

**OFFICE OF AUDITOR OF STATE**  
**STATE OF IOWA**

State Capitol Building  
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

Mary Mosiman, CPA  
Auditor of State

**NEWS RELEASE**

Contact: Mary Mosiman  
515/281-5835  
or Tami Kusian  
515/281-5834

FOR RELEASE \_\_\_\_\_ August 28, 2014 \_\_\_\_\_

Auditor of State Mary Mosiman today released a report on a review of State employee grievance processes, settlement agreements entered into by the State and payments made during the period July 1, 2010 through June 30, 2014 in relation to the settlement agreements.

Mosiman reported the review identified 2,679 grievances filed during the 4-year period which were resolved through established grievance processes. Of these grievances, 1,999 were denied, closed without action, withdrawn or resolved through the arbitration process established by the collective bargaining agreement. Of the 680 grievances which were settled, 514 resulted in payment of back-pay to an employee or resulted in an agreement which did not require a payment by the State, 151 were combined with other settled grievances and 15 resulted in payments to former employees. A settlement agreement related to a fiscal year 2009 grievance which resulted in settlement payments during fiscal year 2011 was also identified.

In addition, 22 settlement agreements during the 4-year period resulted from court proceedings rather than established grievance processes.

Payments by the State during the period July 1, 2010 through June 30, 2014 for the 38 settlement agreements which did not relate to back-pay totaled approximately \$2.4 million. The payments include approximately \$541,000 settled through the grievance process and approximately \$1,853,000 resulting from court proceedings. Of the 38 settlement agreements identified, 9 were entered into by the Department of Human Services and its Institutions, the most of any State Department/Agency, and the approximately \$708,000 paid by the Department and its Institutions was the most paid by any State Department/Agency during the 4-year period.

Payments for 32 of the settlement agreements were paid entirely by the State's General Fund, 5 were paid entirely by internal service funds, and another was paid partially by the General Fund and partially by an internal service fund. Federal funds were not ultimately used for any of the settlement agreement payments.

Confidentiality clauses were included in 42 settlement agreements, but the confidentiality requirements in the agreements were not consistent. In addition none of the confidentiality clauses contradicted section 22.13 of the *Code of Iowa*, which states settlement agreements are public records. It appears the confidentiality clauses were intended to govern the behavior of the parties to the settlement agreements without altering the public's access to the settlement agreements. Except for e-mails between legal counsel for the Department of Administrative Services and the attorney for a former employee specifying an additional \$6,500 would be paid by the State for inclusion of a confidentiality clause in a settlement agreement, no payments by the State in exchange for inclusion of the confidentiality clauses were identified.

A copy of the report is available for review in the Office of Auditor of State and on the Auditor of State's web site at <http://auditor.iowa.gov/specials/1460-8990-BOP4.pdf>.

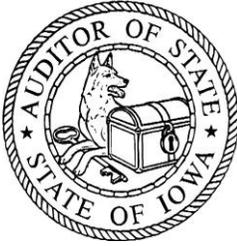
###

**REPORT ON A REVIEW  
OF STATE EMPLOYEE GRIEVANCE PROCESSES  
AND SETTLEMENT AGREEMENTS**

**FOR THE PERIOD  
JULY 1, 2010 THROUGH JUNE 30, 2014**

## Table of Contents

		<u>Page</u>
Auditor of State's Report		3-4
Review Summary:		
Background Information		5
Detailed Findings		6-16
Exhibit:	<u>Exhibit</u>	
Settlement Agreements with Settlement Payments	A	18-23
Staff		24
Appendix:	<u>Appendix</u>	
Copy of the Routing/Review Approval of Personnel Settlement Agreement Form	1	26



OFFICE OF AUDITOR OF STATE  
STATE OF IOWA

Mary Mosiman, CPA  
Auditor of State

State Capitol Building  
Des Moines, Iowa 50319-0004

Telephone (515) 281-5834 Facsimile (515) 242-6134

Auditor of State's Report

To the Governor and Members of the  
General Assembly:

As a result of concerns regarding settlement agreements and confidentiality clauses publicly discussed during the 2014 legislative session, we conducted a review of state employee grievance processes, including settlement agreements entered into by the State. We reviewed grievances filed between July 1, 2010 and June 30, 2014 and applied certain tests and procedures to the grievances identified. Based on discussions with Department of Administrative Services (DAS) personnel and a review of relevant information, we performed the following procedures for the period specified:

- (1) Reviewed DAS policies and procedures, applicable *Code of Iowa* and Iowa Administrative Code sections and collective bargaining agreements to obtain an understanding of the various grievance procedures.
- (2) Obtained and reviewed an electronic file used by DAS officials to track grievances to identify settlement agreements which included payouts to former employees.
- (3) Reviewed information included on the DAS website in response to inquiries from the Government Oversight Committee to identify settlement agreements which included payouts to former employees. The information reviewed on the DAS website was as of August 15, 2014.
- (4) Reviewed payments recorded with certain expenditure codes in the State's accounting system to identify payments associated with settlement agreements.
- (5) Reviewed settlement agreements identified to determine the payments or other benefits provided to former employees. We also determined whether the former employees met the eligibility requirements for certain settlement agreement provisions.
- (6) Determined the sources of funds used for payments to former employees to determine the propriety of the funds used.

Our detailed findings are presented in the Review Summary and **Exhibit A** of this report.

We would like to acknowledge the assistance and many courtesies extended to us by the officials and personnel of the Human Resources Enterprise of the Iowa Department of Administrative Services during the course of our review.

  
MARY MOSIMAN, CPA  
Auditor of State

  
WARREN G. JENKINS, CPA  
Chief Deputy Auditor of State

August 15, 2014

Report on a Review  
of State Employee Grievance Processes  
and Settlement Agreements

Review Summary

**Background Information**

In accordance with Chapter 8A of the *Code of Iowa*, the Iowa Department of Administrative Services (DAS) was created for the purpose of managing and coordinating the major resources of state government. To accomplish its goals, DAS has established various enterprises, including the Human Resources Enterprise (HRE). There are also teams and staff members who report directly to the Director of DAS, including the Labor Relations Team. These individuals are responsible for consulting and advising departments on labor relations, representing management in collective bargaining agreement negotiations, and representing management or employees in disciplinary proceedings.

