

# State of Iowa Employee Handbook

---



October 2018

Issued by:

Iowa Department of Administrative Services – Human Resources Enterprise

# Table of Contents

---

Welcome to Iowa State Government ..... 1

    Introduction ..... 1

General Employment Information ..... 2

    Probationary Period ..... 2

    Permanent Status ..... 2

    Merit System Coverage..... 2

    Armed Services Veterans Employees..... 2

    Work Hours ..... 3

    Overtime ..... 3

    Promotion ..... 3

    Dual Executive Branch Compensation ..... 3

    Job Reclassification ..... 4

    Performance Reviews ..... 4

    Safety ..... 4

    Employee Personnel Records ..... 5

    Management Access to Work Areas..... 5

    Uniforms and Other Clothing..... 5

    Resignation ..... 5

Payday and Paychecks..... 6

    Paychecks..... 6

    Direct Deposit ..... 6

    Travel Expenses..... 6

    Charitable Contributions..... 6

Group Benefit Programs ..... 7

    Health Insurance ..... 7

    Dental Insurance ..... 7

    Dependent Verification..... 7

    COBRA ..... 8

    Sick Leave Insurance Program (SLIP)..... 8

    Life Insurance ..... 9

    Long-Term Disability Insurance (LTD) ..... 9

    Qualified Life Events ..... 9

Supplemental Retirement Savings Program .....	9
Flexible Spending Accounts .....	10
Premium Conversion Plan (Pretax) .....	10
Other Benefits .....	11
Workers' Compensation .....	11
Iowa Public Employees' Retirement System (IPERS) .....	11
Peace Officers' Retirement System (PORS) .....	11
Employee Assistance Program .....	11
Benefit Education .....	12
Training and Development .....	12
Leaves .....	13
Holidays .....	13
Vacation .....	13
Sick Leave .....	13
Care and Necessary Attention to Family Members .....	14
Death in Immediate Family .....	14
Military Leave .....	14
Leave without Pay .....	14
Donated Leave for a Catastrophic Illness .....	15
Jury Duty and Court Leave .....	15
Bone Marrow and Organ Donation Leave .....	15
Educational Leave and Assistance Program .....	15
Severe Weather and Emergency Closings .....	16
Unauthorized Leave .....	16
Family and Medical Leave Act (FMLA) .....	16
FMLA Absence Reporting .....	16
Standards of Conduct .....	18
Political Activities .....	18
Outside Employment/Selling Goods or Services .....	18
Gifts and Gratuities .....	18
Use of State Property .....	19
Use of Personal Electronic Devices .....	20
Protection from Reprisal .....	20

Disciplinary Actions and Your Rights .....	21
Disciplinary Actions .....	21
Grievance Procedures .....	21
Violations of Rules and Policies .....	21
Policies.....	22
Equal Employment Opportunity, Affirmative Action, and Anti-Discrimination Policy .....	22
General Statement of Policy .....	22
Full Policy .....	22
Policy Prohibiting Sexual Harassment.....	22
General Statement of Policy .....	22
Full Policy .....	22
Drug-Free Workplace and Substance Abuse Policies .....	22
General Statement of Policy .....	22
Full Policies.....	23
Smoking and Tobacco Use Policy .....	23
General Statement of Policy .....	23
Full Policy .....	23
Social Media Policy .....	23
General Statement of Policy .....	23
Full Policy .....	23
Violence-Free Workplace Policy .....	23
General Statement of Policy .....	23
Full Policy .....	23
Appendix A: EEO/AA and Anti-Discrimination Policy .....	24
Appendix B: Policy Prohibiting Sexual Harassment .....	29
Appendix C: Drug-Free Workplace Policy .....	34
Appendix D: Substance Abuse Policy .....	36
Appendix E: Smoking and Tobacco Use Policy .....	38
Appendix F: Social Media Policy.....	40
Appendix G: Violence-Free Workplace Policy .....	42
Acknowledgement of Receipt .....	44

# Welcome to Iowa State Government

---

Whether you are just starting or have been working here for some time, you are an important part of accomplishing the goals of your agency and of state government. Work in state government can be challenging as well as personally satisfying.

As a state employee, it is important you present the best possible image to the public. Remember to act promptly, be courteous, and treat everyone respectfully. How you act as a representative of the State will make a lasting impression.

Again, welcome to the State's workforce!

The Iowa Department of Administrative Services

## **Introduction**

This is your employee handbook. This information is based upon Iowa Department of Administrative Services (DAS) rules and policies. It explains the regulations and policies that govern your employment as well as the benefits and services to which you are entitled as a state employee. This handbook does not supersede the provisions of a state-negotiated collective bargaining agreement or DAS administrative rules, should there be conflicting provisions. Also, individual state agencies may have more specific policies in place, which augment those contained in this handbook. You should familiarize yourself with those as well.

If you have any questions, contact your supervisor, your agency's human resources associate, or the DAS Employee Relations Coordinator.

*The State of Iowa reserves the right to amend the contents of this handbook at any time without prior notice. The provisions of this handbook and other policies do not establish contractual rights or conditions of employment between the State and its employees. Nothing in this handbook constitutes a waiver of the State's sovereign immunity.*

# General Employment Information

---

## ***Probationary Period***

If you are employed in a permanent, merit-covered position, you will serve a six-month probationary period. If you are a Peace Officer employed by the Iowa Department of Public Safety, you are subject to a 12-month probationary period.

Before your probationary period is completed, your supervisor will evaluate your work performance. At such time, you may be granted permanent status or you may be terminated. There is no right of appeal if you are terminated during your probationary period. Ask your supervisor or your agency's human resources associate if you have any questions regarding your employment status.

## ***Permanent Status***

If you successfully complete your probationary period, you obtain permanent status. Permanent status does not mean you cannot be disciplined or discharged for misconduct, poor job performance, or any other just cause. Further, permanent status does not guarantee you will not be subject to layoff. (Note: If you are employed in a permanent position that is exempt from the provisions of the State's merit system and any applicable collective bargaining agreements containing just cause discipline and discharge provisions, you may not be subject to a just-cause standard for discipline or discharge.)

## ***Merit System Coverage***

Your position is covered by the State of Iowa's merit system unless exempted by statute. The merit system is a system of human resource administration based upon merit principles to govern the appointment, compensation, promotion, welfare, development, transfer, layoff, removal, and discipline of its civil employees, and other incidents of state employment. If your position is covered by the merit system, you may be disciplined or discharged for just cause.

If your position is non-merit (i.e., exempt from the merit system) and your position is not otherwise covered by collective bargaining agreement or Iowa Code provisions relating to cause or just cause discipline and discharge, your position is considered at-will and you serve at the pleasure of your Appointing Authority. This means you may be disciplined or discharged for any lawful reason at any time without regard to cause or just cause.

Ask your supervisor or your agency's human resources associate if you have questions about your employment status.

## ***Armed Services Veterans Employees***

After serving a probationary period and if you qualify for veterans preference, you may not be removed from your position or employment except for incompetency or misconduct. You must be given notice of the allegations and will be given a hearing. Additionally, there are certain other rights found in Iowa code Section 35C.

Veterans preference does not apply to situations in which a position is eliminated due to a reduction in force. Additionally, veterans preference does not apply to certain positions. Ask your supervisor or your agency's human resources associate if you have questions regarding your position.

## ***Work Hours***

The standard work schedule for most employees is 40 hours per workweek. In locations with around-the-clock operations, schedule and days off will vary. In some agencies, employees may be permitted to use various options, which provide flexibility in scheduling work hours. Your supervisor will explain any options available to you. Typically, two 15-minute paid rest periods are provided. The first rest period is generally scheduled during the first half of your workday, and the second rest period in the second half of your workday. A 30-minute unpaid lunch period will also be arranged by your supervisor.

## ***Overtime***

During emergencies or periods requiring extra work, your workweek may be adjusted by your supervisor. Overtime compensation is paid in accordance with the federal Fair Labor Standards Act, DAS-HRE rules, and any applicable provisions of a collective bargaining agreement. If you are eligible for overtime pay, you must have prior approval from your supervisor to work overtime. For specific information, refer to DAS-HRE rules, an applicable collective bargaining agreement or consult with your supervisor.

Additionally, if you are an overtime-eligible employee, you may request to accrue compensatory time in lieu of payment for overtime hours. You may accrue compensatory time up to 80 hours, after which the time will be paid out to you. For further information regarding compensatory time, please consult DAS-HRE rules, an applicable collective bargaining agreement or your supervisor for any specific agency policies.

## ***Promotion***

To be considered for promotional opportunities in positions covered by the merit system, you must apply for the appropriate job class and be included on the DAS-HRE list of eligibles for the class.

DAS-HRE accepts applications for promotion from permanent employees. You may apply online at <https://das.iowa.gov/human-resources/state-employment> or obtain a paper copy of a DAS-HRE Employment Application from your agency's human resources associate. Completed applications are to be submitted to DAS-HRE in Des Moines.

Minimum qualifications for each job classification are listed in the DAS-HRE job class descriptions, which are available at your local Iowa Workforce Center, at DAS-HRE, or online at <https://das.iowa.gov/human-resources>.

If you are promoted within your employing agency, you may be required to serve a probationary period in your new position. This requirement does not affect your permanent status. If you do not perform satisfactorily in the new position, you may be returned to a position in your former job class. Refer to the DAS-HRE rules for further information.

## ***Dual Executive Branch Compensation***

Pursuant to Iowa Code section 68B.2B, if you accept simultaneous employment with another executive branch agency, you must file notice of the dual employment with the Iowa Ethics and Campaign Disclosure Board within 20 business days of accepting the second employment. (This does not apply to service in the

Iowa National Guard or General Assembly.) The form can be found on the Iowa Ethics and Campaign Disclosure Board website.

In addition, you may not perform work for another state agency which is the same or substantially similar to the work performed as part of your regular employment duties.

## ***Job Reclassification***

Management may change the duties and responsibilities of your position. If the changes are significant and assigned permanently, the position may be considered for reclassification to a job class which more accurately reflects the new duties, if necessary. If a different job class is necessary, it may be to a higher or lower pay grade, or to a different class in the same pay grade. If your position's classification is reviewed, you and your supervisor will be asked to complete the appropriate forms, which will include a description of your duties.

You or your agency may request a classification review of your position. DAS-HRE may also review your position's classification without a formal request from you or your agency. Approval must be obtained from DAS-HRE (and the Department of Management, if there are budget implications) before a reclassification can be effective. If you are affected by a reclassification decision and you do not agree with the decision, you may have the right to file an appeal with the Classification Appeal Committee in accordance with DAS-HRE rules.

