(s), or other company licensed to do business at MAC, the complainant may informally resolve the complaint with the appropriate MAC department or with the appropriate tenant(s), concessionaire(s) or licensee(s).

If the complaining party wishes to file a formal complaint with MAC, they will be referred to MAC's Human Resources Office of Diversity, Equity, and Inclusion. The complaint may be submitted in writing (by email, correspondence, etc.), phone, or in-person. The complaining party should be prepared to provide the following information:

- a. The name(s) of the person/people involved and date(s) of the alleged behavior(s).
- b. The name(s) of any witnesses.
- c. The alleged discrimination/harassment behaviors, actions or policy/practice violations.
- d. The corrective action suggested.

If the complaint is not complete, the Affirmative Action/EEO Officer will obtain missing information from the complainant.

The Affirmative Action/EEO Officer will conduct a preliminary investigation of the allegations within seven business days of the filing date of the complaint to determine: 1.) whether the complaint should be addressed internally by MAC or by the tenant, concessionaire or licensee; and 2.) whether it should be processed through the complaint procedure found in this section.

The Executive Director/Chief Executive Officer may also decide to send a letter to the named organization(s) requesting an investigation and resolution of the complaint. The



Executive Director/Chief Executive Officer will also request a copy of the communication with details on the final disposition of the complaint. The complainant will be informed of MAC's actions regarding the complaint.

A complaint alleging discrimination or harassment by a tenant, concessionaire or licensee will be forwarded for consultation with the appropriate MAC department in order to review compliance with the applicable lease, concession agreement, permit or ordinance.

#### **L. CORRECTIVE ACTIONS**

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 nonetheless disruptive, should be corrected early and firmly in the interests of maintaining a barrier-free workplace. Individuals who participate in inappropriate behaviors at work are also subject to disciplinary actions.

## VIII. REASONABLE ACCOMODATIONS AND THE AMERICANS WITH DISABILITIES ACT

### A. Reasonable Accommodation

MAC complies with the Americans with Disabilities Act (ADA). While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is MAC's policy to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose on MAC an undue hardship. The Affirmative Action/EEO Officer is responsible for reviewing ADA requests and/or complaints. MAC's Airport Development Department is responsible for ADA compliance in the development and construction of facilities.

The steps for requesting reasonable accommodations for current employees are:

1. The employee must inform the Human Resources department if a reasonable accommodation is needed. HR may request that the reasonable accommodation request is submitted in writing and request medical documentation, if necessary.

*Information pertaining to medical documentation:*

In the event that medical documentation is needed, HR will explain to the employee what medical information is needed from a medical provider. It is the employee's responsibility to ensure that the medical provider provides the requested medical information. MAC will not request genetic information.

*"Genetic information" includes information about an individual's genetic tests, genetic tests of an individual's family members, information about the manifestation of a disease or disorder in an individual's family member (family medical history), or the participation in clinical research that includes genetic services by the individual or a family member of the individual.*

2. Human Resources will coordinate the accommodation evaluation process with the employee and department management.
3. Human Resources will notify the employee of the decision.
4. The employee may appeal Human Resources' decision through the Office of Diversity, Equity, and Inclusion.

5. The Affirmative Action/EEO Officer will review appeals and make a recommendation to the Executive Director/Chief Executive Officer. The Executive Director/Chief Executive Officer's decision constitutes the final internal resolution to the request for reasonable accommodation.

**B. Accommodations in Employee Selection Process**

MAC will inform all applicants of their right to request reasonable accommodation during any selection process. The applicant tracking form includes information on how to request reasonable accommodations. Funding for accommodations in the selection process will be the responsibility of the Human Resources Department

**C. American with Disability Act Language and External Complaint Process**

MAC aims to provide access to the Minneapolis-St. Paul International Airport (MSP), and the services associated with its operation to persons with disabilities in accordance with Title II of the Americans with Disabilities Act (ADA) of 1990 and other applicable laws and regulations.

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**AMERICANS WITH DISABILITIES (ADA) COMPLAINT PROCEDURE**

- A. The complainant should contact MAC's ADA Coordinator, and have the following information available: the name, address, and phone number of the complainant; as much information as possible regarding the complaint or alleged violation (including the location, date, a description of the problem); and any witnesses. MAC will make tape recorders available, provide assistance to people with visual or motor impairments, and/or provide TDDS and/or Qualified Sign Language Interpreters for persons with hearing-impairments as necessary.

The complaint needs to be submitted no later than 60 calendar days after the alleged violation.

1. MAC's ADA Coordinator will review the complaint within 15 calendar days of receipt and will investigate the matter. The ADA Coordinator will attempt to discuss the issues with the complainant and the concerned MAC department(s), and will attempt to resolve the complaint informally.

