

ACKNOWLEDGEMENT

I received and reviewed the Department of Inspections and Appeals Employee Handbook. Contained within the handbook are the following:

- Iowa Department of Inspections and Appeals Employee Handbook
- State of Iowa Employee Handbook (DAS, October 2003)
- An Addendum containing Executive Orders and corresponding policies on:
 - EO 38 – Substance Abuse
 - EO 57 – Violence-Free Workplace
 - EO 18 -- Equal Employment Opportunity

I understand that I am to familiarize myself with all of the policies, procedures, rules and orders contained within the handbook. I was given an opportunity to ask questions about their content. Failure to comply with any of the provisions of the handbook could result in discipline.

I further understand that I may, from time to time, be given updates to these documents and that I will be expected to read and be familiar with all such updates and will be required to periodically acknowledge receipt.

Employee's Name (Print)

Date

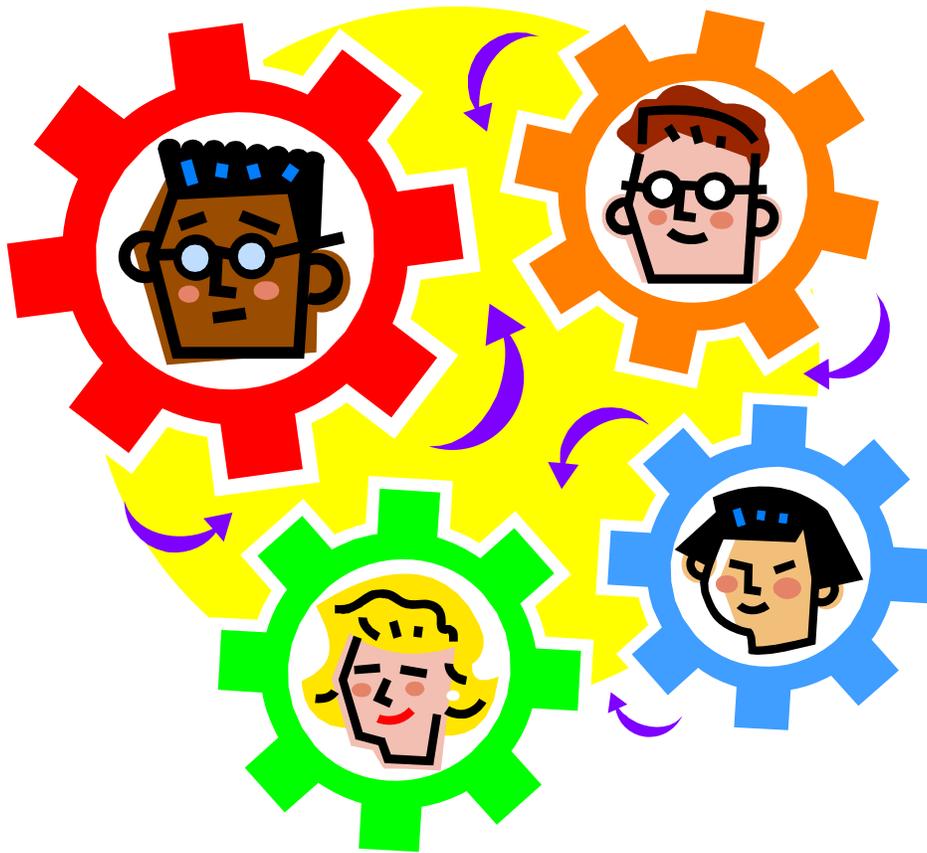
Employee's Signature

Supervisor's Signature

Date

(Original Acknowledgement is placed in the employee's permanent personnel file.)

Iowa Department of Inspections and Appeals



Employee Handbook

Updated August 2007

CHESTER J. CULVER
GOVERNOR
PATTY JUDGE
LT. GOVERNOR

DEAN A. LERNER, DIRECTOR

August 2007

Dear DIA Employee:

Welcome to the Iowa Department of Inspections and Appeals (DIA). The Department's mission is truly diverse. Our work – and yours – is important; and we are proud of our contributions to state government. This handbook will assist you in becoming familiar with the Department.

The handbook is the result of a collaborative effort from many of your fellow employees. It contains the Department's employee handbook as well as the Iowa Department of Administrative Services (DAS) Employee Handbook and existing Executive Orders relative to the workplace (found in the Addendum). Please review all of the materials and acknowledge receipt.

If you have any questions about working for the Department or the Executive Branch of State Government, you may ask your supervisor or DIA's personnel assistant.

Sincerely,



DEAN A. LERNER
Director

INTRODUCTION

- Overview of the Department
 - Tables of Organization
 - Definitions

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS

Overview of the Department

The Iowa Department of Inspections and Appeals (DIA) is a multifaceted regulatory agency charged with protecting the health, safety and well being of Iowans. The agency is responsible for inspecting, licensing and/or certifying health care providers and suppliers, restaurants and grocery stores, social and charitable gambling operations, hotels and motels, and barber and beauty shops. In addition, DIA staff investigates alleged fraud in the State's public assistance programs and conducts contested case hearings to settle disputes between Iowans and various state government agencies.

Originally created in 1986, the Department is now organized into four major operational units (divisions), each with its own specific duties and responsibilities. Overseeing the day-to-day operation of the agency is the Administrative Division, which includes the Director's Office and staff. The Director's Office sets policy for the Department and is responsible for coordinating DIA's various programs and functions.

Operational Units

The **ADMINISTRATION DIVISION**, including the **DIRECTOR'S OFFICE**, provides overall supervision of the Department. Staff in the **DIRECTOR'S OFFICE** manages and coordinates various functions within the agency to ensure that its mission and goals are achieved in the most effective and efficient manner. Departmentwide functions performed by the **DIRECTOR'S OFFICE** include strategic planning, administrative rules coordination, program review, analytical and special project support, policy development, human resources and personnel functions, legislative liaison and public information activities. Two bureaus within the **ADMINISTRATION DIVISION** coordinate centralized services for the Department:

- The **Administrative Services Bureau** provides essential support services to the Department, including centralized mail and purchasing, inventory control, vehicle fleet management, records and forms management, communications services, and facility management. The Department's travel authority also is consolidated within the **Administrative Services Bureau** for greater control and accountability.
- The **Fiscal Services Bureau** is responsible for centralized budgeting and financial services, as well as the processing of all travel claims and expense vouchers. The Bureau also processes all Indigent Defense Fund claims for contract and court-appointed attorney fees, witnesses, travel expenses, etc. The **Fiscal Services Bureau** ensures compliance with all state and federal laws by monitoring the Department's financial transactions.
- In addition to the general administration functions performed by staff in the **ADMINISTRATION DIVISION**, personnel assigned to the **Food and Consumer Safety Bureau** are responsible for inspecting, licensing and regulating restaurants, grocery stores, food processing plants, hotels and motels, and barber and beauty shops. The Bureau's staff ensures that Iowans are receiving safe, clean services from these establishments. In addition, the State of Iowa's **Registered Amusement Device Program**, **Social and Charitable Gambling Program** and **Targeted Small Business Certification Program** are assigned to the **ADMINISTRATION DIVISION**.

The **ADMINISTRATIVE HEARINGS DIVISION** employs a staff of administrative law judges (ALJs) who conduct contested case hearings/administrative appeals for many state agencies. Staff handles more than 8,300 contested case hearings each year. The majority of the cases heard by ALJs were the result of individuals contesting the revocation of their drivers' licenses. In addition to the Department of Transportation cases, the Division hears cases involving the departments of Human Resources, Natural Resources, and most other state agencies.

The **HEALTH FACILITIES DIVISION** protects consumers from substandard services by assessing and enforcing provider and supplier compliance with state and federal minimum standards. Personnel in the Division are responsible for the inspection, licensing and/or certification of more than 4,100 health care providers and suppliers in the State of Iowa. Among those facilities regulated by the Division are nursing facilities and skilled nursing facilities, residential care facilities, assisted living programs, elder group homes, home health agencies, hospitals, intermediate care facilities for the mentally retarded and persons with mental illness, and child-placing agencies.

- The Division also provides staff support to the **Hospital Licensing Board**. The Board, appointed by the Governor, consults with and advises the Division on matters affecting hospital administration. The **Hospital Licensing Board** reviews and approves rules and standards authorized by law prior to approval by the Department.

The **INVESTIGATIONS DIVISION** investigates alleged fraud in the state's public assistance programs, including the Family Investment Program (FIP), Medicaid (Title 19), and Food Stamps. Investigators also initiate actions to recover overpayments made in the various assistance programs. Staff in the Division conducts professional practice investigations when requested by the state's professional licensing boards, and investigates allegations of abuse and neglect of residents in long-term care facilities that receive Title 19 reimbursements. Auditors within the **INVESTIGATIONS DIVISION** conduct financial audits of Iowa nursing homes for proper accounting of residents' personal funds and audits of local Department of Human Services' offices.

Attached Units

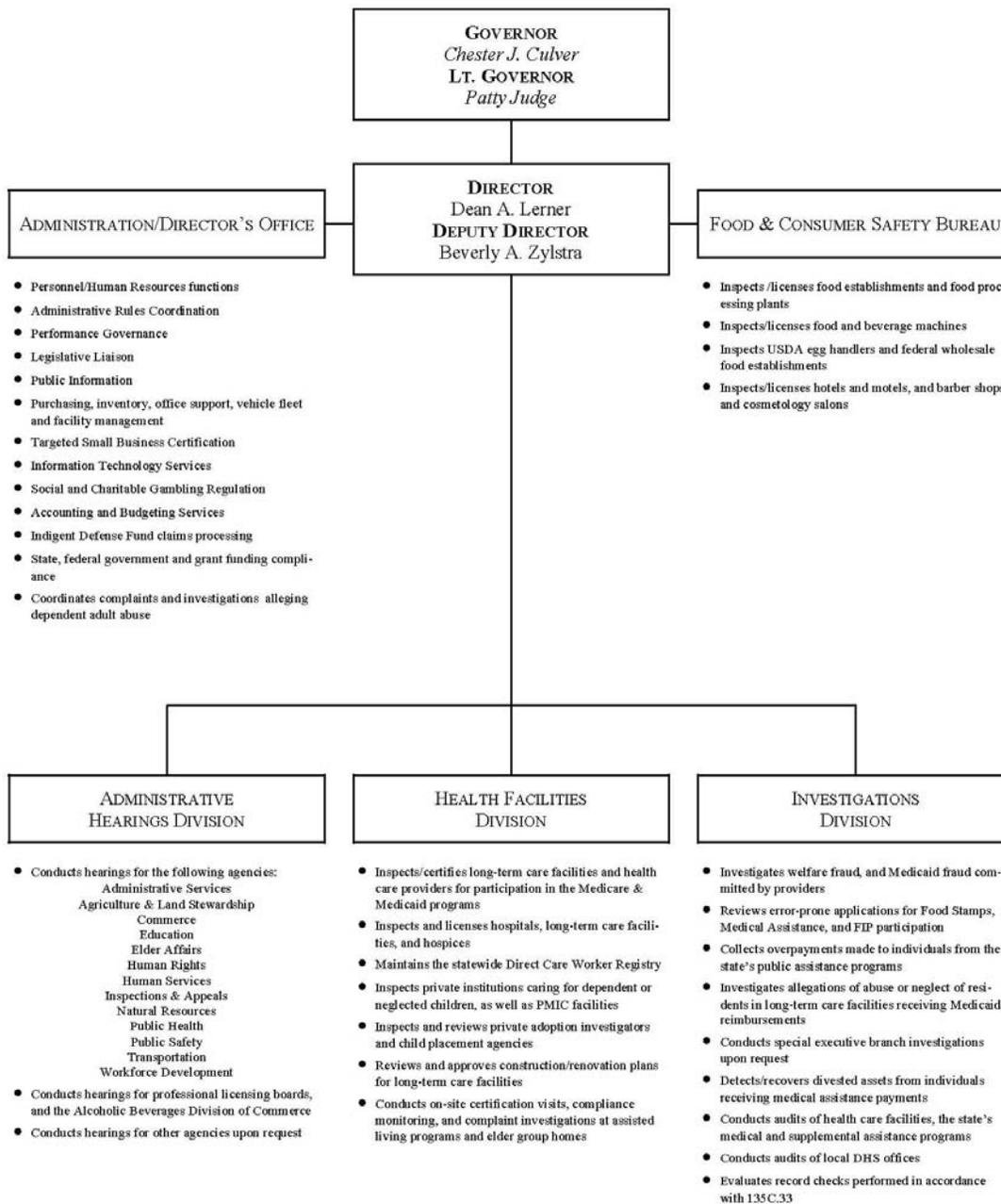
Iowans who have been denied unemployment benefits may appeal their case to the **EMPLOYMENT APPEAL BOARD**. The three-member board, whose members represent labor, management and the general public, rules on more than 1,700 unemployment benefit appeals each year. The Board also provides top-level administrative review of decisions rendered by other agencies and departments of state government, including OSHA violations, DAS decisions, and Peace Officer and Capitol Security disciplinary actions.