## ***Performance Reviews***

If you are a probationary employee, you may receive one or more performance reviews prior to the end of your first six months of employment. If you are a permanent employee, you will receive job performance reviews at least once every twelve months. If you do not receive a timely job performance review, you should request your supervisor complete one with you.

## ***Safety***

The State promotes a safe work environment for its employees. It is your duty to work safely.

If you drive or ride in a state vehicle for any reason, you are required to comply with DAS rules and policies and any applicable traffic laws. For more information, please refer to the Fleet Services Policies and Procedures Manual at <https://das.iowa.gov/sites/default/files/fleet/pdf/DASFleetPNPmanual.pdf> as well as your agency's policies and procedures.

You are expected to cooperate in every respect with the State's safety program, and your agency's safety program, to ensure your own safety and the safety of your coworkers, clients, residents, inmates, and the public. Be sure to familiarize yourself with the emergency procedures for your agency and work location. You are expected to follow these procedures. Always check with your supervisor if you are in doubt about any safety factors when performing your assigned duties.

Where required, your agency will provide you with appropriate safety equipment including, but not necessarily limited to, safety glasses/goggles and footwear. Your agency may, at its discretion, allow you to be reimbursed for the purchase of certain safety equipment in accordance with State Accounting Enterprise and agency-specific policies. Consult your supervisor if you have questions regarding safety equipment.



## ***Employee Personnel Records***

Your agency or the Department of Administrative Services is responsible for maintaining your personnel records in accordance with DAS-HRE rules and policies. Your personnel file includes payroll documents, insurance applications, beneficiary designations, performance plans and evaluations, and other documents pertinent to employment.

You have the right to access the information in your own personnel file during business hours. If you wish to review your personnel file, you must arrange a time which is convenient to your agency. You may be charged the actual cost of copying your records, but not more than \$5.00.

## ***Management Access to Work Areas***

You will be provided a suitable work area and certain materials, equipment, and tools to facilitate the performance of your job. Such materials, equipment, and tools are to be used for business or work-related purposes only. Management has the right of access to all work areas at any time. This includes, but is not limited to, your work area, state vehicles, desk drawers, file cabinets, storage areas, passwords, mail, e-mail, keys, lockers, state-issued phones, and computer data and information. As such, you have no right to expect privacy in your work area. Your purses or briefcases are not, under normal circumstances, considered work-related areas.

If you are given keys to locked work areas or passwords to computer data or information, you are hereby given notice this action does not create an expectation of privacy.

You may be provided keys, access badges, or passwords at the discretion of management to preserve confidentiality or to protect state property from unauthorized access. You may not install or change locks or combinations installed on equipment provided by the State without prior written supervisory approval. Failure to exercise due care and diligence in the use and protection of state-issued equipment, including keys, access badges, or passwords, can be grounds for disciplinary action up to and including discharge.

## ***Uniforms and Other Clothing***

Your agency will provide you with a uniform if it requires you to wear one. Unless your agency maintains a policy regarding uniform laundering, employees will launder their own garments without compensation from your agency. Your agency will determine the number of uniforms or uniform items you are provided, as well as the frequency with which they are replaced.

Your agency will also provide you with cold weather clothing if your job regularly requires outdoor work during cold winter months. Your agency may, at its discretion, allow you to be reimbursed for the purchase of certain cold weather clothing in accordance with State Accounting Enterprise and agency-specific policies. Consult your supervisor if you have questions regarding uniforms and cold weather clothing.

## ***Resignation***

In order to resign or retire in good standing, you must give at least a 14-calendar-day written notice to your supervisor prior to your departure. In accordance with DAS-HRE rules, if you fail to give this prior written notice, you may be barred from certification or appointment for a period of up to two years.

# Payday and Paychecks

---

## ***Paychecks***

Your paycheck (warrant) is distributed every other Friday, unless the payday falls upon a state holiday. Federal and state income taxes, Social Security (FICA), mandatory wage withholding, and retirement system contributions will be deducted from your check as required by law. Other voluntary deductions will be made only at your request. These could include: health, dental, and supplemental life insurance premiums; credit union deductions; deferred compensation deductions; voluntary insurance deductions; and flexible spending deductions.

Your paycheck stub will show the deductions taken from your salary, your available vacation and sick leave balances, the maximum number of vacation hours you may accrue and, if applicable, compensatory leave and holiday compensatory leave balances.

You can also view your payroll warrant information online if your agency has opted to participate. The Online Payroll Warrant Report contains information concerning an employee's wage payments, deductions, and state-share amounts paid on behalf of the employee. It also contains leave accruals, usages, balances, and tax status information. This electronic document replaces the paper "pay stub." You can access the Online Payroll Warrant Report through a secure website, accessible only by you, and which requires entering your user ID and password to review the report.

## ***Direct Deposit***

Direct deposit is a safe and efficient way of handling your paycheck. You are encouraged to have your net pay deposited directly to an account at the participating financial institution of your choice. Your agency's human resources associate has the forms you will need to enroll in this program. If you were employed after July 1, 2009, you may be required to directly deposit your paycheck.

## ***Travel Expenses***

If you are required to travel on state business, please refer to State Accounting Enterprise policies and guidelines located at <https://das.iowa.gov/state-accounting> – as well as your agency's policies and procedures – for information regarding travel reimbursement rates and use of state vehicles. Reimbursement for travel expenses is processed through the State's accounting system and paid on a State of Iowa warrant, which is separate from the payroll warrant.

## ***Charitable Contributions***

You may voluntarily participate in the annual One Gift Campaign. Through payroll deductions, you may designate contributions to the charities of your choice from the list of participating charities. Your agency's human resources associate can provide you with further details.

# Group Benefit Programs

---

## ***Health Insurance***

If you work at least 20 hours per week, you may participate in the State's group health plans. If both you and your spouse are employed by the State, you and your spouse can enroll under the same family coverage. You cannot be covered as both an employee and a dependent under the State's health benefit plans. The portion of the premium paid by the State and the portion paid by you depend upon the number of hours you work and the health plan selected. If you are covered by the State Police Officers Council (SPOC) collective bargaining agreement, you have a separate group health plan.

Your coverage will become effective the first day of the calendar month following the day you complete one month of continuous employment. If the first day of employment is the first working day of the month, your coverage will be effective the first day of the next month. Contact your agency's human resources associate to determine your eligibility and to determine the State's premium contribution in your particular situation.

If you do not enroll when you are first eligible for health benefits, you may enroll during an annual enrollment and change period or 30 days following a qualified life event (60 days in the case of birth or adoption). Your benefit elections remain in effect through the end of the calendar year. More information is included in the Qualified Life Events section of this handbook.

## ***Dental Insurance***

If you work at least 20 hours per week, you are eligible to enroll in the State of Iowa's dental insurance program. The State pays all or part of a single policy monthly premium, depending upon the number of hours the employee works. If both you and your spouse are employed by the State, you and your spouse may enroll under the same family coverage. You cannot be covered as both an employee and a dependent under the State's dental benefit plans. The portion of the family premium paid by the State and the portion paid by you depends upon the number of hours you work. If you are covered by the State Police Officers Council (SPOC) collective bargaining agreement, you have a separate group dental plan.

You must enroll within 30 days after your date of employment. (Note: This is the only time you may enroll unless an applicable collective bargaining agreement provides otherwise, or you experience a qualified life event.) Your coverage will become effective the first day of the calendar month following the day you complete one month of continuous employment. If the first day of your employment is the first working day of the month, your coverage will be effective the first day of the next month.

You must make any qualified life event changes within 30 days of the event (60 days in the case of birth or adoption); see the Qualified Life Event section of this handbook for more details.

## ***Dependent Verification***

DAS-HRE maintains and verifies the eligibility status of you and your family members for purposes of insurance coverage. You may be asked to provide certain documentation to verify dependent eligibility. In the event this information is requested by DAS-HRE and all necessary form(s) are not completed and returned within the required timeframes, your dependent(s) may be terminated from the State's plan.

## **COBRA**

If you leave state employment or have certain “qualified events,” the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) provides for continuation of health and dental benefits coverage to you and/or your eligible family members at the group premium rate after coverage with the State ends.

The State’s share of the premium payment for your health and dental benefits will cease at the end of the month in which the qualifying event occurs and you will be responsible for full payment of the premium. COBRA coverage begins the first of the month following the qualifying event. The COBRA election period ends 60 days from the later of:

- The date coverage would otherwise end; or
- The date of the “COBRA Notification/Election Form.”

If you divorce, reduce hours, or have a dependent who is no longer eligible for coverage, you must notify your agency’s human resource associate within 60 days following the event so the COBRA information can be sent to you. COBRA rights will not be extended to a domestic partner or his/her children.

Please visit <https://das.iowa.gov/sites/default/files/hr/benefits/documents/COBRA.Continuation.Rights.Ltr.pdf> to view the General Notice of COBRA Continuation Coverage Rights or request a printed copy from your agency’s human resources associate.

## ***Sick Leave Insurance Program (SLIP)***

The Sick Leave Insurance Program (SLIP) offers retirement-eligible employees an option for using all or part of their unused sick leave balance to pay the state share of their group health insurance premiums after they retire. Pursuant to Iowa Code section 70A.23(3)c, payment of health insurance premiums will continue until:

- The available value of sick leave is exhausted, or
- The retiree becomes eligible for Medicare (age 65, or earlier, if approved for Social Security Disability), or
- The retiree dies, or
- The retiree returns to state government in a permanent full- or part-time position. (In this case, the returning retiree forfeits any remaining benefits.)

Executive branch state employees are eligible for the SLIP program, except elected officials, Board of Regents employees, and employees represented by the SPOC union. A similar program is offered to employees represented by the SPOC union.

For program information, visit the SLIP website at <https://das.iowa.gov/human-resources/employee-and-retiree-benefits/retirees/sick-leave-insurance-program-slip>, or consult the DAS-HRE rules and any applicable collective bargaining agreement.

## ***Life Insurance***

The State provides basic group term life insurance to you if you are regularly scheduled to work at least 30 hours per week. Additional supplemental life insurance is available at your expense. Supplemental life insurance premiums are paid through payroll deduction. You may enroll for the guaranteed issue coverage available to you without evidence of insurability if you enroll within 30 days after your employment date.

