

## CHAPTER 239A

## PUBLIC WORKS POSITIONS FOR CERTAIN PERSONS

239A.1 Who may be placed.  
239A.2 Projects determined.

239A.3 Target areas selected.

**239A.1 Who may be placed.**

Any person who is receiving or has obtained approval of an application to receive assistance under [chapter 239B](#), and who is eligible under the promoting independence and self-sufficiency through employment job opportunities and basic skills program, may be referred to the department of workforce development for placement in public works positions available pursuant to [this chapter](#) or to such other authority as may be applicable.

[C77, 79, 81, §239A.1]

[96 Acts, ch 1186, §23; 97 Acts, ch 41, §32](#)

Referred to in [§239A.2, 239A.3](#)

**239A.2 Projects determined.**

The department of workforce development, in consultation with the director of human services, shall establish a procedure for assignment of persons referred under [section 239A.1](#) to positions available in public works projects. The department of workforce development shall arrange with units of local government for establishment of such projects, which may include any type of work or endeavor that is within the scope of authority of the unit of local government involved so long as the project meets the following requirements:

1. The project must create new employment opportunities and not fund existing employment of persons working for the local government unit or resume funding of projects for which the local government unit has, without fault, terminated employees within the previous six months and has not recalled those employees.

2. The benefits of the project result must inure primarily to the community or public at large.

3. The following conditions of employment must be satisfied:

a. The unit of local government with which the project is arranged must be the employer of the persons hired under the project.

b. The employees under the project must be paid at the same rate as other employees doing similar work for that unit of local government.

c. The employees must be considered regular employees of the unit of local government involved and must be entitled to participate in benefit programs of that unit of local government, including but not limited to workers' compensation, but shall not be entitled to qualify for unemployment compensation benefits on the basis of employment under the project.

[C77, 79, 81, §239A.2; [82 Acts, ch 1161, §27](#)]

[83 Acts, ch 96, §157, 159; 96 Acts, ch 1186, §23](#)

Referred to in [§239A.3](#)

**239A.3 Target areas selected.**

The department of workforce development shall select not to exceed two target counties for implementation of [sections 239A.1](#) and [239A.2](#). In selecting the target county or counties in which [this chapter](#) is to be implemented, the department of workforce development shall be guided by the following criteria:

1. The total number of unemployed persons in the county.

2. The number of unemployed persons in the county as a percentage of the available workforce there.

3. The total number of persons receiving assistance under [chapter 239B](#) in that county.

4. The number of persons receiving assistance under [chapter 239B](#) in that county as a percentage of the total population of the county.

5. The number of unemployed heads of households receiving assistance under [chapter 239B](#) in that county.

6. The number of unemployed heads of households receiving assistance under [chapter 239B](#) in that county as a percentage of all recipients of such assistance in that county.

[C77, 79, 81, §239A.3]

[96 Acts, ch 1186, §23](#); [97 Acts, ch 41, §32](#)