Beginning in March 2014, the Des Moines Register® ran a series of articles regarding settlement agreements between the Executive Branch of the State of Iowa, excluding Board of Regents' institutions, and former employees. The articles frequently referred to settlements as "secret" because certain settlement agreements contained confidentiality clauses. The articles also included amounts paid to former employees under settlement agreements. Shortly after the initial articles were published, the Legislature's Government Oversight Committee (Committee) began holding hearings pertaining to the settlement agreements.

During certain meetings, former employees who had been listed in newspaper articles appeared before the Committee and answered questions regarding the settlement agreements and the process followed prior to the agreements. Representatives of DAS also appeared before the Committee, some on multiple occasions.

Based on information provided by the former employees and DAS representatives during the Committee meetings, the individuals listed in the newspaper articles had been terminated from employment with DAS as a result of a reorganization.

While these settlement agreements were established with former employees terminated as a result of reorganization, state agencies have entered into settlement agreements for a number of years as a result of numerous reasons, including:

- Reduction of the number of days suspended from work or replacement of the suspension with a written reprimand, which may include payment for back wages,
- Removal of a written reprimand or disciplinary action from the employee's personnel file,
- Approval of a vacation request which was initially denied,
- Replacement of termination by the resignation of the employee,
- Reinstatement of terminated employees, which may include payment for back wages,
- Resolution of layoff procedures, and
- Resolution of various issues related to overtime, compensatory time, sick leave, meal reimbursements, meal periods, performance evaluations, work schedule changes, work rules and policies, reduction in pay, seniority, employee transfers, and travel.

As a result of concerns regarding the settlement agreements, we have performed the procedures listed in the Auditor of State's report for the period July 1, 2010 through June 30, 2014. This period coincides with the information presented on DAS' website.

## Detailed Findings

The testing we performed and the related findings are discussed in detail in the following paragraphs.

### EMPLOYMENT STATUS AND DISCIPLINARY ACTIONS

An individual hired by the State of Iowa serves a probationary period, during which their supervisor will evaluate their work performance. At the conclusion of the probationary period, the individual will either be granted permanent employment status or the employment will be terminated. If an employee is terminated during or at the conclusion of the probationary period, the individual has no right to appeal the decision. If an employee is granted permanent employment status, they are covered under the provisions of the State's merit system or a collective bargaining agreement, or they are considered an at-will employee.

An at-will employee serves at the pleasure of a Department Director, the Governor, or a Board or Commission and may be terminated for any lawful reason at any time or for no reason. At-will employees are not covered by the provisions relating to cause or just-cause disciplinary and discharge hearings.

The State's merit system is established by section 8A.411 of the *Code of Iowa* and provides a system of human resource administration based on merit principles and scientific methods to govern the appointment, compensation, promotion, welfare, development, transfer, layoff, removal, and discipline of merit covered State employees. The Director of DAS determines the positions to be included in the merit system and notifies the affected agency's appointing authority in writing of the decision and the effective date. As defined in Section 11, Chapter 50 of the Iowa Administrative Code (IAC), the appointing authority is the appointed or elected chief administrative head of a department, commission, board, independent agency, or statutory office or that person's designee.

Employees covered by the State's merit system are subject to the following disciplinary actions when based on just cause: written reprimand, disciplinary suspension, reduction of pay within the same pay grade, disciplinary demotion, discharge, or other appropriate disciplinary measures. Disciplinary actions are similar for employees covered by various collective bargaining agreements and should be in accordance with the provisions of the agreements.

Disciplinary action may be based on, but not limited to, any of the following reasons: inefficiency, insubordination, less than competent job performance, unauthorized use or abuse of state property, failure to perform assigned duties, inadequacy in the performance of assigned duties, dishonesty, improper use of leave, unrehabilitated substance abuse, negligence, conduct which adversely affects the employee's job performance or the department, conduct unbecoming of a public employee, misconduct, or any other just cause.

Chapter 11.10 of the DAS-HRE Managers and Supervisors Manual provides definitions for just cause. Discipline must be taken for just cause, with correction of inappropriate behavior, inefficiency, or performance being the goal. Just cause includes the conditions that must exist for discipline to be considered valid and supportable. Just cause is determined to exist if the following elements are shown:

- 1) Proper written notice was given by the employer of the possible/probable consequences of the employee's conduct
- 2) The employer's rule is reasonable to the business and to the performance expected of the employee,
- 3) The employer, prior to administering the discipline, made an effort to investigate the issue,
- 4) The investigation performed by the employer was fair,

- 5) As part of the investigation, the employer obtained proof the employee was guilty,
- 6) The employer applied the rules and penalties consistently to all employees, and
- 7) The degree of discipline administered by the employer reasonably related to the seriousness of the issue.

## **GRIEVANCE PROCEDURES**

All employees have the right to file a grievance. As defined in Section 11, Chapter 50 of the IAC, a grievance is defined as a written complaint alleging a specific violation of rules in either the application or interpretation of provisions of a collective bargaining agreement or DAS-HRE rules. The procedures for filing grievances are outlined in the collective bargaining agreements for contract covered employees and DAS-HRE rules for non-contract employees. For contract covered employees alleging a violation of DAS-HRE rules or for issues not covered by a collective bargaining agreement, the DAS-HRE non-contract procedures must be followed.

While all employees have the right to file a grievance, some employees may choose to try to resolve their disputes in a different manner. Some grievances are processed through the court system. This can occur if a non-contract employee chooses to go directly to the court system rather than resolve the issue through the grievance procedures or the employment related claim is related to a civil rights or discrimination issue. These cases may be related to issues involving termination, wrongful discharge, retaliation, or discrimination.

All grievances must state the issue(s) involved, the relief sought, the date of the incident, any rule(s) or contract violation(s) involved, and the date the grievance was filed.

DAS-HRE negotiates collective bargaining agreements with the following 3 union groups:

- 1) American Federation of State, County and Municipal Employees (AFSCME),
- 2) State Police Officers Council (SPOC), and
- 3) Iowa United Professionals (IUP). There are 2 master contracts for this union group – Science Unit and Professional Social Services Unit.

Each agreement includes detailed grievance procedures, including specific steps which must be taken and completed within specified time frames. An overview of the grievance procedures obtained from the 2013-2015 collective bargaining agreements is outlined below. Collective bargaining agreements for 2009-2011 and 2011-2013 were also reviewed. There have been no significant changes in grievance procedures over the years reviewed.