The **CHILD ADVOCACY BOARD** oversees the state's foster care system and the Court Appointed Special Advocate (CASA) program. The Board ensures that the foster care system is working to place each Iowa foster child in a permanent home. The **CHILD ADVOCACY BOARD** also oversees the CASA program, which is designed to protect the rights of Iowa's foster children in all court-related activities.

The **IOWA RACING AND GAMING COMMISSION** regulates pari-mutuel racing, racetrack enclosure operations (slot machines), and riverboat gambling in the state. The five-member Commission seeks to preserve the integrity of and maintain the public's confidence in these industries. In performing its duties, the Commission investigates the eligibility of applicants for a license and selects from among competing applicants the individual(s) who best serve the interests of the residents of Iowa.

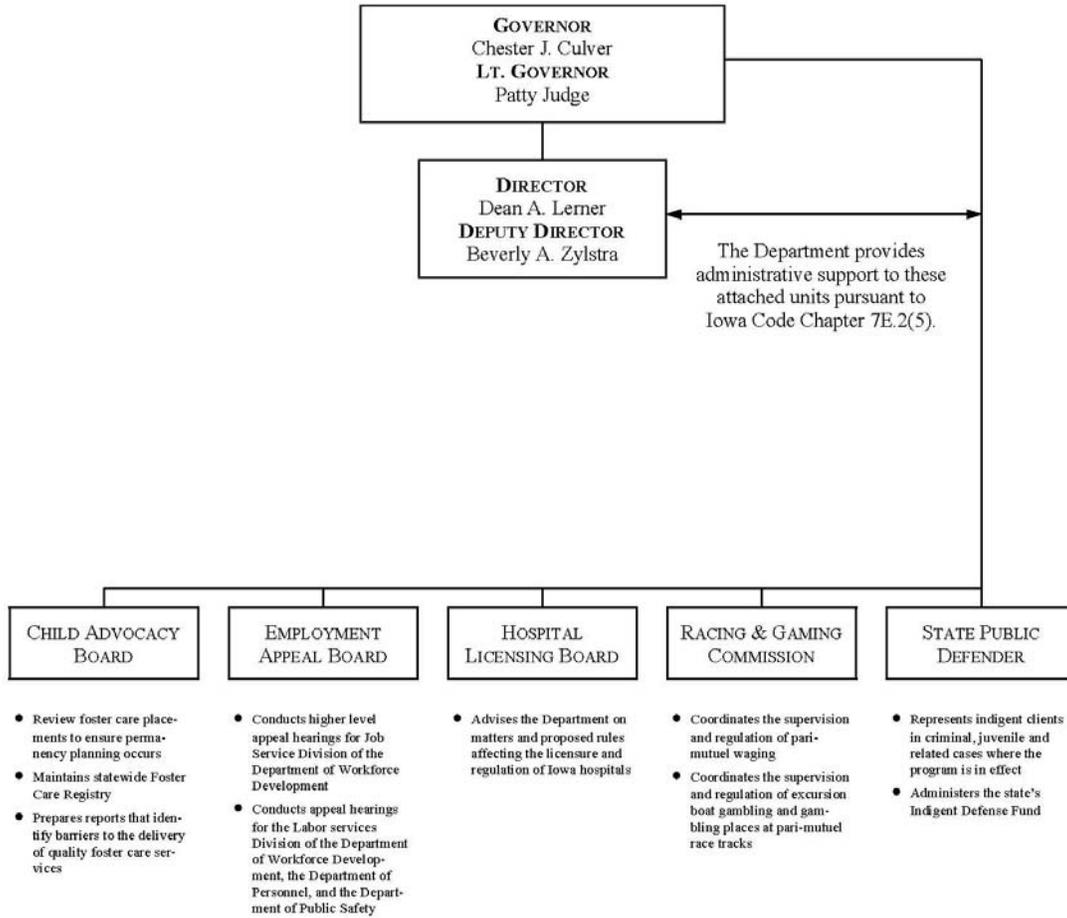
The **STATE PUBLIC DEFENDER'S OFFICE** coordinates the provision of legal services to indigent persons at the trial and appellate levels in criminal, juvenile and certain civil cases. By specializing in criminal defense work and juvenile matters, the **STATE PUBLIC DEFENDER** provides high quality, efficient and cost-effective legal representation to indigent clients and juveniles in the State of Iowa. Legal representation is provided through local public defenders and through private attorneys who contract with the **STATE PUBLIC DEFENDER** or who are appointed by the Court.

IOWA DEPARTMENT OF INSPECTIONS AND APPEALS
Table of Organization



Updated May 2007

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Updated May 2007

Definitions

“Appointing Authority” means the Director of the Department of Inspections and Appeals. The Director may delegate this authority to the Deputy Director and/or Division Administrators for certain management responsibilities.

“Contract” means the Collective Bargaining Agreement between the State of Iowa and the American Federation of State, County and Municipal Employees (AFSCME) or Iowa United Professionals (IUP).

“Department” means the Department of Inspections and Appeals (DIA).

“Deputy Director” means the deputy director of the Department of Inspections and Appeals.

“Director” means the director of the Department of Inspections and Appeals.

“Division Administrator” means the Administrator of the Administrative Hearings Division; the Administrator of the Health Facilities Division; the Administrator of the Investigations Division; the Chair of the Employment Appeal Board; the State Public Defender; the Administrator of the Iowa Racing and Gaming Commission; and the Administrator of the Child Advocacy Board,

“DAS” means the Iowa Department of Administrative Services.

“Procedures” means directions issued by the employer with regard to the appropriate manner or methods to be used to accomplish a specific task.

“Regulations” means divisional regulations promulgated by a division administrator, with the approval of the Department Director that pertain only to the operations and employees of that respective division.

“Work Rules” means rules promulgated by the employer within its discretion, which regulate the personal conduct of the employees.

DIA EMPLOYEE HANDBOOK

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- Part D - Work Rules

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PART A

GENERAL INFORMATION

Section A-1

PROMOTION

You are encouraged to apply for all promotional opportunities for which you are qualified. All DIA vacancies are posted on the DIA labor/management bulletin board on the third floor of the Lucas Building. DIA vacancies will also be posted through email.

Statewide job vacancies for which applications are being accepted will be announced via: DAS website: <http://www.das.hre.iowa.gov/>. Workforce Development Offices, Jobline (515) 281-5820, public libraries, college and university placement offices, advertisements in newspapers, any state department.

You must apply for specific job openings as they are announced. A Job Vacancy Number will be given for each vacancy and in order for your application to be accepted, you must provide the vacancy number along with the specific job class title for which you are applying.

If you have a current application on file that is less than two years old, you may call, write, or fax Iowa Department of Administrative Services (DAS) to be considered for a current vacancy.

If you meet the qualifications for the job you applied for, your name will be referred to the hiring department for that specific job opening. That department will screen applications and determine whom to interview and hire.

Section A-2

TRANSFER

Refer to your collective bargaining agreement or the DAS Administrative Rules, Chapter 59. [11 IAC 59]

Section A-3

SPECIAL EXPENSES

With prior approval of the DIA Director or his or her designee, employees shall be reimbursed for registration fees, conference fees, banquet tickets and other authorized expenses that are incurred in the performance of their duties as state employees.

Section A-4

MOVING EXPENSES

Occasionally employees are reassigned at the direction and benefit of management. Procedures governing moving expenses are found in your collective bargaining agreement and the DAS Administrative Rules, Chapter 64. [11 IAC 64]

Section A-5

AMERICAN EXPRESS CREDIT CARD

A corporate American Express credit card is available on a limited basis for employees who may be required to travel to perform their job duties. Applications are available from the personnel assistant, who will explain all procedures relating to the credit card. The credit card is for business use only. Charges are due in full upon receipt of the monthly billing statement. The card must be returned to your immediate supervisor when you leave employment with the department or be surrendered upon request.

Section A-6

BLOOD DRIVE

DIA employees are offered the opportunity to donate blood to the Blood Center of Central Iowa during blood drives held three times a year at the Lucas Building. Notice is sent to DIA employees based in the Lucas Building prior to the blood drive dates. You may schedule a time during work hours to donate blood.

Section A-7

FOOD BANK

DIA employees have the opportunity to participate in the annual State Employees' Food Bank Drive. Employees may donate food items and participate in fund-raising activities to benefit the Food Bank of Iowa. More than 50 percent of the people who receive these benefits are children. Food Bank does not receive ONE GIFT funding. Participation in the Food Bank Drive is encouraged, but is strictly voluntary. Division coordinators and a department liaison will administer the program.

Section A-8

ONE GIFT CHARITY CAMPAIGN

The ONE GIFT campaign permits state employees to share their generosity with state approved charities across Iowa. ONE GIFT conducts its fund-raising annually during the fall. Each division will appoint a coordinator who will be familiar with the process. The DIA will have a liaison who works with the coordinators and represents the department within state government.

Employees will be given the opportunity to pledge a donation, which is collected by payroll deduction.

Section A-9

IMPROVEMENT IDEAS

Employees of the DIA are encouraged to submit ideas to improve customer satisfaction, efficiency and cost-effectiveness in the department and in state government. Ideas are to be submitted on an "Idea Suggestion Form", which is available along with instructions, general information, and guidelines from DIA's quality coordinators. If you are unsure who DIA's coordinators are, please ask your supervisor.

For more information about improvement efforts in state government, visit the "Reconnecting Iowans With Their Government" website at www.ReconnectingIowans.org. You may also access and submit the "Idea Suggestion Form" at this website.

Section A-10

CAPITOL COMPLEX SECURITY

State Patrol (Post 16) is responsible for Capitol Complex security. To call State Patrol (Post 16) from the Capitol Complex, dial 1-5608. To report a medical emergency that requires trained medical personnel, dial 9-911, follow the directions of the 911 operator and keep the line open.

Section A-11

EMERGENCY PROCEDURES

In case of fire, tornado or other disaster, you should immediately evacuate your office and move to safety using the stairway nearest your workstation. See bulletin board for posted evacuation procedures and map.

In case of a tornado, Lucas Building employees should use the nearest stairway to reach the basement of the building. Those using the east stairway should remain in the tunnel leading to the Grimes and Hoover Buildings. Those using the west stairway should remain in the tunnel leading to the Capitol Building. See bulletin boards for posted evacuation procedures and map as well as the DIA Emergency Procedure Handbook. Division coordinators maintain the handbook and are available to answer questions. You are expected to review and be familiar with the department's handbook. Ask your supervisor to review the handbook.

Section A-12

SEVERE WEATHER/EMERGENCY CLOSINGS

Employees covered by a union contract should refer to their collective bargaining agreements. Employees not covered by a union contract should refer to the DAS Administrative Rules, Chapter 63. [11 IAC 63] (See DAS portion of this handbook.) In the event of a severe weather/emergency closing, you will be provided guidance on the proper procedures.

Section A-13

RETIREMENT

No mandatory retirement age is to be imposed, providing you are able to satisfactorily perform your duties. You may choose to retire with full Iowa Public Employees Retirement System (IPERS) benefits at age 65, or age 62 if you have 20 years of service, or when your age (being at least 55) plus the number of your years of IPERS-covered service (being at least 30) equal 88. A member may take early retirement after attaining age 55 (or earlier if the IPERS disability provision applies).

Section A-14

RESIGNATION

Resignation should be submitted in writing to your supervisor at least 14 days before the effective date. The letter should state the last working day you will be on the job. You must work your last day.

Section A-15

REDUCTION IN FORCE

The DIA may lay off employees when necessary because of a shortage of funds or work, a change in duties or organization, abolishment of positions or for any reasons deemed necessary. Layoffs are accomplished according to your collective bargaining agreement or the DAS Administrative Rules.

Section A-16

DISCHARGE

Employees may be discharged for continued unsatisfactory work performance or for serious or repeated infractions of rules, regulations, procedures and policies. Employees will be given notice stating the reason for their discharge within 24 hours of the decision. A discharge may be appealed as provided in your collective bargaining agreement, the DAS Administrative Rules, or the Code of Iowa.

Section A-17

UNEMPLOYMENT COMPENSATION

If your employment is terminated, you may be eligible for unemployment compensation benefits. For information, contact the Iowa Department of Workforce Development, Division of Unemployment Services.

Section A-18

YOUR SUPERVISOR

Your supervisor is available to assist you with your job duties as well as to provide you with work assignments. If you have difficulty understanding some policy or procedure, are uncertain how to perform a work assignment, or have a misunderstanding or grievance regarding your job or working conditions, please contact your supervisor.