If the ADA Coordinator determines further investigation is warranted, the ADA Coordinator may meet with the complainant to discuss the matter and possible resolution. If the matter is not resolved informally, the ADA Coordinator shall respond with a final response within 45 calendar days after the complaint has been received. When requested, the final response will be provided in a format accessible to the complainant.

2. If the ADA Coordinator's final response does not satisfactorily resolve the matter, the complainant may appeal it, in writing, to the Assistant Director of Customer Experience, Metropolitan Airports Commission, MSP International Airport, 4300 Gluck Dr., LT-3000, St. Paul, MN 55111-3010.

The complainant shall file the appeal, including a detailed description of its basis, no later than 30 days after receipt of the ADA Coordinator's final response. MAC's appeals officer will review the matter and may attempt to contact the complainant to discuss the matter. The appeals officer shall respond with a final resolution of the complaint within 45 business days of the receipt of the appeal. The decision of the appeals officer shall constitute MAC's final resolution of the matter.

## **B. WEATHER EMERGENCIES**

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Most closures to buildings due to severe weather are determined by the Executive Director/Chief Executive Officer and are announced through the media. Employees with hearing impairments will be consulted to determine appropriate methods to use to advise them of such closings. Options include the supervisor utilizing the TDD to contact the employee or establishing a system agreed on by all parties.

## **C. BUILDING EVACUATION**

In the event of building evacuation(s), MAC will take steps to ensure the safe exit of employees with disabilities. Employees with a disability will be consulted when and where special assistance is required, and MAC will develop appropriate procedures for the safe and timely evacuation of employees with disabilities.

## IX. BUSINESS PRACTICES

MAC will assure equal opportunity in the procurement of all goods and services. Purchases and contracts will be awarded by the Commission without discrimination on the basis of race, color, creed, religion, national origin, sex, familial status, sexual preference, age, political affiliation, marital status, and status with regard to public assistance or disability.

MAC shall not accept any bid or proposal for a contract or purchase in excess of \$100,000 from or execute a contract or award a purchase in excess of \$100,000 to a firm having more than 40 full-time employees in Minnesota on a single working day during the previous 12 months, unless the firm has a current Certificate of Compliance from the Minnesota Department of Human Rights, signifying the department's approval of the firm's Affirmative Action Plan.

### **A. Limited English Proficient Speakers**

"Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq., provides that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance. The Supreme Court, in *Lau v. Nichols*, 414 U.S. 563 (1974), interpreted Title VI regulations promulgated by the former Department of Health, Education, and Welfare to hold that Title VI prohibits conduct that has a disproportionate effect on Limited English Proficient (LEP) persons because such conduct constitutes national origin discrimination."

### **B. Targeted Group Business and Disadvantaged Business Enterprise**

The MAC will act affirmatively in accordance with the plan to promote, enter into contracts with and award purchases to businesses owned by females, minority and persons with disabilities.

MAC's Targeted Group Business (TGB) and the Disadvantaged Business Enterprise (DBE) Programs set forth an affirmative program to do business with firms owned and controlled by females, minorities, and people with disabilities. These efforts are pursuant to U.S. Department of Transportation regulations 49 CFR 26 and Minnesota Statute 16C.16.

### **C. Diversity Training**

The Office of Diversity, Equity, and Inclusion will coordinate training programs in the area of diversity for MAC staff as part of the 2022-2024 goals and objectives.

MAC will provide training opportunities in the areas such as preventing workplace discrimination and harassment, cultural awareness, creating an inclusive work environment, unconscious bias, and/or managing diverse workgroups for MAC staff.

MAC has supported and will continue to support organizations designed to advance equal opportunity, including but not limited to, the following organizations:

1. Minnesota Minority Supplier Development Council (MMSDC)
2. Metropolitan Economic Development Association (MEDA)
3. Airport Minority Advisory Council (AMAC)
4. Association of Females Contractors (AWC)
5. Minnesota American Indian Chamber of Commerce (MAICC)
6. OutFront Minnesota
7. National Association of Minority Contractors
8. Hispanic Chamber of Commerce of Minnesota
9. Minnesota Uniform Certification Program
10. Quorum GLBT Chamber of Commerce
11. Conference of Minority Transportation Officers (COMTO)

## X. BARRIERS, PROGRAM GOALS, AND CORRECTIVE ACTIONS

MAC has underutilization of females, minorities, and people with disabilities in the following job categories:

<b>Females</b>	<b>Racial Minorites</b>	<b>People with Disabilities</b>
Professionals; Technicians, and Office/Clerical	Professionals; Fire; Skill Craft; and Maintenance	Supervisors/Mangers; Office/Clerical; Fire; Police; and Skilled Craft