### **American Federation of State, County and Municipal Employees (AFSCME)**

Article IV of the AFSCME Collective Bargaining Agreement Master Contract details the grievance procedures applicable to employees in the following bargaining units: blue collar, clerical, community based corrections, professional fiscal and staff, patient care, security, and technical. A summary of the grievance procedures follows:

Step 1 – The grievance must be presented to the appointing authority or designee within 14 calendar days of the incident on a form furnished by the union. Within 14 calendar days of receipt of the grievance, the parties will meet at a mutually agreed upon time and date and attempt to resolve the grievance. At this time, a written answer will be returned to the employee. If the disciplinary issue relates to suspension or discharge, the grievant may bypass Step 1 and proceed to Step 2.

Step 2 – If the employee is dissatisfied with the written answer from Step 1, the grievance must be appealed to the Chief Operating Officer (COO) of DAS-HRE or the Officer's designee within 14 calendar days. Within 45 calendar days of receipt of the grievance, the parties will meet to attempt to resolve the grievance. Within 30 calendar days following the meeting, a written answer will be issued to the employee.

Step 3 – Disciplinary grievances which have not been settled through the previous steps are eligible to proceed to the Grievance Resolution Improvement Process (GRIP) and are heard by the Grievance Resolution Panel (Panel). The grievance must be placed on the GRIP document within 30 calendar days from the receipt of the written answer from Step 2. The procedures used are outlined in Article IV, section 14, of the AFSCME master contract. The Panel consists of 4 members who oversee the hearings, which include presentations by both parties. The Panel then votes and issues a written decision regarding the grievance. If a majority vote of the Panel is not reached, a deadlock is created and the grievance moves to arbitration in Step 4.

Step 4 – The parties select and agree on an impartial arbitrator and set a date for the arbitration hearing. The decision of the arbitrator is final and binding on both parties. Non-disciplinary issues (for example, performance evaluation or policy violation issues) move from Step 2 directly to arbitration and do not proceed through the GRIP process. If unresolved grievances are not arbitrated, they are considered terminated.

The AFSCME grievance procedures detailed above are summarized in **Table 1** below.

**Table 1**

Step	Written Reprimands and Other Discipline	Suspension and Discharge	Non-Disciplinary Issues
	Appointing Authority or Designee	Bypass Step 1	Appointing Authority or Designee
1	DAS - HRE	DAS - HRE	DAS - HRE
2	GRIP	GRIP	Arbitration
3	Arbitration	Arbitration	
4			

**Source:** DAS

**State Police Officers Council (SPOC) and Iowa United Professionals (IUP)**

Article IV of both the SPOC and IUP Collective Bargaining Agreement Master Contracts details the grievance procedures applicable to employees in the public safety bargaining unit for SPOC and in the Social Services and Science Units for IUP. The grievances procedures under the 2 contracts are similar and are as follows:

Step 1 – The grievance must be presented to the immediate supervisor or appropriate department representative within 21 (SPOC) or 14 (IUP) calendar days of the incident. Within 14 (SPOC) or 7 (IUP) calendar days of receipt of the grievance, the parties will meet to discuss a resolution. A written answer will be returned to the employee within 7 calendar days after the meeting for SPOC grievances and immediately for IUP grievances. If the disciplinary issue relates to suspension or discharge, the grievant may bypass Steps 1 and 2 and proceed to Step 3.

Step 2 – If the employee is dissatisfied with the written answer from Step 1, the grievance must be appealed to the appointing authority or appropriate department designee within 14 (SPOC) or 7 (IUP) calendar days of receiving the answer. Within 14 (SPOC) or 7 (IUP) calendar days of receipt of the appeal, the parties will meet to attempt to resolve the grievance. A written answer will be issued to the employee within 7 calendar days following the meeting for SPOC grievances and immediately for IUP grievances.

Step 3 – If an employee is dissatisfied with the written answer from Step 2, the grievance must be appealed to the COO of DAS-HRE or the Officer’s designee within 14 (SPOC) or 7 (IUP) calendar days. For SPOC appeals, the appropriate parties will meet and attempt to resolve the grievance within 14 calendar days and a written answer will be issued to the employee within 30 calendar days following the meeting. For IUP appeals, the appropriate parties will meet and attempt to resolve the grievance and a written answer will be issued to the employee within 30 calendar days.

Step 4 – Grievances which have not been settled at Step 3 move to arbitration. The parties select and agree on an impartial arbitrator and set a date for the arbitration hearing. The decision of the arbitrator is final and binding on both parties. If unresolved grievances are not arbitrated, they are considered terminated.

The SPOC and IUP grievance procedures detailed above are summarized in **Table 2** below.

**Table 2**

Step	Written Reprimands and Other Discipline	Suspension and Discharge	Non-Disciplinary Issues
1	Immediate Supervisor or Department Representative Appointing Authority or	Bypass Steps 1 and 2	Immediate Supervisor or Department Representative Appointing Authority or
2	Department designee	Bypass Steps 1 and 2	Department Designee
3	DAS - HRE	DAS - HRE	DAS - HRE
4	Arbitration	Arbitration	Arbitration

**Source:** DAS

### Non-Contract

According to section 11.45 of the DAS-HRE Managers and Supervisors Manual, a non-contract grievance is any dispute between the employer and a non-contract employee with respect to the conditions of employment. A summary of the grievance procedures follows:

Step 1 – The grievance must be presented to the immediate supervisor within 14 calendar days of the incident by submitting a non-contract grievance form. A written answer will be returned to the employee within 7 calendar days. Employees who are covered by the merit system and who are disciplined by suspension, reduction in pay, demotion, or discharge bypass Steps 1 and 2 of the grievance procedures.

Step 2 – If the employee is dissatisfied with the written answer from Step 1, the grievance must be appealed to the management representative within 7 calendar days of receiving the answer. The management representative must give a written answer to the employee within 7 calendar days after the appeal was received.

Step 3 – If the employee is dissatisfied with the written answer from Step 2, the grievance must be appealed to the COO of DAS-HRE or the Officer’s designee within 14 calendar days. Within 30 calendar days of receipt of the appeal, a written decision will be returned to the employee. If the employee is dissatisfied with the decision and alleges a violation of Chapter 8A of the *Code* or Section 11 of the IAC, they may file an appeal with the Public Employment Relations Board (PERB). This must be done within 30 calendar days from the date the decision was received.

The non-contract grievance procedures detailed above are summarized in **Table 3** below.