Your supervisor also can inform you about the DAS rules, policies, pay plans and courses available through the Personnel Development Seminars.

Section A-19

FAMILY MEDICAL LEAVE

The Family Medical Leave Act of 1993 (FMLA) provisions are discussed in detail in the DAS portion of this handbook. The department's personnel assistant can explain the Act's rights and obligations. A DAS handout is available for review.

Section A-20

COLLECTIVE BARGAINING

Certain state employees are covered by collective bargaining agreements. Supervisors, administrators and "confidential" employees are excluded by law from collective bargaining.

Your supervisor can tell you if your classification is covered by a collective bargaining agreement. Copies of the collective bargaining agreement contracts may be viewed at the DIA personnel office or obtained from the appropriate union.

Section A-21

PARKING/BUILDING ACCESS AT THE CAPITOL COMPLEX

Capitol complex employees may obtain an application for an access card from the Administrative Services Bureau. Your card will allow you access to the employee parking lots and only upon approval, entry into the Lucas Building before 7:00 a.m. and after 5:00 p.m.

Section A-22 (Revised 03/04)

STATE EMPLOYEE IDENTIFICATION CARDS

Capitol complex employees will be issued an identification badge that will allow them access to the Lucas Building and employee parking lots. DIA will provide capital complex employees with the necessary form to obtain the I.D. badge. Field staff may obtain a driver's license-style I.D. card at any Iowa Department of Transportation (DOT) licensing station. Both I.D. cards will include the employee's photograph. Field staff may obtain the DOT-issued I.D. card by completing the "Special Identification Card Request." Cost of the driver's license I.D. card may be reimbursed if the employee submits a voucher to his or her supervisor who, in turn, submits it to the Department's Fiscal Services Bureau. Reimbursement will be in the form of a warrant (check) from the state.

Section A-23

DIA PUBLICATIONS

The DIA publishes an electronic employee newsletter called DIAlogue. It contains information on employee achievements, awards, personnel issues, employee activities and other items of interest. If you have an idea for a DIAlogue story, or have information you feel other employees should know, contact the Public Information Officer at (515) 281-7376.

DIA also publishes INSIGHT, a quarterly newsletter that addresses issues in the health-care regulatory environment. INSIGHT is distributed to Iowa health care providers, advocates, care review committee members, regulators and consumers. Copies of INSIGHT are available from the Health Facilities Division.

Copies of the DIA's Annual Report are available from the DIA public information officer.

Section A-24

STATE EMPLOYEES HEALTH AND RECREATION COMMITTEE/WELLNESS

You can take part in many recreational activities through the State Employees Health and Recreation Committee (SEHARC). SEHARC offers annual events such as a softball league and tournament, golf tournament, bowling tournament and volleyball league. Other activities include the Walk/Run Club, ballroom dancing and Weight Watchers. SEHARC also offers discounts on memberships and tickets to special events. The DIA has a SEHARC liaison and a Wellness Committee liaison. Information regarding SEHARC events and wellness issues will be posted through email. You will also see postings on employee bulletin boards throughout the Lucas Building.

Section A-25

LACTATION ROOM

A lactation room located in the Lucas Building is available for use by nursing women who pump breast milk. A woman may bring her own breast pump to use or she may bring a pumping system to attach to an electric pump that is kept in the room. To reserve a regular time to use the room or obtain more information, call (515) 281-7769 at the Department of Public Health.

Section A-26

STAMP MACHINE

You may purchase U.S. postage stamps for personal use from a vending machine in the break room located on the ground floor of the Lucas Building.

Section A-27

AUTOMATIC TELLER MACHINE

An automatic teller machine is located on the sixth floor in the Lucas Building Cafeteria.

Section A-28

CREDIT UNIONS

There are several credit unions that specialize in providing financial services for state employees. Most offer direct deposit of payroll checks, savings accounts, and other financial services. Among the credit unions employees may select are (note, this list is not all inclusive):

- Community Choice Credit Union, 700 E. Lyon, Des Moines, Iowa
(515) 243-0994
- Capital View Credit Union, 1000 E. Grand Ave., Des Moines, Iowa
(515) 281-3595
- Members First Credit Union, 423 Main St., Ames, Iowa
1-800-262-3812

Employees with questions about the specific services offered by a credit union should contact that particular financial institution.

Section A-29 (revised 02.06)

Automated External Defibrillator (AED)

An Automated External Defibrillators (AEDs) is a portable automatic device used to restore normal heart rhythm to individuals who are having a heart attack. AEDs are located in the elevator lobbies on the second, fourth, fifth and sixth floors of the Lucas State Office Building. If you believe someone is having a heart attack, **call 911 or Post 16 (281-5608) immediately**. Even for those people with training, calling 911 is the first step. When the AED cabinet door is opened, it sounds a local alarm, which may attract the attention of someone who has been trained to use the device. Currently, there are approximately 35 people from various agencies in the Lucas State Office Building, as well as Post 16 personnel, who have been trained to use an AED.

PART B

WORK HOURS AND COMPENSATION

Section B-1

WORK HOURS

The standard workweek is 8:00 a.m. to 4:30 p.m. Friday through Thursday, excluding weekends and holidays. A flexible work schedule may be available at the discretion of your Division Administrator.

Two paid 15-minute breaks and one 30-minute unpaid lunch break are allowed daily for all employees working an eight-hour shift.

Section B-2

OVERTIME

The DIA's overtime policy complies with the federal Fair Labor Standards Act, the collective bargaining agreements for those employees covered by union contract (contract-covered employees) and DAS rules for those employees not covered by the agreements (non-contract covered employees). Your supervisor can tell you if your job classification is included in a collective bargaining agreement.

Whether you are eligible to be compensated for overtime depends upon your job classification. Your supervisor can tell you if you are eligible.

Before performing overtime work outside normal work hours, you must receive prior approval from your supervisor and your Division Administrator.

Overtime for eligible employees is considered normal work hours over 40 worked in a normal workweek (Friday through Thursday) for which you are entitled to compensation. Payment is either cash or compensatory time. You may request either method; however, the DIA Director may require cash payment.

Employees eligible to be compensated for overtime receive either hour-for-hour compensation or one and one-half times compensation for time worked in excess of 40 hours in a normal workweek. Compensation rate is determined by job classification and any collective bargaining agreement by which the employee is covered. Compensation applies to both cash and compensatory time.

If you are a supervisor, the nature of your duties and responsibilities may sometimes necessitate your working extra hours or unusual workdays. A supervisor's annual salary is considered full compensation. You may be allowed flexibility in work hours, with your supervisor's approval.

Section B-3

PAYDAY

DIA employees are paid by the state's centralized payroll system and receive a biweekly paycheck. Because state employees are paid with tax money, all salaries are public information.

Each pay period begins on Friday and ends on the second following Thursday. If you begin work on the first day of a pay period, you will receive your first paycheck three weeks from that Friday.

When a payday falls on a state holiday, checks are issued the day before the holiday. If you are not in the office on a payday, your supervisor can hold your check until you return or your check can be mailed if you submit a written request to the Fiscal Services Bureau.

Section B-4

DIRECT DEPOSIT

You may have your paycheck deposited at your bank or other financial institution. To authorize direct deposit, complete an automatic deposit form, which is available from the DIA personnel assistant. After the deposit is made, you will receive a statement that your net pay has been deposited according to your instructions. Direct deposit is the preferred method of payment.

Section B-5

CHECK STUB (Earnings Statement)

Attached to each paycheck or direct deposit notice is an earnings statement showing wages and deductions as well as leave accrual and use. These accounts are shown both for the current pay period and for the year to date. Notify your supervisor if you find an error.

Section B-6

CORRECTION OF PAYROLL ERRORS

If you have a question or believe a mistake has been made on your check, notify your supervisor or the DIA personnel assistant. Corrections can be made.

Section B-7

TAX ON REIMBURSED MEALS

If you stay overnight at a motel (are in “travel status”) while performing your job, the amount of money for which you are reimbursed for meals is not taxable.

If you do not stay overnight at a motel (are not in “travel status”), the amount of money for which you are reimbursed for meals is taxable.

The total amount of “taxable meal” reimbursement you receive in a calendar year is shown on your W-2 form as “wages, tips and other compensation” on which you must pay taxes.

PART C

BENEFITS

Section C-1

HOLIDAYS

All non-temporary, full-time employees receive 11 paid holidays per year. They are:

New Year's Day	Veterans Day
Martin Luther King, Jr's Day	Thanksgiving Day
Memorial Day	Friday after Thanksgiving
Independence Day	Christmas Day
Labor Day	

Two days of paid leave each year is added to the vacation allowance.

Employees designated as "field staff personnel" under the American Federation of State, County and Municipal Employees (AFSCME) Collective Bargaining Agreement accrue an additional four days of paid leave to be added to their vacation allowance. Refer to the collective bargaining agreement for additional information.

When a holiday falls on Saturday, the preceding Friday is designated the holiday. When a holiday falls on Sunday, the following Monday is designated the holiday.

Non-temporary, part-time employees are paid for holidays in proportion to the number of hours they work. For instance, an employee who works 20 hours each week would receive four hours of pay for each holiday.

To be eligible for holiday compensation, you must be in pay status during the pay period in which the holiday falls and not have been on leave without pay on the last scheduled workday before, or the first scheduled workday after, the holiday.

Section C-2

VACATION

Non-temporary, full-time employees accrue vacation at the following annual rates:

1 - 4 years of service to the state	2.0	weeks/year
5 - 11 years of service to the state	3.0	weeks/year
12 - 19 years of service to the state	4.0	weeks/year
20 - 24 years of service to the state	4.5	weeks/year
25 years of service to the state	5.0	weeks/year

Non-temporary, part-time employees, including probationary employees, accrue vacation in proportion to the number of hours they work.

Officially designated state holidays and regular days off that fall within a vacation period are not counted as vacation time.

Employees who transfer between state agencies within the Executive Branch without a break in employment, transfer accumulated leave to their new agency.

Vacation does not accrue to an employee who is on leave without pay, is suspended or is laid off. If you become ill or disabled while you are on vacation, the portion of vacation spent under the care of a physician may be changed to, and charged against, accrued sick leave, with proof from a physician of the illness or disability and its duration. Vacation may also be used for missing work because of inclement weather, according to DAS rules and the collective bargaining agreements.

When you leave state government, your last paycheck will include a lump-sum payment for all accrued vacation.

Section C-3

SICK LEAVE

All non-temporary employees accrue sick leave at the rate of 5.53 hours per pay period. Non-temporary part-time employees, including probationary employees, accrue sick leave in proportion to the number of hours they work. Sick leave does not accrue to an employee who is on leave without pay, is suspended, or is laid off.

Officially designated state holidays and regular days off that fall within a sick leave of absence will not be counted as sick time.

Employees, who transfer between state agencies within the Executive Branch without a break in employment, transfer accumulated leave to their new agency.

Sick leave may be used for personal sick leave, funeral leave, and to care for immediate family members who are ill. Rules governing sick leave are found in your collective bargaining agreement and the DAS Administrative Rules, Chapter 63. [11 IAC 63]

Section C-4

CONVERSION OF SICK LEAVE

A non-temporary employee who is eligible for vacation and sick leave benefits, and who has accrued 240 hours of sick leave, may upon written request, choose to convert sick leave to vacation for each full month that sick leave is not used. The conversion rate is one hour of vacation for three hours of sick leave. Refer to your collective bargaining agreement or DAS Rules for details.

Section C-5

INTERVIEWING LEAVE

Employees may be granted the use of paid work time to attend job interviews during scheduled work hours for jobs within the DIA. The department may designate a reasonable time limit for interviews.

Employees may be granted vacation leave or leave without pay for job interviews outside the agency, with prior approval of their supervisor.

Section C-6

MILITARY LEAVE

If you are a member of the National Guard, organized Reserves, or any other division of the military service and are ordered to active duty or federal service, you are entitled to a leave of absence for the duration of the duty or service. You will receive your regular state pay for up to thirty (30) work days of active duty or federal service per calendar year. A copy of your orders for any such training must accompany your military leave request.

You will not accrue any vacation or sick leave benefits while on the unpaid portion of the leave. Your merit review date will be adjusted if the unpaid leave extends for more than thirty (30) days. However, your original employment date will **not** be adjusted.

Time spent in military service within the four year time limit of the Military Training and Service Act is considered continuous service for the purpose of figuring the rate by which you will accrue vacation leave when you return to state employment, provided you leave your position with the state to enter military service and you return to state employment within ninety (90) days following military discharge.

