

**CHAPTER 1314**  
**COMPARABLE WORTH APPROPRIATION**  
*S.F. 2359*

**AN ACT** establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. DEFINITIONS. As used in this Act:

1. "Comparable worth pay grade" means the pay grade as determined by the factor determined score for the job title as finally determined after completion of the review process as outlined in this Act, and the appropriate pay grade position for that factor determined score on the following scale:

<u>Factor Determined</u> <u>Score Range:</u>	<u>Pay Grade</u>
137 — 147	10
148 — 158	11
159 — 169	12
170 — 180	13
181 — 191	14
192 — 202	15
203 — 213	16
214 — 224	17
225 — 236	18
237 — 248	19
249 — 261	20
262 — 275	21
276 — 289	22
290 — 304	23
305 — 320	24
321 — 336	25
337 — 354	26
355 — 372	27
373 — 392	28
393 — 412	29
413 — 433	30
434 — 456	31
457 — 480	32
481 — 504	33
505 — 531	34
532 — 558	35

559—587	36
588—618	37
619—650	38
651—684	39
685—719	40
720—757	41
758—796	42
797—837	43

However, if there is a change in the total of all factor determined scores for all job titles of more than two percent as a result of decisions following reviews, the maximum factor determined score for each pay grade shall be adjusted by a percentage change equal to the percentage change in the total of all factor determined scores for all job titles prior and subsequent to the review process, rounded to the nearest whole number.

2. "Factor score" means the point score received by a job title on any of the thirteen factors in the study, as developed by the study commissioned under 1983 Iowa Acts, chapter 170, section 2.

3. "Factor determined score" means the score for a job title determined by adding the factor scores received for the job title on each of the thirteen factors.

4. "Job title" means one or more positions which are sufficiently similar in duties and responsibilities that each position requires the same minimum qualifications and can be filled based on substantially the same test of ability or fitness, and that the same pay grade can be applied with equity to the positions.

5. "Net effect on the general fund" means the total revenue outlay from the general fund, subtracting revenues to the state from other sources which directly defray the revenue outlay from the state.

**\*Sec. 2. EMPLOYEE PARTICIPATION IN FACTOR SCORE REVIEW AND FINAL RATIFICATION OF FACTOR DETERMINED SCORES.**

1. Any employee subject to the Iowa merit system may request review of the factor scores or the factor determined score that employee's job title received. Requests for review by more than one employee within a job title shall be considered together, and a request for review by one or more employees within a job title shall be considered as a request on behalf of all employees in that job title.

2. The Iowa merit employment department on its own initiative may request review of factor scores on any job titles under the merit system. These requests for review shall be delineated by the Iowa merit employment department and shall be available to merit employees no later than June 1, 1984 and prior to the notice in subsection 3. The delineation shall include a description of the reasons the factor scores should be reviewed and the Iowa merit employment department's recommendations for changing the factor scores.

3. Employees shall be notified of their right to request review of their factor scores and factor determined scores with one or more biweekly pay checks. The Iowa merit employment department shall devise "request for review" forms based upon the recommendations of the study commissioned under 1983 Iowa Acts, chapter 170, section 2. The department shall make "request for review" forms available to all departments and agencies with employees subject to the merit system and shall make the forms available to individual employees upon request. Employees shall be provided access to complete information regarding the study and the methods for determining factor scores in the system.

\*Item veto; see message at end of this Act

4. Employees shall have not less than four weeks from the time the first notice of the right to request review is distributed in which to file a request for review. The department shall notify employees who file incomplete or incorrect requests for review, and shall assist them to complete and file the forms correctly.

5. Review teams shall be constituted to represent all types of employees in the merit system, and shall include representation from contractual as well as noncontractual employees. Teams shall be trained in the job evaluation system and, in reviewing job titles, shall review employee and department "request for review" forms as well as all materials used in initially setting the factor scores.

6. Each job title for which requests for review are filed under subsections 1 through 4 shall be reviewed by a review team. If the review team disagrees with the initial factor score, a second review team shall examine the factor score as determined initially and by the first review team and shall make a final decision as to that factor score.

7. Subsection 5 shall be conducted with the review and comment of the comparable worth review committee established in section 6 of this Act and subsections 5 and 6 shall be conducted under the supervision and approval of the Iowa civil rights commission. All reviews shall be completed by November 1, 1984.\*

Sec. 3. **NONCONTRACTUAL EMPLOYEES.** For noncontractual employees under the state merit system, the following implementation schedule applies for the initial phase of comparable worth adjustments:

1. In implementing the first phase of comparable worth adjustments, employees in job titles whose current pay grade is below the comparable worth pay grade shall be adjusted upward to their comparable worth pay grade. However, no job titles shall be raised above pay grade thirty-two under the initial implementation process. This implementation shall only be done after completion of the review process.