You cannot make changes to your supplemental life insurance until the annual enrollment and change period, unless you have a qualified life event. You must provide evidence of insurability and be approved for coverage by the life insurance carrier before any increase becomes effective. Visit <https://das.iowa.gov/human-resources/employee-and-retiree-benefits/employees/group-insurance/life-insurance> for more information.

## ***Long-Term Disability Insurance (LTD)***

Long-term disability insurance is provided if you are regularly scheduled to work at least 30 hours per week. A monthly benefit is paid for approved claims starting 90 workdays following your date of disability or after you have exhausted all of your unused sick leave, whichever is later. You are eligible for benefits when you are disabled due to injury either on or off the job or due to a serious illness. Visit <https://das.iowa.gov/human-resources/employee-and-retiree-benefits/employees/group-insurance/long-term-disability-ltd> for more information.

## ***Qualified Life Events***

When you enroll in benefits, your benefit election remains in effect through the end of the calendar year. You cannot change your benefit elections outside the annual enrollment and change period, unless you experience a qualified life event which is consistent with the type of change you wish to make to your benefits.

Qualified events are defined by Internal Revenue Code section 125, based upon individual circumstances and plan eligibility. The list may not apply to every benefit plan. Please see the life event matrix on the State of Iowa benefits website at <https://das.iowa.gov/human-resources/employee-and-retiree-benefits/employees/group-insurance/health-dental-insurance-1>, or ask your agency's human resources associate for more details.

## ***Supplemental Retirement Savings Program***

The State's supplemental retirement program is called the Retirement Investors' Club (RIC). RIC contains three plans: 457, 401a, and 403b (Department of Education employees only). The program is voluntary and is designed to supplement IPERS and Social Security benefits at retirement. To be eligible for the 457/401a plans, you must be a permanent or probationary employee normally scheduled to work at least 20 hours per week or have a fixed annual salary. There are no eligibility requirements for the 403b plan.

While you are participating in RIC, payroll deductions in the amount you choose (up to the federal maximums) are taken from your check and deposited into an account in your name. You may make contributions on a pre-tax or post-tax (Roth) basis. The State will match contributions to your 457 plan up to a maximum amount each month and place the funds in a 401a account in your name for your exclusive benefit. There is no match for your 403b plan.

Enrollment is always open and you may change your contribution amount and investment selection at any time. You may direct your contributions to a number of competitive investments, including mutual funds, variable annuities, and fixed rate accounts. For more information, visit RIC's website at <https://das.iowa.gov/RIC> or call 1-866-460-4692.

### ***Flexible Spending Accounts***

Flexible Spending Accounts (FSAs) let you pay for certain health (Health FSA) and dependent care expenses (Dependent Care FSA) with tax-free dollars.

To be eligible, you must be a non-temporary employee who works at least 1,040 hours per calendar year.

This benefit saves you money by reducing your taxable income and increasing your spendable income. You may contribute to one or both of the State's FSA accounts with pretax dollars and then you are reimbursed for qualifying expenses for you and your family. Pretax dollars are not subject to state, federal, or FICA taxes.

You may enroll within 30 days of your employment with the State or during the annual enrollment and change period. You must re-enroll every year in health and/or dependent care flexible spending. Changes can only be made during the enrollment and change period or at the time of a qualified life event. Contact your agency's human resources associate for more information, or visit the FSA website at <https://das.iowa.gov/human-resources/employee-and-retiree-benefits/employees/additional-benefits/flexible-spending>.

### ***Premium Conversion Plan (Pretax)***

You are eligible to participate in the Premium Conversion Plan (Pretax) if you work at least 20 hours per week (1,040 hours per calendar year). Pretax dollars may be used to pay for your share of health, dental, and supplemental life insurance while saving money on income and FICA taxes. This means insurance premiums are deducted from your salary before taxes are calculated. Please note, since you do not pay FICA on your insurance premiums, those amounts are not included in your wages for Social Security calculations.

You are automatically enrolled in Pretax when hired by the State. Changes in participation in Pretax can be made only during the annual enrollment and change period or within 30 days of a qualified life event. If you are a newly hired employee and do not want to participate, you must complete a form within 30 days of your employment date. Contact your agency's human resources associate for more information.

# Other Benefits

---

## ***Workers' Compensation***

Workers' compensation benefits are provided to you by law. Under workers' compensation, you may be eligible for wage replacement and medical care. You must immediately report on-the-job injuries to your supervisor. An injury form (First Report of Injury) must be completed. Your agency may have other forms to complete to assist in accident investigation and injury prevention.

Workers' compensation is designed to compensate you for work-related injuries and illnesses only. You should submit reimbursement for personal medical conditions to your group insurance carrier. Keep your supervisor informed of your progress if you are off work. Work with your agency to make arrangements for returning to your job as soon as possible.

## ***Iowa Public Employees' Retirement System (IPERS)***

Public employment provides most employees with regular membership coverage under the Iowa Public Employees' Retirement System (IPERS). Your employer is required to deduct a specified amount from your gross pay. Your deduction is contributed on a pretax basis for federal and state income tax purposes. (Pretax contributions lower your taxable income.) In addition, your employer contributes a specified amount to IPERS on your behalf.

Even if you do not retire under IPERS, the contributions you make will always be your money. If you leave public employment before retirement age, you may withdraw your contributions and any accumulated interest, or you may leave them in your account and retire when you reach 55. If you are a vested member who receives refunds, you will also receive a portion of your employer's contributions and accumulated interest. You may put the money into another retirement plan or into your own savings.

For more information, contact IPERS at 515-281-0020 or 1-800-622-3849 (Monday – Friday, 7:30 a.m. – 5:00 p.m.), visit [www.ipers.org](http://www.ipers.org), or e-mail [info@ipers.org](mailto:info@ipers.org).

## ***Peace Officers' Retirement System (PORS)***

If you are a peace officer in the Iowa Department of Public Safety, you are provided coverage under the Peace Officers' Retirement System (PORS). Upon retirement, you are eligible for PORS, which has specific provisions regarding your sick leave balance. Contact your agency's human resources associate for more information.

## ***Employee Assistance Program***

The Employee Assistance Program (EAP) provides professional consultation and referral services, short-term counseling, and life coaching to assist you with a broad range of personal problems, including substance abuse, family or marital problems, financial concerns, career issues, and emotional problems.

The services provided by the EAP are confidential and offered at no initial cost to you. The EAP is intended to promote a healthy and productive workforce.

A brochure describing EAP services is available from your agency's human resources associate. For more information, please see the following link: <https://das.iowa.gov/human-resources/healthy-opportunities/employee-assistance-program>.

### ***Benefit Education***

Benefit education is a service provided to you by DAS benefit staff. The purpose of benefit education is to assist you in making the best use of your benefits. Benefit education is available in a variety of mediums and there is no cost to you to participate in a benefit education presentation. Additional information about benefit education, including a listing and schedule of presentations, is available online at <https://das.iowa.gov/human-resources/employee-and-retiree-benefits/benefit-education>. You may view/attend sessions during work time if scheduling permits and your supervisor approves.

### ***Training and Development***

Performance & Development Solutions (PDS), through DAS-HRE, provides training opportunities to help you improve skills, knowledge, and abilities to improve performance and prepare for career advancement. From technical skills, such as computer classes and accounting, to supervision and management, to customer service and communication, PDS offers face-to-face workshops, online training, and special sessions. Course schedules and program descriptions can be accessed online at <https://das.iowa.gov/human-resources/training-and-development>. To register, contact your supervisor or training liaison.



# Leaves

---

## Holidays

Holidays are granted to you if you are eligible to accrue vacation and sick leave pursuant to Iowa Code chapter 1C, applicable collective bargaining agreement, and the DAS-HRE rules. The value of the holiday shall be eight hours or the number of hours you are scheduled to work during the holiday, whichever is greater. If you work Monday-Friday, holidays which fall upon a Saturday will be observed the preceding Friday; holidays which fall upon a Sunday will be observed the following Monday.

## Vacation

Your vacation accrual rates vary with years of service. If you are a full-time employee, you will accrue vacation in accordance with the following schedule:

1-4 years of service	80 hours (10 days) per year
5-11 years of service	120 hours (15 days) per year
12-19 years of service	160 hours (20 days) per year
20-24 years of service	176 hours (22 days) per year
25+ years of service	200 hours (25 days) per year

Two unscheduled holidays are added to your vacation accrual rates each year. If you are a part-time employee, vacation accrues upon a prorated basis. If you are a temporary employee, you do not accrue vacation.

You can accrue vacation up to twice your annual entitlement plus any unused sick leave conversion. You may not take vacation in excess of the number of hours accrued. Your vacation hours are not available for use until the pay period after it is accrued.

You may utilize unused vacation leave with your supervisor's prior approval. Consult with your supervisor regarding any agency vacation leave policy which may be applicable to you. If you terminate your employment, you will be paid a lump sum for your accrued, unused vacation. Vacation shall not be granted after your last day at work.

Consult the DAS-HRE administrative rules, an applicable collective bargaining agreement, or contact your agency's human resources associate for more information.

## Sick Leave

Your sick leave accrual is determined by your sick leave balance as provided for in Iowa Code section 70A.1 or an applicable collective bargaining agreement. If you are a part-time employee, you accrue pro-rated amounts of sick leave based upon the number of hours for which you are paid. Temporary employees do not earn sick leave.

If you are a full-time employee, you will accrue sick leave based upon your accumulated sick leave balance in accordance with the following schedule:

Balance of 0-750 hours	12 hours (1 ½ days) per month
Balance of 750 hours-1,500 hours	8 hours (1 day) per month
Balance of over 1,500 hours	4 hours (1/2 day) per month

\* If you are covered by a collective bargaining agreement, you may accrue sick leave at a different rate. See your collective bargaining agreement for accrual rates.

You may use sick leave for personal illness, medical appointments or other reasons as provided for in Iowa Code section 70A.1, DAS-HRE rules or an applicable collective bargaining agreement. You must comply with your agency's requirements for reporting your absence from work and receive appropriate supervisory approval. You may be required to provide a doctor's certificate or other verification. You are expected to use this benefit only for its intended purposes.

If you are a permanent employee who has accumulated a minimum of 30 days (240 hours) of sick leave and you have not used sick leave during the previous calendar month, you may convert sick leave to vacation leave. Consult your agency's human resources associate for more information regarding sick leave conversion.