**Table 3**

Step	Written Reprimands	Suspension, Reduction in Pay, Demotion, and Discharge	Non-Disciplinary Issues
1	Supervisor Management	Bypass Steps 1 and 2	Supervisor Management
2	Representative	Bypass Steps 1 and 2	Representative
3	DAS - HRE	DAS - HRE	DAS - HRE
4	PERB	PERB	PERB

**Source:** DAS

## **ATTORNEY GENERAL'S INVOLVEMENT**

The Attorney General's Office (AG's Office) may become involved in settlement agreements due to its role as legal counsel for various state agencies. The AG's Office will give general advice on settlement issues to client agencies, if requested, but state agencies are not required to use the AG's Office as legal counsel unless required by the *Code*. Certain state agencies have been given authority under the *Code* to hire their own legal counsel, but these state agencies may still use the AG's Office.

According to a representative of the AG's Office, they were rarely involved in grievance settlements prior to Executive Order 85 issued on March 24, 2014. DAS legal counsel was involved throughout the grievance process, and the AG's Office could step in when a case reached PERB if DAS or the state agency involved requested assistance. If a grievance case is in District Court, the AG's Office is required by the *Code* to represent the State of Iowa. Executive Order 85 requires settlement agreements be reviewed by a representative of the AG's Office and approved by the Directors of DAS, the Department of Management, and the agency entering into the settlement agreement.

## **STATE APPEAL BOARD INVOLVEMENT**

The State Appeal Board (SAB) is not involved in grievance settlements. Settlement agreements go before the SAB only when funds from unappropriated general funds are needed to pay the settlement. Unappropriated general funds are used when a claim approved for payment by the SAB requires the use of funds outside of the current fiscal year, such as when the SAB approves payment for a claim received in fiscal year 2013 during fiscal year 2014. Since fiscal year 2013 has ended, fiscal year 2013 funds cannot be used to pay the claim. Unappropriated general funds would then be used to pay the claim. This process has not changed since Executive Order 85 was issued.

## **GRIEVANCE TRACKING FILE**

When a grievance is filed with DAS-HRE, it is recorded in an electronic file which is used to track grievances. We obtained a copy of the electronic file from the Chief Resource Maximization Officer of DAS. The file includes grievance information from fiscal year 2009 to the present and is updated and compiled by Labor Relations Team members and reviewed by the Chief Resource Maximization Officer. When a grievance is filed with DAS, it is assigned a DAS-HRE number, such as 14-0001, and it is assigned to a Labor Relations Team member. The electronic file also includes the union grievance number, the union initiating the grievance, the department/agency of the grievant, the grievant's name, and a brief description of the issue/incident. The file documents the steps in the grievance process, applicable dates, and any decisions made.

We reviewed the grievances recorded in the electronic file to identify any grievances filed during fiscal years 2011 through 2014 related to terminations, discharges, or layoffs for which a settlement agreement was established. The grievances recorded in the electronic file for fiscal years 2009 and 2010 are not a complete population and grievances prior to fiscal year 2009 were not tracked. As a result, we did not review the information prior to fiscal year 2011.

We also reviewed the settlement agreements posted to DAS' website in response to inquiries from the Committee and compared the information from the electronic DAS grievance file to the settlement agreements listed on the DAS website.

**Table 4** summarizes the grievances filed in fiscal years 2011 through 2014 by department/agency for each fiscal year. The total grievances filed during this period total 2,679.

**Table 4**

Department/Agency	FY 2011	FY 2012	FY 2013	FY 2014	Total
Department of Corrections and Correctional Facilities	279	417	202	229	1,127
Department of Human Services and Institutions	134	184	181	156	655
Iowa Veterans Home and Veterans Affairs	23	130	47	38	238
Iowa Workforce Development	40	54	55	37	186
Department of Transportation	22	35	46	33	136
Department of Administrative Services	9	21	5	18	53
Department of Public Safety	6	12	18	11	47
Department of Natural Resources	13	4	5	7	29
Department of Commerce	7	7	8	5	27
Department of Inspections and Appeals	5	6	2	10	23
Other Departments/Agencies	36	40	45	37	158
Total	574	910	614	581	2,679

DAS officials provided the Government Oversight Committee the number of grievances by fiscal year for a portion of fiscal years 2007 and 2014 and all of fiscal years 2008 through 2013. The information presented in **Table 4** includes all of fiscal year 2014 and has been updated since the information was provided to the Committee.

As illustrated by the **Table**, fiscal year 2012 had the most grievances filed during the 4 year period. Fiscal year 2012 had 910 grievances filed, which is 49% more than fiscal year 2013 which had the second largest number of grievances for the fiscal years shown in the **Table**. We reviewed the electronic grievance file to identify the reasons for the increase for fiscal year 2012 and determined it was primarily due to the increases in grievances at 2 agencies: the Department of Corrections and Correctional Facilities and the Iowa Veterans Home and Veterans Affairs. We reviewed the grievances for each of these agencies and determined 2 correctional facilities, Fort Madison State Penitentiary and Mount Pleasant Correctional Facility, had large construction projects in progress at this time which resulted in an increase in health and safety grievances. In addition, grievances filed regarding the Iowa Veterans Home stated changes made by the agency violated terms established in the collective bargaining agreements and established work rules, which led to the increase in employee grievances during fiscal year 2012.

We identified 680 of the 2,679 grievances filed during fiscal years 2011 through 2014 resulted in some type of settlement. The settlement may have been monetary or non-monetary and involved both current and former employees. The remaining 1,999 grievances did not result in a settlement. These grievances were denied at some point in the process, closed without action, withdrawn, or resolved through the arbitration process. The 680 grievances settled included 92 settlements which occurred at Step 3 of the AFSCME grievance procedures through GRIP, discussed on page 7. These are usually non-monetary agreements or they provide back-pay to a current employee who was suspended without pay. Of the remaining 588 grievances settled, 422 did not result in any payments, other than back-pay, to a current employee and 151 were combined with other settled grievances. The remaining 15 grievances settled provided a settlement payment to a former employee.

We also identified a fiscal year 2011 settlement agreement related to a grievance filed with DAS in fiscal year 2009 which included settlement payments, which brings the total grievances settled by DAS to 16.

We identified 22 additional agreements with settlement payments which were not included in the electronic file obtained from DAS because they were handled by the AG's Office and settled

through court proceedings rather than through the grievance procedures previously described by reviewing various payment processes through the State's accounting system.

**Table 5** summarizes the number of approved settlements identified by department/agency and the total amount of settlement payments for fiscal years 2011 through 2014. The **Table** includes the 16 settlement agreements filed with DAS and the 22 agreements settled through court proceedings. **Exhibit A** summarizes the 38 settlement agreements with payments by former employee.