2. In implementing the first phase of comparable worth adjustments, employees whose pay grades will be increased shall retain their merit step positions when those adjustments are made.

3. Comparable worth adjustments made in the first phase shall be implemented on or after January 1, 1985, with implementation at the earliest pay period possible subject to the limitations in funding provided in section 7 of this Act. The amount of funds available under section 7 of this Act for employees covered under this section shall be determined in accordance with section 5 of this Act.

Sec. 4. **CONTRACTUAL EMPLOYEES.** For contractual employees under the state merit system, the governor and the certified bargaining representatives shall implement comparable worth consistent with the provisions of chapter 20.

Appropriations made to implement the comparable worth adjustments as provided in section 7 of this Act and to complete the comparable worth adjustments as provided for in section 8 of this Act, shall be separate and distinct from any appropriations made to implement a collective bargaining agreement negotiated, consistent with chapter 20, between the state and the state's employees.

Sec. 5. **DISTRIBUTION OF FUNDS.** Upon completion of the review process as established in section 2 of this Act, the state comptroller's office, in consultation with the legislative fiscal bureau, shall determine the total biweekly salary costs for implementing the first phase of comparable worth adjustments, if the adjustments for all employees, both contractual and noncontractual, under the merit system were to be made in accordance with section 3, subsections 1 and 2 of this Act, and shall determine the net effect on the general fund for these adjustments.

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\*Item veto; see message at end of this Act

The state comptroller's office shall determine the earliest pay period after December 31, 1984, that the adjustments may be put into effect subject to the limitations of funds provided in section 7 of this Act. The Iowa merit employment department shall place those adjustments into effect for noncontractual employees under the state merit system as provided in section 3 of this Act for the earliest pay period in 1985 as determined by the state comptroller and subsequent pay periods during the fiscal year. Other funds available under section 7 of this Act shall be available to meet any negotiated agreements reached under section 4 of this Act.

**\*Sec. 6. COMPARABLE WORTH REVIEW COMMITTEE AND FINAL IMPLEMENTATION.** There is established a comparable worth review committee to oversee the review process as provided in section 2 of this Act and to make recommendations regarding the completion of the implementation of comparable worth adjustments in accordance with 1983 Iowa Acts, chapter 170. The committee shall be composed of seven members, one to be appointed by the governor, and six to be appointed by the legislative council. Appointments shall be made not later than June 1, 1984 and shall include persons skilled in social science research and in comparable worth policy.

Legislative members of the committee are entitled to per diem and expenses as provided for interim study committee members in section 2.44. Public members who are not public employees are entitled to a per diem of forty dollars for attending committee meetings. Public members and public employee members are entitled to reimbursement for travel and other necessary expenses actually incurred in the performance of their duties on the committee. Payment for authorized per diem and expenses shall be made as provided in section 2.12.

The committee shall make recommendations to the governor, the legislative council, and the general assembly by January 1, 1985, regarding final implementation of the comparable worth adjustments, which recommendations shall include the following:

1. Incorporation of comparable worth policy into state agencies exempt or partially exempt from the state merit system, except the state board of regents, and the judicial department with an emphasis upon treating the job titles and positions in those agencies which are substantially equivalent to job titles or positions in the merit system in a comparable manner with respect to pay.

2. Establishment of a single pay plan for state merit employees consistent with the recommendations for salary schedules associated with the comparable worth pay grades used in section 1 of this Act and recommended modifications or adjustments made under subsection 3 of this section and the effect such a pay plan would have in eliminating sex bias or bias in comparability of pay for jobs of comparable worth.

3. Implementation of comparable worth adjustments to bring all job titles below their comparable worth pay grade up to that pay grade, incorporating any modifications or adjustments to the method of determining the comparable worth pay grade that may be necessary to reflect adjustments determined to more fully reflect the policy of the state as established in section 79.18, including consideration of alternative methods for establishing the relationship between factor determined scores and pay grades.

4. Implementation of any other adjustments to the pay grade positions of job titles that may be recommended by the Iowa merit employment department to avoid compaction in job series or otherwise correct internal discrepancies within job series and the comparable worth pay grade system.

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\*Item veto; see message at end of this Act

5. Implementation of a system which addresses job titles with current pay grades above their comparable worth pay grades.

6. Implementation of recommendations to combine certain job titles which were recommended for combination because of their comparable worth scores and the similarity of their job descriptions.