Covid-19 has placed huge financial burdens on the agency as the number of passengers hugely impact MAC's budget. As a result, MAC implemented hiring restrictions in 2020, 2021, and 2022 and continue to replace personnel on a case-by-case basis in accordance with the organization's needs as determined by the Executive Director/Chief Executive Officer. Over the next two years, MAC anticipates hiring approximately 50 new full-time employees in the areas of professionals, police, fire, office/clerical, skill craft, maintenance, and supervisors and managers. Hires will be limited based and will be based on whether passenger enplanements reach pre-pandemic levels which serves as a barrier. As a result, barriers include, but are not limited to:

- Limited anticipated number of open positions in this plan year. MAC also has a high retention rate which leaves a limited number of open positions to fill.
- Limited outreach due to unanticipated budget deficiencies. This will limit outreach and effectiveness of recruitment efforts.
- Unwillingness of employees to self-identify, including individuals with disabilities. This will affect the representation of employees in this protected group.
- The availability of protected class applicants in the area of police, fire, skilled craft, and maintenance.

Regardless of the barriers identified above, MAC will continue to engage in efforts designed to retain, monitor, and improve the diversity of its workforce. In addition to the goals identified below, MAC will also continue to find avenues in diverse communities to promote job opportunities when they become available. MAC has increased its use of vendors and community partners that focus on diverse recruitment efforts, including continuing its partnership with East Side Xchange.

Moreover, MAC is continuing to develop and research other options to increase workforce diversity in the maintenance job category such as an internal training program. An internal training program has financial implications, but an avenue MAC wants to consider in the near future to address underutilization of racial minorities and people with disabilities in this job category.

Further, as hiring opportunities present themselves, MAC will continue to post positions with various organizations and news outlets, including but not limited to, the Conference of Minority Transportation Officials, Professionals of Color Facebook page, People of Color Career's website, the St. Paul Voice, and La Voz Latina newspaper.

#### **A. 2022-2024 GOALS AND TIMETABLES TO CORRECT AND MONITOR UNDER-UTILIZATION**

##### **GOAL: DISTRIBUTION OF 2022-2024 EEO/AA PLAN**

**Activities:** Update website to include the new plan. Publish articles directing employees to the site. Provide updates to management.

**Target Date:** As soon as possible after plan is approved.

**Partners:** Office of Diversity, Equity and Inclusion; Marketing and Stakeholder Engagement

##### **GOAL: PROVIDE EEO/AFFIRMATIVE ACTION TRAINING**

**Activities:** Develop and implement DEI trainings for managers and supervisors. This training is mandatory.

**Target Date:** Spring 2024 (Every two years)

**Partners:** Office of Diversity, Equity and Inclusion; Marketing and Stakeholder Engagement; Information Technology; Employee Equity Advisory Committee, Senior Staff

##### **GOAL: PROVIDE EFFICIENT, STANDARDIZED COMPLAINT INVESTIGATIONS AND RESPONSES.**

**Activities:** Internal investigation completed within 90 days. External responses will be provided to legal office seven days before the enforcement agency deadline. Upon completion of an investigation, review any internal process and/or practices for process improvements.

**Target Date:** Ongoing

**Partners:** Office of Diversity, Equity and Inclusion; All staff

##### **GOAL: PROVIDE MATERIALS FOR RECRUITMENT.**

**Activities:** Create recruitment brochure and/or marketing materials that include females, minorities and people with disabilities to attract a diverse pool of candidates.

**Target Date:** Ongoing

**Partners:** Office of Diversity, Equity and Inclusion; Marketing and Stakeholder Engagement; Information Technology; Employee Equity Advisory Committee

##### **GOAL: UTILIZE THE EMPLOYEE BASED DIVERSITY COMMITTEE TO CREATE EVENTS FOCUSED ON THE DIVERSITY OF MAC AND THE COMMUNITIES IT SERVES.**

**Activities:** MAC's Employee Equity Advisory Committee, implemented in 2020, has and will continue to create activities designed to recognize and celebrate the diversity of MAC's staff and communities. Recognizing the diversity of our staff and the community we serve is directly related to the need to retain a diverse staff.

**Target Date:** Ongoing.



**Partners:** Office of Diversity, Equity and Inclusion; Marketing and Stakeholder Engagement; Senior Leadership, All Staff

**GOAL: RECRUITMENT INITIATIVE - SUPPORT MORE EFFICIENT RECRUITMENT STRATEGY FOR FURTHER DIVERSIFICATION OF MAC STAFF.**

**Activities:** Strengthen targeted recruitment, focus referral relationships, build manager support of recruitment, possess and enhance referral relationships with community agencies.

**Target Date:** Ongoing

**Partners:** Office of Diversity, Equity and Inclusion; Marketing and Stakeholder Engagement; Information Technology; Employee Equity Advisory Committee

**GOAL: HUMAN RESOURCES HIRING PROCESS AUDIT.**

**Activities:** Review Human Resources hiring processes, especially in areas of underutilization, to determine if any barriers exist, opportunities for process improvement, and remove any perceived or actual bias in the hiring process. This audit will include, but not limited to, reviewing (1) job descriptions to ensure they lack exclusive language and contain appropriate minimum requirements; (2) hiring steps for adverse impact, and (3) testing requirements for adverse impact in the area of underutilization.