Section C-7

IOWA PUBLIC EMPLOYEES RETIREMENT SYSTEM (IPERS)

Refer to the IPERS handbook for information regarding refunds or retirement. You may also refer to the IPERS website at www.state.ia.us/ipers. Additionally, any questions regarding IPERS may be addressed in writing to IPERS.

Section C-8

EDUCATION AND TRAINING

The DIA is interested in improving job performance and preparing employees for higher-level positions. You are encouraged to take advantage of the following training and education opportunities available.

Orientation: You will receive general orientation to acquaint you with benefits, job assignment and overall responsibilities. Your supervisor and the DIA personnel assistant provide this orientation.

Training: You may attend training sessions sponsored by DAS. Training requests must be approved by your supervisor prior to submission to the DIA personnel assistant. In addition, training sessions are arranged within the department to help you improve skills to perform your job.

Educational Leave: Educational leave with or without pay may be granted at the discretion of the department, with approval of your Division Administrator. Further information can be obtained from your supervisor, the DIA personnel assistant, the DAS and the collective bargaining agreements.

Section C-9

EDUCATIONAL ASSISTANCE

Financial assistance for education may be granted to help you develop skills that will improve your job performance. Assistance may be in the form of direct payment to the organization or institution or by reimbursement to you.

The DIA may approve educational financial assistance for an employee attending a workshop, seminar or conference conducted by a professional, educational or governmental organization.

Section C-10

WORKER'S COMPENSATION

All state employees are covered by Worker's Compensation. This program pays your medical and hospital expenses if you are injured while working for the state and it has been determined that the state is liable. Also, you may receive Worker's Compensation benefits if you contract an illness or disease resulting from employment by the state. Following a waiting period, you will receive a portion of your regular pay when you cannot work because of injuries, illness or disease resulting from your work for the state. See the DIA personnel assistant for details.

You must notify your supervisor and the DIA personnel assistant immediately following an injury or illness. They will refer you to the appropriate medical facility and provide the necessary paperwork for you to complete.

Section C-11

SOCIAL SECURITY

The Federal Insurance Contribution Act (FICA), commonly known as Social Security, applies to all state employees unless specifically exempted by law. The size of your Social Security benefit depends on the amount of money you and your employer contribute during your working years. A percentage of your salary is deducted each pay period, with rates prescribed by the federal government.

PART D

WORK RULES

Section D-1

INTRODUCTION

Good personnel practice and the collective bargaining agreements require that the DIA's work rules be written. Violating the work rules is sufficient grounds for disciplinary actions ranging from reprimand to immediate discharge, depending upon the seriousness of the violation and/or the number of violations. In all cases, the DIA considers discipline a corrective measure necessary for the overall improvement of the department's operation. The following list of rules is not comprehensive, therefore, you may be disciplined for violating rules that are not included here. In the event that the rules listed in this manual conflict with the collective bargaining agreements, the provisions of your collective bargaining agreements take precedence and will be followed. The provisions of the handbook may be amended without prior notice.

Section D-2

ATTENDANCE AND PUNCTUALITY

Report for work promptly at your scheduled daily starting time and do not leave before your scheduled quitting time unless you receive approval from your supervisor. Promptly notify your supervisor of unanticipated absence or tardiness within 30 minutes of starting time.

Observe the time limits for meals and breaks.

Section D-3

VACATION

When requesting vacation, complete an "Application for Leave" form and submit it to your supervisor or supervisor's designee. The request must be approved before you leave. When an emergency arises and you will not be able to report to work at the beginning of your shift, call your supervisor within one-half hour of normal starting time. If you do not reach your supervisor, leave a message stating the reason for your absence and a telephone number where the supervisor may return your call.

Employees are given flexibility with their leave.

Failure to follow vacation leave policy could be a basis for discipline. Refer to your collective bargaining agreement or the DAS Administrative Rules, Chapter 63. [11 IAC 63]

Section D-4

SICK LEAVE

When you are unable to report to work because of illness, call your immediate supervisor within one-half hour of normal starting time. If you do not reach your supervisor, leave a message stating the reason for your absence and a telephone number where the supervisor may return your call.

When you have been on unscheduled sick leave, upon return to work, submit to your supervisor a completed "Application for Leave" form.

If it is suspected that you have abused use of sick leave, your Division Administrator may require documentation from your medical practitioner. "Abuse" is not defined. It is situationally dependent.

When requesting leave, you must provide sufficient information for your supervisor to determine whether the absence can be considered a Family Medical Leave Act (FMLA) qualifying event. The FMLA is discussed in the **GENERAL RULES** portion of this handbook.

The failure to follow sick leave policy could be a basis for discipline.

When you have used all of your sick leave, you may be granted sick leave without pay. Accrued vacation or compensatory time may be used to cover absences due to illness.

Refer to your collective bargaining agreement or the DAS Administrative Rules, Chapter 63. [11 IAC 63] Also see DAS's portion of this handbook.

Section D-5

TIME SHEET

Your time sheet should be a true and accurate report of the time you worked and leave time you used during a pay period. Both you and your supervisor shall certify its accuracy.

Section D-6

INJURY

Injuries you receive on the job should be reported to your supervisor within 24 hours, however slight the injury. The supervisor will report the injury to the DIA personnel assistant as soon as notification has been received. You should file the Employers First Report of Injury form within three days of injury. The form is available from the DIA personnel assistant.

Section D-7

UNAUTHORIZED LEAVE

If you are absent for three consecutive working days without proper notification or authorization, you may be considered to have voluntarily terminated your employment.

Section D-8

WORK PERFORMANCE

- Insubordination, disobedience, or failure or refusal to follow written or oral instructions of supervisory authority is prohibited unless such prohibition is contrary to the Code of Iowa.
- Employees shall not neglect job duties and responsibilities.
- Employees shall not loaf, loiter, sleep or engage in unauthorized personal business while on duty.
- Employees shall not disclose confidential information and records to unauthorized personnel or unethically use such information.
- Employees shall not intentionally falsify records or give false information in their official reports.
- Employees shall observe all safety rules and practices, including when they operate state-owned vehicles and equipment.
- Employees shall obtain supervisory approval before incurring any expenses chargeable to the department.

Section D-9

PERSONAL ACTIONS

- Employees shall not threaten or attempt bodily harm on another person during working hours or in the performance of their duties.
- Employees shall not engage in disorderly or illegal conduct including, but not limited to, roughhousing, immoral or indecent conduct or other such behavior in the work place and/or while on duty.
- Employees shall comply with officially posted signs, notices, warnings or instructions in the work place.
- Employees shall not make false or malicious statements concerning other employees, clients, and supervisors of the DIA.
- Possessing, selling, distributing, manufacturing or using alcoholic beverages or non-prescription narcotics during work hours, while on state property or while engaging in state business is prohibited.
- Employees shall not eat, smoke or drink in areas where such activities are prohibited within the work place.
- Employees shall not engage in selling, trading, or bartering commercial or private products or services on state time except as authorized.
- Employees shall not engage in unauthorized solicitation of funds or donations for any purpose on state time.
- Unauthorized possession of, lending of, borrowing of, duplication of, careless or improper use of, or failure to report promptly the loss of government keys, credit cards or I.D. cards is prohibited.
- Employees shall not engage in gambling, pools or other games of chance while on duty.

Section D-10 (Revised 08/03)

ETHICS AND CONFLICTS OF INTEREST

As an employee of a regulatory agency (68B.2) you should avoid any personal or financial relationships with people or businesses the department regulates, investigates, inspects, audits, or adjudicates. Your official dealings should always be at "arms length." Division Administrators may promulgate rules that are more restrictive but consistent with the department rules. Employees with

questions regarding possible conflicts of interest should contact their division administrator for guidance or clarification.

Personal/Business Relationships

Employees shall not engage in any personal relationship or socialization with individuals working for an entity or organization licensed, inspected or certified by DIA that might impair their official judgment, create a conflict of interest or the perception of a conflict of interest. Likewise, employees should avoid any business dealings with DIA-regulated entities if the appropriateness of those dealings may create a conflict of interest or the perception of a conflict of interest. Business dealings shall always be at “arms length.”

Secondary Employment

Employees shall not engage in secondary employment until a request has been submitted to their Division Administrator, who shall then forward the request and a recommended action to the Director for final determination. Employees shall avoid all secondary employment that creates a conflict of interest or the perception of a conflict of interest. The following list includes, but is not limited to, those employment situations that should be avoided: private detective, employment in entities licensed, inspected or otherwise regulated by DIA; employment with a collection agency; employment by an entity with which you conduct business in your official capacity as a DIA employee. The Division Administrator shall be notified in writing when an employee terminates his or her secondary employment.

Section D-11

SELLING ON STATE PROPERTY

Selling products or services for personal profit or gain and advertising products or services are prohibited in the employees' work area. Such selling is restricted to the cafeteria or the lounge areas during break and lunch periods only. Selling products or services for charity is allowed in the work area so long as, in the judgment of your supervisor, it is not disruptive.

Section D-12

USE OF COMPUTERS

It is the policy of DIA to require the lawful and appropriate use and care of state-owned computer equipment used by its employees.

Computer Use Expectations

Users of state-owned computer equipment are expected to use the technology in a responsible, considerate, and ethical manner. At a minimum, users of state-owned computer resources are required:

- To respect the privacy of other users; for example, users shall not intentionally seek information on, obtain copies of, or modify files or data belonging to other users, unless explicit permission to do so has been obtained;
- To respect the legal protection provided to programs and data by copyright and license;
- To protect data from unauthorized use or disclosure as required by state and federal laws and department rules;
- To respect the integrity of computing systems; for example, users shall not use or develop programs that harass other users or infiltrate a computer or computing system and/or damage or alter the software components of a computer or computing system;
- To safeguard their accounts and passwords. Any user changes of passwords must follow published guidelines for appropriate passwords. Passwords will be a minimum of five characters long and be changed every forty (40) days or sooner. Accounts and passwords are normally assigned to single users and are not to be shared with other users without authorization. Users are expected to report any observations of attempted security violations.

Laptop Security

Users of state-owned laptop computer equipment are expected to safeguard the equipment in a responsible manner. At a minimum, users of state-owned laptop computers are required:

- Never leave the laptop unattended. Laptop theft is hard to trace. What you may lose in terms of data may be even more important than the cost of the hardware itself.
- Store laptops out of sight when on the road and moving.
- Never store the laptop in a car for an extended time. Extreme heat or cold can damage the laptop. Keep the laptop dry and away from heat sources or heavy dust areas. Take the computer into the hotel room overnight.

- Do not place the laptop under a telephone or use it near any electromagnetic sources. Magnetism can destroy your data. Do not use the laptop as a platform for heavy objects.
- Do not run the laptop through magnetic scanners.
- Have the laptop clearly marked with your name and business phone number in case it is lost and someone wants to return it.
- Do not use AC adapters made for other equipment. The voltage may be different and you may harm the computer.
- For frequent travelers, make a checklist of important items to bring such as: AC adapter, extra phone cord for modem connection, battery charger, extra diskettes, and any needed program or data diskettes. Refer to this checklist before leaving on your trip.
- Do not loan out the laptop to someone else. Loaning it out is a good way to lose it or get it back with a virus.
- Do not put the laptop in your suitcase when traveling by air. It might get knocked hard when being transported by automated luggage conveyors.
- Do not put the laptop in the overhead compartment of an airplane. It may fall out when the compartment is opened after or during the flight. Store it under the seat in front of you where you can see it and reach it easily.
- When staying in a hotel, do not leave the laptop out in open view in your room when you are not present. Keep it in a dresser drawer or somewhere out of sight. Verify it is there upon your return and notify hotel security immediately in case of loss.

Unacceptable Use of Computers

Unacceptable activities are those that do not conform to the purpose, goals, and mission of the Department and to each user's job duties and responsibilities. Misuse of computer resources may result in disciplinary action. Unacceptable uses of computers includes, but is not limited to the following:

- Attempting to modify, remove, or add computer equipment, software, or peripherals without proper authorization;
- Using computers for any illegal purpose, including communications that violate any federal, state, or local laws or department rules;

- Transmitting or viewing threatening, obscene, or harassing messages or content;
- Intentionally seeking information about, obtaining copies of, or modifying files, other data or passwords belonging to other users, unless explicitly authorized to do so;
- Interfering with or disrupting network users, services, or equipment (e.g., distribution of unsolicited advertising or messages, propagation of computer viruses, using the network to gain unauthorized entry to another machine on the network, etc.);
- Obtaining copies of information which is private, confidential, or not open to the public, unless authorized;
- Violating any software licensing agreement or copyright, including copying or redistributing copyrighted computer software, data, or reports without proper, recorded authorization;
- Intentionally modifying computer settings, other than user preferences, without clearing it with Network support personnel;
- Loading of any Program (including screen savers) without the clearance of network support personnel.