**Table 5**

Department/Agency	Agreements Settled Through:			
	Grievance Process		Court Proceedings	
	Number	Amount	Number	Amount
Department of Human Services and Institutions	5	\$ 48,900.00	4	\$ 659,257.70
Department of Administrative Services	6	296,702.52	-	-
Department of Natural Resources	-	-	4	253,500.00
Iowa Workforce Development	1	3,192.00	2	35,289.82
Judicial Branch	-	-	3	159,340.80
Department of Public Defense	-	-	3	325,000.00
Department of Public Health	2	80,000.00	-	-
Department of Corrections*	1	2,000.00	2	148,000.00
Civil Rights Commission	-	-	1	26,136.00
Department of Education	-	-	1	54,400.00
Iowa Veterans Home	1	110,000.00	-	-
Office of Energy Independence	-	-	1	180,000.00
Department of Justice	-	-	1	12,500.00
<b>Total</b>	<b>16</b>	<b>\$ 540,794.52</b>	<b>22</b>	<b>\$ 1,853,424.32</b>

\* - Includes Correctional Facilities and Judicial Districts

The total of the 38 settlement agreements was \$2,394,218.84. The settlement payments identified ranged from \$2,000.00 to \$448,257.70. The following were identified from the 38 settlement agreements included in the **Table** and **Exhibit A**.

- The Department of Human Services and its institutions entered into 9 settlement agreements and DAS entered into 6 settlement agreements.
- Of the 38 settlement agreements, 9 provided for payments totaling \$100,000.00 or more, with the largest payment of \$448,257.70 to Zane Hurkin of the Department of Human Services - Woodward Resource Center. The remaining 8 settlement agreements of \$100,000.00 or more ranged from \$100,000.00 to \$190,000.00.
- The settlement agreements included monetary payments for items such as non-wage payments, back wages, compensatory damages/emotional distress, attorney fees, sick leave insurance program (SLIP) contributions, deferred compensation account contributions, and amounts equivalent to a specified number of IPERS quarters.
- Non-monetary items provided in the settlement agreements included information to be removed from personnel files, such as termination letters, suspensions, written reprimands, and performance evaluations. In addition, 4 former employees were allowed to change their terminations to a resignation or a lay-off, and 3 employees had their terminations removed from their personnel file. Also, an employee was allowed to return to employment at the Department of Education at an annual salary of \$75,300.00.
- 3 settlement agreements included amounts equivalent to a specified number of quarters of IPERS payments. For example, a former DAS employee received the equivalent of 15 quarters of IPERS, with \$10,000.00 in a cash payment, \$35,000.00 paid into an existing deferred compensation account and \$25,826.25

to be paid to the deferred compensation account in approximately 9 months after the settlement date.

- Of the 38 settlement agreements, 15 provided compensatory damages for emotional distress.
- We identified 7 employees with settlement agreements for whom SLIP accounts were established. The SLIP program allows employees who are eligible upon a bona fide retirement to use the value of their unused sick leave to pay the employer's share of the monthly premium of the State's group health insurance plan after their retirement. The SLIP balance is calculated by converting accrued sick leave hours into dollars based on a percentage of the sick leave hours at retirement.

The 7 employees identified complied with each SLIP eligibility requirement except the requirement the employee enter into a bona fide retirement.

The settlement agreements for 3 of the 7 employees provided for their allowable sick leave balance to be transferred to their SLIP account.

The settlement agreement for 1 of the 7 employees specified \$9,635.58 was to be transferred to her SLIP account on her behalf. However, this amount was \$4,405.37 more than her allowable sick leave balance. She was eligible to have \$5,230.21 of her sick leave balance transferred to her SLIP account.

The settlement agreements for the remaining 3 employees did not address the establishment of SLIP accounts. We are unable to determine why their settlement agreements did not address establishing SLIP accounts for them. The amounts placed into their respective SLIP accounts agreed with the allowable portion of their sick leave balances.

## **FUNDING OF SETTLEMENT PAYMENTS**

During the Committee meetings, questions were raised about whether appropriate funding sources were used to pay the settlements and if any federal funds were used. We reviewed the source of the funds used to pay the 38 settlements. **Exhibit A** summarizes the 38 settlement agreements with a payment to a former employee.

The payments were made by the agencies listed in **Table 5** and **Exhibit A**. Each agency was responsible for determining the appropriate funding source from which the settlement was to be paid. We reviewed the individual payments to determine the funding sources used by the agencies for the settlement agreements. Based on our testing, we determined:

- Of the 38 settlement agreements, 32 were paid entirely from the General Fund, 5 were paid entirely from internal service funds, and 1 settlement agreement was paid partially from an internal service fund and partially from the General Fund. Of the 32 paid from the General Fund, 16 were approved by the SAB and paid from unappropriated general funds.
- Of the 32 paid from the General Fund, 2 were originally paid with federal funds. We determined Melissa Rogers' settlement agreement was initially paid from the IWD Major Federal Programs Fund administered by Iowa Workforce Development. Ms. Rogers' employment was terminated on December 9, 2011. At the time of her termination, her salary was paid from that fund. However, Department officials reviewed the payment after it was disclosed in media coverage in 2014 and determined it should not have been paid with federal funds. As a result, adjustments were made to the accounting records in March 2014 to move the cost of Ms. Rogers' settlement to the Special Contingency Fund which is funded by non-federal funds.

We determined a portion of Dean Ibsen's settlement agreement was paid from the Iowa Power Fund administered by the Iowa Economic Development Authority (IEDA). IEDA entered into a Memorandum of Understanding with DAS to transfer IEDA's authority of the Iowa Power Fund to DAS. Mr. Ibsen's employment was terminated on February 17, 2012. At the time of his termination, his salary was paid from the federal funds in the Iowa Power Fund for 5 months. Prior to that, his salary had been paid from the Facilities and Support Revolving Fund. During that period, Mr. Ibsen was employed by DAS as a Public Service Executive 4. According to information on the State's centralized payroll system, Mr. Ibsen was demoted to a Construction/Design Engineer with the Office of Energy Management within DAS' General Services Enterprise on September 30, 2011.

