

**3905.0400 REQUIREMENTS FOR AGENCY AFFIRMATIVE ACTION PLANS.**

Subpart 1. **For agencies with 25 or more employees.** The head of each agency with 25 or more employees shall submit to the commissioner an affirmative action plan for the agency. The plan must at least:

A. identify the protected group or groups underrepresented in the agency's work force and, therefore, covered by the affirmative action plan;

B. designate those persons or groups responsible for directing and implementing the agency affirmative action program and the specific responsibility, accountability, and duties of each person or group;

C. state the agency head's commitment to the affirmative action program and to the implementation of the agency affirmative action plan;

D. specify a readily accessible location for the posting of the agency's affirmative action plan;

E. describe the methods by which the agency's affirmative action program is communicated internally and externally to employees and other interested persons;

F. describe internal procedures, which must comply with part 3905.0500, for processing complaints of alleged discrimination from applicants, eligibles, and employees;

G. set goals and timetables, which must be established using the standards in part 3905.0600;

H. identify and describe methods for developing programs and program objectives designed to meet affirmative action goals;

I. describe methods of auditing, evaluating, and reporting program success, including a procedure that requires a preemployment review of all hiring decisions for goal units with unmet affirmative action goals and prereview of all layoff decisions to determine their effect on agencies' affirmative action goals and timetables; and

J. include the official affirmative action transmittal form which provides for section by section verification of the plan's components.

At the discretion of the agency head, the affirmative action plan may contain other provisions not in conflict with this chapter.

Subp. 2. **For agencies with fewer than 25 employees.** The head of each agency with fewer than 25 employees shall submit to the commissioner an affirmative action plan for the agency, which must at least:

A. state the agency head's commitment to the affirmative action program;

B. state the agency head's objective to hire members of protected groups when vacancies occur if an apparent underutilization of protected group members exists in the agency work force; and

C. describe an internal procedure, which must comply with part 3905.0500, for processing complaints of alleged discrimination from applicants, eligibles, and employees.

**Statutory Authority:** *MS s 43A.04*

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