

EMPLOYMENT APPEAL BOARD[486]

Regulatory Analysis

Notice of Intended Action to be published: 486—Chapter 12
“Prohibited Practice Proceedings”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 20.6(5)
State or federal law(s) implemented by the rulemaking: 2024 Iowa Acts, Senate File 2385, and
Iowa Code chapter 20

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

September 24, 2026
9 a.m.

Via videoconference:
meet.google.com/hxy-euaj-uzq

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Employment Appeal Board no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Christine Louis
Employment Appeal Board
6200 Park Avenue, Suite 100
Des Moines, Iowa 50321
Email: eab.elections@eab.iowa.gov

Purpose and Summary

This proposed rulemaking includes revisions to administrative rules based on the requirements of Executive Order 10 and statutory changes based on 2024 Iowa Acts, Senate File 2385. This proposed rulemaking provides procedural rules for filing prohibited practice complaints.

This chapter is being moved from the legacy Public Employee Relations Board agency number [621] to a new chapter within the Employment Appeal Board agency number [486]. These rules were previously located in 621—Chapter 3.

The rules under legacy agency number [621] are proposed to be rescinded and reserved herein (**RA 26-246**, IAB 8/19/26).

The reference to 486—Chapter 18 is to that as published herein as **RA 26-236**, IAB 8/19/26.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• Classes of persons that will bear the costs of the proposed rulemaking:

There is no additional expected cost to the State or individuals.

• Classes of persons that will benefit from the proposed rulemaking:

Public sector employers, employees, and employee organizations and Board staff will benefit from this proposed rulemaking.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- **Quantitative description of impact:**

There is no expected economic impact created by this proposed rulemaking.

- **Qualitative description of impact:**

There is no expected economic impact created by this proposed rulemaking.

3. Costs to the State:

- **Implementation and enforcement costs borne by the agency or any other agency:**

There is no expected economic impact created by the revisions to this proposed rulemaking.

- **Anticipated effect on State revenues:**

There is no expected economic impact created by the revisions to this proposed rulemaking.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Not applicable.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

Not applicable.

6. Alternative methods considered by the agency:

- **Description of any alternative methods that were seriously considered by the agency:**

No alternative methods were considered.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

The changes are mandated by statute and executive order.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.

- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.

- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.

- Establish performance standards to replace design or operational standards in the rulemaking for small business.

- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

There is no expected impact on small business.

Text of Proposed Rulemaking

ITEM 1. Adopt the following **new** 486—Chapter 12:

CHAPTER 12
PROHIBITED PRACTICE PROCEEDINGS

486—12.1(20) Filing of complaint. Any person or organization may file a complaint with the appeal board alleging that any public employer or its agents, public employee, or employee organization or its agents has committed a prohibited practice in accordance with the requirements set forth in Iowa

Code section 20.11. The complaint and all subsequent documents in the case must be filed in the appeal board's electronic document management system pursuant to 486—Chapter 18. The matter will be assigned a case number, and all subsequent documents in that proceeding before the appeal board must be filed under the same case number.

486—12.2(20) Contents of complaint. The complainant may use the complaint form available on the appeal board's website. The complaint must be signed by the complainant or designated representative and include the following:

12.2(1) The name, address, telephone number and email address of the complainant and, if filed by the complainant's designated representative, the name, title, telephone number and email address of that representative.

12.2(2) The name and address of the respondent(s) alleged to have committed the prohibited practice.

12.2(3) A clear and concise statement of the facts constituting the alleged prohibited practice, including the names of the individuals involved in the alleged act(s), the date(s) and place(s) of the alleged act(s), and the specific subsection(s) and paragraph(s) of Iowa Code section 20.10 alleged to have been violated.

486—12.3(20) Service of complaint. Upon the filing of a proper complaint, the appeal board will serve copies of the complaint upon other interested parties by electronic means when possible or, where service by electronic means is not possible, by personal service as provided in the Iowa Rules of Civil Procedure; by certified mail, return receipt requested; by first-class mail; or by publication as provided in the Iowa Rules of Civil Procedure.

486—12.4(20) Answer to complaint.

12.4(1) *Filing and service.* Within ten days of service of a complaint, the respondent(s) must file with the appeal board an answer to the complaint in accordance with Iowa Code sections 20.11 and 20.24.

12.4(2) *Extension of time to answer.* The parties may agree to an extension of the time to answer and shall inform the appeal board of their agreement. If the parties cannot agree on an extension, the respondent may file a motion for an extension of the time to answer. The appeal board will grant a request for an extension for good cause.

12.4(3) *Contents of answer.* The respondent must file an answer within ten days of service of the complaint unless otherwise ordered. The answer must state the name, address, email, and telephone number of the person filing the answer; the person on whose behalf it is filed; and the attorney representing that person, if any. The answer must specifically admit, deny, or otherwise respond to material allegations of the complaint. Any allegation in the complaint not denied in the answer is considered admitted.

12.4(4) *Failure to answer.* The appeal board may deem that a respondent who has failed to timely file an answer has thereby admitted the material facts alleged in the complaint and waived the right to a hearing.

486—12.5(20) Voluntary dismissal or withdrawal of complaint. A complainant may voluntarily dismiss a complaint at any time prior to a proposed decision being issued. After a proposed decision is issued, a complainant may only withdraw a complaint with the consent of the board.

486—12.6(20) Costs of certified shorthand reporters and transcripts.

12.6(1) *Initial payment.* The appeal board will arrange for a certified shorthand reporter to report the contested case hearing and request that an original transcript of the hearing be prepared by the reporter for the board's use. The appeal board will initially pay the reporter's reasonable compensation for reporting the hearing and producing the requested transcript.

12.6(2) *Taxation as costs.* The nonprevailing party or parties will be taxed the full cost of reporting and transcription unless the final order apportions these costs in another manner.

12.6(3) *Payment of taxed costs.* Following final agency action in a case, the appeal board will prepare and serve a bill of costs upon the party or parties against whom the costs have been taxed. Those parties shall, within 30 days of such service, remit to the appeal board the amount specified in the bill of costs. Sums remitted to the appeal board will be considered appropriated receipts as defined in Iowa Code section 8.2.

486—12.7(20) Transmission for contested case hearing.

12.7(1) After the respondent files an answer to the prohibited practice complaint, the appeal board may transmit the matter to the administrative hearings division created by Iowa Code section 10A.801. The board will file a transmittal form with a copy of the complaint and answer attached. After the matter is transmitted, future filings must be made in the administrative hearings division's administrative electronic document management system.

12.7(2) After the case is transmitted to the administrative hearings division, it will be assigned a case number. The administrative hearings division will assign the proceeding to an administrative law judge to serve as a presiding officer. The administrative law judge will issue a notice for a prehearing conference or a notice of hearing.

12.7(3) The contested case proceeding will be conducted pursuant to 481—Chapter 10 and any other administrative rule applicable to the specific type of proceeding.

12.7(4) The proposed decision of the presiding officer may be reviewed by the appeal board in accordance with rules 7—2506.27(17A) and 7—2506.28(17A).

These rules are intended to implement Iowa Code chapter 20.