While Mr. Ibsen's initial settlement payment was paid from the funding source from which his salary had been paid for only 5 months, adjustments were subsequently made to the accounting records in June 2013 to move the cost of Mr. Ibsen's settlement to a unit within the Iowa Power Fund funded by non-federal funds. This unit was an appropriate funding source for the payment. The final settlement payment was paid from the Facilities and Support Revolving Fund because the Iowa Power Fund no longer existed

State departments submit budget requests, within guidelines set by the Governor, to the Department of Management by October 1 of each year. Those guidelines allow flexibility in the amount of detail provided for the expenditures proposed in the budget request. Based on review of the budget requests and public hearings with the departments, the Governor's proposed budget is prepared.

Following submission of the Governor's proposed budget to the Legislature, the Appropriations Subcommittees hold hearings on the budget requests. While departments may choose the information to present at the budget hearings, the Appropriations Subcommittees may also request or require additional information. Following consideration by the Appropriations Subcommittees and the full Appropriations Committees, appropriation bills are enacted by the Legislature and presented to the Governor.

Because many departments receive fees or payments for services which, by statute, are already appropriated for expenditure, the appropriation bills do not typically fund all of a department's proposed expenditures. The appropriation bills typically specify the appropriations are for "salaries, support, maintenance, and miscellaneous purposes" and do not provide further restrictions on the use of the appropriations.

## **TESTING OF GRIEVANCE PROCEDURES**

From the DAS grievance tracking file, we selected 60 grievances filed with DAS between July 1, 2010 and June 30, 2014. The grievances were reviewed to determine compliance with the applicable procedures either based on the required steps for non-contract employees or the applicable collective bargaining unit (AFSCME, SPOC, or IUP).

During our testing, we reviewed each of the grievance files maintained by DAS in order to determine the proper procedures, as outlined in the "Grievance Procedures" section on page 6 of this report, were followed. As a result, we determined:

- For 14 grievances tested, the grievance was not answered timely by DAS.
- For 12 grievances tested, the initial grievance was not filed within the timeframe specified in Step 1. The bargaining agreements and the DAS-HRE Managers and Supervisors Manual state that under no circumstances shall a grievance be considered timely after 6 months from the date of occurrence. Of the 12 grievances identified, we identified a grievance which was not filed within 6 months from the date of occurrence. This grievance was denied and did not result in a settlement.

- For 7 grievances tested, a meeting between DAS-HRE and an AFSCME union representative did not occur timely.
- For 5 grievances tested, the grievance was not appealed to DAS-HRE timely.
- For 2 grievances tested, the grievance was not answered by the Appointing Authority timely.
- For 2 grievances tested, the grievance was not appealed to PERB timely.
- For 1 grievance tested, an answer was not received timely after the meeting with the Appointing Authority and a union representative was held.
- For 1 grievance tested, a disciplinary grievance which was eligible to proceed to GRIP was not placed on the Panel docket timely.

The bargaining agreements and the DAS-HRE Managers and Supervisors Manual contain statements which allow for modified time limits for each step of the grievance procedures. Grievances not appealed within the designated time limits in any step of the grievance procedures will be considered as settled on the basis of the last employer answer. Grievances not answered by the employer within the designated time limits may be appealed to the next step. The parties may agree in writing at any step to extend the time limits.

While the individual steps within the grievance processes were not always completed in a timely manner, we did not identify any additional concerns for the grievances tested.

### **CONFIDENTIALITY CLAUSES**

Of the 422 settlement agreements resulting in payments of back-pay to current employees and the 15 settlement agreements resulting in settlement payments to a former employee, 37 included a confidentiality clause. Of the 22 settlement agreements which went through the court process, 5 included a confidentiality clause resulting in a total of 42 settlement agreements with confidentiality clauses. Based on a review of those settlement agreements, there were no written provisions associating a portion of the payment received by the former employee with the maintenance of confidentiality. However, according to the testimony provided at a Committee meeting by Carol Frank, a former DAS employee, \$6,500.00 of the \$77,326.25 settlement payment she received was directly related to the maintenance of confidentiality, which is supported by copies of e-mailed communication between her attorney and DAS legal counsel. In addition, 2 other former DAS employees stated they were offered money to include a confidentiality clause in their settlement agreement, but they declined to sign an agreement with this provision.

Ms. Frank's settlement agreement stated, "Frank and DAS shall undertake reasonable efforts to maintain the confidentiality of this Agreement, subject to Iowa law. The Parties further agree not to make communications or statements, written or oral, which disparage or damage the reputation of the other party."

Although the settlement agreements have sometimes been characterized as "secret," settlement agreements are specifically addressed in section 22.13 of the *Code*, which states they are public records. It appears the confidentiality clauses included in some settlement agreements were intended to govern the behavior of the parties to the agreements, but did not alter the public's access to the agreements compared to any other public records.

In addition, we determined the wording of the confidentiality clause included in the 42 agreements identified was not consistent. The wording ranged from basic to extensive, including:

- "The terms of this settlement agreement are considered by the parties to pertain only to the specific facts involved in this matter and will be kept confidential to the extent allowable by Iowa law."

- “...specifically agrees that he will not actively seek to publicize the terms of this Agreement, event [sic] though it is a public record. This paragraph does not prevent...from revealing the terms of this Agreement upon an unsolicited request.”
- “...specifically agrees that neither she, her attorney, nor any person on her behalf or with her prior knowledge shall communicate, publish, characterize, publicize or disseminate, in any manner or under any circumstances, the terms of this Agreement, the payment amount, or any part of the settlement negotiations with any media organization, or any of its agents or representatives, including but not limited to, organizations operating through radio, television, newspaper, or internet.”
- “Subject to Iowa law, all facts, circumstances and terms related to and contained in this Agreement shall be confidential. Union and Grievant as well as their agents, representatives, officers and employees, shall not release any information pertaining to Grievance. If there is convincing evidence suggesting a release of such information, it shall be a breach of this Agreement.”
- “Grievant agrees that the contents of this settlement agreement are confidential and release of any information with regard to the, contents or terms of this agreement is strictly prohibited except with regard to the letter of resignation that may be released to potential employers or Grievant’s legal counsel. If Grievant knowingly or willfully releases any of the terms, language, or contents of this settlement agreement, said release will be a per se violation of the agreement and will result in immediate revocation of the terms of the agreement to include immediate revocation of Grievant’s resignation and immediate reinstatement of the termination effective...by the Department of Administrative Services.”

