

**252B.27 Use of funding for additional positions.**

1. The director, within the limitations of the amount appropriated for the unit, or moneys transferred for this purpose from the family investment program account created in [section 239B.11](#), may establish new positions and add employees to the unit if the director determines that both the current and additional employees together can reasonably be expected to maintain or increase net state revenue at or beyond the budgeted level for the fiscal year.

2. *a.* The director may establish new positions and add state employees to the unit or contract for delivery of services if the director determines the employees are necessary to replace county-funded positions eliminated due to termination, reduction, or nonrenewal of a [chapter 28E](#) contract. However, the director must also determine that the resulting increase in the state share of child support recovery incentives exceeds the cost of the positions or contract, the positions or contract are necessary to ensure continued federal funding of the unit, or the new positions or contract can reasonably be expected to recover at least twice the amount of money necessary to pay the salaries and support for the new positions or the contract will generate at least two hundred percent of the cost of the contract.

*b.* Employees in full-time positions that transition from county government to state government employment under [this subsection](#) are exempt from testing, selection, and appointment provisions of [chapter 8A, subchapter IV](#), and from the provisions of collective bargaining agreements\* relating to the filling of vacant positions.

[2005 Acts, ch 175, §120](#)

\*Collective bargaining, see chapter 20