If you are approved for a monthly benefit under the Iowa Public Employees' Retirement System (IPERS) and retire from employment, your sick leave balance will be converted to a cash equivalent at your current hourly rate and will be paid to you up to a maximum of \$2,000 upon retirement. The remaining converted balance may be used for the Sick Leave Insurance Program. Certain collective bargaining agreements may provide otherwise. Consult the applicable collective bargaining agreement, DAS-HRE rules, or see your agency's human resources associate for more information.

### ***Care and Necessary Attention to Family Members***

You may utilize sick leave for the temporary care of or necessary attention to members of your immediate family. Special conditions and time limits apply. For further information, ask your supervisor or your agency's human resources associate.

### ***Death in Immediate Family***

When a death occurs in your immediate family, you may be eligible to utilize unused sick leave. Special conditions and time limits may apply in accordance with DAS-HRE rules or an applicable collective bargaining agreement. Consult your supervisor or your agency's human resources associate for further information.

### ***Military Leave***

If you are called for military duty as a member of the National Guard, organized reserve, or any component part of the military of the State of Iowa or the United States and are a non-temporary employee, you will be paid your regular salary for time spent on military leave for up to 30 days per calendar year. You must provide proper notice to your supervisor and your agency's human resources associate.

Consult your human resources associate for information regarding your other benefits while on military leave.

### ***Leave without Pay***

You may be granted leave without pay for any reason considered acceptable by your agency. You must submit a request for leave without pay in writing and receive prior written approval before going on

leave. Other requirements or stipulations may also apply. Consult your supervisor for further information.

### ***Donated Leave for a Catastrophic Illness***

You may be eligible to donate or receive donated leave (vacation) hours for a catastrophic illness. A “catastrophic illness” means a physical or mental illness or injury of the employee or the employee’s immediate family member as certified by a licensed physician which will result in the inability of the employee to report to work for more than 30 workdays based upon a consecutive or intermittent basis. In order to be eligible to receive donated leave, you must have exhausted all other types of paid leave. Contributions shall be designated as “donated leave” and shall be subject to DAS-HRE rules, policies, and procedures.

### ***Jury Duty and Court Leave***

If you are called for jury duty or subpoenaed as a witness in a court proceeding, you may be paid for the time you must be in court. This provision does not apply to actions in which you are a party in a court proceeding which is unrelated to your state employment. In order to receive full pay, you must pay to your agency’s accounting office any compensation you receive from the court (except for travel, parking, food, and lodging expense reimbursements). If you elect to use vacation leave, you are entitled to keep any compensation received from the court. If you are directed to appear as a witness by your agency, all time spent shall be considered to be worktime. Consult your supervisor or your agency’s human resources associate for further information.

### ***Bone Marrow and Organ Donation Leave***

You may be granted a paid leave of absence for the purpose of bone marrow or organ donation. Such leave is without loss of length of service credit, pay, vacation time, personal days, sick leave, insurance and health coverage benefits or earned overtime accumulation. If you serve as a bone marrow donor, you can be granted up to five workdays of leave. You must provide written verification from a physician or hospital involved with the bone marrow donation that you will serve as a bone marrow donor. If you serve as a vascular organ donor, you can be granted up to 30 workdays of leave. You must provide written verification from a physician or hospital involved with the vascular organ donation that you will serve as a vascular organ donor.

### ***Educational Leave and Assistance Program***

Educational opportunities, such as workshops, seminars, or conferences, may be available to you. Attendance-related fees may be paid by your agency, with the approval of the supervisor and in accordance with DAS-HRE rules or applicable collective bargaining agreement. Fees for academic work undertaken by you at an educational institution may be approved for reimbursement by your agency, provided:

- Course work is job related;
- Expenses (tuition and books) are approved by the agency director and DAS-HRE prior to course enrollment;
- Course work is successfully completed (“C-” grade for undergraduate courses and “B-” grade for graduate courses); and
- Funds are available.

Educational leave, with or without pay, may also be granted to you at the discretion of your agency. You may be granted educational leave to develop skills which will improve your ability to perform state job responsibilities or to provide training and developmental opportunities which will enable your agency to better meet staffing needs. Educational leave:

- May be a full or partial absence from the job;
- May include financial assistance; and
- Must be requested in writing on an "Application for Education Leave and/or Education Financial Assistance" form, available online at [https://das.iowa.gov/sites/default/files/hr/documents/MS\\_manual/552-0304\\_educ\\_leave\\_assistance.pdf](https://das.iowa.gov/sites/default/files/hr/documents/MS_manual/552-0304_educ_leave_assistance.pdf) or from your training liaison.

For more information, contact your supervisor or your agency's human resources associate.

### ***Severe Weather and Emergency Closings***

Procedures exist which provide guidance when inclement weather conditions or other emergencies cause an agency (or one of its offices or facilities) to be closed, or when travel is not recommended. The Severe Weather/Emergency Evacuation Policy is available online at [https://das.iowa.gov/sites/default/files/hr/documents/MS\\_manual/severe\\_weather\\_policy.pdf](https://das.iowa.gov/sites/default/files/hr/documents/MS_manual/severe_weather_policy.pdf).

### ***Unauthorized Leave***

If you are absent from duty for three consecutive workdays without proper notification and authorization, you may be considered to have voluntarily terminated your employment. All absences from work must be authorized by your supervisor.

### ***Family and Medical Leave Act (FMLA)***

The Family and Medical Leave Act of 1993 (FMLA) requires covered employers to provide unpaid job-protected leave to eligible employees for certain family and medical reasons, and for certain reasons due to the military service of a covered family member. FMLA is not an additional type of leave; it is job protection for you to use paid or unpaid FMLA leave. You may be required to exhaust all paid leave before unpaid leave is granted. For more information on FMLA, visit the DAS website at <https://das.iowa.gov/human-resources/fmla>. (Employee rights and responsibilities under FMLA are listed on the next page.) By providing this information concerning FMLA, in no manner or respect does the State waive its sovereign immunity.

### ***FMLA Absence Reporting***

All absences related to an approved FMLA certification for your own medical condition, your family member's medical condition, and/or military duty must be reported to Reed Group, the State of Iowa's third-party FMLA administrator. In addition, you must also report your absences to your agency in accordance with your agency's absence reporting requirements. Reed Group can be notified 24 hours per day, 7 days per week. You can notify Reed Group by calling 844-507-5393 (toll free) or by entering your absence in the self-service portal website at <https://stateofiowa.leavepro.com>.

# EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

## LEAVE ENTITLEMENTS



Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child's birth or placement);
- To care for the employee's spouse, child, or parent who has a qualifying serious health condition;
- For the employee's own qualifying serious health condition that makes the employee unable to perform the employee's job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee's spouse, child, or parent.

An eligible employee who is a covered servicemember's spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

## ELIGIBILITY REQUIREMENTS

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee's worksite.

\*Special "hours of service" requirements apply to airline flight crew employees.

## REQUESTING LEAVE

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

## EMPLOYER RESPONSIBILITIES

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

## ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.



For additional information or to file a complaint:

# 1-866-4-USWAGE

(1-866-487-9243) TTY: 1-877-889-5627

## www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division



WH1420 REV 04/16



# Standards of Conduct

---

## ***Political Activities***

You have the right to express your individual opinions on political issues and candidates. You may not express political opinions when expression may be in violation of the law or when the expression would substantially or materially interfere with the performance of your duties. Additionally, you are prohibited from engaging in political activity during scheduled work hours or when using state equipment. These activities include, but are not limited to, soliciting or receiving political contributions, promising or using influence to secure public employment as a reward for political activity, or discriminating based upon political activity. Political buttons or other insignia may be worn if you have minimal contact with the public and the buttons do not constitute a safety risk. In certain situations, agencies may have additional work rules regarding the wearing of political buttons or other insignia.

If you are working in connection with a program financed in whole or in part by federal funds, you may be covered by the provisions of the federal Hatch Act. If you are covered by the Hatch Act, you shall not be a candidate for public office in a partisan election, may not use official authority for the purpose of interfering with or affecting the results of an election or a nomination for office, and shall not directly or indirectly solicit or coerce contributions from subordinates in support of a political party or candidate. If you have questions concerning your status under the Hatch Act, you may request an advisory opinion by writing to:

US Merit Systems Protection Board  
Central Regional Office  
230 South Dearborn Street, 31<sup>st</sup> Floor  
Chicago, IL 60604  
1-312-353-2923

## ***Outside Employment/Selling Goods or Services***

If you are considering outside employment, you should refer to your agency's policies and procedures and Iowa Code section 68B.2A. Your outside employment must not conflict with the interests of your agency or interfere with the performance of your job duties with the State. Your outside work may not involve the dissemination of official information not generally available to the public or to other employees.

If you are employed by a state regulatory agency, you may not sell any goods or services to individuals, associations, or corporations which are regulated by your agency without the prior approval of your agency director.

Additionally, you are prohibited from engaging in any outside employment or activity that requires you to file a registration statement under the federal Foreign Agents Registration Act of 1938, as amended, 22 U.S.C. § 611, et. seq.

## ***Gifts and Gratuities***

You shall not solicit or knowingly accept anything (including money, items of monetary value, any other benefit, or any promise of the previously mentioned items) given with an understanding or arrangement it will influence the public service rendered by you or a decision by you or by your agency. As a general rule, you and your immediate family members may not receive gifts (including food or beverages) which

are valued at more than \$3.00 from any person, lobbyist, or entity doing business with or lobbying your employing agency. You are prohibited from accepting honoraria or loans from lobbyists. If anyone attempts to influence you through a gift or gratuity, you must report it to your supervisor immediately. For further clarification or exceptions, see Iowa Code chapter 68B.

## ***Use of State Property***

You must protect government-owned and private property located on agency work sites or other state premises. Therefore, the following are prohibited: unauthorized entry to state premises; unauthorized use, abuse, misuse, or waste of property or materials; unauthorized possession or sale of items; and unlawful operation or use of state vehicles and equipment for other than state business. You must use the State's long-distance service and state-owned cellular phones for official state business only. You must keep local personal calls from state office phones to a minimum. State postage stamps and metered mail are for official business only. You must not use the State's internal mail system for the distribution or receipt of personal mail or packages.

You must check out state equipment through a management representative before removal from the premises. You may not take equipment off premises for personal use. You may use agency photocopy machines for personal copies at a charge to be set by the employing agency and with the approval of the employing agency.

If you are provided an access badge, you may not allow others to utilize the badge to permit entry to facilities. During all work hours, you should prominently display your badge, or carry it on your person, except when the card is being used to gain authorized electronic access to buildings, offices, facilities, or electronic communication equipment. You are responsible for the care and secure use of access badges provided by your employer and must report, immediately upon discovery, the loss or theft of any issued badge to management.