7. Implementation of a procedure for maintaining the comparable worth factor determination system for job evaluation, including the assigning of factor scores for new job titles in the state merit system.\*

**Sec. 7. APPROPRIATIONS.** Subject to the limitations in subsection 5:

1. There is appropriated from the general fund of the state to the salary adjustment fund established in section 8.43, for the fiscal year beginning July 1, 1984, and ending June 30, 1985, the amount necessary to be distributed to the various departments to supplement other funds appropriated by the general assembly, to provide the salary adjustments required by this Act to the extent the salaries are payable by the state.

2. There is appropriated from the road use tax fund of the state to the state department of transportation for the fiscal year beginning July 1, 1984, and ending June 30, 1985, the amount necessary to supplement other funds appropriated by the general assembly, to provide the salary adjustments required by this Act for employees of the state department of transportation, to the extent the salaries are payable by the state.

3. There is appropriated from the primary road fund to the state department of transportation for the fiscal year beginning July 1, 1984, and ending June 30, 1985, the amount necessary to supplement other funds appropriated by the general assembly, to provide the salary adjustments required by this Act for employees of the state department of transportation, to the extent the salaries are payable by the state.

4. To departmental revolving, trust, or special funds, except for the road use tax fund or the primary road fund, for which the general assembly has established an operating budget, a supplemental authorization is provided, unless otherwise provided, in an amount necessary to fund salary adjustments required by this Act, to the extent the salaries are payable by the state.

5. The total cost of the salary adjustments, including fringe benefits, made under this Act for the fiscal year beginning July 1, 1984, and ending June 30, 1985, to employees in the merit system shall not exceed ten million dollars. The net effect on the general fund of the state of the salary adjustments, including fringe benefits, made under this Act for the fiscal year beginning July 1, 1984, and ending June 30, 1985, shall not exceed five million dollars.

6. All federal grants to and federal receipts of the agencies affected by this Act which are received and may be expended for the purposes of this Act are appropriated for such purposes and as set forth in the federal grants or receipts.

\*7. There is appropriated from the general fund of the state to the comparable worth review committee established in section 6 of this Act the sum of fifty thousand (50,000) dollars or so much thereof as may be necessary. Subject to the conditions of section 2, subsection 7 of this Act, the committee shall contract with outside personnel or with state agencies for completion of the review process, including the training of review teams and review team oversight, and may hire staff to provide ongoing assistance to the committee.\*

8. There is appropriated from the general fund of the state to the comparable worth review committee for allocation to state agencies, the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, for agencies with positions wholly or partially exempted from the merit system for development of proposals to provide the committee pertaining to section 6, subsection 1 of this Act, and to the state board of regents and the judicial department for assistance in its responsibilities under section 8 of this Act.

\*Item veto; see message at end of this Act

\*9. There is appropriated from the general fund of the state to the Iowa merit employment department, in addition to other funds appropriated by the general assembly, for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, to fulfill its responsibilities under section 6, subsections 4 through 7 of this Act and to assist the review committee in performing its functions.\*

Sec. 8. AGENCY COMPARABLE WORTH REPORTS. Agencies with positions which are exempt or partially exempt from the state merit system shall report to the governor and the legislative council by December 15, 1984, on the degree to which the salary plans covering positions substantially equivalent to those in the state merit system comply with the provisions of 1983 Iowa Acts, chapter 170. The reports shall include a plan for implementation in fiscal year 1986 of comparable worth salary adjustments, if necessary, and the amount of appropriations necessary to implement those adjustments. Notwithstanding sections 602.1204, 602.1208, 602.1209, and 602.1401 of the Iowa Code, the provisions of this section of this Act shall be applicable to the judicial department.

Sec. 9. IMPLEMENTATION STAGES. It is the intent of the general assembly that implementation of comparable worth adjustments for state employees, pursuant to section 79.18, be completed in the following three phases:

1. The initial phase, with adjustments for merit employees made under this Act for the fiscal year beginning July 1, 1984 and ending June 30, 1985.

2. The second phase, with completion of adjustments for merit employees, including action on any recommendations made by the review committee under section 6, subsections 2 through 5 of this Act, and with initiation of adjustments for other state employees, including actions on any recommendations made by the review committee under section 6, subsection 1 of this Act, for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

3. The final phase, with completion of any adjustments initiated in the second phase of implementation, for the fiscal year beginning July 1, 1986 and ending June 30, 1987.

Sec. 10. This Act, being deemed of immediate importance, takes effect from and after its publication in the Ames Daily Tribune, a newspaper published in Ames, Iowa, and in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa.

