

216.5 Powers and duties of agency.

The agency shall have the following powers and duties:

1. To receive, investigate, mediate, conciliate, and determine the merits of complaints alleging illegal discriminatory practices. The agency shall not disclose the filing of a complaint, the information gathered during the investigation, or the endeavors to eliminate such illegal discriminatory practice by mediation or conciliation, unless such disclosure is made in connection with the agency's investigation.
2. To investigate compliance with conciliation agreements and pursue appropriate remedies up to and including filing in district court.
3. To investigate, study, and report on the existence, causes, and extent of illegal discrimination, as deemed necessary by the director.
4. To provide education and outreach regarding illegal discrimination, including individuals and organizations.
5. To seek a temporary injunction against a respondent when it appears that a complainant may suffer irreparable injury as a result of an alleged violation of [this chapter](#). Unless otherwise specified in [this chapter](#), a temporary injunction may be issued only after the respondent has been notified and afforded an opportunity to be heard.
6. To hold contested case hearings upon any complaint made against a respondent, and all of the following:
 - a. To subpoena witnesses and compel their attendance.
 - b. To administer oaths and take the testimony of any person under oath.
 - c. To compel a respondent to produce for examination any books and papers relating to the complaint.
7. To issue subpoenas at the request of a party in contested hearings.
8. To petition the district court for issuance of a subpoena and the court, in a proper case, shall issue the subpoena for contested case hearings. Refusal to obey a district court subpoena shall be subject to punishment for contempt.
9. To pursue the entry of a consent decree in district court for conciliation agreements.
10. To petition and appear before the district court for the enforcement of office orders following a contested case hearing.
11. To provide education opportunities and informal technical advice to local commissions regarding legal developments, case process improvements, and cooperation for cross-filing.
12. To prepare and transmit to the governor and the general assembly an annual report describing performance outcomes of the agency.
13. To make recommendations to the governor and general assembly for such further legislation concerning illegal discrimination as deemed necessary by the director.
14. To adopt, publish, amend, and rescind office rules pursuant to [chapter 17A](#) consistent with and necessary for the enforcement of [this chapter](#).
15. To receive, administer, dispense, and account for any moneys that may be granted or voluntarily contributed to the office for furthering the purposes of [this chapter](#).
16. To utilize volunteers to aid in the conduct of the agency's duties as deemed necessary by the director.
17. To issue a copy of the case file to any party following the issuance of a right to sue letter, the filing of a contested case, or the filing of an action for judicial review.
18. To issue protective orders in case files when necessary.

[C66, 71, §105A.5; C73, 75, 77, 79, 81, §601A.5]

[86 Acts, ch 1245, §1991; 91 Acts, ch 184, §2](#)

C93, §216.5

[95 Acts, ch 129, §3, 4; 2007 Acts, ch 191, §2; 2016 Acts, ch 1108, §19; 2019 Acts, ch 59, §60; 2024 Acts, ch 1170, §256](#)

Section stricken and rewritten