You are provided Internet and e-mail services by the State of Iowa to support open communications and exchange of information, as well as to provide the opportunity for collaborative government-related work. The State of Iowa encourages your use of electronic communications. Even though you may have your own password for accessing e-mail, the Internet, and computers issued to you, state computers and all the information received or transmitted through them is the property of the State. The State may monitor the use of state equipment and as such, you should not have any expectation of privacy. As with any resources made available to you, use of Internet and electronic communication services are revocable privileges. The use of state-provided Internet service must be for state government-related activities and not for personal business, for-profit activities, commercial advertising, shopping, entertainment, or other use which interferes with your productivity or reflects poorly upon state government. The use of state-provided Internet and e-mail in the transmittal, retrieval, or storage of any obscene material, as defined in Iowa Code section 728.1, will result in discharge.

If you misuse state-provided Internet and e-mail, allow others unauthorized entry to state facilities, or engage in unauthorized use and/or abuse of state property and equipment, you may be subject to disciplinary action, up to and including discharge.

Upon termination of employment, whether voluntary or involuntary, you must return all state equipment to your agency.

### ***Use of Personal Electronic Devices***

Your use of personal electronic devices in the workplace will be governed by your employing agency. If permitted, your use of personal electronic devices shall not interfere with your work.

### ***Protection from Reprisal***

Your employer shall not take reprisal action against you for disclosure of information by you to a member or employee of the General Assembly, the Office of the Ombudsman, or other political official or law enforcement agency, or for disclosure of information which you reasonably believe is evidence of a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

For information about protection from reprisal, please see Iowa Code section 70A.28.



# Disciplinary Actions and Your Rights

---

## ***Disciplinary Actions***

If you are covered by the merit system, you may be subject to any of the following progressive disciplinary actions when based upon a standard of just cause: written reprimand, disciplinary suspension, reduction of pay within the same pay grade, disciplinary demotion, discharge, or other appropriate disciplinary measures. Disciplinary action involving employees covered by a collective bargaining agreement shall also be in accordance with the provisions, if any, of the applicable agreement. Unless otherwise provided by statute or an applicable collective bargaining agreement, if you are a non-merit employee, you are not subject to the just cause standard and may be disciplined or discharged for any reason which is not in violation of the law.

Disciplinary action, up to and including discharge, may be based upon, but is 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, inattentiveness to duty, dishonesty, theft, improper use of leave, substance abuse, negligence, conduct which adversely affects your job performance or the agency, conduct unbecoming a public employee, misconduct, or any other just cause. The provisions of this handbook do not establish contractual rights or conditions of employment between the State and its employees.

In accordance with Iowa's Open Records laws (Iowa Code sections 22.7(11)(a)(5) and 22.15), information in confidential personnel records relating to the fact you resigned in lieu of termination, were discharged, or were demoted as the result of a disciplinary action and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion may become public records.

## ***Grievance Procedures***

You have the right to file grievances. The procedures for filing grievances are outlined in the DAS-HRE rules or an applicable collective bargaining agreement containing a negotiated grievance procedure.

If you are an employee who is covered by a collective bargaining agreement containing a grievance procedure and have a grievance alleging a violation of the agreement, you must file the grievance using the appropriate forms provided by the union. For grievances alleging a violation of DAS-HRE rules and for issues not covered by a collective bargaining agreement, both contract-covered and non-contract employees must follow the procedures set forth in DAS-HRE rules and file a state employee grievance using the grievance form designated by DAS-HRE, which is available from your agency's human resources associate or online at <https://das.iowa.gov/human-resources>.

All grievances must state the issue(s) involved, the relief sought, the date of the incident, and any rule(s) or contract violation(s) involved. If you are covered by the merit system, issues involving disciplinary suspension, reduction in pay within the same pay grade, disciplinary demotion, or discharge must be filed as appeals in accordance with the procedures listed in DAS-HRE rules.

## ***Violations of Rules and Policies***

Violations of the work rules of your agency or of any of the State of Iowa's policies may result in discipline, up to and including discharge.

# Policies

---

## ***Equal Employment Opportunity, Affirmative Action, and Anti-Discrimination Policy***

### **General Statement of Policy**

It is the policy of the executive branch of state government in the State of Iowa to “Provide equal employment opportunity within state government to all persons.” (Iowa Code chapter 19B.) The intent of this policy is to ensure that individuals are not denied equal access to state employment opportunities because of their race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, gender identity, pregnancy or pregnancy-related condition, consistent with applicable state and federal policies and regulations. It is also the policy of the executive branch of state government in the State of Iowa to apply affirmative action measures to correct the underutilization of females, minorities, and persons with disabilities in the state employment system whenever remedial measures are appropriate.

### **Full Policy**

For the full text of the State of Iowa's EEO/AA, and Anti-Discrimination Policy, see Appendix A.

## ***Policy Prohibiting Sexual Harassment***

### **General Statement of Policy**

The State of Iowa executive branch is committed to providing a workplace that is free from sexual harassment. State executive branch employees shall not engage in sexual harassment. Sexual harassment is a violation of both federal and state statute. Specifically, 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 and Iowa Code section 19B.12 and chapter 216. Sexual harassment based on real or perceived sexual orientation or gender identity is a violation of Iowa Code chapter 216.

Allegations of sexual harassment will be taken seriously and prompt investigation will occur. It is the policy of the State of Iowa executive branch to maintain the confidentiality of sexual harassment complaints and investigations to the greatest extent possible. Complaints and records relating to complaints are confidential and not subject to disclosure under Iowa's open records laws.

### **Full Policy**

For the full text of the Policy Prohibiting Sexual Harassment for Executive Branch Employees, see Appendix B.

## ***Drug-Free Workplace and Substance Abuse Policies***

### **General Statement of Policy**

The State is committed to maintaining a safe work environment free from the use, abuse, and effects of alcohol, drugs, and controlled substances. The policies set forth expectations and identify prohibited conduct related to alcohol, drugs, and controlled substances. The policies discuss drug and alcohol dependencies as treatable illnesses. If you are in need of help, you are strongly encouraged to take advantage of the State's Employee Assistance Program.

## **Full Policies**

For the full text of the State of Iowa's Drug-Free Workplace Policy, see Appendix C.

For the full text of the State of Iowa's Substance Abuse Policy, see Appendix D.

## ***Smoking and Tobacco Use Policy***

### **General Statement of Policy**

The purpose of this policy is to establish a smoke-free environment for employees and the public as they transact business with or receive services from the State. This policy facilitates compliance with Iowa's Smokefree Air Act and administrative rules governing the use of tobacco-related products. The Iowa Smokefree Air Act was enacted in Iowa Code chapter 142D to improve the health of Iowans by reducing the level of exposure to environmental tobacco smoke.

Administrative rules related to this policy can be found at 641 IAC 153 and 11 IAC 100.3.

The policy identifies prohibited and authorized activities related to smoking and the use of tobacco-related products. The State recognizes employees may need assistance in stopping the use of tobacco products. If you are in need of help, you are strongly encouraged to take advantage of the State's Employee Assistance Program.

### **Full Policy**

For the full text of the State of Iowa's Smoking and Tobacco Use Policy, see Appendix E.

## ***Social Media Policy***

### **General Statement of Policy**

The policy sets forth expectations for both personal and professional use of social networking, social media, or web-based information sharing/open communication sites. The policy further identifies prohibited actions related to the use of such sites.

### **Full Policy**

For the full text of the State of Iowa's Social Media Policy, see Appendix F.

## ***Violence-Free Workplace Policy***

### **General Statement of Policy**

The State of Iowa is committed to providing a work environment free from threats, intimidation, harassment, and acts of violence against the public, vendors, clients, customers, and employees. The State of Iowa further establishes, as its vision, all of its officials and employees will treat each other and those they serve with courtesy, dignity, and respect.

### **Full Policy**

For the full text of the State of Iowa's Violence-Free Workplace Policy, see Appendix G.

# **Appendix A: EEO/AA and Anti-Discrimination Policy**

State of Iowa

## **EQUAL OPPORTUNITY, AFFIRMATIVE ACTION, AND ANTI-DISCRIMINATION POLICY FOR EXECUTIVE BRANCH EMPLOYEES**

### **NOTIFICATION AND EFFECTIVE DATE**

All executive branch employees are required to read this Equal Opportunity, Affirmative Action, and Anti-Discrimination Policy, and are expected to sign an Acknowledgment indicating that the Policy was read and fully understood by the employee. This Policy is being issued on October 25, 2018.

### **I. GENERAL STATEMENT OF POLICY**

It is the policy of the executive branch of state government in the State of Iowa to “Provide equal employment opportunity within state government to all persons.” (Iowa Code chapter 19B.) The intent of this policy is to ensure that individuals are not denied equal access to state employment opportunities because of their race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, gender identity, pregnancy or pregnancy-related condition, consistent with applicable state and federal policies and regulations. It is also the policy of the executive branch of state government in the State of Iowa to apply affirmative action measures to correct the underutilization of females, minorities, and persons with disabilities in the state employment system whenever remedial measures are appropriate.

### **II. DISCRIMINATORY HARASSMENT IN VIOLATION OF IOWA CODE CHAPTERS 216 AND 19B AND APPLICABLE FEDERAL STATUTES**

Harassment of employees based upon their race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, gender identity, pregnancy or pregnancy-related condition is a violation of the Iowa Civil Rights Act (Iowa Code chapter 216, as amended). For the Policy Prohibiting Sexual Harassment for Executive Branch Employees, see the following link:

[https://das.iowa.gov/sites/default/files/hr/documents/MS\\_manual/Policy-SexualHarassment.pdf](https://das.iowa.gov/sites/default/files/hr/documents/MS_manual/Policy-SexualHarassment.pdf).

Other laws also prohibiting discriminatory harassment in one or more of specified covered areas include: Iowa Code section 19B.12, 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 based on the employees’ protected status include, but are not limited to:

- A. Abusing the dignity of an employee through insulting or degrading remarks or conduct.
- B. Threats, demands, or suggestions that an employee’s work status is contingent upon submission to harassment.

- C. Subjecting an employee to demeaning or degrading activities in order to gain co-worker acceptance, e.g., hazing.