## **EXECUTIVE ORDER 85**

On March 24, 2014, Governor Branstad issued Executive Order 85, which declared accountability, openness, and transparency essential to the efficient operation of state government and in the best interest of taxpayers. The order provides no state agency may enter into a personnel settlement agreement on behalf of the State unless the agreement is reviewed by the Attorney General or his designee. An agreement for a state agency not governed by the Board of Regents is to be approved in writing by the Director of DOM, the Director of the DAS, and the head of the agency involved with the matter at issue. An agreement for an institution governed by the Board of Regents is to be approved in writing by the Executive Director of the Board of Regents and the head of the institution involved in the matter at issue. In the event these procedures are not consistent with a collective bargaining agreement, the relevant head of the agency or institution, the Director, the Executive Director, and the Attorney General or his designee, will be provided with regular reports of personnel settlement agreements.

The Executive Order also provides no personnel settlement agreement shall contain any confidentiality provisions that attempt to prevent disclosure of the agreement and every agreement shall be posted to the DAS or Board of Regents website in a location easily accessible to the public.

In order to comply with the requirements of Executive Order 85, DAS developed a review and approval sheet to be routed along with the settlement agreement to the required parties. A copy of the form is included in **Appendix 1**.

## OVERALL RESULTS

In summary, we identified:

- The 60 settlement agreements tested followed the existing processes for grievances, with the exception of some timeliness issues.
- Of the 2,679 grievances identified for fiscal years 2011 through 2014 and the fiscal year 2009 grievance settled in fiscal year 2011, 681 included some type of settlement payment. While many of these settlements were non-monetary or were for back-pay to current employees, 16 of the settlement agreements resulted in settlement payments. In addition, 22 were settled through court proceedings. The 38 settlement agreements included total payments of \$2,394,218.84 to former employees.
- Of the 38 settlement agreements, 32 were paid entirely from the General Fund, 5 were paid entirely from internal service funds, and 1 was paid partially from an internal service fund and partially from the General Fund. There were 2 settlement agreements originally paid with federal funds. However, these were corrected by the departments involved. As a result, no federal funds were ultimately used to pay any of the 38 agreements.
- 42 settlement agreements included confidentiality clauses. There were no payments identified in the settlement agreements which were specified to be for the confidentiality clause. A former employee has come forward with documentation showing she was offered \$6,500.00 to add a confidentiality clause to her settlement agreement, which she accepted. In addition, 2 other former DAS employees testified they were also offered money for adding confidentiality agreements, which they did not accept. There was no documentation located to substantiate the offers. We did not become aware of any other such offers or agreements. Confidentiality clauses or provisions are no longer allowed in any settlement agreements per Executive Order 85.
- We identified a former employee, who was eligible for SLIP, but the amount transferred to her SLIP account per her settlement agreement was more than her allowable sick leave balance. She was eligible to have \$5,230.21 of her sick leave balance transferred to her SLIP account. However, her settlement agreement transferred \$9,635.58 to her SLIP account on her behalf, which is \$4,405.37 more than allowed.
- All settlement agreements are now required to be reviewed by a representative of the AG's Office and approved by the Directors of the department entering into the settlement agreement, DOM, and DAS.

DAS officials have requested our assistance in identifying improvements to the tracking system and related processes to ensure the tracking system is complete and accurate. We have agreed to provide the requested assistance.

**Exhibit**

Review of State Employee Grievance Processes  
and Settlement Agreements

Settlement Agreements with Settlement Payments

Name	Department/Agency	Date of Settlement Agreement	Confidentiality Clause Included in Agreement
Steven Mosen	Department of Human Services	02/11/11	NO
Deanna Edmond	Department of Human Services - Child Support Recovery Unit	08/15/11	YES
Forrest King	Department of Human Services - Glenwood Resource Center	06/07/13	YES
Edward Martin	Department of Human Services - Glenwood Resource Center	02/19/14	YES
Ryan Woods	Department of Human Services - Glenwood Resource Center	06/07/13	YES
Cecilia Carman	Department of Human Services - Glenwood Resource Center	04/30/14	NO
Sue Frye	Department of Human Services - Iowa Juvenile Home	02/21/14	YES
Sally Studer	Department of Human Services - Woodward Resource Center	07/09/13	NO
Zane Hurkin	Department of Human Services - Woodward Resource Center	02/07/13	NO
Gary Forshee	Department of Administrative Services	02/04/13	YES
Dean Ibsen	Department of Administrative Services	03/06/13	NO
Carol Frank	Department of Administrative Services	03/11/13	YES
Ken Thornton	Department of Administrative Services	03/27/12	NO
Michael Frost	Department of Administrative Services	03/18/11	NO
Tony Schmitz	Department of Administrative Services	02/01/13	YES

Agreements Settled Through:						
Grievance Process	Court Proceedings	Attorney's Fees and Costs	Wages **	Deferred Compensation	SLIP Contribution	Non-wage Payment
\$ -	75,000.00	25,900.00	-	-	-	49,100.00
4,000.00	-	-	4,000.00	-	-	-
5,000.00	-	-	5,000.00	-	-	-
10,000.00	-	-	10,000.00	-	-	-
22,000.00	-	-	22,000.00	-	-	-
-	100,000.00	33,333.00	33,333.00	-	-	33,334.00
7,900.00	-	-	7,900.00	-	-	-
-	36,000.00	12,600.00	15,000.00	-	-	8,400.00
-	448,257.70	142,422.68	140,852.52	-	-	164,982.50
<u>48,900.00</u>	<u>659,257.70</u>	<b>Subtotal Iowa Department of Human Services and Institutions</b>				
54,089.00	-	-	-	-	-	54,089.00
70,826.25	-	-	12,826.25	58,000.00	-	-
77,326.25	-	-	67,690.67	-	9,635.58	- #
24,347.25	-	-	-	-	24,347.25	-
34,388.77	-	-	34,388.77	-	-	-
35,725.00	-	-	-	-	-	35,725.00
<u>296,702.52</u>	-	<b>Subtotal Iowa Department of Administrative Services</b>				

