Analysis, p. 1

## ADMINISTRATIVE SERVICES DEPARTMENT[11]

[Created by 2003 Iowa Acts, House File 534, section 2]

TITLE I

GENERAL DEPARTMENTAL PROCEDURES

### CHAPTER 1

## DEPARTMENT ORGANIZATION

- 1.1(8A) Creation and mission
- 1.2(8A) Location
- 1.3(8A) Director
- 1.4(8A) Administration of the department

# CHAPTERS 2 and 3

# Reserved

### CHAPTER 4

#### PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

- 4.1(8A,22) Definitions
- 4.2(8A,17A,22) Statement of policy, purpose and scope
- 4.3(8A,22) Requests for access to records
- 4.4(8A,17A,22) Access to confidential records
- 4.5(8A,17A,22) Requests for treatment of a record as a confidential record and its withholding from examination
- 4.6(8A,22) Procedure by which a person who is the subject of a record may have additions, dissents, or objections entered into a record
- 4.7(8A,17A,22) Consent to disclosure by the subject of a confidential record
- 4.8(8A,17A,22) Notice to suppliers of information
- 4.9(8A,22) Disclosures without the consent of the subject
- 4.10(8A,22) Routine use
- 4.11(8A,22) Consensual disclosure of confidential records
- 4.12(8A,22) Release to subject
- 4.13(8A,22) Availability of records
- 4.14(8A,22) Personally identifiable information
- 4.15(8A,22) Other groups of records
- 4.16(8A,22) Data processing systems
- 4.17(8A,22) Applicability
- 4.18(8A) Agency records

## CHAPTER 5

#### PETITIONS FOR RULE MAKING

- 5.1(17A) Petition for rule making
- 5.2(17A) Briefs
- 5.3(17A) Inquiries
- 5.4(17A) Department consideration

#### CHAPTER 6

#### AGENCY PROCEDURE FOR RULE MAKING

- 6.1(17A) Applicability
- 6.2(17A) Advice on possible rules before notice of proposed rule adoption
- 6.3(17A) Public rule-making docket
- 6.4(17A) Notice of proposed rule making
- 6.5(17A) Public participation
- 6.6(17A) Regulatory analysis

- 6.7(17A,25B) Fiscal impact statement
- 6.8(17A) Time and manner of rule adoption
- 6.9(17A) Variance between adopted rule and published notice of proposed rule adoption
- 6.10(17A) Exemptions from public rule-making procedures
- 6.11(17A) Concise statement of reasons
- 6.12(17A) Contents, style, and form of rule
- 6.13(17A) Department rule-making record
- 6.14(17A) Filing of rules
- 6.15(17A) Effectiveness of rules prior to publication
- 6.16(17A) General statements of policy
- 6.17(17A) Review by department of rules

# CONTESTED CASES

7.1(8A,17A)	Scope and applicability
7.2(8A,17A)	Definitions
7.3(8A,17A)	Time requirements
7.4(8A,17A)	Requests for a contested case hearing
7.5(8A,17A)	Notice of hearing
7.6(8A,17A)	Presiding officer
7.7(17A)	Waiver of procedures
7.8(8A,17A)	Telephone/video proceedings
7.9(8A,17A)	Disqualification
7.10(8A,17A)	Consolidation—severance
7.11(8A,17A)	Pleadings
7.12(8A,17A)	Service and filing of pleadings and other papers
7.13(8A,17A)	Discovery
7.14(8A,17A)	Subpoenas
7.15(8A,17A)	Motions
7.16(8A,17A)	Prehearing conference
7.17(17A)	Continuances
7.18(8A,17A)	Withdrawals
7.19(8A,17A)	Intervention
7.20(8A,17A)	Hearing procedures
7.21(8A,17A)	Evidence
7.22(8A,17A)	Default
7.23(8A,17A)	Ex parte communication
7.24(8A,17A)	Recording costs
7.25(8A,17A)	Interlocutory appeals
7.26(8A,17A)	Decisions
7.27(8A,17A)	Appeals and review
7.28(8A,17A)	Applications for rehearing
7.29(8A,17A)	Stays of department actions
7.30(8A,17A)	No factual dispute contested cases
7.31(8A,17A)	Emergency adjudicative proceedings