Approved May 20, 1984, except the items which I hereby disapprove and which are designated as section 2, which is herein bracketed in ink and initialed by me; and section 6 which is herein bracketed in ink and initialed by me; and those portions of section 7 which are entitled subsections 7 and 9, each of which is herein bracketed in ink and initialed by me. These are all delineated with my reasons for vetoing in the item veto message pertaining to this act to the Secretary of State this same date, a copy of which is attached hereto.



TERRY E. BRANSTAD  
Governor

I hereby certify that the foregoing Act, Senate File 2359 was published in the Ames Daily Tribune, Ames, Iowa on May 24, 1984 and in the Iowa City Press-Citizen, Iowa City, Iowa on June 1, 1984.

MARY JANE ODELL, *Secretary of State*

\*Item veto; see message at end of this Act

The Honorable Mary Jane Odell  
Secretary of State  
State Capitol Building  
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 2359, an act establishing comparable worth salary adjustments for state employees based on a comparable worth pay grade system, establishing a comparable worth review committee, and making supplemental appropriations for salary adjustments and implementation.

Senate File 2359 is approved May 20, 1984 with the following exceptions which I hereby disapprove.

I am unable to approve the items designated in the Act as Section 2 which reads as follows:

**Sec. 2. EMPLOYEE PARTICIPATION IN FACTOR SCORE REVIEW AND FINAL RATIFICATION OF FACTOR DETERMINED SCORES.**

1. Any employee subject to the Iowa merit system may request review of the factor scores or the factor determined score that employee's job title received. Requests for review by more than one employee within a job title shall be considered together, and a request for review by one or more employees within a job title shall be considered as a request on behalf of all employees in that job title.

2. The Iowa merit employment department on its own initiative may request review of factor scores on any job titles under the merit system. These requests for review shall be delineated by the Iowa merit employment department and shall be available to merit employees no later than June 1, 1984 and prior to the notice in subsection 3. The delineation shall include a description of the reasons the factor scores should be reviewed and the Iowa merit employment department's recommendations for changing the factor scores.

3. Employees shall be notified of their right to request review of their factor scores and factor determined scores with one or more biweekly pay checks. The Iowa merit employment department shall devise "request for review" forms based upon the recommendations of the study commissioned under 1983 Iowa Acts, chapter 170, section 2. The department shall make "requests for review" forms available to all departments and agencies with employees subject to the merit system and shall make the forms available to individual employees upon request. Employees shall be provided access to complete information regarding the study and the methods for determining factor scores in the system.

4. Employees shall have not less than four weeks from the time the first notice of the right to request review is distributed in which to file a request for review. The department shall notify employees who file incomplete or incorrect requests for review, and shall assist them to complete and file the forms correctly.

5. Review teams shall be constituted to represent all types of employees in the merit system, and shall include representation from contractual as well as noncontractual employees. Teams shall be trained in the job evaluation system and, in reviewing job titles, shall review employee and department "request for review" forms as well as all materials used in initially setting the factor scores.

6. Each job title for which requests for review are filed under subsections 1 through 4 shall be reviewed by a review team. If the review team disagrees with the initial factor score, a second review team shall examine the factor score as determined initially and by the first review team and shall make a final decision as to that factor score.

7. Subsection 5 shall be conducted with the review and comment of the comparable worth review committee established in section 6 of this Act and subsections 5 and 6 shall be conducted under the supervision and approval of the Iowa civil rights commission. All reviews shall be completed by November 1, 1984.

Senate File 2359 is an attempt to provide pay equity to all employees in the Merit System of state government. That is why I have signed the bill. Unfortunately, the study which preceded this legislation and the bill itself were both done hastily.

Numerous flaws in the implementation method laid out in Section 1 have been identified. For example, Jerry Miller is the man who, almost singlehandedly, has stood atop scaffolding for grueling endless hours in our State Capitol to restore the building to the ambience intended by our forefathers. He has been recognized for his stenciling talents by many groups and was even the subject of a feature in the Des Moines Register. Some believe that few, if any other persons in Iowa, have the comparable talent and perseverance he has given to this state. Yet in this year in which we celebrated our Capitol's centennial, this bill would reduce Mr. Miller's pay scale four grades.

For this and many other reasons, the plan in Section 1 cannot be engraved in stone. Many individual state employees, personnel officials and Iowa citizens have communicated the need for a thorough reexamination of this section. Any statistically developed comparable worth plan should be tempered with common sense and compassion for taxpayers as well as state employees.