**Target Date:** 2024

**Partners:** Senior Staff; Office of Diversity, Equity and Inclusion; Human Resources and Labor Relations Department; Information Technology; Employee Equity Advisory Committee

## XI. GLOSSARY

- A. Affirmative Action/EEO Officer** - is the working title of the Manager of Diversity, Equity, and Inclusion and may apply to a designee.
- B. Affirmative Action** - is an active effort to promote equal opportunity in employment and to correct the historic underrepresentation of certain groups in the employment setting.
- C. Diversity** – is valuing the differences and similarities in people and how this influences the plan, design, delivery and evaluation of services. Diversity represents the uniqueness of individuals, groups and communities and is not limited to race and gender, but includes human attributes, values, beliefs, behaviors, orientations, norms and experiences.
- D. Equal Employment Opportunity** - State and federal laws guarantee all people the equal right to apply and be considered for job opportunities regardless of their race, color, creed, religion, national origin, sex, age, disability, marital status, public assistance, sexual orientation, gender identity, familial status, local human rights commission activity, or political affiliation. This list is not exhaustive.
- E. Discrimination** - is the practice of treating a person or group unfairly or denying rights based on a protected class status that would otherwise be granted.
- F. Protected Class** - is a group of people who share a characteristic that qualifies for protection from discrimination. There are several categories of protected classes, which include the following: race, color, creed, religion, national origin, sex, marital/familial status, public assistance status, sexual orientation (which includes gender identity), genetic information, disability, age, or membership or activity in a local human rights commission.
- G. Discriminatory Harassment** - is continuous verbal or physical conduct or communication that shows hostility, disrespect, or disfavor toward an individual or group based on a protected class.

### Types of Discriminatory Harassment

- **Sexual harassment** includes the following unwelcomed behavior: sexually motivated physical contacts, sexually motivated verbal or written statements, physical and verbal sexual advances, requests for sexual favors, and other verbal, written, or physical conduct of a sexual nature. The victim as well as the harasser may be of any gender. The victim does not have to be of the opposite sex.
- **Gender-based harassment** includes verbal or physical conduct or communication that is hostile, derogatory, offensive or exploitive, but not of a sexual nature, relating to the gender of another individual or group. It may also include pregnancy discrimination and unequal pay for females who do the same

job as men.

- **Sexual orientation harassment** includes hostile, demeaning, offensive or exploitive verbal or physical conduct or communication relating to the sexual or gender identity of an individual or group.
- **Racial harassment** includes hostile, offensive, degrading or exploitive verbal or physical conduct or communication relating to the race or color of an individual or group.
- **National origin harassment** includes hostile, offensive, degrading or exploitive verbal or physical conduct or communication relating to the national origin of an individual or group.
- **Disability harassment** includes hostile, derogatory, offensive or exploitive verbal or physical conduct or communication relating to the disability of an individual or group. It includes behavior that undermines any reasonable accommodation provided by MAC that enables an individual with disabilities to compete for or perform a MAC job or to utilize MAC services. It covers actions such as tampering or interfering with assistive devices used by an individual, improperly denying a request for a reasonable accommodation, failing to respond to an accommodation request, and focusing on someone's disability rather than ability when making employment decisions (for example, promotion, hires, transfers).
- **Age harassment** includes insulting, intimidating or demeaning verbal or physical conduct or communication relating to the age of an individual or group. It includes negative characterizations or stereotypes of an individual or group based on age.
- **Religious harassment** includes antagonistic or denigrating verbal or physical conduct or communication relating to the religious beliefs or affiliation of an individual or group. It includes applying unwelcomed, undue pressure on others to subscribe to a particular religious belief or to join a particular religious group.

**H. Inappropriate behavior** - is conduct or communication based on a protected class that is hostile, derogatory, offensive or exploitive, but may not be so severe or pervasive as to constitute harassment.

**I. General Harassment** – is harassment not based on a protected class status. Examples may include, but are not limited to:

- Physically intimidating behavior, and/or threats or violence.
- Use of profanity (swearing) or vulgarity.
- Ridiculing, taunting, belittling or humiliating another person.
- Inappropriate assignments of work or benefits.
- Derogatory name-calling.

**J. Retaliation** – is any adverse action taken against an employee for filing a complaint, supporting another employee's complaint, or providing information regarding a complaint.

**K. Person with a Disability** - for purposes of this plan, is a person with a physical or mental

impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment.

**L. Reasonable Accommodation** - is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to enjoy equal employment opportunities. Reasonable accommodation applies to the following aspects of employment:

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