Email Use

Email is a tool used by this department to communicate both internally and externally. Because this is extremely sensitive to abuse, the following rules should be observed.

- Email is primarily for use in pursuit of government business. Email of personal nature will be kept to a minimum.
- Subscriptions to electronic newsletters will be limited to items relating directly to your state responsibilities.
- All email leaving DIA will be treated as if it were a written letter.
- It should be remembered that email is not a secure medium; anyone with proper skills can read your mail.

Section D-13

INTERNET USE

Unlawful and or inappropriate use of state-owned computers and Internet access is prohibited.

Internet services are provided by the State of Iowa to support open communications and exchange of information and the opportunity for collaborative government-related work. The State of Iowa encourages the use of electronic communications by its agencies and employees. Although access to information and information technology is essential to the mission of DIA, use of Internet services is a revocable privilege.

General Principles

At a minimum, users of Internet services provided by State government are expected to:

- Make a reasonable effort to inform themselves about acceptable and unacceptable uses on the Internet. The burden of responsibility is on the user to inquire as to acceptable and unacceptable uses prior to use. Compliance with applicable acceptable use restrictions is mandatory.
- State government-provided Internet service is primarily for pursuit of government business. Internet use of personal nature will be kept to a minimum.
- Respect the privacy of others.
- Respect the legal protection provided by copyright and license to programs and data.
- Respect the privileges of other users.
- Respect the integrity of computing systems connected to the Internet.
- Know and follow the generally accepted etiquette of the Internet. Use appropriate civil forms of communication.
- Avoid uses of the network that reflect poorly on DIA or on State government.
- Internet use will be monitored.

Users should remember that existing and evolving rules, regulations, and guidelines on ethical behavior of government employees and the appropriate use

of government resources apply to the use of electronic communications systems supplied by State government.

Specifically Acceptable Uses

- Communication and information exchange directly related to the mission, charter, or work tasks of the State agency.
- Communication and exchange for professional development, to maintain currency of training or education, or to discuss issues related to the user's State governmental activities.
- Use in applying for or administering grants or contracts for State government research or programs.
- Use for advisory, standards, research, analysis, and professional society activities related to the user's State governmental work tasks and duties.
- Announcement of new State laws, procedures, policies, rules, services, programs, information, or activities.
- Any other governmental administrative communications not requiring a high level of security.

Specifically Unacceptable Uses

- Use of the Internet for any purposes that violate a U.S. or State of Iowa Law (see Code of Iowa, Chapter 716A).
- Use for any for-profit activities unless specific to the charter, mission, or duties of the government agency.
- Use for purposes not directly related to the mission, charter, or work tasks of the State agency.
- Use for private business, including commercial advertising.
- Use for access to and distribution of: indecent or obscene material or child pornography.
- Use for access to and distribution of computer games that have no bearing on the DIA's mission. Some games that help teach, illustrate, train, or simulate agency-related issues may be acceptable.

- Interference with or disruption of network services, users or equipment. This includes downloading of any item not expressly related to your job or the connection to any automatic service such as real audio or point cast.
- Intentionally seeking out information on, obtaining copies of, or modifying files and other data which is private, confidential or not open to public inspection or release unless specifically authorized to do so once the legal conditions for release are satisfied.
- No software of any type will be downloaded without permission of network personnel.
- Intentionally seeking information on, obtaining copies of, or modifying files or data belonging to others without authorization of the file owner. Seeking passwords of others or the exchanging of passwords is specifically prohibited.
- Users intentionally representing themselves electronically as others, either Internet work or elsewhere on the Internet unless explicitly authorized to do so by those other users. Users shall not circumvent established policies defining eligibility for access to information or systems.
- Intentionally developing programs designed to harass other users or infiltrate a computer or computing system and/or damage or alter the software components of same.
- Use for fund raising or public relations activities not specifically related to State government activities.

Additional Guidelines

- Use By Contractors: Contractors and other non-State employees may be granted access to State government-provided Internet services at the discretion of the contracting authority. Acceptable use by contractors and other non-State employees working for the State of Iowa is the responsibility of the contract administrator. The contract administrator is expected to provide contractors who use State of Iowa Internet services with this information.
- Passwords: Use passwords associated with a State of Iowa information system only on that system. When setting up an account at a different information system that will be accessed using the Internet, choose a password that is different from ones used on State of Iowa information system. Do not use the same password for both local and remote Internet-accessed systems. If the password used at the remote, Internet-accessed remote site were to be compromised, the different password used locally would still be secure. Passwords should not be obvious so that others could

easily guess them, and passwords should be changed at least every forty (40) days.

- Logoff (Exiting): Always make a reasonable attempt to complete the logoff or other termination procedure when finished using a remote, Internet-accessed system or resource. This will help prevent potential breaches of security.
- E-mail Security: Unencrypted electronic mail sent or received outside any department and on the Internet cannot be expected to be secure.

Users contemplating file transfers over 10 megabytes per transfer or interactive video activities should, to be considerate of other users, schedule these activities early or late in the day or, better, after business hours. Notification of network personnel is required.

Section D-14

STATE TELEPHONE USE

All DIA telephones are to be answered promptly and in a courteous and helpful manner.

The state's WATS (long distance) service is for official state business purposes only. Personal use of the state's WATS service is prohibited.

The state's IN WATS calling card issued by ICN is for official state business purposes only and is to be used only by the state employees to whom the card is issued. Do not allow anyone else to use your IN WATS calling identification number.

The state's commercial telephone credit card issued by ICN is for official state business purposes only and is to be used only by the state employees to whom the card is issued. Personal calls using this credit card are prohibited. Do not allow anyone else to use your credit card number.

Personal, local telephone calls using state-owned telephones should be minimized. Personal long-distance calls must be charged to a third party or a non-state issued (personal) long-distance calling card.

If you receive a personal call, you should be brief with your caller.

Section D-15 (revised 8/07)

MOBILE TELEPHONE USE

Division Administrators are expected to monitor the use of mobile telephones by their respective employees including periodic reviews of mobile phone billing

records. If the need for a mobile telephone no longer exists for an employee, the Division Administrator shall so notify and return the phone to the Human Resources Manager.

All requests for a state-owned mobile phone must be first authorized by the Division Administrator.

Mobile telephones will be considered for those employees who have a “critical need.” For example, a critical need may exist for an employee assigned regular job duties that require being away from a standard office phone for a significant amount of time and yet are required to be immediately accessible by phone to their office. Other examples of a “critical need” may be an employee who must be immediately available for response to an emergency situation or an employee who is serving as an “on call” duty officer.

Mobile telephones are intended for official business. The use of mobile phones for personal business shall be kept at an absolute minimum.

Diligence shall be exercised in the care of the mobile telephone. If an employee loses a mobile telephone, the employee must immediately notify their supervisor and the Human Resources Manager. Also, mobile telephones should be secured and out of sight when not in use to help avoid theft.

Traffic safety experts have identified concerns about driving while dialing or otherwise using a mobile telephone. It is recommended that such activity be avoided while driving, whenever possible, as a safety precaution.

Section D-16

STATE FACSIMILE (FAX) MACHINE

The DIA has several fax machines. These machines are available to all DIA employees, however their use is limited to official state business. No personal messages should be transmitted via these machines without prior approval.

Section D-17

MAIL, PACKAGES AND LETTERHEAD

Do not use the business address of the DIA for personal mail or packages. Letterhead, department envelopes, and state postage are for official purposes only, not for personal use.

Section D-18

USE OF STATE VEHICLES

State-owned vehicles and private vehicles used on official state business shall always be operated in accordance with the state motor vehicle code and General Service rules. Personal use is prohibited.

When driving a State vehicle, the employee must possess a current driver's license. If involved in any motor vehicle collision while driving a State vehicle, whether damage occurs or not, an accident report must be completed. For further guidance on state vehicle use, refer to the vehicle usage guideline folder located in GroupWise.

Section D-19

USE OF PROPERTY

State-owned and private property at DIA work sites or other state premises must be protected. Unauthorized entry or use, abuse, misuse or waste of property and materials; unauthorized possession or sale of items; and unlawful operation or use of state vehicles for personal use are prohibited.

Posting or removing signs and bulletins on state property is prohibited without approval of designated management persons. Also see your collective bargaining agreement.

Improper use of state vehicles, equipment, facilities or materials and the state telephone, mail courier and copy machines is considered misconduct and cause for discipline. Waste or diversion of supplies for personal use is also misconduct and cause for discipline.

Section D-20 (Revised 08/03)

CARE OF MATERIALS AND PROPERTY

Supplies, materials and equipment should be cared for to ensure against loss, theft or waste. Employees are responsible for the safekeeping of all equipment in their possession necessary for them to perform their duties, such as cell phones, computers, printers, scanners, etc. Employees shall notify their supervisors within 24 hours in the event that equipment in their possession is lost, stolen or misplaced.

Non-working equipment should be labeled in need of repair and reported to the immediate supervisor for repair, surplus or replacement. If the equipment has been labeled in need of repair, do not attempt to operate it because continued operation may cause further, expensive damage.

Section D-21

LOSS OF LICENSE

If your professional license or driver license is suspended or revoked and such license is required for the performance of your duties on the job, the revocation or suspension may be cause for dismissal from the DIA. Loss of license must be reported to supervisor before the end of the business day following the day that the license is lost. Reasons for loss of license include: notice of suspension, revocation, cancellation of driver's license, or the loss of the privilege to operate a motor vehicle for any other reason.

Section D-22

DISCIPLINE AND GRIEVANCES

Employees are subject to progressive disciplinary actions when based on a standard of just cause for violation of department or DAS rules or Executive Orders. Disciplinary action involving employees covered by collective bargaining agreements shall be in accordance with the provisions of the applicable agreement. Not all employees are subject to the just cause standard for discharge. See collective bargaining agreements and the DAS portion of this handbook.

All employees have the right to file grievances. The procedures for filing grievances are outlined in collective bargaining agreements for contract-covered employees and DAS rules for non-contract employees.

The Division Administrator or his/her designee from the division in which the grievant is employed will conduct step #1 grievance meeting. The DIA Director or his/her designee will conduct step #2 grievance meeting. The Director of the Department of Personnel or his/her designee will conduct step #3 grievance meeting.

Section D-23

LEGISLATIVE CONTACTS

It is the policy of DIA to ensure that employees, in the conduct of official state business, represent the official position of the department when having contact with legislators and members of Congress and their staff. The policy does not restrict an employee's rights as a private citizen or constituent to contact state legislators, members of Congress, legislative staff, or congressional staff to express his or her personal views on an issue.

Division Administrators have the responsibility for implementing and enforcing this policy within their respective divisions. After any official legislative contact has been made, fully complete the Media/Legislative contact form or email to

inform the Director, Division Administrator, Legislative Liaison, and Public Information Officer of the legislative contact.

If you are contacted by a state legislator or member of Congress or their staff with questions and the answer can be given briefly, provide the answer to the person immediately. If the answer requires an extensive answer or written reply, prepare the response and forward to the department legislative liaison. The department will ensure the requester receives the requested information.

Prior to initiating a contact with a state legislator or member of Congress or their staff in the conduct of official state business, contact the department's legislative liaison to discuss the official department position on the specific issue.

Legislative or Congressional staff includes caucus staff, secretaries to legislators, legislative service or fiscal staff, or any other person calling on behalf of a state legislator or member of Congress.

Section D-24

MEDIA CONTACTS

Because the operations of the DIA generally are matters of public record, it is the policy of the department to provide access to all records in its possession except those that are confidential as defined by law. Implementation of this policy is the responsibility of the Public Information Officer (PIO) in cooperation with the Division Administrators.

You should answer requests for routine information, whether you are called directly or a call is referred to you. If you need time to gather the information requested, tell the caller your best estimate of how long it will take, and that you will get back to him or her with the information. If the questions become more difficult to answer or are beyond the scope of your knowledge or responsibility, write down the questions and tell the caller you will have the proper person return the call. Ask if the caller has any related questions, so that all the "more difficult" questions can be passed on to the person who will return the call. Also, find out the caller's deadline. Then contact the proper person immediately, tell that person the caller's name, telephone number, deadline and questions.

Contact the PIO immediately if you are contacted about any of the following areas:

- A topic the employee believes may be controversial;
- The agency's official position on a subject, or a complex policy issue (these questions may be addressed by both the public information officer and the legislative liaison);

- A topic that requires more than routine research.

The PIO may request assistance in the preparation of materials as the result of a media inquiry. If the employee is the best source of information on the subject, the PIO may request that the employee participate in a return telephone call. However, employees are under no obligation to talk to media representatives if they so choose.