## CHAPTER 8

## DECLARATORY ORDERS

- 8.2(17A) Notice of petition
- 8.3(17A) Intervention
- 8.4(17A) Briefs

8.5(17A)	Inquiries
8.6(17A)	Service and filing of petitions and other papers
8.7(17A)	Consideration
8.8(17A)	Action on petition
8.9(17A)	Refusal to issue order
8.10(17A)	Contents of declaratory order-effective date
8.11(17A)	Copies of orders
0 10(17 4)	Effect of a declaratory order

8.12(17A) Effect of a declaratory order

# CHAPTER 9

# WAIVERS

the second
Definitions
Scope
Applicability
Granting a waiver
Filing of petition for waiver
Content of petition
Additional information
Notice
Hearing procedures
Ruling
Public availability
Rules from which the department shall not grant waivers
Summary reports
Cancellation of a waiver
Violations
Defense
Judicial review

## CHAPTERS 10 to 19 Reserved

#### TITLE II INFORMATION TECHNOLOGY

# CHAPTER 20

## INFORMATION TECHNOLOGY GOVERNANCE

20.1(81GA,ch90)	General provisions
20.2(81GA,ch90)	Definitions
20.3(81GA,ch90)	Membership of the board
20.4(81GA,ch90)	Compensation of members
20.5(8A)	Officers of the board
20.6(81GA,ch90)	Meetings of the board
20.7(81GA,ch90)	Correspondence and communications
20.8(81GA,ch90)	Powers and duties of the board

# CHAPTERS 21 to 24

# Reserved

## CHAPTER 25

# INFORMATION TECHNOLOGY OPERATIONAL STANDARDS

- 25.1(8A) Definitions
- 25.2(8A) Authority and purpose
- 25.3(8A) Application of standards to participating agencies

- 25.4(8A) Application of standards to nonparticipating entities
- 25.5(8A) Development of operational standards
- 25.6(8A) Waivers of operational standards
- 25.7(8A) Review of operational standards by the public and period of public comment
- 25.8(17A) Petition to initiate review of operational standards
- 25.9(8A) Adoption of enterprise operational standards
- 25.10 Reserved
- 25.11(8A) Assessment and enforcement of security operational standards

## INFORMATION TECHNOLOGY DEVELOPMENT STRATEGIES AND ACTIVITIES

- 26.1(8A) Development strategies and activities
- 26.2(8A) Partnerships with public or private entities
- 26.3(8A) Web-based sponsorships and promotional activities
- 26.4(8A) Scope of applicability

## CHAPTERS 27 to 34

### Reserved

#### TITLE III STATE ACCOUNTING

## CHAPTERS 35 to 39 Reserved

## CHAPTER 40

## OFFSET OF DEBTS OWED STATE AGENCIES

- 40.1(8A) Definitions
- 40.2(8A) Scope and purpose
- 40.3(8A) Participation guidelines
- 40.4(8A) Duties of the agency
- 40.5(8A) Duties of the department—performance of the offset
- 40.6(8A) Multiple claims—priority of payment
- 40.7(8A) Payments of offset amounts
- 40.8(8A) Reimbursement for offsetting liabilities
- 40.9(8A) Confidentiality of information

## OFFSET OF DEBTS OWED TO CLERKS OF THE DISTRICT COURT

- 40.10(8A) Incorporation by reference
- 40.11(8A) Applicability and procedure
- 40.12(8A) Notice of offset
- 40.13(8A) Procedure for contesting
- 40.14(8A) Postoffset notification and procedure
- 40.15(8A) Report of satisfaction of obligations

## CHAPTER 41

#### AUDITING CLAIMS

- 41.1(8A) General provisions
- 41.2(8A) Official travel
- 41.3(8A) Temporary duty assignment
- 41.4(8A) Authorization for travel
- 41.5(8A) Mode of transportation
- 41.6(8A) Subsistence allowance
- 41.7(8A) Miscellaneous expense
- 41.8(8A) State-owned vehicle

