
**Affirmative Action
In the Executive Branch
of Iowa State Government**



Dear Iowans:

It is the policy of the State of Iowa to provide equal employment opportunity to State government employees and applicants. We provide advancement opportunities and accessibility to all and administer our programs in a manner that does not discriminate against any individual because of race, creed, color, religion, national origin, sex, age, marital status or physical or mental disability. The State also ensures its employees the right to work in an environment free from all forms of discriminatory harassment.

As Governor, I challenge all executive branch department directors and all employers in the public and private sectors to study their work force practices by reviewing hiring and promotion policies, developing responsible equal opportunity and affirmative action policies, and requiring consistent administration from managers that results in fair treatment for all applicants employees and customers.

I further challenge all employers and employees to work together to create a workplace where a sense of equity permeates the company spirit and corporate philosophy. Please join me in making this a permanent resolve in the labor force in Iowa - the State that leads by example in effective human resource management.

Sincerely,

A handwritten signature in blue ink that reads "Terry E. Branstad". The signature is stylized with a large, circular flourish at the end of the name.

Terry E. Branstad

Governor

GOVERNOR'S AFFIRMATIVE ACTION TASK FORCE

On December 21, 1982, Governor Terry E. Branstad signed Executive Order 46 to create the State's Affirmative Action Task Force. The Task Force consists of persons appointed by the Governor for one year terms.

MISSION STATEMENT

In the interest of State government providing the best services to the citizens of Iowa, it is the mission of the Affirmative Action Task Force (AATF) to promote and celebrate the value of diversity by ensuring that:

all applicants and employees receive equal employment opportunity;

departments are sensitive to the diversity of their staff and customers in the services they provide;

the work force of each State department is representative of the State's population; and

affirmative action is appropriately utilized.

The Task Force will accomplish this mission through advice and recommendations on:

training	recognition
monitoring	policies
reporting	marketing
consultation	recruiting

WHAT IS AFFIRMATIVE ACTION?

In the Executive branch of Iowa State government, affirmative action means "action appropriate to overcome the effects of past or present practices, policies or other barriers to equal opportunity" (Iowa Code, Section 19B.1).

Affirmative action involves *specific* action in recruiting, hiring, promoting, training and other areas of employment to eliminate the effects of underrepresentation in the State's work force.

The equal protection guarantees under the Fourteenth Amendment to the U.S. Constitution are the foundation for affirmative action programs for employers in the public sector: "No state shall ... deny to any person within its jurisdiction the **equal protection** of the laws."

AFFIRMATIVE ACTION STANDARDS

Affirmative action can only exist where there has been discrimination. The strict scrutiny standard, established by the U.S. Supreme Court, is the standard applied to public sector organizations to ensure that they do not violate the Fourteenth Amendment's Equal Protection Clause. Any classification, particularly those based on race, gender or disability, is inherently suspect and, therefore, subject to the following two prong test:

1. **Strict scrutiny** means that public sector employers must have a compelling government interest before establishing and exercising an affirmative action program. Specifically, there must be a finding of prior discrimination by the governmental unit involved. The governmental unit cannot rely on assumptions of historical discrimination and must identify statistical disparities between the composition of the work force and the relevant labor force before employing remedial affirmative action goals.
2. Any race or gender-based remedy for prior discrimination must be **narrowly tailored** to goal achievement. Narrowly tailored goals must meet specific criteria.

Each member of the pool of candidates benefiting from affirmative action must be **qualified** for the position. Gender, minority or disability status cannot be the sole factor in the decision-making process. These classifications may, however, be among several qualifying factors.

Goals set must be linked to the **relevant qualified and available labor pool**. They must not be intrusive; hence, the use of **goals** rather than **quotas**.

Affirmative action measures can only give **limited advantage** to members of underrepresented groups. This means that the impact of the program must not hinder the rights of others nor create an absolute bar to their advancement.

Affirmative action (the remedy) must be **limited in duration**. Remedial goals must be temporary.

MYTHS VERSUS FACTS

Myth: White females and minorities are taking jobs away from white males.

Fact: Although white females and minorities are making progress through affirmative action programs, according to the 1990 U.S. Census, white males still occupy over 90% of all upper management positions.

Myth: Females and minorities receive preferences.

Fact: Affirmative action does not require preferences, nor do women and minorities assume that they will receive preferential treatment. Race and gender are but two of many factors one may consider when hiring or accepting **qualified** applicants in underutilized job classes.

Myth: Affirmative action is a quota system.

Facts: Affirmative action is not about quotas. It has always been about providing females and minorities with full educational and workplace opportunities. **QUOTAS ARE ILLEGAL!** Relevant and valid job qualifications cannot be compromised. Further, the U.S. Supreme Court has made it clear that the misuse of affirmative action programs to set quotas or to correct perceived discrimination is illegal.

Myth: Affirmative action leads to reverse discrimination.

Fact: There is no such thing as "reverse" discrimination. Discrimination is discrimination regardless of race or gender. The evidence demonstrates that discrimination against white males is rare. A 1995 study by the U.S. Department of Labor revealed that fewer than 100 out of 3,000 discrimination cases involved discrimination against white males and the EEOC validated only six of those cases.

Myth: Title VII of the Civil Rights Act alone is sufficient to address discrimination.

Fact: Affirmative action means taking positive, proactive and preemptive steps to end discrimination, rather than waiting for after-the-fact litigation. Title VII is enough to address discrimination, however, it will do so only after an instance of discrimination has been claimed. Affirmative action policies are a means to end discrimination in a far less costly and disruptive way than protracted litigation.

For more information about affirmative action programs in the executive branch of Iowa State government, contact the State Affirmative Action Program Coordinator at (515) 281-3101 or the Administrator for Targeted Small Business Procurement and Contract Compliance Program at (515) 281-6880.

Sources: Myths Versus Facts information taken from Internet articles by the following authors or sponsors:

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