All requests by media representatives to see records or documents in the possession of the Department shall be accommodated as far as practical. Once it has been determined which records or documents are being sought, the employee may arrange for the viewing of information in a manner that is as convenient as possible for all parties. The PIO should be informed if the employee is unable to fulfill the media representative's request in a timely manner. The media representatives should be advised prior to the collection of information of any charges associated with assembling and/or photocopying records or documents, pursuant to the department's policy on photocopying.

If an employee believes that a department action may result in coverage by the news media, the PIO should be informed. If it is believed that public exposure of a DIA activity is warranted, the PIO should be contacted and will assist in the creation and dissemination of media material. Employees who are determined to be the best source of information on selected topics may enlist the services of the PIO to help prepare for interviews, speeches, testimony, etc.

After any contact with a media representative, the employee shall inform the Director, his or her Division Administrator, and the PIO of the conversation and any answers and/or information provided as a result of the contact. Employees may use the Media/Legislative contact form or use e-mail.

Section D-25

ADMINISTRATIVE RULES

Initial proposals for new administrative rules or revisions of existing rules shall be drafted by the division of the department responsible for the implementation of those rules, after consultation with those entities which may be affected by those rules.

All proposed rule changes must be approved by the appropriate Division Administrator of the department prior to their submission to the department's administrative rules coordinator.

The department's administrative rules coordinator shall review proposed rule changes for legal content and style, and may also provide a copy to the Attorney General's Office for review and comment.

The administrative rules coordinator shall discuss any recommended amendments to the proposed rule changes with the originating division of the department. Upon receiving final approval from the division, the administrative rules coordinator shall submit all proposed rules to the Director for final agency approval.

Upon receiving approval from the Director of the department, the administrative rules coordinator shall initiate formal rule-making procedures pursuant to the provisions of Chapter 17A of the Iowa Code.

Section D-26

DRESS CODE

Because personal appearance creates an impression, and DIA employees are often in contact with business people, professionals and the public, employees should dress neatly and appropriately for work and be clean and well groomed. DIA management recognizes that DIA employees' work includes a wide range of activities, and that acceptable dress may vary from one situation to another. Those employees whose activities vary widely within a workday may need to dress to be acceptable in nearly any situation.

The immediate supervisor or Division Administrator or designee will determine the appropriateness of dress and grooming under this rule. Supervisors have the responsibility and authority to communicate to employees specific dress requirements.

Every Friday is designated as the department's business casual dress day. Appropriate attire is expected. Slacks, khakis, chinos, polo shirts, sport shirts, sweaters, and neat-looking denim jeans are examples of business casual. During regular office hours on any day, jogging clothes, shorts, T-shirts promoting or depicting alcohol or tobacco products or that could be considered offensive, tank tops, sloppy jeans, and similar items are not acceptable.

Section D-27

SMOKING

Smoking is prohibited within the Capitol complex and in local DIA offices and state automobiles. Smoking within the Capitol complex will only be in designated areas. Smoking shall be limited to 15-minute morning and afternoon break periods or during lunch.

Section D-28

DISCRIMINATORY HARASSMENT

It is each supervisor's responsibility to make a reasonable effort to prevent all forms of discriminatory harassment from occurring in the work place and to take immediate and corrective action when harassment is brought to their attention.

Any employee who believes he/she is a victim of illegal harassment is encouraged to bring his or her concerns to the attention of the personnel assistant or deputy director. An employee may also file a complaint with the Iowa Department of Administrative Services and/or the Iowa Civil Rights Commission. The department assures that no employee who files a complaint or raises a concern will be retaliated against as a result. The deputy director and personnel assistant, or a designee will promptly investigate concerns raised within the department.

See Executive Order portion of this handbook.

Section D-29

PERFORMANCE REVIEWS

Each supervisor shall conduct a fair and impartial performance evaluation with his or her subordinate employees at least annually. A probationary employee shall be given a performance evaluation, prior to the completion of the employee's probationary period (before six months). The performance evaluation shall be done in the manner prescribed by DAS. A copy of the evaluation will be provided to the DIA personnel assistant.

Section D-30

REPRODUCTION OF COPYRIGHTED MATERIALS

The reproduction of copyrighted materials is prohibited unless permission is granted from the holder of the copyright. Without the express permission of the copyright holder, the Department of Administrative Services, Centralized Printing, will not reproduce any materials that have been copyrighted. Copyright is the right of authors to control the reproduction and use of their creative expressions, which have been fixed in a tangible form. The types of creative expression eligible for copyright protection include literary, graphic, photographic, audio-visual, and musical works. While copyright generally prohibits the use of another's protected expression, the doctrine of "fair use" permits, in certain circumstances, the use of copyright material without the author's permission. The fair use doctrine may apply if only portions of copyright protected materials are being used, and proper attribution is given to the author and/or copyright holder. However, proper attribution cannot transform an infringing use into a fair use. It is always possible to obtain permission from the copyright holder before any reproduction of the protected material.

In order to have copyright protected material reproduced by Centralized Printing, the employee requesting the printing will have to provide verification that the copyright holder has granted permission to reproduce the materials. This proof of verification must be provided at the time the request for printing is processed. No printing request involving copyright protected materials will be processed unless the verification of permission is provided.

Employees who have a legitimate need to reproduce copyright protected materials should allow additional production time for their projects as it may take several days to obtain permission from the copyright holder. Note: The photocopying of copyrighted materials also is a violation of the author's rights and is prohibited.

DIA's public information officer should be consulted.

Section D-31

DIRECTOR/DEPUTY DIRECTOR PRESENTATIONS

The Director and Deputy are available to make presentations at training sessions, conferences and other events hosted or participated in by the department. Before the presentation, the requesting division should prepare the presenter by providing background information on the forum host and its purpose, forum participants and provide suggested comments. The presenter should be alerted to possible sensitive issues that may surface.

Section D-32

BUSINESS CARDS

Employees may order at no expense to themselves personalized business cards using the Business Card Order Form provided to support staff in each division. Business cards should be ordered on a Request for Purchase Form using the approved style printed on white business card stock, using black ink. No more than 500 personalized business cards should be ordered per employee during one fiscal year. Employees may purchase business cards from private sources, but they will be responsible for the entire cost of those cards.

Section D-33

TRAVEL VOUCHERS (Reimbursement for Expenses)

You will be reimbursed for expenses you incur in performing your job for the state, including the cost of lodging, food and mileage when you travel in your own vehicle. Under some circumstances, you may be reimbursed for the cost of supplies you purchase to perform your job or for parking fees. To begin the reimbursement process, obtain a Travel Payment form from your supervisor,

complete it and return it to your supervisor. Be sure to attach receipts to the form. Vouchers are to be submitted within five (5) working days upon return from out-of-state travel. The Fiscal Services Bureau will answer questions regarding the process and provide instructional handouts for processing in and out-of-state travel vouchers.

Section D-34

POST TRAINING/CONFERENCE REPORTS

An employee who attends any training or conference at state expense or on state time shall prepare a memorandum summarizing the highlights. The memorandum should indicate if the training or conference was beneficial and whether the subject matter has application to the employee's job (i.e., in what way and suggestions for improvement). The memorandum shall be submitted to the employee's Division Administrator within five working days upon the employee's return. A copy of the memorandum shall be provided to the Director.

Section D-35

EXIT INTERVIEW

In the event you choose to voluntarily terminate employment with DIA, a two-week notice is expected from you in writing of such plans. Upon such notice to your Division Administrator, you will be provided with an "exit survey" form from the personnel assistant. Your responses to this survey will be discussed with you at a subsequent exit interview with your Division Administrator (the DIA Deputy Director will conduct the interview with you if the Division Administrator is also your immediate supervisor). This exit survey and interview is designed to obtain your candid views in order to enhance customer service and to improve the work environment within DIA.

Section D-36

THEFT

The DIA takes reasonable precautions to protect personal property, but the final responsibility rests with each employee. Stealing public or personal property, or using state property for personal use without proper authorization is prohibited.

Report thefts of state property occurring off the Capitol Complex to the appropriate local law enforcement agency. Also, report all thefts to your supervisor and those on the Capitol Complex to the Capitol Police immediately.

Section D-37

POLITICAL ACTIVITY

All employees have the right to express their opinions as individuals on political issues and candidates. Such expressions may be either verbal or demonstrative in the form of buttons, bumper stickers on personal vehicles, badges or pins.

Your right to express your opinions on political matters in this form or manner will not be restrained while you are on duty unless:

- Your expression violates the law; or
- The display of such items would cause or constitute a real and present safety risk or would substantially and materially interfere with the efficient performance of official duties; or
- You have substantial contact with the public and the level of trust and confidence associated with your position is perceived to be such that political expressions in any form, while you are on duty, might influence the public.

All employees are prohibited from:

- Using the influence of their positions, public property or supplies to secure contributions or to influence an election for any political party or any person seeking political office.
- Soliciting or receiving anything of value in excess of the limits in Iowa Code Section 68B.5 as a political contribution or subterfuge for a contribution from any other person for any political party or any person seeking political office during scheduled working hours, while on duty, when using state equipment or on state property.
- Promising or using influence to secure public employment or other benefits financed by public funds as a reward for political activity.
- Discriminating in favor of, or against, any employees or applicants on account of their political contributions or permitted political activities.

Section D-38

WEAPONS

No DIA employee shall carry or possess firearms or any other weapons while on duty. See Executive Order #57 – Violence Free Workplace – contained in the Executive Order portion of this handbook.

Section D-39

OPEN MEETINGS

Each supervisory employee of the department shall become familiar with the provisions of the Open Meetings Law as identified in Chapter 21 of the Code. This will assure that the department and its employees fully comply with the legal requirements for open meetings of governmental bodies. Each Division Administrator shall ensure compliance with the legal requirements of the law.

Section D-40

INTERNSHIP PROGRAM

The State of Iowa Internship Program is designed to offer college students an opportunity to gain work experience in state government. This program is administered by the DAS. Prior to an internship, an application must be completed and sent to DAS for processing. Interns may be compensated or non-compensated depending on fiscal considerations. The Division Administrator shall seek the approval of the Chief of the DIA Fiscal Services Bureau prior to retaining the compensated services of any intern. The Division Administrator is further responsible for making reference checks on a prospective intern. The Division Administrator or his/her designee is responsible for the daily supervision of such intern. The DIA personnel assistant shall be advised of any intern retained by the respective Division Administrator. Interns are expected to fully abide with all laws, rules, and regulations while serving their internship with DIA.

Section D-41

VOLUNTEERS

Volunteering is one of the most self-fulfilling activities in our society, one that has always been a historical American tradition (i.e. volunteer firefighters.) DIA recognizes the value of volunteer service. Accordingly, volunteers may be retained (without compensation) to work within DIA. Each Division Administrator is responsible for the use of Volunteers within their respective division. The Division Administrator or their designee is responsible for the recruitment, interviewing, screening, orientation, training, supervision, recognition, and record keeping for those volunteers within their respective division. The DIA personnel assistant will be provided with a copy of the volunteers' application. All volunteers are expected to abide with all laws, rules and regulations, especially those dealing with confidentiality while serving as DIA Volunteers.

A person who performs services for the state government or any agency or subdivision of state government and who does not receive compensation is not personally liable for a claim based upon an act or omission of the person performed in the discharge of the person's duties, except for acts or omissions

which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit. "Compensation" does not include payments to reimburse a person for expenses. Volunteers will be covered by workers compensation for injuries arising out of and in the course of their activities, as directed by the employing department.

Section D-42

CHEMICAL SENSITIVITY

Some employees may suffer health effects from fragranced products. These products can be problematic for those with chemical sensitivities and chronic obstructive pulmonary disease (a group of lung diseases including chronic bronchitis, emphysema and asthma). Employees claiming to suffer health effects may submit medical verification, which should address the following: specific diagnosis, how the employee is affected, what specific irritants affect the employee, if the employee is restricted in any way. The medical verification will be evaluated to determine if reasonable accommodations should be made.

Section D-43

TELEPHONE TREE

The department requires employees to provide a telephone number they can be reached after normal working hours. The numbers are used for emergency notifications (e.g., severe weather and emergency closings). Division Administrators will maintain a telephone tree depicting each employee's contact number. A copy of the telephone tree will be provided to the Director. The telephone tree is used in conjunction with DIA's Emergency Procedure Handbook. See the Emergency Procedures section of this handbook.