# ACCOUNTING PROCEDURES OF PUBLIC IMPACT

42.1(8A) Scope and application

## CHAPTER 43

## EMPLOYEE PAYROLL DEDUCTIONS FOR CHARITABLE ORGANIZATIONS

- 43.1(70A) General provisions
- 43.2(70A) Qualifications
- 43.3(70A) Enrollment period
- 43.4(70A) Certification
- 43.5(70A) Payroll system
- 43.6(70A) Forms
- 43.7(70A) Payee
- 43.8(70A) Contribution limits
- 43.9(70A) Distribution of literature
- 43.10(70A) Number of contributions
- 43.11(70A) Cash contributions
- 43.12(70A) Terminations
- 43.13(70A) Authorization forms
- 43.14(70A) State held harmless
- 43.15(70Å) Remittance

## CHAPTER 44

## PROFESSIONAL/TRADE DUES DEDUCTIONS

- 44.1(70A) General provisions
- 44.2(70A) Qualifications
- 44.3(70A) Forms
- 44.4(70A) Deduction limits and frequency
- 44.5(70A) Distribution of literature
- 44.6(70A) Number of contributions
- 44.7(70A) Cash contributions
- 44.8(70A) Terminations
- 44.9(70Å) Remittance
- 44.10(70A) Solicitation prohibited
- 44.11(70A) Annual review of participating employees

### CHAPTER 45

## PAYROLL DEDUCTION FOR TUITION PROGRAM CONTRIBUTIONS

- 45.1(81GA,HF748) General provisions
- 45.2(81GA,HF748) Definitions
- 45.3(81GA,HF748) Tuition program qualifications

45.4 Reserved

45.5(81GA,HF748) Deduction limits and frequency

45.6(81GA,HF748) Distribution of literature

45.7(81GA,HF748) Number of contributions

45.8(81GA,HF748) Cash contributions

45.9(81GA,HF748) Terminations

45.10(81GA,HF748) Remittance

- 45.11(81GA,HF748) Unapproved solicitation prohibited
- 45.12(81GA,HF748) Annual review of participating employees
- 45.13(81GA,HF748) Termination of qualified tuition program participation
- 45.14(81GA,HF748) Reinstatement of company participation

# PAYROLL DEDUCTION FOR ADDITIONAL INSURANCE COVERAGE

- 46.1(70A)General provisions46.2(70A)Definitions
- 46.3(70A) Insurance company qualifications
- 46.4(70A) Noneligible types of insurance
- 46.5(70A) Deduction limits and frequency
- 46.6(70A) Distribution of literature
- 46.7(70A) Number of contributions
- 46.8(70A) Cash contributions
- 46.9(70A) Terminations
- 46.10(70A) Remittance
- 46.11(70A) Unapproved solicitation prohibited
- 46.12(70A) Annual review of participating employees
- 46.13(70A) Termination of company participation
- 46.14(70A) Reinstatement of company participation

## CHAPTER 47

#### Reserved

# CHAPTER 48

# PREPAYMENT OF EXPENSES

- 48.1(8A) Definitions
- 48.2(8A) Prepayment of expenses
- 48.3(8A) Prepayment under special circumstances
- 48.4(8A) Prior approval for prepayment of expenses

## CHAPTER 49

## Reserved

#### TITLE IV HUMAN RESOURCES

#### CHAPTER 50

## HUMAN RESOURCES DEFINITIONS

#### 50.1(8A) Definitions

## CHAPTER 51

## COVERAGE AND EXCLUSIONS

- 51.1(8A) State personnel system
- 51.2(8A) Merit system
- 51.3(8A) Confidential collective bargaining exclusion
- 51.4(8A) Personnel services contracts

#### CHAPTER 52

#### JOB CLASSIFICATION

- 52.1(8A) Overall administration
- 52.2(8A) Classification descriptions and guidelines
- 52.3(8A) Position description questionnaires
- 52.4(8A) Position classification reviews
- 52.5(8A) Classification appeals
- 52.6(8A) Implementation of position classification decisions

#### CHAPTER 53 PAY

53.1(8A)	Pay plan adoption
53.2(8A)	Pay plan content
53.3(8A)	Pay plan review and amendment
53.4(8A)	Pay administration
53.5(8A)	Appointment rates
53.6(8A)	Payroll transactions
53.7(8A)	Within grade increases
53.8(8A)	Temporary assignments
53.9(8A)	Special pay
53.10	Reserved
53.11(8A)	Overtime
53.12	Reserved
53.13(8A)	Appeals

