



EXECUTIVE ORDER NUMBER NINE

Preamble

The Constitutions of the United States of America and of the State of Iowa call for political liberty and equality and afford the equal protection of the laws for all persons. Racial, religious, and ethnic discriminatory practices betray the vision of the founding fathers and threaten the orderly procedures of democratic government.

The General Assembly of the State of Iowa has enacted a Civil Rights Law and has passed resolutions condemning discriminatory practices. The clear intent of these laws and resolutions is the assurance that the rights to equal treatment of the people of Iowa shall not be abridged.

Fair and equal treatment of all persons, guaranteed by the Constitution, affirmed by the General Assembly, promoted by the Executive, is the public policy of the State of Iowa.

In recognition of the obligation of the State and to the limit of the authority vested in me by the Constitution and Laws of Iowa, I hereby proclaim the following CODE OF FAIR PRACTICES to be the official policy of the Executive Branch of the State of Iowa.

Article I STATEMENT OF POLICY

The State of Iowa has a special obligation to have its operations serve as a model for business, industry, labor, and education. No state official who is responsible to the Governor shall, therefore, in policy or in practice, discriminate on the basis of race, color, religion, national origin, or ancestry.

Article II APPOINTMENT, ASSIGNMENT, AND ADVANCEMENT OF EXECUTIVE PERSONNEL

State officials who are responsible to the Governor shall appoint, assign, and advance employees solely on the basis of merit and fitness. Each state agency responsible to the Governor shall promulgate a clear and unambiguous written policy of nondiscrimination in employment. Each such agency shall regularly review its personnel practices and procedures with a view to correcting any which may contribute to discrimination in appointment, assignment, or advancement. Each such agency shall conduct programs of job orientation and training and place emphasis upon fair practices in employment. Each such agency shall also bar from all employment application forms any inquiry expressing any limitation or specification as to race, color, creed, religion or national origin, unless it relates to a bona fide occupational qualification.

Article III STATE EMPLOYMENT SERVICES

All state agencies responsible to the Governor which provide placement or referral services for public or private employers shall refuse to fill any job order which specifies race, color, religion, national origin, or ancestry as a condition of employment, assignment, or advancement. They shall, moreover, refer such prohibited requests to the Iowa Civil Rights Commission for investigation, conciliation and other appropriate action.

Article IV PUBLIC SCHOOL TEACHERS

Pursuant to the provisions of the 14th Amendment of the Constitution of the United States and provisions of the Iowa Civil Rights Act of 1965, the State Superintendent of Public Instruction shall use every lawful means in the promoting of fair employment practices for duly certificated teachers.

Article V STATE EDUCATIONAL, COUNSELING, AND TRAINING PROGRAMS

All educational and vocational guidance programs and their essential components, counseling and testing and all on-the-job training programs of state agencies responsible to the Governor, shall be administered in accordance with the provisions of the Iowa Civil Rights Act of 1965. Every state official responsible for the implementation of such programs shall be charged with the duty of seeking to provide equal opportunity for all, regardless of race, color, religion, or national origin.

Article VI STATE SERVICES AND FACILITIES

Pursuant to the provisions of the 14th Amendment of the Constitution of the United States and the Iowa Civil Rights Act of 1965, equal treatment shall be guaranteed by all state agencies responsible to the Governor in performing their services to the public, and equal treatment shall be guaranteed in the use of state facilities. Those in charge of the various state facilities shall take especial care that no state facility is used in the furtherance of any discriminatory practices.

Article VII STATE LICENSING AGENCIES

Pursuant to the provisions of the 14th Amendment of the Constitution of the United States of America, all state licensing agencies shall insure that no license is granted, denied, or revoked on the basis of race, color, religion, national origin, or ancestry. Where a duly constituted state authority, in an official and lawful proceeding, determines that a licensee has, in his capacity as such, engaged in unlawful discriminatory practices under the Iowa Civil Rights Act, any licensing authority responsible to the Governor shall institute such disciplinary action, including revocation of license, as may be provided by statute or other regulation. In the event of such determination by a duly constituted state authority, the licensing agency concerned shall consider prior to re-issuance of a state license whether said licensee has made a bona fide effort to comply with Iowa law.

Article VIII STATE CONTRACTS AND SUBCONTRACTS

To insure compliance with the provisions of the Iowa Civil Rights Act of 1965, every state official who is responsible to the Governor and who is authorized to make contracts or subcontracts for public works or for goods or services shall cause to be inserted into every such contract or subcontract a clause in which the contractor or subcontractor is prohibited from engaging in discriminatory employment practices as forbidden by the Iowa Civil Rights Act. These contractual provisions shall be fully enforced; any breach of them shall be regarded as a material breach of contract.

Article IX COMPLIANCE AND REPORTING

All state agencies responsible to the Governor shall cooperate fully with the Iowa Civil Rights Commission and such other persons as the Governor may authorize in effecting this CODE OF FAIR PRACTICES. Each state agency shall report annually to the Governor, between December 15 and January 1, all programs undertaken to effect this CODE.

Article X PUBLICATION AND POSTING

Copies of this CODE OF FAIR PRACTICES shall be distributed to all state officials and appointing authorities. The Code shall, further, be posted conspicuously in all state facilities. All state agencies responsible to the Governor shall also cooperate with the Iowa Civil Rights Commission in posting, upon request, notices in state facilities relating to the Iowa Civil Rights Act of 1965.

Executive Order Number One, relating to the CODE OF FAIR PRACTICES, and issued by me on May 14, 1964, is hereby repealed and this Executive Order shall be in full force and effect in lieu thereof.

SEAL

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 11th day of October in the year of our Lord one thousand nine hundred sixty-seven.

/s/ HAROLD E. HUGHES
GOVERNOR

Attest:

/s/ MELVIN D. SYNHORST
SECRETARY OF STATE