DAS EMPLOYEE HANDBOOK

- Director's Letter
- Table of Contents
- DAS Handbook

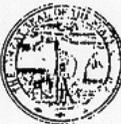
DAS Employee Handbook

The Iowa Department of Administrative Services' (DAS) handbook referred to in this section is located in the same cabinet as the DIA Employee Handbook. The DAS handbook also may be downloaded from the Department of Administrative Services' web site at the following address:

<http://das.hre.iowa.gov/benefits.html>

ADDENDUM

- Executive Order #38 - Drug-Free Workplace
 - Substance Abuse Policy
- Executive Order #57 - Violence-Free Workplace
 - Violence-Free Workplace Policy
- Executive Order #18 - Equal Employment Opportunity
 - _____
 - _____
 - _____
 - _____
 - _____


State of Iowa
Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

EXECUTIVE ORDER NUMBER 38

- WHEREAS,** employees of the State of Iowa are a most valuable resource to the citizens they serve and the State as an employer; and
- WHEREAS,** the use of illegal drugs or abuse of controlled substances or alcohol in the workplace is detrimental to the State's employees; and
- WHEREAS,** employees have the right to work in a drug-free environment and to work with persons free from the effects of drugs and alcohol; and
- WHEREAS,** drug and alcohol abuse in the workplace interferes with and reduces the operational efficiency of state government and undermines the public's trust in its functions; and
- WHEREAS,** the State of Iowa is committed to maintaining a workplace free from the influences of drugs and alcohol.
- NOW, THEREFORE,** I, Terry E. Branstad, Governor of the State of Iowa, by virtue of the authority vested in me by the laws and Constitution of the State of Iowa and in support of our continuing efforts to ensure a drug-free workplace for all employees of the State of Iowa, do hereby order and institute the following policy regarding substance abuse and the unlawful possession of controlled substances on the employer's premises:
- I. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work. It is the State of Iowa's intent and obligation to provide a drug-free work environment.
 - II. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on the employer's premises or while conducting the employer's business is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.

Continued

- III. The State recognizes drug and alcohol dependency as illnesses and a major health problem. The State also recognizes drug and alcohol abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to use our employee assistance program. Conscientious efforts to seek such help will not jeopardize an employee's job.
- IV. In order to comply with the Drug Free Workplace Act of 1988, employees are required to report any conviction under a criminal drug statute for violations occurring on the employer's premises or off the employer's premises while conducting state business. A report of a conviction must be made to the employee's supervisor or other appropriate official within five (5) days after the conviction.
- V. Compliance with the terms and reporting requirements of this policy is required as a condition of employment for all employees.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 17th day of March in the year of our Lord one thousand nine hundred and eighty-nine.



Tommy E. Brandt
GOVERNOR

ATTEST:

Elaine Baxter
SECRETARY OF STATE

State of Iowa

SUBSTANCE ABUSE POLICY

For

Executive Branch Employees

NOTIFICATION AND EFFECTIVE DATE

All executive branch employees (herein "employees") are required to read this revised Substance Abuse Policy and will be expected to sign an Acknowledgment indicating that the Policy was read and fully understood by the employee. This revised Policy shall become effective on December 13, 1999.

PROHIBITED ACTIVITIES

Employees who conduct state business under the influence of alcohol or an unauthorized controlled substance (herein "controlled substance") present a threat to the health, safety, and welfare of their own persons, their fellow employees, and the public at large. The State of Iowa is committed to ensuring that its employees remain free from the effects of alcohol or controlled substances while conducting state business. Therefore, employees are prohibited from:

1. Possessing, consuming, purchasing/selling, or manufacturing alcoholic beverages or controlled substances, while they are conducting state business or are on state property;
2. Reporting to work for the State of Iowa under the influence of an alcoholic beverage or a controlled substance;
3. The unauthorized use or abuse of a prescription medication while they are conducting state business or are on state property; and
4. Driving a state vehicle or a personal vehicle when the employee is engaged in state business, within an eight (8) hour period after consuming an alcoholic beverage, using a controlled substance, or engaging in the unauthorized use/abuse of a prescription medication.

Absent mitigating circumstances, an employee's involvement in one or more of the prohibited acts listed above may result in summary discharge. "Summary discharge" shall mean a discharge from employment with the State of Iowa after the state substantiates the alleged offense through a fair and thorough investigation. It is unnecessary for the State of Iowa to implement other forms of discipline (e.g. verbal warnings, reprimands, or suspensions) before issuing a summary discharge.

**OTHER ACTIVITIES INVOLVING SUBSTANCE ABUSE WARRANTING
REPRIMAND, SUSPENSION, OR TERMINATION**

Absent mitigating circumstances, any of the following shall result in a reprimand, suspension, or a summary discharge:

1. The suspension or revocation of an employee's driver's license, chauffeur's license, or commercial driver's license, if an employee's job duties require the employee to possess the license, and the loss of his/her driving privileges results in the employee's failure to meet the minimum qualifications for his/her job.
2. The employee engages in off-duty misconduct that either: (1) impairs the employee's ability to perform his/her job function; (2) substantially effects the public's perception of the employee's ability to perform his/her job function; or (3) causes substantial damage to the reputation of the employer. The employee may be subject to reprimand, suspension, or termination even if no arrest or conviction results from the off-duty misconduct.
3. The employee reports to work displaying symptoms that the employee has consumed an alcoholic beverage or a controlled substance.
4. The employee demonstrates below standard job performance or on-the-job misconduct, including, but not limited to, excessive absenteeism or tardiness.

IOWA EMPLOYEE ASSISTANCE PROGRAM

The State of Iowa recognizes that a dependency on alcohol or a controlled substance is a treatable illness. Such dependencies can cause major health, safety, and security problems for the employee, fellow employees, and the public at large. Employees who need assistance to address these problems are encouraged to take advantage of the confidential Iowa Employee Assistance Program (IEAP). For IEAP information, call 244-6090 from Des Moines or 1-800-EAP-IOWA (327-4692) from elsewhere in Iowa.


State of Iowa
Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

EXECUTIVE ORDER NUMBER 57

- WHEREAS,** employees of the State of Iowa are a valuable resource to the citizens they serve and the State as an employer; and
- WHEREAS,** the State of Iowa recognizes that violence at work can seriously affect employee work performance and morale; and
- WHEREAS,** employees have the right to work in an environment free from threats, intimidation, harassment, and acts of violence; and
- WHEREAS,** the State of Iowa is committed to maintaining a violence-free workplace.

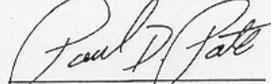
NOW, THEREFORE, I, Terry E. Branstad, Governor of the State of Iowa, by the virtue of the authority vested in me by the Laws and Constitution of the State of Iowa, and in support of our continuing efforts to maintain a violence-free workplace, do hereby order the following:

- I. The Iowa Department of Personnel shall develop a policy for all executive branch employees that will assist in preventing the potential for violence in the workplace, reducing the negative consequences for employees who experience or encounter violence, and maintaining a work environment of respect and positive conflict resolution.
- II. The Iowa Department of Personnel shall offer training to executive branch managers, supervisors, and employees, focusing on prevention of workplace violence, reporting threats of violence, and conflict resolution.
- III. The Iowa Department of Personnel shall establish a Threat Assessment Team to assist departments in the prevention, investigation, and resolution of threats and other acts of violence.

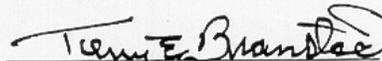
IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Iowa to be affixed. Done at Des Moines this 28th day of June in the year of our Lord one thousand nine hundred and ninety-six.



ATTEST:



SECRETARY OF STATE



GOVERNOR

VIOLENCE-FREE WORKPLACE POLICY

for

Executive Branch Employees

I. Definitions

Violence is any act which is intended to intimidate, annoy, or alarm another person; or any act which is intended to cause pain or injury to, or which is intended to result in physical or personal contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act. (Iowa Code sections 708.1 and 708.7)

A dangerous weapon is any instrument or device designed primarily for use in inflicting death or injury upon a human being or animal, and which is capable of inflicting death or injury upon a human being when used in the manner for which it was designed. Additionally, any instrument or device of any sort whatsoever which is actually used in such a manner as to indicate that the individual intends to inflict death or injury upon the other, and which, when so used, is capable of inflicting death upon a human being, is a dangerous weapon. Dangerous weapons include, but are not limited to, any offensive weapon, pistol, revolver, or other firearm, dagger, razor, stiletto, switchblade knife, or knife having a blade exceeding five inches in length. (Iowa Code section 702.2)

Personal contact means an encounter in which two or more persons are in visual or physical proximity to each other. Personal contact does not require a physical touching or oral communication, although it may include these types of contacts. (Iowa Code section 708.7)

II. Policy Statement

The State of Iowa recognizes that violence at work can seriously affect employee work performance and morale. Threats, intimidation, harassment, or acts of violence will not be tolerated. The State of Iowa further establishes, as its vision, that all of its officials, managers, supervisors, and employees will treat each other with courtesy, dignity, and respect. The State of Iowa is committed to a violence-free workplace, and its goal is to prevent violence in the workplace.

Accordingly, the State of Iowa is committed to:

1. Preventing the potential for violence in the work environment.
2. Reducing the negative consequences for employees who experience or encounter violence.

3. Maintaining a work environment of respect and positive conflict resolution.

III. Prohibitions

- A. Employees are prohibited from the possession, sale, transfer, or use of any dangerous weapon while engaged in state business, or on state property or the employer's premises.

This prohibition shall not include peace officers and other state employees who have been issued professional weapons permits by the Commissioner of the Department of Public Safety for use by these employees when acting under the authority of their department. Further, this policy is not intended to restrict employees who live in state owned housing from the legal possession of weapons in their homes, if allowed by the appointing authority. This policy is not intended to restrict state employees from engaging in legal hunting and recreational activities on state owned property during off-duty hours.

- B. Employees are prohibited from engaging in harassment of another employee, supervisor, manager, vendor, customer, or client in accordance with the State of Iowa's Equal Employment Opportunity, Affirmative Action, and Anti-Discrimination Policy.
- C. Employees are prohibited from making threatening or intimidating statements or engaging in threatening or intimidating behavior directed to another employee, supervisor, manager, vendor, customer, or client.
- D. Employees are prohibited from communicating with another employee, supervisor, manager, vendor, customer, or client by telephone, electronic means, or in writing without legitimate purpose or in any manner likely to cause the other person annoyance or harm. (Iowa Code section 708.7)
- E. Employees are prohibited from purposefully and without legitimate purpose, having personal contact with another employee, supervisor, manager, vendor, customer, or client with the intent to threaten, intimidate, or alarm the other person.

IV. Affirmative Duties

- A. An employee who is the victim of workplace violence shall report the incident immediately in accordance with the procedures established by this policy.
- B. An employee witnessing workplace violence or the potential for such violence directed at another person or property of the state, shall report

such incidents in accordance with the procedures established by this policy.

- C. When applicable, state officials and employees shall cooperate fully with all appropriate individuals in the investigation and prosecution of criminal acts, this policy, and the pursuit of any civil remedies in order to create and maintain a violence-free workplace.

V. Reporting Procedures

Any employee who has been the victim of workplace violence, or who has a concern about potential workplace violence within the context of this policy, is directed to bring the matter to the attention of his or her supervisor, or the appointing authority or his or her designee, in accordance with the department's established complaint procedure. If the concern or complaint involves the employee's direct supervisor, the employee may go to the next higher supervisor with the concern or complaint or, in the alternative, to the Iowa Department of Personnel. All complaints will be promptly investigated by the appointing authority or the Iowa Department of Personnel.

In the event of a situation requiring immediate intervention by law enforcement personnel, the appropriate law enforcement agency should be contacted immediately.

VI. Remedies for Violations of Policy

Corrective action will be taken to remedy violations of this policy when warranted, up to and including the discharge of parties whose conduct violates this policy.

Any manager or supervisor who fails to properly act upon employee complaints or on personal knowledge of conduct in violation of this policy shall be subject to disciplinary action up to and including discharge.

A copy of all complaints received and their resolution shall be forwarded to the Director of the Iowa Department of Personnel within ten (10) working days after receipt of a complaint and ten (10) working days after resolution of the complaint. Interim reports will be provided as requested.


State of Iowa
Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA
IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

EXECUTIVE ORDER NUMBER EIGHTEEN

WHEREAS, Iowa Code § 19B.2 states that "it is the policy of this state to provide equal employment opportunity within state government to all persons;" and

WHEREAS, Executive Order Number Seven was issued on September 14, 1999 to memorialize the philosophy of this administration that discrimination against any executive branch applicant or employee by executive branch personnel, for any reason, will not be tolerated; and

WHEREAS, Through court order, Executive Order Number Seven has been declared to be null and void, and of no effect; and

WHEREAS, as the Chief Executive Magistrate for the State of Iowa, I intend to implement the state's equal employment opportunity policy, within state government, to the fullest extent allowable under state law; and

WHEREAS, the Iowa Department of Personnel is the central agency responsible for state personnel management, including oversight of the state's merit employment policy, as well as its equal opportunity, affirmative action and workforce diversity efforts throughout state government; and

WHEREAS, state law establishes the Equal Opportunity in Employment Task Force created pursuant to executive order, or its successor; and

WHEREAS, this administration will remain committed to the full implementation of the state's equal employment opportunity, affirmative action, and workforce diversity programs by ensuring that this policy is followed by each agency within the executive branch.