## CHAPTER 54

## RECRUITMENT, APPLICATION AND EXAMINATION

- 54.1(8A) Recruitment
- 54.2(8A) Applications
- 54.3(8A) Examinations
- 54.4(8A) Development and administration of examinations
- 54.5(8A) Scoring examinations
- 54.6(8A) Review of written examination questions
- 54.7(8A) Drug use and drug tests

#### CHAPTER 55

#### ELIGIBLE LISTS

- 55.1(8A) Establishment of eligible lists
- 55.2(8A) Removal of names from eligible lists
- 55.3(8A) Statement of availability

## CHAPTER 56

## FILLING VACANCIES

- 56.1(8A) Method of filling vacancies
- 56.2(8A) List requests
- 56.3(8A) Types of lists
- 56.4(8A) Selective lists
- 56.5(8A) Expiration of a list
- 56.6(8A) Incomplete lists
- 56.7(8A) Referral and appointment of "conditional" applicants
- 56.8(8A) Adjustment of errors

## CHAPTER 57

## APPOINTMENTS

- 57.1(8A) Filling vacancies
- 57.2(8A) Probationary appointment
- 57.3(8A) Provisional appointment
- 57.4(8A) Temporary appointment
- 57.5(8A) Reinstatement
- 57.6(8A) Internship appointment
- 57.7(8A) Seasonal appointment
- 57.8(8A) Overlap appointment

57.9(8A)Noncompetitive appointments for disabled veterans57.10(8A)Rescinding appointments

# CHAPTER 58

## PROBATIONARY PERIOD

- 58.1(8A)Duration58.2(8A)Disciplinary actions
- 58.3(8A) Voluntary demotion during the period of probationary status
- 58.4(8A) Promotion during the period of probationary status
- 58.5(8A) Transfer during the period of probationary status
- 58.6(8A) Reclassification during the period of probationary status
- 58.7(8A) Leave without pay during the period of probationary status
- 58.8(8A) Vacation and sick leave during the period of probationary status
- 58.9(8A) Probationary period for promoted permanent employees

#### CHAPTER 59

## PROMOTION, TRANSFER, TEMPORARY ASSIGNMENT, REASSIGNMENT AND VOLUNTARY DEMOTION

- 59.1(8A) Promotion
- 59.2(8A) Reassignment
- 59.3(8A) Temporary assignments
- 59.4(8A) Voluntary demotion
- 59.5(8A) Transfer

#### CHAPTER 60

#### SEPARATIONS, DISCIPLINARY ACTIONS AND REDUCTION IN FORCE

- 60.1(8A) Separations
- 60.2(8A) Disciplinary actions
- 60.3(8A) Reduction in force

## CHAPTER 61

#### **GRIEVANCES AND APPEALS**

- 61.1(8A) Grievances
- 61.2(8A) Appeals
- 61.3(8A) Informal settlement

#### CHAPTER 62

#### PERFORMANCE REVIEW

- 62.1(8A) System established
- 62.2(8A) Minimum requirements
- 62.3(8A) Copies of records

## CHAPTER 63

#### LEAVE

- 63.1(8A) Attendance
- 63.2(8A) Vacation leave
- 63.3(8A) Sick leave with pay
- 63.4(8A) Family and Medical Leave Act leave
- 63.5(8A) Leave without pay
- 63.6(8A) Rights upon return from leave
- 63.7(8A) Compensatory leave
- 63.8(8A) Holiday leave
- 63.9(8A) Military leave
- 63.10(8A) Educational leave

611(91)

63.11(8A)	Election leave
63.12(8A)	Court appearances and jury duty
63.13(8A)	Voting leave
63.14(8A)	Disaster service volunteer leave
63.15(8A)	Absences due to emergency conditions
63.16(8A)	Particular contracts governing
63.17(8A)	Examination and interviewing leave

- 63.18(8A) Service on committees, boards, and commissions
- 63.19(8A) Donated leave for catastrophic illnesses of employees and family members
- 63.20(8A,70A) Bone marrow and organ donation leave