It is, therefore, important that we have the most credible, effective review process possible. For it is through this process that the state and its employees will have an opportunity to rectify mistakes made by legislators in drafting the Section 1 implementation mechanism.

I am not confident that the review process established in Section 2 will be an effective method for hearing appeals. Instead of this method, a comparable worth review should be handled by professionals in personnel matters. Furthermore, responsibility for the review process should not be placed on the shoulders of an already overworked agency. The Civil Rights Commission has an important mission of its own.

I am unable to approve the item designated in the Act as Section 6 which reads as follows:



Sec. 6. COMPARABLE WORTH REVIEW COMMITTEE AND FINAL IMPLEMENTATION. There is established a comparable worth review committee to oversee the review process as provided in section 2 of this Act and to make recommendations regarding the completion of the implementation of comparable worth adjustments in accordance with 1983 Iowa Acts, chapter 170. The committee shall be composed of seven members, one to be appointed by the governor, and six to be appointed by the legislative council. Appointments shall be made not later than June 1, 1984 and shall include persons skilled in social science research and in comparable worth policy.

Legislative members of the committee are entitled to per diem and expenses as provided for interim study committee members in section 2.44. Public members who are not public employees are entitled to a per diem of forty dollars for attending committee meetings. Public members and public employee members are entitled to reimbursement for travel and other necessary expenses actually incurred in the performance of their duties on the committee. Payment for authorized per diem and expenses shall be made as provided in section 2.12.

The committee shall make recommendations to the governor, the legislative council, and the general assembly by January 1, 1985, regarding final implementation of the comparable worth adjustments, which recommendations shall include the following:

1. Incorporation of comparable worth policy into state agencies exempt or partially exempt from the state merit system, except the state board of regents, and the judicial department with an emphasis upon treating the job titles and positions in those agencies which are substantially equivalent to job titles or positions in the merit system in a comparable manner with respect to pay.

2. Establishment of a single pay plan for state merit employees consistent with the recommendations for salary schedules associated with the comparable worth pay grades used in section 1 of this Act and recommended modifications or adjustments made under subsection 3 of this section and the effect such a pay plan would have in eliminating sex bias or bias in comparability of pay for jobs of comparable worth.

3. Implementation of comparable worth adjustments to bring all job titles below their comparable worth pay grade up to that pay grade, incorporating any modifications or adjustments to the method of determining the comparable worth pay grade that may be necessary to reflect adjustments determined to more fully reflect the policy of the state as established in section 79.18, including consideration of alternative methods for establishing the relationship between factor determined scores and pay grades.

4. Implementation of any other adjustments to the pay grade positions of job titles that may be recommended by the Iowa merit employment department to avoid compaction in job series or otherwise correct internal discrepancies within job series and the comparable worth pay grade system.

5. Implementation of a system which addresses job titles with current pay grades above their comparable worth pay grades.

6. Implementation of recommendations to combine certain job titles which were recommended for combination because of their comparable worth scores and the similarity of their job descriptions.

7. Implementation of a procedure for maintaining the comparable worth factor determination system for job evaluation, including the assigning of factor scores for new job titles in the state merit system.

I am unable to approve the items designated in the Act as Section 7, subsections 7 and 9 which read as follows:

7. There is appropriated from the general fund of the state to the comparable worth review committee established in section 6 of this Act the sum of fifty thousand (50,000) dollars or so much thereof as may be necessary. Subject to the conditions of section 2, subsection 7 of this Act, the committee shall contract with outside personnel or with state agencies for completion of the review process, including the training of review teams and review team oversight, and may hire staff to provide ongoing assistance to the committee.

9. There is appropriated from the general fund of the state to the Iowa merit employment department, in addition to other funds appropriated by the general assembly, for the fiscal year beginning July 1, 1984 and ending June 30, 1985, the sum of fifty thousand (50,000) dollars, or so much thereof as may be necessary, to fulfill its responsibilities under section 6, subsections 4 through 7 of this Act and to assist the review committee in performing its functions.

The oversight committee set up in Section 6 will be controlled by the legislative branch of state government. This represents serious legislative encroachment into an executive branch function. I will draw on management and labor specialists in establishing a new review committee that will continue to monitor our progress on comparable worth.

Section 7(7) and (9) provided funding for the review committee and review process. This appropriation is no longer needed.

Through a credible review process and oversight committee, employees and individual departments will have recourse for adjusting the proposed implementation scheme.

For the above reasons, I respectfully disapprove of these items in accordance with Amendment 4 of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 2359 are hereby approved as of this date.

Very truly yours,



Terry E. Branstad  
Governor