### **III. DISCRIMINATORY PRACTICES IN VIOLATION OF IOWA CODE CHAPTER 216 AND THE FEDERAL AMERICANS WITH DISABILITIES ACT**

A person with a disability is a person who has a physical or mental impairment that substantially limits a "major life activity," or has a record of such impairment, or is regarded as having such impairment. "Major life activities" include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

A "qualified" person with a disability is one who meets the legitimate job requirements and is able to perform the essential functions of the position with or without reasonable accommodations and without being a direct threat to the health or safety of themselves or others. Essential functions are absolute requirements for producing critical job results/outputs. Essential, by definition, means indispensable, vital, necessary, or related to the essence of the job. It does not include marginal functions or duties performed. As such, departments are not required to provide reasonable accommodations that would result in fundamental alterations in the nature of the work to be performed.

The State of Iowa and its departments, agencies and other instrumentalities and all their employment practices, services and programs shall comply with the requirements of the ADA. The ADA requires, in part, that the State of Iowa:

- A. Make reasonable modifications in policies, practices, and procedures that deny equal access to individuals with disabilities, unless fundamental alteration in the program or an undue hardship would result.
- B. May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability.
- C. Provide programs and services in an integrated setting unless separate or different measures are necessary to ensure equal opportunity.
- D. Prohibit requirements that tend to screen out individuals with disabilities, such as requiring a driver's license as the only acceptable means of identification.
- E. Eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs or activities unless "necessary" to the provisions of the services, program or activity.
- F. Impose safety requirements only when they are necessary for the safe operation of the program in question, such as requirements for eligibility for drivers' licenses if they are based on actual risks and not on mere speculation, stereotypes, or generalizations about individuals with disabilities.
- G. Ensure that individuals with disabilities are not excluded or limited from participation in services, programs, and activities because buildings are inaccessible.
- H. Provide services, programs, and activities offered in the facility to persons with disabilities through alternative methods, if physical barriers are not removed.

#### **IV. COMPLAINT REPORTING PROCEDURE**

Any person who feels that he or she has been denied an employment opportunity, has had terms and conditions of employment adversely affected or has been subjected to discrimination because of the employee's race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, gender identity, pregnancy or pregnancy-related condition should immediately report the matter to the attention of his or her immediate supervisor, agency director or other designated agency personnel. If the concern or complaint involves the employee's immediate supervisor, the employee is encouraged to file the complaint with the next highest supervisor, or, in the alternative, to the director of the Department of Administrative Services. An employee may also file a complaint with the Iowa Civil Rights Commission or the appropriate federal enforcement agency. (For sexual orientation or gender identity, protection is offered under the State of Iowa statute only.)

A person who is not an executive branch employee and who alleges he or she was subject to actions by an executive branch employee in violation of this policy may report the incident to the director of the department affected or to the director of the Department of Administrative Services.

A person who witnesses or has knowledge of a violation of this policy may report the incident to the director of the department affected or to the director of the Department of Administrative Services.

For reporting allegations of sexual harassment, please see the complaint reporting procedure set forth in the Policy Prohibiting Sexual Harassment for executive branch employees at [https://das.iowa.gov/sites/default/files/hr/documents/MS\\_manual/Policy-SexualHarassment.pdf](https://das.iowa.gov/sites/default/files/hr/documents/MS_manual/Policy-SexualHarassment.pdf).

#### **V. INVESTIGATION PROCEDURE**

The Department of Administrative Services is responsible for conducting investigations regarding complaints alleging violation(s) of this policy (for allegation involving sexual harassment, please see the Investigation Procedure set forth in the Policy Prohibiting Sexual Harassment for executive branch employees). All complaints alleging violation(s) of this policy shall be promptly investigated. All executive branch employees must cooperate fully with any investigation. Failure to cooperate with an investigation may result in discipline up to and including termination of employment.

#### **VI. CORRECTIVE ACTION**

The Department of Administrative Services will work with appropriate executive branch agency personnel to ensure corrective action is taken immediately to remedy violations of this policy. Corrective action may include disciplinary action up to and including termination of employment for 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 termination of employment.

#### **VII. RETALIATION PROHIBITED**

Any form of discrimination or retaliation against an individual because he or she files a complaint or aids another individual in filing a complaint is prohibited. An employee who has reason to believe that he or she has been retaliated against because of participation in an investigation of a discrimination complaint may also file a complaint with the Department of Administrative Services,

the Iowa Civil Rights Commission, or the U.S. Equal Employment Opportunity Commission, whichever is appropriate.

## **VIII. ASSIGNMENT OF RESPONSIBILITIES**

The director of the Department of Administrative Services is designated as the State Affirmative Action Administrator pursuant to Iowa Code section 19B.3 and shall be “responsible for the administration and promotion of equal opportunity and affirmative action efforts in the recruitment, appointment, assignment, and advancement of personnel by all state agencies except the state board of regents and the institutions under its jurisdiction.”

The director of the Department of Administrative Services shall also be designated as the State Americans with Disabilities (ADA) Coordinator in compliance with the U. S. Department of Justice’s Title II Regulations Section 35.107. The director shall carry out this responsibility as follows:

- A. Employment: The Human Resources Enterprise of the Department of Administrative Services shall be responsible for equal employment opportunity efforts under the ADA.
- B. Accessibility: The General Services Enterprise of the Department of Administrative Services shall be responsible for equal access to State facilities under the ADA.
- C. Complaint Reporting Procedure: The ADA Coordinator shall utilize existing complaint reporting procedures detailed in this policy to ensure that policies and procedures of the State of Iowa and its departments, agencies and other instrumentalities do not discriminate against persons with disabilities.

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

- A. 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.
- B. Affirmative Action: Implementing an internal system for auditing and remedying underutilization in the workforce, and annually reporting the effectiveness of affirmative action efforts to the director of the Department of Administrative Services.
- C. 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.
- D. Access to Program Services: Department directors shall ensure their activities, services and programs are in compliance with the ADA and accessible to the general public.

## **IX. TRAINING**

The Department of Administrative Services shall offer training courses in equal opportunity, affirmative action, diversity, and prevention of discrimination/harassment through its Performance and Development Solutions (PDS) program area. These courses are found on the Department of Administrative Services—Human Resources Enterprise website at <https://das.iowa.gov/human-resources/training-and-development>. Executive branch employees are strongly encouraged to attend training offered through PDS.

## **X. RESOURCES**

Individuals needing assistance may also contact the Department of Administrative Services – Human Resources Enterprise, Hoover Building, Level A, Des Moines, Iowa 50319. Phone: 515-281-3087 or [dashre.info@iowa.gov](mailto:dashre.info@iowa.gov).

The Iowa Civil Rights Commission and the Equal Employment Opportunity Commission administer laws and regulations regarding employment discrimination and harassment, which include deadlines for filing discrimination complaints. For more information, these agencies may be contacted at the following:

### **IOWA CIVIL RIGHTS COMMISSION**

Iowa Civil Rights Commission  
Grimes State Office Building, 400 E. 14th Street, Des Moines, IA 50319  
515-281-4121; 800-457-4416 (toll free); 515-242-5840 (fax)  
<http://icrc.iowa.gov>

### **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

Reuss Federal Plaza  
310 West Wisconsin Avenue, Suite 500  
Milwaukee, WI 53203-2292  
Phone: 1-800-669-4000

## **XI. POSTING**

This policy is posted on the Department of Administrative Services website at [https://das.iowa.gov/sites/default/files/hr/documents/aaeeo/eo\\_aa\\_policy.pdf](https://das.iowa.gov/sites/default/files/hr/documents/aaeeo/eo_aa_policy.pdf) and is incorporated in the State executive branch employee handbook. Executive branch agencies are responsible for distributing this policy to employees at the time of hire or orientation.

Last revised October 25, 2018



# Appendix B: Policy Prohibiting Sexual Harassment

State of Iowa

## **POLICY PROHIBITING SEXUAL HARASSMENT FOR EXECUTIVE BRANCH EMPLOYEES**

### **NOTIFICATION AND EFFECTIVE DATE**

All executive branch employees are required to read this Policy Prohibiting Sexual Harassment, and are expected to sign an Acknowledgment indicating that the Policy was read and fully understood by the employee. This Policy is being issued on October 25, 2018.

### **I. GENERAL STATEMENT OF POLICY**

The State of Iowa executive branch is committed to providing a workplace that is free from sexual harassment. State executive branch employees shall not engage in sexual harassment. Sexual harassment is a violation of both federal and state statute. Specifically, 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 and Iowa Code section 19B.12 and chapter 216. Sexual harassment based on real or perceived sexual orientation or gender identity is a violation of Iowa Code chapter 216.

Allegations of sexual harassment will be taken seriously and prompt investigation will occur. It is the policy of the State of Iowa executive branch to maintain the confidentiality of sexual harassment complaints and investigations to the greatest extent possible (see Sections IV and V below for further information). **Complaints and records relating to complaints are confidential and not subject to disclosure under Iowa's open records laws.**

### **II. SEXUAL HARASSMENT DEFINED**

Iowa Code section 19B.12 defines sexual harassment as "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."

There are two forms of unlawful sexual harassment:

- (1) an employee is subjected to unwelcomed speech or conduct, of a sexual or non-sexual nature, that is directed at the employee because of his or her sex, and the conduct creates a "hostile work environment;" and
- (2) an employment benefit or continued employment is conditioned on the employee's participation in some form of sexual behavior (also known as "quid pro quo harassment").

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.

Although unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are examples of unacceptable conduct in the workplace, unlawful sexual harassment is not dependent on whether offensive acts or comments were sexual in nature, but whether the acts or comments are directed at a person because of his or her sex. Sexual harassment can be committed by both men and women. And, it may occur between members of the opposite sex, or between members of the same sex. Sexual harassment can take place between (1) any two state employees, (2) a state employee and a non-state employee, including a contractor, or (3) between a state employee and a visitor, guest, client, patient, offender, or resident. Accordingly, this policy prohibits unwelcome, hostile or offensive conduct, whether of a sexual or non-sexual nature, that is directed at, or is motivated by, a person because of his or her sex.

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

- Unwelcome sexual advances.
- Hostile conduct based on the person's sex, sexual orientation, or gender identity.
- Requesting or offering sexual favors in return for job benefits.
- Actions such as cornering, patting, pinching, touching or brushing against another person's body that are sexual in nature.
- Open speculation or inquiries about another person's sex life.
- Jokes, remarks, or innuendos that are sexual in nature or based on real or perceived sexual orientation or gender identity about another person, or about men or women in general.
- Displaying sexually explicit material in the work place.
- 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.