NOW, THEREFORE, I, THOMAS J. VILSACK, Governor of the State of Iowa, by the power vested in me under the laws and the constitution of the State of Iowa do hereby order that:

- I. Executive Order Number Seven, issued on September 14, 1999, shall be rescinded. In its place, this Executive Order Number EIGHTEEN, shall be enacted and followed by all state agencies within the executive branch of government to the fullest extent allowable under the law.
- II. I reaffirm the policy of the State of Iowa to provide equal opportunity in state employment to all persons. The director of each state agency within the executive branch of government will be responsible for assisting with the implementation of this policy, along with the other provisions outlined in this Order to the fullest extent allowable under the law. Annually, as part of the report mandated by Chapter 19B.5, the director of the Iowa Department of Personnel shall submit a report to this office describing any observations made by the department regarding the implementation of this policy by executive branch agencies.
- III. I reaffirm the policy of the State of Iowa to effectively administer affirmative action and workforce diversity programs within state government. The state's affirmative action programs shall have as its purpose to remedy any past or present discriminatory practices to the fullest extent allowable under the law. The state's workforce diversity program shall identify and seek to dismantle all policies, practices, or other barriers that limit the effective recruitment, employment, appointment, assignment, or advancement of all persons who are otherwise qualified to serve within the executive branch of state

government. The state's diversity program shall be implemented to the fullest extent allowable under the law.

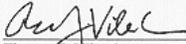
- IV. I direct the Iowa Department of Personnel to create and administer the state's workforce diversity program. The workforce diversity program shall promote a work environment that values the contribution that each employee can make and creates an inclusive work environment where awareness of, and respect for, those employee differences are promoted. Further, the workforce diversity program shall be managed in a manner that contributes to the business objectives of the state. The director shall report the progress of the state's workforce diversity program to this office in its annual report to this office.
- V. The Task Force for Equal Opportunity in Employment shall be created pursuant to Iowa Code § 19A.1(3). The task force will be established to: (a) advise the department of personnel as it identifies problems that may impede the state's progress toward the full utilization of state residents and the diversification of the state's workforce; (b) monitor the state's progress toward achieving its affirmative action goals; and (c) make recommendations to the Governor on initiatives that are designed to help the state meet its equal opportunity, workforce diversity, and affirmative action goals.
- VI. Members on the Task Force for Equal Opportunity in Employment shall be appointed by the Governor.
- VII. The Lieutenant Governor, or Governor's designee, shall chair the Task Force for Equal Opportunity in Employment. The task force will be charged with the tasks listed below.
 - A. The task force shall design a system to advise the department of personnel as it identifies problems that may limit equal employment opportunities or workforce diversity within state government.
 - B. The task force shall design a system to monitor the state's progress toward achieving its affirmative action goals.
 - C. The task force shall prepare a comprehensive report on the status of the state's equal opportunity, affirmative action, and diversity policies, for review by the Governor by April 30, 2001. The report shall contain the recommendations of the task force for reassessing the state's equal opportunity and affirmative action policies in light of current legal and demographic trends. The report shall assess the following items:
 - 1. the employment rates and patterns for people within state government over the past fifteen years;
 - 2. specific barriers that may limit employment and promotion opportunities within state government for all persons;
 - 3. the success of equal opportunity and affirmative action policies previously implemented by the state;
 - 4. the status of state and federal equal employment and affirmative action laws;
 - 5. the likelihood that the state's equal opportunity affirmative action and diversity policies, on their own, can assure the full utilization of all persons within state government.

The comprehensive report may include any additional information that the task force deems to be important and relevant.

- VIII. The task force shall hold regular meetings at a centralized location.
- IX. The Iowa Department of Personnel shall provide staff support to the task force, as needed, to enable the task force to fulfill its responsibilities.



IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the Great Seal of Iowa to be affixed. Done in Des Moines, Iowa, this 28th day of March in the year of our Lord Two Thousand One.


Thomas J. Vilsack
Governor

ATTEST:


Chester J. Culver
Secretary of State


Dean Leman
Chief Deputy

State of Iowa

**EQUAL OPPORTUNITY, AFFIRMATIVE ACTION,
AND ANTI-DISCRIMINATION POLICY**

For

Executive Branch Employees

NOTIFICATION AND EFFECTIVE DATE

All executive branch employees (herein "employees") will be required to read this Equal Opportunity, Affirmative Action and Anti-Discrimination Policy, and will be expected to sign an Acknowledgment indicating that the Policy was read and fully understood by the employee. This revised Policy shall become effective November 1, 2001.

A. GENERAL STATEMENT OF POLICY

It is the policy of the executive branch of state government in the State of Iowa to provide equal access to all employees and applicants for employment. The intent of this policy is to ensure that employment opportunities, within the executive branch of state government in the State of Iowa, are accessible to all persons, and that executive branch agencies do not discriminate against any person because of race, creed, color, religion, sex, national origin, age, or physical or mental disability.

It is also the policy of the executive branch of state government in the State of Iowa to apply affirmative action measures to correct deficiencies in the state employment system whenever remedial measures are appropriate. This policy shall be construed broadly to effectuate its purpose. However, the remedies employed are only appropriate when consistent with state and federal statutes.

B. SEXUAL HARASSMENT

Sexual harassment is a violation of both federal and state statute. Harassment on the basis of sex is a violation of Section 703 Title VII of the Civil Rights Act of 1964 (42 U.S.C. Sec. 2000e et seq.) as amended. "Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment."

Within Iowa Code section 19B.12, "sexual harassment means persistent, repetitive, or highly egregious conduct directed at a specific individual or group of individuals that a reasonable person would interpret as intentional harassment of a sexual nature, taking into consideration the full context in which the conduct occurs, which conduct threatens to impair the ability of a person to perform the duties of employment, or otherwise function normally within an institution responsible for the person's care, rehabilitation, education, or training."

Examples of sexual harassment include, but are not limited to:

1. Unwelcome sexual advances.
2. Gender-based animosity (hostile conduct based on the victim's gender).

3. Requesting or offering sexual favors in return for job benefits.
4. Actions that are sexual in nature such as cornering, patting, pinching, touching or brushing against another person's body.
5. Open speculation or inquiries about another person's sex life.
6. Jokes, remarks, or innuendo that are sexual in nature about another person, or about men or women in general.
7. Displaying sexually explicit material in the work place.
8. Conditioning work benefits on submission to sexual advances, tolerance of a sexually hostile work environment, or giving preferential treatment because of another person's submission to sexual advances, or tolerance of a sexually hostile work environment.

Sexual harassment can take place between any two (2) or more state employees, regardless of gender or non-employees, with respect to sexual harassment of state employees in the workplace.

C. DISCRIMINATORY HARASSMENT IN VIOLATION OF IOWA CODE CHAPTER 216 AND FEDERAL STATUTES

Harassment of employees based upon their race, creed, color, religion, sex, national origin, age, or physical or mental disability is a violation of the Iowa Civil Rights Act (Iowa Code chapter 216, as amended); Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1978, as amended; and the Americans with Disabilities Act of 1990.

Examples of discriminatory harassment include, but are not limited to:

1. Abusing the dignity of an employee through insulting or degrading remarks or conduct.
2. Threats, demands, or suggestions that an employee's work status is contingent upon.
3. Subjecting an employee to demeaning or degrading activities in order to gain co-worker acceptance, e.g., hazing.
4. Disciplining or terminating an employee because of work incompatibility that is caused by prohibited discrimination, harassment, or biased behavior.

D. DISCRIMINATORY PRACTICES IN VIOLATION OF EXECUTIVE ORDER NUMBER EIGHTEEN

Discriminatory practices within the executive branch of state government for the State of Iowa shall constitute a violation of Executive Order Number Eighteen. It shall be a discriminatory practice to refuse to hire, accept, register, classify, refer for employment, or to discharge or otherwise discriminate against any applicant or employee because of the race, creed, color, religion, gender, national origin, age, or physical or mental disability of such applicant or employee, unless based upon the nature of the occupation.

If a person with a disability is qualified to perform a particular occupation, by reason of training or experience, the nature of that occupation shall not constitute the basis for an exception to the unfair or discriminatory practices prohibited by this policy and state law.

Examples of discriminatory practices under this section include, but are not limited to:

1. Refusing to employ, disciplining, or terminating an individual for discriminatory reasons, or

2. Limiting, segregating, or classifying an employee in any way that would unjustly deprive, tend to deprive that person of employment opportunities, or otherwise affect the employment status of an employee for any reason that violates this section.

E. GRIEVANCE PROCEDURE

Any person who feels that he or she has been denied an employment opportunity because of race, creed, color, religion, sex, national origin, age, or physical or mental disability has the right and is encouraged, to file a complaint with the person's department, pursuant to the department's grievance procedure. A person may also file a complaint with the Iowa Civil Rights Commission or the appropriate federal enforcement agency.

There shall be no discrimination or retaliation against an individual who files a complaint alleging discriminatory harassment, or who aids another individual in filing a complaint alleging discriminatory harassment. An employee who has reason to believe that he or she has been retaliated against because of participation in an investigation of discriminatory harassment may also file a charge with the Iowa Department of Personnel, the Iowa Civil Rights Commission, or the U.S. Equal Employment Opportunity Commission, whichever is appropriate.

Any person who believes that she or he has been the victim of discrimination under this section, or who has a concern about potential violations of this section, is directed to bring the matter to the attention of his or her immediate supervisor, appointing authority, or their designees, in accordance with the department's established grievance procedure. If the concern or complaint involves the employee's immediate supervisor, the employee is encouraged to file the concern or complaint with the next highest supervisor, or, in the alternative, to the Director of the Iowa Department of Personnel.

Department directors and agency heads are responsible for the enforcement of this section. The Director for the Iowa Department of Personnel shall assist departments and agencies with this responsibility. When applicable, state officials and employees shall cooperate fully with all appropriate individuals in the investigation of violations of this policy in order to create and maintain a workplace free from discrimination or discriminatory harassment.

The appointing authority shall promptly investigate all complaints. Each agency shall take final agency action in response to a complaint. The Iowa Department of Personnel shall have the authority to conduct an investigation of practices prohibited under this policy when the Director has determined that the investigation is necessary and consistent with the intent of this policy. If the complaint involves allegations of systematic discrimination, the Iowa Department of Personnel may investigate the complaint, or supervise the investigation conducted by the agency implicated.

Corrective action shall be taken immediately to remedy violations of this policy, whenever warranted, up to and including the discharge of parties whose conduct violates this policy. A manager or supervisor who fails to properly act upon complaints or who has personal knowledge of a violation of this policy and fails to take appropriate action, shall be subject to disciplinary action up to and including discharge.

A copy of any complaint received, and its resolution shall be forwarded to the Director of the Department of Personnel within ten working days after receipt of the complaint. Interim reports will be provided to the Director of the Iowa Department of Personnel, as requested.

A person, other than a state employee, who is the victim of discrimination prohibited under this policy shall report the incident immediately to the department director of the agency affected, or the Director of the Iowa Department of Personnel.

F. ASSIGNMENT OF RESPONSIBILITIES

Department directors have the responsibility for the overall administration of this policy. This includes the responsibility for the following:

Equal Opportunity: Integrating equal opportunity into all parts of human resource and program management, reviewing all policies and procedures as they affect equal opportunity and ensuring compliance with relevant statutes.

Affirmative Action: Implementing an internal system for auditing and remedying disparities and underutilization in the workforce, and annually reporting the effectiveness of affirmative action efforts to the Director of the Iowa Department of Personnel.

Prevention of Harassment: Making every reasonable effort to prevent all forms of harassment from occurring and taking immediate and appropriate corrective action when harassment is brought to their attention, either directly or indirectly.

Any administrator, supervisor, or employee who engages in any form of discrimination or harassment prohibited by this policy or who retaliates against an individual who has complained of discrimination or harassment will be subject to disciplinary action up to and including discharge. Also, any administrator or supervisor who fails to act upon complaints of or on personal knowledge of workplace discrimination or harassment will be subject to disciplinary action up to and including discharge.

G. TRAINING

As a preventative measure, department directors and their employees shall attend training offered through the Iowa Department of Personnel intended to sensitize and inform them concerning the elimination of discrimination and harassment in the workplace. This training shall include, but is not limited to, equal opportunity, affirmative action, diversity, and prevention of discrimination/harassment.

H. POSTING

This policy shall be posted in conspicuous places throughout each of the executive branch agencies of Iowa State government, included in employee handbooks, distributed to all agency employees, chairpersons of department advisory and policy-making groups, and agency-specific recruiting sources, vendors, and contractors.