# CHAPTER 64

## BENEFITS

64.1(8A)	Health benefits
64.2(8A)	Dental insurance
64.3(8A)	Life insurance
64.4(8A)	Long-term disability insurance
64.5(8A)	Health benefit appeals
64.6(8A)	Deferred compensation
64.7(8A)	Dependent care
64.8(8A)	Premium conversion plan (pretax program)
64.9(8A)	Interviewing and moving expense reimbursement
64.10(8A)	Education financial assistance
64.11(8A)	Particular contracts governing
64.12(8A)	Tax-sheltered annuities (TSAs)
64.13(8A)	Health flexible spending account
64.14(8A)	Deferred compensation match plan
64.15(8A)	Insurance benefit eligibility
64.16(8A)	Sick leave insurance program

### CHAPTER 65

## POLITICAL ACTIVITY

- 65.1(8A) Political activity of employees
- Restrictions on political activity of employees 65.2(8A)
- 65.3(8A) Application of Hatch Act

## CHAPTER 66

## CONDUCT OF EMPLOYEES

- 66.1(8A) General
- 66.2 and 66.3 Reserved
- 66.4(8A) Performance of duty
- 66.5(8A) Prohibitions relating to certain actions by state employees

#### CHAPTER 67

## Reserved

#### CHAPTER 68

#### EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION

- Definitions 68.1(19B)
- 68.2(19B) Plans, policies and records
- 68.3(19B) Planning standards
- 68.4(19B) Dissemination

#### 68.5(19B) Reports

68.6(19B) Discrimination complaints, including disability-related and sexual harassment complaints

#### CHAPTER 69

#### Reserved

#### CHAPTER 70

## EMPLOYEE ORGANIZATION DUES

- 70.1(20) General provisions
- 70.2(20) Membership qualifications for payroll deductions
- 70.3(20) Prior approval
- 70.4(20) Annual certification
- 70.5(20) Limitations
- 70.6(20) Conditions to be met for payroll deduction
- 70.7(20) Letter of authorization
- 70.8(20) State held harmless

## CHAPTER 71

#### COMBINED CHARITABLE CAMPAIGN

- 71.1(8A) Policy
- 71.2(8A) Definitions
- 71.3(8A) Basic premises
- 71.4(8A) Administration
- 71.5 Reserved
- 71.6(8A) Eligibility of charitable agencies

# CHAPTERS 72 to 99

## Reserved

#### TITLE V GENERAL SERVICES

#### CHAPTER 100

## CAPITOL COMPLEX OPERATIONS

- 100.1(8A) Definitions
- 100.2(8A) Security
- 100.3(142B) Smoking
- 100.4(8A) Use and scheduling of capitol complex facilities
- 100.5(8A) Solicitation
- 100.6(8A) Office space management

#### CHAPTER 101 PARKING

#### 101.1(8A) Purpose

- 101.2(8A) Definitions
- 101.3(8A) Parking space assignments
- 101.4(8A) Parking for persons with disabilities
- 101.5(8A) Visitor parking
- 101.6(8A) Deliveries
- 101.7(8A) Employee parking
- 101.8(8A) Temporary parking
- 101.9(8A) Prohibited parking
- 101.10(8A) Waiver
- 101.11(8A) Enforcement

101.12(8A)	Fines
101 12(0 )	A 1

101.13(8A) Appeals

#### CHAPTER 102 STATE PRINTING

# STATE PRINTING

102.1(8A)	Purpose
102.2(8A)	Definitions
102.3(8A)	Location
102.4(8A)	State printing
102.5(8A)	Printing equipment
100 (0 1 10)	

- 102.6(8A,49) Publication of ballot and notice
- 102.7(8A,49) Cost of publication—sample ballot
- 102.8(8A,618) Fees paid to newspapers

#### CHAPTER 103

### STATE EMPLOYEE DRIVING GUIDELINES

- 103.1(8A) Purpose
- 103.2(8A) Definitions
- 103.3(8A) Applicability
- 103.4(8A) Vehicle assignment guidelines
- 103.5(8A) Type of accident
- 103.6(8A) Valid driver's license required
- 103.7(8A) Required reporting
- 103.8(8A) Mandatory training
- 103.9(8A) Required adherence to motor vehicle laws
- 103.10(8A) Responsibility for payment of traffic violations
- 103.11(8A) Access to driving records
- 103.12(8A) Corrective actions
- 103.13(8A) Reconsideration of suspension
- 103.14(8A) Probationary drivers
- 103.15(8A) Temporary restricted license
- 103.16(8A) Vehicle fueling