Review of State Employee Grievance Processes  
and Settlement Agreements

Settlement Agreements with Settlement Payments

Name	Department/Agency	Date of Settlement Agreement	Confidentiality Clause Included in Agreement
Swallow Yan	Department of Natural Resources	08/01/11	YES
Farkhondeh Amin	Department of Natural Resources	01/12/12	YES
John Schmidt	Department of Natural Resources	****	YES
Teresa Barrie	Department of Natural Resources	07/21/11	YES
Melissa Rogers	Department of Workforce Development	01/23/12	NO
Daniel Noonan	Department of Workforce Development	11/17/12	NO
Jennifer Piper	Department of Workforce Development	05/16/12	NO
Cynthia Marshall	Judicial Branch (Polk County Clerk of Court)	10/30/13	NO
Janice Rouse	Judicial Branch (Polk County Clerk of Court)	02/28/14	NO
Julia-Gomez Medallin	Judicial Branch (Johnson County Clerk of Court)	05/17/12	NO
Frank Baxter	Department of Public Defense	09/21/11	NO
Carsjen Jones	Department of Public Defense	07/30/12	NO
Lindsie Bertrand	Department of Public Defense	****	^
Pam Deichmann	Department of Public Health	06/13/13	YES
Mary Christine Newell	Department of Public Health	04/30/13	NO
Melissa Renda	Department of Corrections	11/27/13	NO
Dana Day	Department of Corrections - Iowa Correctional Institute for Women	03/08/12	NO
Juan Nuci	Department of Corrections - Seventh Judicial District	11/29/11	NO

Agreements Settled Through:						
Grievance Process	Court Proceedings	Attorney's Fees and Costs	Wages **	Deferred Compensation	SLIP Contribution	Non-wage Payment
-	100,000.00	33,333.33	5,000.00	-	-	61,666.67
-	112,500.00	12,500.00	100,000.00	-	-	-
-	20,000.00	-	2,500.00	-	-	17,500.00
-	21,000.00	7,000.00	-	-	-	14,000.00
-	253,500.00	<b>Subtotal Iowa Department of Natural Resources</b>				
3,192.00	-	-	3,192.00	-	-	-
-	4,513.08	3,975.00	538.08	-	-	-
-	30,776.74	-	-	-	-	30,776.74
3,192.00	35,289.82	<b>Subtotal Iowa Department of Workforce Development</b>				
-	125,000.00	56,807.34	15,000.00	-	-	53,192.66
-	30,140.80	10,000.00	5,140.80	-	-	15,000.00
-	4,200.00	-	-	-	-	4,200.00
-	159,340.80	<b>Subtotal Judicial Branch</b>				
-	10,000.00	3,300.00	-	-	-	6,700.00
-	125,000.00	54,557.56	-	-	-	70,442.44
-	190,000.00	85,767.53	34,232.47	-	-	70,000.00
-	325,000.00	<b>Subtotal Iowa Department of Public Defense</b>				
20,000.00	-	-	-	-	-	20,000.00
60,000.00	-	-	25,250.00	34,750.00	-	- @
80,000.00	-	<b>Subtotal Iowa Department of Public Health</b>				
-	71,000.00	46,000.00	-	-	-	25,000.00
-	77,000.00	7,000.00	-	-	-	70,000.00 ~
2,000.00	-	-	2,000.00	-	-	-
2,000.00	148,000.00	<b>Subtotal Iowa Dept. of Corrections (including Facilities and Judicial Districts)</b>				

Review of State Employee Grievance Processes  
and Settlement Agreements

Settlement Agreements with Settlement Payments

Name	Department/Agency	Date of Settlement Agreement	Confidentiality Clause Included in Agreement
Janet Cecelia Ryon-Walthall	Civil Rights Commission	12/30/11	NO
Deborah Schroeder	Department of Education	10/02/13	YES
Kelli Grabau	Iowa Veterans Home	10/29/13	YES
Jennifer Wright	Office of Energy Independence	04/25/11	NO
Jennifer Bennett	Department of Justice	11/09/11	NO
Total			

\*\* - Wages are shown at the gross amount. Applicable deductions were withheld from the payments.

# - A payment of \$17,690.67, less withholdings/deductions, is to be paid in January 2015.

\*\*\*\* - Settlement agreement did not include a date.

^ - Settlement agreement was not located.

@ - The deferred compensation payment was not specifically identified in the settlement agreement but was identified by reviewing the supporting documentation for the payment.

~ - A payment of \$14,000.00 is to be paid in September 2014.

---

**Agreements Settled Through:**

Grievance Process	Court Proceedings	Attorney's Fees and Costs	Wages **	Deferred Compensation	SLIP Contribution	Non-wage Payment
-	26,136.00	8,000.00	11,476.00	-	-	6,660.00
-	54,400.00	-	46,400.00	-	-	8,000.00
110,000.00	-	-	30,000.00	-	-	80,000.00
-	180,000.00	66,388.69	34,870.44	-	-	78,740.87
-	12,500.00	-	-	-	-	12,500.00
<hr/> <b>\$540,794.52</b>	<hr/> <b>1,853,424.32</b>	<hr/> <b>608,885.13</b>	<hr/> <b>668,591.00</b>	<hr/> <b>92,750.00</b>	<hr/> <b>33,982.83</b>	<hr/> <b>990,009.88</b>

Report on a Review  
of State Employee Grievance Processes  
and Settlement Agreements

Staff

This review was performed by:

Annette K. Campbell, CPA, Director  
Jennifer Campbell, CPA, Manager  
Tammy A. Hollingsworth, Senior Auditor II  
Jennifer L. Wall, CPA, Senior Auditor II  
Kelsie K. Boyer, Assistant Auditor  
Leslie M. Downing, Assistant Auditor  
Jenna M. Paysen, Assistant Auditor



Tamera S. Kusian, CPA  
Deputy Auditor of State

## **Appendix**

Review of State Employee Grievance Processes  
and Settlement Agreements

Copy of the Routing/Review Approval of Personnel Settlement Agreement Form



Iowa Department of Administrative Services  
Service • Efficiency • Value

Governor Terry E. Branstad  
Lt. Governor Kim Reynolds  
Janet Phipps, Director

Routing/Review Approval of Personnel Settlement Agreement

*Please sign/date where indicated below noting the approval or denial of the attached proposed Personnel Settlement Agreement. \*\*After signing, please return to the attention of DAS-Communications in the Hoover Building for routing/final distribution.\*\* If "denied," please return to DAS-Communications.*

In the matter of: \_\_\_\_\_  
LRT Staff: \_\_\_\_\_

Agency/Department: \_\_\_\_\_  
Director's Printed Name: \_\_\_\_\_  
Director's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_ Approve:  Deny:

**Department of Administrative Services**  
Director's Printed Name: \_\_\_\_\_  
Director's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_ Approve:  Deny:

**Department of Management**  
Director's Printed Name: \_\_\_\_\_  
Director's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_ Approve:  Deny:

**Office of the Attorney General**  
Reviewed by (Print Name): \_\_\_\_\_  
Reviewer's Signature: \_\_\_\_\_  
Date: \_\_\_\_\_ Reviewed:  Redacted: