AFFIRMATIVE ACTION PLAN

Office of Diversity, Equity and Inclusion
Metropolitan Airports Commission
6040 28th Avenue South
Minneapolis, MN 55450
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If there is conflicting policy language or procedural information between the Affirmative Action Plan and the Human Resources Policy and Procedures Guide, the language of the Human Resources Policy and Procedures Guide will supersede the Affirmative Action Plan 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 July 2018 annual utilization analysis revealed underutilization of (disparities for) the following protected groups:

<table>
<thead>
<tr>
<th>Job Group</th>
<th>Women</th>
<th>Minorities</th>
<th>People with Disabilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officials/Administrators</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Supervisors/Managers</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Professionals</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Technicians</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>YES</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Protective Services (Firefighters)</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Protective Services (Police/CSO/911/TCA)</td>
<td>NO</td>
<td>NO</td>
<td>YES</td>
</tr>
<tr>
<td>Skilled Craft</td>
<td>YES</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>Maintenance</td>
<td>NO</td>
<td>YES</td>
<td>YES</td>
</tr>
</tbody>
</table>

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.

Affirmative Action Officer          Date

12.16.19
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.

MAC Chairperson

Date

Vice President of Human Resources and Labor Relations

Date

1/16/2020

12/16/19
II. STATEMENT OF COMMITMENT


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 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, 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's 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, 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 Affirmative Action and EEO Plan. MAC shall take affirmative action to overcome the present effect of historical discrimination against women, people of color, people with disabilities, and veterans. Successful achieve 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 in dealing with alleged acts of discrimination.

I have designated the Manager of the Office of Diversity, Equity and Inclusion to be the Affirmative Action/EO Officer. If any employee or applicant believes they have been subjected to discriminatory practices, they should contact the Affirmative Action/EO Officer at 612-726-8196 or by email at 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.

[Signature]
Brian Ryks, Executive Director/Chief Executive Officer

12/17/19
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 adoption of MAC's 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 Affirmative Action Plan.

Accountability: To the Governor of Minnesota.

C. 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 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 Affirmative Action 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 Affirmative Action Plan and EEO policies.

5. Establish management and supervisory accountability for meeting affirmative action and EEO 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 Affirmative Action Plan internal complaint procedures.

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.

D. General Counsel

Responsibilities: Provide legal advice to the Affirmative Action 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 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 Officer and management during the handling of discrimination complaints on laws, regulations, Commission policy, court cases and administrative decisions by enforcement agencies, and standards for determining whether a claim of discrimination is substantiated.

Accountability: To the Executive Director/Chief Executive Officer

E. 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 affirmative action with workgroups.

2. Communicate the policies and importance of the Affirmative Action Plan to staff.

3. In accordance with EEO principles, affirmative objectives and organizational goals, develop with assistance from Human Resources or the Office of Diversity, Equity and Inclusion an affirmative action plan for personnel actions.

4. Identify and remove barriers that affect the recruitment and hiring of qualified protected group applicants.

5. Create non-discriminatory work environment and will 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. Develop employees, including protected classes, and assist employees in obtaining training and education so that they successfully perform the job and develop skills for career advancement.

Accountability: To the appropriate level of management.

F. Human Resources’ Office of Diversity, Equity and Inclusion

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

Duties:

A. AA/EEO 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’ discussion with hiring authorities and management to discuss MAC’s affirmative action goals and recruitment strategies.

2. Implement the Affirmative Action Plan and post on internal and external sites.

3. Coordinate affirmative action and EEO 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; 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, 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 law.
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 affirmative action in all job descriptions for supervisory positions.


20. Track and facilitate requests for religious accommodations for employees and applicants, as well as members of the public accessing services.

21. 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, provision of reasonable accommodations for employees and application.

   b. Track and facilitate requests for reasonable accommodations for employees and applicants, as well as 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.
G. 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, women, and applicants with disabilities are included in the selection process.

3. Work to recruit qualified women, minorities, and persons with disabilities, so that departments have the opportunity to meet their affirmative action hiring and promotion goals.

4. Recruit qualified minorities, women 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 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, women and person 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 Executive Director/Chief Executive Officer.

H. Finance and Administration Committee

Responsibilities: Recommend and implement strategies to increase MAC 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 Affirmative Action Plan and recommend to the Commission the adoption of MAC Affirmative Action Plan.
2. Review MAC’s Federal Disadvantaged Business Enterprise (DBE) Program and progress reports.


Accountability: To the Commission.

I. Directors, Managers, and Supervisors

Responsibilities:

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

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

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; and

7. Refer complaints of discrimination and harassment to the Office of Diversity, Equity, and Inclusion.

Accountability: Directors, managers, and supervisors are accountable directly to their designated supervisor and indirectly to the Executive Director/CEO.

J. All Employees

Responsibilities: All employees are responsible for conducting themselves in accordance with the agency’s Equal 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; and

2. Refrain from any actions 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 AFFIRMATIVE ACTION 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 Affirmative Action Plan, will be sent to staff annually.

3. MAC’s 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 Affirmative Action and EEO 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.

7. A copy of MAC’s Affirmative Action Plan is available on Human Resources’ SharePoint.

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

MAC has quarterly organizational staff meetings that include MAC deputies, 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 Affirmative Action Plan is available on the agency’s external website at 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 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 women, people of color, 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.

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 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 affirmative action personnel procedure used to ensure qualified women and minorities are among the applicants to be considered for positions at MAC. All applicants of expanded certification must meet the minimum job requirements.
The applicant pool for all positions will be reviewed to determine if expanded certification can be used in the 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 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.

I. Promotion, Assignments, Appointments, and Transfers

Promotions, assignments, appointments, and transfers will be based on job-relevant qualifications and after MAC’s affirmative action objectives have been considered.

M. Training Programs

Training programs at MAC are available 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 people of color, women, and employees with disabilities are given equal opportunity to participate.

   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 people of color, women, and employees with disabilities, are invited to supervisory training classes.

5. In job categories where high underutilization of women, people of color, and people with disabilities exist, MAC may develop and implement training programs to increase opportunities.
N. Disciplinary Action

Disciplinary action will be for just cause only and not based on race, color, creed, religion, national origins, sex, marital status, sexual orientation, public assistance status, disability, age or political affiliations.

O. Retention

The Human Resources’ Office of Diversity, Equity and Inclusion staff is available to all employees for counseling, mediation and resolution of issues that arise within the workplace.

The turnover rate at MAC is less than 5% per year. The best retention strategies are to provide employees with a positive work environment. One strategy includes providing all MAC employees opportunities to learn about workforce diversity and cultural competence.

P. Survey Plan

MAC will periodically conduct surveys to obtain relevant information for reporting purposes and to gathering 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 Officer and designated Human Resources staff.
VI. SELECTION: PRE-EMPLOYMENT REVIEW

The Affirmative Action 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 woman, minority, or persons with disabilities 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. 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 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, 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 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 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 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 her or his 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 Officer.

B. Procedure for Internal Complaints

1. The employee(s) contact(s) the Affirmative Action 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 Officer notifies the appropriate managerial staff about the receipt of the complaint and conducts a thorough investigation when necessary. The Affirmative Action Officer may offer other methods to resolve the complaint such as mediation.

3. If the Affirmative Action 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 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 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 60 days, but may extend this timeframe based on department need, availability of staff and witnesses, and availability of data, etc. The Department of Diversity, Equity, and Inclusion will notify the complainant and the subject of complaint in writing, if the investigation will not be completed within 60-days.

5. The determination by the Affirmative Action 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 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 exist, 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,
through and impartial manner by MAC's Affirmative Action 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 Officer. Unless appealed, the Affirmative Action 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, pursuant to MSA 473.143 Subd.2(E), the complainant or subject of the complaint has 10 calendar days from receipt of the written decision to appeal the Affirmative Action 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 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 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 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 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 Affirmative Action Plan complaint process. MAC employees have the option to file an internal discrimination or harassment complaint using the 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 Affirmative Action Plan complaint process and through external agencies such as the Minnesota Department of Human Rights or the 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 Officer will obtain missing information from the complainant.

The Affirmative Action 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 ACCOMMODATIONS AND THE AMERICANS 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 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 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 Division.

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.

AMERICAN 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

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, sexual preference, age, political affiliation, marital status, and status with regards 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 women, 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 women, 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 2018-2020 goals and objectives.

MAC will provide training opportunities in the areas of preventing workplace discrimination and harassment, cultural awareness, and managing diversity for MAC employees.
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 Women 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
X. PROGRAM GOALS AND TIMETABLE: 2018-2020

POLICY

MAC has budgeted for four positions in 2017 and will replace personnel on a case-by-case basis in accordance with the organization's needs, as determined by the Executive Director/Chief Executive Officer.

Minneapolis-St. Paul metropolitan area 2010 census data was used to set goals for most job groups.

A. People with Disabilities

Although we have availability data for women and people of color, we do not have availability data for people with disabilities because neither the Bureau of Statistics nor the Minnesota Department of Human Rights collects such data. The only data available to us now is through self-reporting by employees and applicants. MAC has designed an electronic survey for employees to self-report their disability status. Employees may also have the option to complete a paper survey. As a result, the data contained on page 34 consist of internal availability only.

Therefore, any effort we make to recruit people with disabilities will be based on good-faith effort. Any external labor force demographics or internal workforce utilization data used will be based on self-reporting.

Program goals for each job category are:

1. Officials and Administrators
   Women and people with disabilities are underutilized. The affirmative action goal is to retain two women and one person with a disability.

2. Professionals
   Women and people with disabilities are underutilized. The affirmative action goal is to retain two women and person with a disability.

3. Supervisors/Managers
   Women and people with disabilities are underutilized. The affirmative action goal is to retain 10 women and two persons with a disability.

4. Administrative Support
   Women and people with disabilities are underutilized. The affirmative action goal is to retain 10 women and one person with a disability.
5. Technicians
Women and people with disabilities are underutilized. The affirmative action goal is to retain two women and one person with a disability.

6. Protective Services - Firefighters
People with disabilities are underutilized. The affirmative action goal is to hire one person with a disability.

7. Protective Services - Police Officers/CSOs/ 911/TCA
People with disabilities are underutilized. The affirmative action goal is to hire one person with a disability.

8. Skilled Craft
Women, minorities, and people with disabilities are underutilized. The affirmative action goal is to hire one woman, four minorities, and one person with a disability.

9. Maintenance
Women, minorities, and people with disabilities are underutilized. The affirmative action goal is to hire one woman, four minorities, and one person with a disability.
# METROPOLITAN AIRPORTS COMMISSION AFFIRMATIVE ACTION GOALS

## 2018 - 2020

### WOMEN

<table>
<thead>
<tr>
<th>Job Group</th>
<th>Number of Employees in Job Groups</th>
<th>Number and Percentage of Women in Each Job Category</th>
<th>Availability of Women Employees by Percentage and Number</th>
<th>Current Women in the Workforce - Available Women</th>
<th>Hiring Goals</th>
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<tbody>
<tr>
<td>Officials/Administrators</td>
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<td>7</td>
<td>23.33%</td>
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<tr>
<td>Protective Services (Firefighters)</td>
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<tr>
<td>Protective Services (Police/CSOs/911/TCA)</td>
<td>94</td>
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<tr>
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<tr>
<td>Maintenance</td>
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**Totals**: 607 | 151
### METROPOLITAN AIRPORTS COMMISSION AFFIRMATIVE ACTION GOALS

#### 2018 - 2020

#### MINORITIES

<table>
<thead>
<tr>
<th>Job Group</th>
<th>Number of Employees Job Groups</th>
<th>Number and Percentage of Minorities in Each Job Category</th>
<th>Availability of Minority Employees by Percentage and Number</th>
<th>Current Minorities in the Workforce - Available Minorities</th>
<th>Hiring Goals</th>
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<tr>
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<tr>
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<tr>
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<td>15% 14</td>
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</tr>
<tr>
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<td>2.86%</td>
<td>10% 7</td>
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<td>8.04%</td>
<td>13% 15</td>
<td>6</td>
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**Totals**: 607 67
# METROPOLITAN AIRPORTS COMMISSION AFFIRMATIVE ACTION GOALS

## 2018 - 2020

### Employees with Disabilities

<table>
<thead>
<tr>
<th>Job Group</th>
<th>Number of Employees Job Groups</th>
<th>Number and Percentage of Minorities in Each Job Category</th>
<th>Hiring Goals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Officials/Administrators</td>
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</tr>
<tr>
<td>Professionals</td>
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<td>0 0%</td>
<td>Yes</td>
</tr>
<tr>
<td>Supervisors/Managers</td>
<td>105</td>
<td>1 0.9%</td>
<td>Yes</td>
</tr>
<tr>
<td>Administrative Support</td>
<td>88</td>
<td>2 2.27%</td>
<td>Yes</td>
</tr>
<tr>
<td>Technicians</td>
<td>20</td>
<td>0 0%</td>
<td>Yes</td>
</tr>
<tr>
<td>Protective Services (Firefighters)</td>
<td>36</td>
<td>1 2.77%</td>
<td>Yes</td>
</tr>
<tr>
<td>Protective Services (Police/CSOs/911/TCA)</td>
<td>94</td>
<td>0 0%</td>
<td>Yes</td>
</tr>
<tr>
<td>Skilled Craft</td>
<td>70</td>
<td>1 1.4%</td>
<td>Yes</td>
</tr>
<tr>
<td>Maintenance</td>
<td>112</td>
<td>0 0%</td>
<td>Yes</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>607</strong></td>
<td><strong>5</strong></td>
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XI. GLOSSARY

A. **Affirmative Action 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, sexual orientation, or public assistance status.

E. **Discrimination** - is the practice of treating a person or group unfairly or denying rights based on a protected class 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 13 protected classes recognized in the State of Minnesota: race, color, creed, religion, national origin, sex, marital 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 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 women 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.