### **III. EXECUTIVE BRANCH AGENCY AND EMPLOYEE DUTIES AND RESPONSIBILITIES**

#### **A. Employee Responsibilities**

All executive branch employees are responsible for knowing and understanding this policy, and for maintaining a work atmosphere free of all forms of sexual harassment. In order to ensure the prompt investigation and response to any alleged incident of sexual harassment, each employee is strongly encouraged to immediately report any conduct prohibited by this policy in accordance with Section IV, below.

If an employee experiences or witnesses any incident of inappropriate or unprofessional behavior in the workplace he or she believes may violate this policy, the employee should immediately report the incident and, if circumstances permit, express his or her concerns directly to the offending person. However, if the employee is not comfortable with addressing concerns with the offending person, the employee may report the matter to his

or her direct supervisor, the next higher supervisor, the employee's agency director or other designated agency personnel. Alternatively, any complaint, including those regarding senior agency officials and directors, may be submitted directly to the director of the Department of Administrative Services or the Governor's Office without reporting the matter internally to the employee's agency. Once the incident is reported, the situation will be investigated in accordance with Section V, and appropriate action will be taken. All executive branch employees are expected to cooperate with an investigation undertaken pursuant this policy. Failure to cooperate with an investigation may result in disciplinary action, up to and including termination of employment.

#### **B. Executive Branch Agency Responsibilities**

Every executive branch agency shall ensure its managerial staff know, understand, and enforce this policy. Any agency managerial staff who fail to act upon an employee complaint, or on personal knowledge of a possible violation of this policy, will be subject to disciplinary action up to and including termination of employment. Furthermore, any managerial staff will be subject to disciplinary action up to and including termination of employment for engaging in any form of conduct prohibited by this policy or for retaliating against an individual: (1) who has made a good faith complaint pursuant to this policy; (2) who aids another individual who has made a complaint; or (3) who is interviewed in the course of an investigation pursuant to this policy.

Agency managerial staff shall immediately notify the Department of Administrative Services after receiving a complaint or alleged violation of this policy.

Executive branch agencies must provide this policy to new employees at the time of hiring or orientation as required by Iowa Code section 19B.12(5).

#### **C. Department of Administrative Services Responsibilities**

As required by Iowa Code section 19B.12, the Department of Administrative Services, through issuance of this policy, is adopting procedures for determining violations of Iowa Code section 19B.12. Additionally, the Department of Administrative Services is responsible for the distribution of this policy to executive branch agencies, who are required to provide it to new employees at the time of hiring or orientation.

The Department of Administrative Services is responsible for investigating all complaints filed under this policy unless directed otherwise by the Governor's Office.

### **IV. COMPLAINT PROCEDURE**

Any employee who believes that he or she has been subjected to sexual harassment prohibited by this policy, or individuals who witness or have knowledge of possible sexual harassment, should immediately report the matter to his or her direct supervisor, the next higher supervisor, their agency director or other designated agency personnel. Alternatively, any complaint, including those regarding senior agency officials and directors, may be submitted directly to the director of the Department of Administrative Services or the Governor's Office without reporting the matter internally to the employee's agency.

To facilitate the investigation of a sexual harassment complaint, the employee is encouraged to fill out the employee complaint form found at the following link: [https://das.iowa.gov/sites/default/files/hr/documents/MS\\_manual/M-0318\\_Complaint\\_form\\_fillable.pdf](https://das.iowa.gov/sites/default/files/hr/documents/MS_manual/M-0318_Complaint_form_fillable.pdf). However, an investigation of a sexual harassment complaint will be undertaken regardless of the manner in which the complaint is conveyed.

Every complaint made pursuant to this policy shall be promptly investigated to the extent necessary to determine whether a violation of this policy occurred, and whether remedial measures are necessary. **Complaints and records relating to complaints are confidential and not subject to disclosure under Iowa's open records laws.**

## **V. INVESTIGATION PROCEDURE**

All complaints alleging violation(s) of this policy shall be promptly investigated by the Department of Administrative Services unless directed by the Governor's Office to be investigated by another agency or entity. All executive branch employees must cooperate fully with any investigation. Failure to cooperate with an investigation may result in discipline up to and including termination of employment.

All complaints and investigations shall be handled in a manner that protects the privacy of those involved. Confidentiality will be maintained throughout the investigatory process and information will be disclosed only to those people with a legitimate need to know about the matter. Total confidentiality, however, cannot be guaranteed because it may not be possible to conduct an effective investigation without revealing certain information to the alleged responsible party and potential witnesses.

To protect the privacy of those involved, all persons shall refrain from discussing the complaint except as necessary for the furtherance of the investigation. Persons interviewed will be directed not to discuss any aspect of the investigation with others in light of the important privacy interests of all concerned. Failure to comply with the confidentiality directive may result in disciplinary action up to and including termination of employment.

## **VI. CORRECTIVE ACTION**

The Department of Administrative Services will work with appropriate executive branch agency personnel to ensure corrective action is taken immediately to remedy violations of this policy. Corrective action may include disciplinary action up to and including termination of employment. A manager or supervisor who fails to properly act upon a complaint 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 termination of employment.

## **VII. RETALIATION PROHIBITED**

Any form of retaliation against someone for resisting sexually harassing behavior, reporting a complaint under this policy, assisting the complainant, or cooperating in an investigation of a complaint is strictly prohibited by this policy, and may be unlawful. No executive branch employee will be reprimanded or retaliated against for initiating an inquiry or complaint in good faith or for cooperating in good faith in the investigation of a complaint. Any incident experienced or witnessed by an employee that is believed to be an act of retaliation should immediately be reported to the employee's supervisor, appointing authority or designee, the Department of Administrative Services

or the Governor's Office. A report of retaliatory behavior shall be regarded as a separate and distinct case for investigation and discipline, regardless of the outcome of the original complaint.

## **VIII. TRAINING**

The Department of Administrative Services shall offer training courses in preventing sexual harassment through its Performance and Development Solutions (PDS) program area. These courses are found on the Department of Administrative Services—Human Resources Enterprise website at <https://das.iowa.gov/human-resources/training-and-development>. Executive branch employees are strongly encouraged to attend training offered through PDS.

## **IX. OTHER STATE AND FEDERAL RESOURCES**

This policy is intended to provide a mechanism for quickly identifying and correcting instances of sexual harassment within the executive branch. Nothing contained in this policy is intended to replace or deny any rights available under applicable local, state and federal laws or regulations.

The Iowa Civil Rights Commission and the Equal Employment Opportunity Commission administer laws and regulations regarding employment discrimination and harassment, which include deadlines for filing discrimination complaints. For more information, these agencies may be contacted at the following:

### **IOWA CIVIL RIGHTS COMMISSION**

Iowa Civil Rights Commission  
Grimes State Office Building, 400 E. 14th Street, Des Moines, IA 50319  
515-281-4121; 800-457-4416 (toll free); 515-242-5840 (fax)  
<http://icrc.iowa.gov>

### **EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

Reuss Federal Plaza  
310 West Wisconsin Avenue, Suite 500  
Milwaukee, WI 53203-2292  
Phone: 1-800-669-4000

## **X. POSTING**

This policy is posted on the Department of Administrative Services website at [https://das.iowa.gov/sites/default/files/hr/documents/MS\\_manual/Policy-SexualHarassment.pdf](https://das.iowa.gov/sites/default/files/hr/documents/MS_manual/Policy-SexualHarassment.pdf) and is incorporated in the State executive branch employee handbook. Executive branch agencies are responsible for distributing this policy to employees at the time of hire or orientation.

Last revised October 25, 2018

## Appendix C: Drug-Free Workplace Policy

---



### 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.

- 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 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 17<sup>th</sup> day of March in the year of our Lord one thousand nine hundred eighty-nine.

# Appendix D: Substance Abuse Policy

---

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 Acknowledgement indicating the Policy was read and fully understood by the employee. This Policy is being issued without revision on October 25, 2018.

### **I. 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 its employees remain free from the effects of alcohol or controlled substances while conducting state business. Therefore, employees are prohibited from:

- possessing, consuming, purchasing/selling, or manufacturing alcoholic beverages or controlled substances, while they are conducting state business or are on state property;
- reporting to work for the State of Iowa under the influence of an alcoholic beverage or a controlled substance;
- the unauthorized use or abuse of a prescription medication while they are conducting state business or are on state property; and/or
- 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 medicine.

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.

### **II. OTHER ACTIVITIES INVOLVING SUBSTANCE ABUSE AND WARRANTING REPRIMAND, SUSPENSION, OR TERMINATION**

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

- A. 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.

- B. The employee engages in off-duty misconduct which 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.
- C. The employee reports to work displaying symptoms the employee has consumed an alcoholic beverage or a controlled substance.
- D. The employee demonstrates below standard job performance or on-the-job misconduct, including, but not limited to, excessive absenteeism or tardiness.

### **III. EMPLOYEE ASSISTANCE PROGRAM**

The State of Iowa recognizes dependency upon 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 Employee Assistance Program (EAP). For more information, please see the following link: <https://das.iowa.gov/human-resources/healthy-opportunities/employee-assistance-program>.

Last revised July 1, 2017

# Appendix E: Smoking and Tobacco Use Policy

---

State Of Iowa

## SMOKING AND TOBACCO USE POLICY FOR EXECUTIVE BRANCH EMPLOYEES

### NOTIFICATION AND EFFECTIVE DATE

All Executive Branch employees (herein “employees”) are required to read this Smoking and Tobacco Use Policy, and will be expected to sign an Acknowledgement indicating that the policy was read and fully understood by the employee. All employees are required to abide by the standards set forth in this policy. Individual department policies may differ because some departments may be exempted from certain provisions of the policy. However, individual department policies must also be read and acknowledged by the employee. This Policy is being issued without revision on October 25, 2018.

### I. GENERAL STATEMENT OF POLICY

The purpose of this policy is to establish a smoke-free environment for employees and the public as they transact business with or receive services from the State. This policy facilitates compliance with Iowa’s Smokefree Air Act and administrative rules governing the use of tobacco-related products. The Iowa Smokefree Air Act was enacted in Iowa Code chapter 142D to improve the health of Iowans by reducing the level of exposure to environmental tobacco smoke. Administrative rules related to this policy can be found at 641 IAC 153 and 11 IAC 100.3.

For purposes of this policy, “smoking” includes, but is not limited to, burning or vaporizing tobacco or other products in a cigarette, cigar, pipe, electronic cigarette, or any noncombustible product, which may or may not contain nicotine, that employs a heating element, power source, electronic circuit, or other electronic, chemical, or mechanical means, regardless of shape or size, that can be used to produce vapor from a solution or other substance.