#### CHAPTERS 104 to 109 Reserved

#### CHAPTER 110

#### INVENTORY GUIDELINES FOR STATE OF IOWA PERSONAL AND REAL PROPERTY

- 110.1(7A) Purpose
- 110.2(7A) Definitions
- 110.3(7A) Accounting for items in aggregate
- 110.4(7A) Physical inventory
- 110.5(7A) Inventory identification
- 110.6(7A) Inventory listing
- 110.7(7A) Capital leases

#### CHAPTER 111

#### DISPOSAL OF STATE PERSONAL PROPERTY

- 111.1(8A) Definitions
- 111.2(8A) Disposal of state surplus property
- 111.3(8A) State vehicle auctions

#### ORGANIZATION AND OPERATION OF TERRACE HILL

- 114.1(8A) Definitions
- 114.2(8A) Mission statement
- 114.3(8A) Terrace Hill commission
- 114.4(8A) Gifts, bequests, endowments
- 114.5(8A) Public and private grants and donations
- 114.6(8A) Sale of mementos
- 114.7(8A) Facilities management
- 114.8(8A) Tours

#### CHAPTER 115

#### Reserved

#### CHAPTER 116

### TERRACE HILL ENDOWMENT FOR THE MUSICAL ARTS

- 116.1(8A) Structure
- 116.2(8A) Scholarship established
- 116.3(8A) Application
- 116.4(8A) Funding
- 116.5(8A) Selection criteria and judging

#### TITLE VI

#### CENTRAL PROCUREMENT

#### CHAPTER 117

#### PROCUREMENT OF GOODS AND SERVICES OF GENERAL USE

- 117.1(8A) General provisions
- 117.2(8A) Definitions
- 117.3(8A) Competitive procurement
- 117.4(8A) Exemptions from competitive procurement
- 117.5(8A) Preferred products and vendors
- 117.6(8A) Centralized procurement authority and responsibilities
- 117.7(8A) Notice of solicitations
- 117.8(8A) Types of solicitations
- 117.9(8A) Procurement of architectural and engineering services
- 117.10(8A) Procurement of information technology devices and services
- 117.11(8A) Specifications in solicitations
- 117.12(8A) Awards
- 117.13(8A) Master agreements available to governmental subdivisions
- 117.14(8A) Agency purchasing authority and responsibilities
- 117.15(8A) Thresholds for delegating procurement authority
- 117.16(8A) Printing
- 117.17(8A) Vendor registration and approval
- 117.18(8A) Vendor performance
- 117.19(8A) General instructions, terms and conditions for vendors
- 117.20(8A) Vendor appeals

# PURCHASING STANDARDS FOR SERVICE CONTRACTS

- 118.1(8A) Authority and scope
- 118.2(8A) Applicability
- 118.3(8A) Definitions
- 118.4(8A) Intergovernmental agreements
- 118.5(8A) Use of competitive selection
- 118.6 Reserved
- 118.7(8A)Sole source procurements
- 118.8(8A) Emergency procurements
- 118.9(8A) Informal competitive procedures
- 118.10 Reserved
- 118.11(8A) Duration of service contracts
- 118.12(8A) Additional procedures or requirements
- 118.13 and 118.14 Reserved
- 118.15(8A) Exclusions and limitations
- 118.16(8A) Waiver procedure
- 118.17(8A) Effective date

#### CHAPTER 119

## UNIFORM TERMS AND CONDITIONS FOR SERVICE CONTRACTS

- 119.1(8,8A) Authority and scope
- 119.2(8,8A) Applicability
- 119.3(8,8A) Definitions
- 119.4(8,8A) Uniform terms and conditions for service contracts
- 119.5(8,8A) Special terms and conditions
- 119.6(8,8A) Exclusions and limitations
- 119.7(8,8A) Effective date

## CHAPTER 120

### CONTRACTUAL LIMITATION OF VENDOR LIABILITY PROVISIONS

- 120.1(8A) Authority and scope
- 120.2(8A) Definitions
- 120.3(8A) Applicability
- 120.4(8A) Authorization of limitation of vendor liability and criteria
- 120.5(8A) Prohibited limitation of vendor liability provisions
- 120.6(8A) Negotiation of limitation of vendor liability provisions
- 120.7(8A) Additional requirement