For purposes of this policy, tobacco includes any type of tobacco product including, but not limited to, cigarettes, cigars, cigarillos, electronic cigarettes, pipes, bidis, hookahs, smokeless chewing tobacco, and/or snuff.

### II. PROHIBITED ACTIVITIES

- A. Smoking is prohibited within the confines of all State operated/owned facilities.
- B. Smoking is prohibited within the confines of all State operated/owned vehicles.
- C. Smoking is prohibited on the grounds of any public building including the Capitol Complex grounds. Grounds is defined as an outdoor area of a public building that is used in connection with the building, including but not limited to, a sidewalk immediately adjacent to the building; a sitting or standing area immediately adjacent to the building; a patio; a deck; a curtilage or courtyard; or any other outdoor area as designated by the person having custody or control of the public building.

- D. Smoking is not allowed in any existing huts or any enclosed areas formerly used as smoking areas.
- E. Use of tobacco products is prohibited in all space in Capitol Complex buildings controlled by the Executive Branch including tunnels and enclosures.
- F. Use of tobacco products is prohibited on the grounds of the Capitol Complex.

### **III. STATE/LEASED PROPERTY OUTSIDE CAPITOL COMPLEX**

For state property outside the Capitol Complex and for offices leased by the State of Iowa, the provisions of this policy will apply unless otherwise noticed by the employing department.

### **IV. AUTHORIZED ACTIVITIES**

Smoking and the use of tobacco is authorized within the confines of enclosed privately-owned motor vehicles that are located on the Capitol Complex.

### **V. VIOLATIONS**

Violations of this policy may result in disciplinary action.

### **VI. EMPLOYEE ASSISTANCE**

The State of Iowa recognizes that employees may need assistance in stopping the use of tobacco products. The State offers the following information for assistance in the transition process:

QUITLINE IOWA – Quitline Iowa provides free smoking cessation services to all Iowans. Quitline Iowa can provide assistance every step of the way. An expert Quit Coach is available to provide support over the phone and online as you follow a Quitting plan customized to your needs. You may also be eligible for eight weeks of nicotine patches, gum or lozenges. Call 1-800-QUIT-NOW (1-800-784-8669) or visit [www.quitlineiowa.org](http://www.quitlineiowa.org) for more information.

EMPLOYEE ASSISTANCE PROGRAM – The Employee Assistance Program (EAP) is a confidential program available to all employees and their families. For more information, please see the following link: <https://das.iowa.gov/human-resources/healthy-opportunities/employee-assistance-program>.

IOWA SMOKE FREE AIR WEBSITE – Iowa Department of Public Health's website, <https://smokefreeair.iowa.gov> is a good resource regarding the Iowa Smokefree Air Act.

Last revised November 17, 2014.

# Appendix F: Social Media Policy

---

State of Iowa

## **SOCIAL MEDIA POLICY FOR EXECUTIVE BRANCH EMPLOYEES**

### **NOTIFICATION AND EFFECTIVE DATE**

All Executive Branch employees (herein “employees”) are required to read this Social Media Policy, and will be expected to sign an Acknowledgement indicating that the policy was read and fully understood by the employee. All use of social networking sites by state agencies should be consistent with applicable state, federal, and local laws, regulations, and policies, including all information technology security policies. All employees are required to abide by the standards set forth in this policy. This Policy is being issued without revision on October 25, 2018.

All use of social media, including social networking sites, by state agencies should be consistent with applicable state, federal, and local laws, regulations, and policies, including all information technology security policies. This policy applies to any social networking, social media, or web-based, information sharing/open communication site (including, but not limited to, Facebook, Twitter, blogs, wikis, and message boards).

Nothing in this policy shall be interpreted or applied as limiting an employee’s right to engage in speech protected by the United States and Iowa Constitutions or as limiting the right to engage in protected concerted activity, including employee discussion regarding the terms and conditions of employment.

### **I. PERSONAL USE**

A state employee’s personal use of any social networking, social media, or web-based site should remain personal in nature and should be used to share personal opinions and other non-work-related information. Absent express consent by a state agency, a state employee should not use his or her personal social networking, social media, or web-based site to conduct state business.

State employees, especially those possessing leadership responsibilities and those choosing to identify themselves as employees of the State, should consider whether statements they publish may be construed as expressing official state or agency positions and whether or not such statements are accurate representations. A state employee should also take appropriate steps to ensure that communications made in an employee’s personal capacity represent that employee’s personal opinion and do not reflect or represent the opinion of the State of Iowa or the department or agency for which the employee works. Depending on the circumstances and to ensure an employee’s personal postings are not wrongfully attributed to the State, an employee may wish to post a disclaimer such as:

*The postings on this site are my own opinion and do not reflect or represent the opinions of the State of Iowa or the department/agency for which I work.*

For purposes of maintaining and securing information technology and data, state employees are prohibited from using their state e-mail account or username in conjunction with a personal social networking, social media, or web-based site, unless prior authorization is given. Employees are strongly encouraged to avoid using their state password in conjunction with a personal social networking, social media, or web-based site.

## **II. PROFESSIONAL USE**

All official state agency-related communication through social media, social networking, and web-based sites shall remain professional in nature, and shall be conducted in accordance with state policy, practices, and expectations. State employees must not use official state agency social media, social networking, or web-based sites to conduct private commercial transactions or to engage in private business activities. Only individuals authorized by a state agency may publish content to an agency website or agency social computing technologies.

## **III. PROHIBITED ACTIONS**

Employees shall not:

- Discuss or display information, including photographs, online that is confidential or proprietary to the State, or to a third party that has disclosed information to the State.
- Make disparaging statements online concerning customers or clients of the State.
- Engage in any online actions that would violate the State's Violence Free Workplace Policy.
- Engage in any online actions that would violate the State's Equal Opportunity, Affirmative Action, and Anti-Discrimination Policy.
- Use social media or networking sites that are controlled or owned by the State in a manner that violates federal or state law, administrative rules, or applicable policies (including, but not limited to, information technology and information security policies).

## **IV. VIOLATIONS**

Violations of this policy may result in disciplinary action up to and including discharge.

Employees are responsible for reporting suspected violations of this policy to their direct supervisor. If the suspected violation involves the employee's immediate supervisor, the employee is encouraged to report it to the next highest supervisor or, in the alternative, to the Director of the Iowa Department of Administrative Services.

## **V. DEPARTMENT/AGENCY POLICIES AND WORK RULES**

State departments and agencies may develop specific social media policies and/or work rules that further enhance this policy.

Last revised November 17, 2014

# Appendix G: Violence-Free Workplace Policy

---

State of Iowa

## **VIOLENCE-FREE WORKPLACE POLICY FOR EXECUTIVE BRANCH EMPLOYEES**

### **NOTIFICATION AND EFFECTIVE DATE**

All executive branch employees (herein “employees”) are required to read this revised Violence-Free Workplace Policy, and will be expected to sign an Acknowledgement indicating the Policy was read and fully understood by the employee. This Policy is being issued without revision on October 25, 2018.

### **I. POLICY STATEMENT**

The State of Iowa is committed to providing a work environment free from threats, intimidation, harassment, and acts of violence against the public, vendors, clients, customers, and employees. The State of Iowa further establishes, as its vision, all of its officials and employees will treat each other and those they serve with courtesy, dignity, and respect.

Accordingly, the State of Iowa is committed to:

- Preventing violence in the work environment,
- Providing resources and complaint resolution procedures for employees who experience or encounter violence in the work environment, and
- Maintaining a respectful work environment which promotes positive conflict resolution.

### **II. PROHIBITIONS**

- A. Employees are prohibited from the possession, sale, transfer, or use of any dangerous weapon while engaged in state business.

This prohibition shall not apply to 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 agency. 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 the public, vendors, clients, customers, and employees in accordance with the State of Iowa's Equal Opportunity, Affirmative Action and Anti-Discrimination Policy.
- C. Employees are prohibited from engaging in violence towards the public, vendors, clients, customers, and employees. Violence is defined as the actual or threatened use of physical

force, actions, or verbal or written statements which either results in or is likely to result in physical or mental pain or injury to another person, group of persons, or damage to property. Violence may be a single occurrence or it may be a pattern of behavior which intimidates, degrades, or offends another person or a group of persons.

### **III. 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.

### **IV. REPORTING PROCEDURES**

Any employee who has been the victim of workplace violence, who witnesses workplace violence, or who believes there is the potential for workplace violence to occur shall notify the Iowa Department of Administrative Services—Human Resource Enterprise Employee Relations. Employees who believe this policy has been violated may file a complaint directly with Employee Relations using Employee Complaint form #552-0318 available on the Iowa Department of Administrative website at the following link: [https://das.iowa.gov/sites/default/files/hr/documents/M-0318\\_Complaint\\_Form\\_fillable.pdf](https://das.iowa.gov/sites/default/files/hr/documents/M-0318_Complaint_Form_fillable.pdf).

Alternatively, employees may notify their management in accordance with their agency's established complaint procedure. All complaints filed in accordance with the agency's complaint procedure shall be forwarded to the Iowa Department of Administrative Services—Human Resource Enterprise Employee Relations within 48 hours of receipt of the complaint.

Iowa Department of Administrative Services—Human Resources Enterprise Employee Relations will promptly investigate all complaints.

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

### **V. REMEDIES FOR POLICY VIOLATIONS**

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.

Issued August 1, 1996 – Revised November 17, 2014; July 1, 2017.

# Acknowledgement of Receipt

---

I, \_\_\_\_\_, acknowledge I have received the  
Employee's Name

*State of Iowa Employee Handbook*, which includes the Equal Employment Opportunity, Affirmative Action and Anti-Discrimination Policy; the Policy Prohibiting Sexual Harassment for Executive Branch Employees; the Drug-Free Workplace Policy; the Substance Abuse Policy; the Smoking and Tobacco Use Policy; the Social Media Policy; and the Violence-Free Workplace Policy. I have been directed to read the *Employee Handbook*, including its policies, and was offered an opportunity to ask questions about its contents. I am also aware I am expected to read and be familiar with any updates to the information contained in this handbook. I acknowledge this handbook is not a contract between the State of Iowa and me. I further acknowledge individual state agencies may have more specific policies in place which augment those contained in this handbook.

\_\_\_\_\_  
Employee's Name (print), Employee ID #

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

*Place the original of this form in the employee's personnel file. Provide a copy to the employee.*