

CHAPTER 56
FILLING VACANCIES

[Prior to 11/5/86, Merit Employment Department[570]]
[Prior to 2/18/04, see 581—Ch 7]

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

11—56.1(8A) Method of filling vacancies. Vacancies shall be filled through promotion, transfer, demotion, recall, reinstatement or original appointment. The method and order in which vacancies are filled shall be determined by the director, taking into consideration the provisions of collective bargaining agreements and these rules. Vacancies shall be announced before a list of applicants is issued to an appointing authority.

11—56.2(8A) List requests. An appointing authority shall submit a request form when filling a vacancy.

11—56.3(8A) Types of lists. The following types of lists may be issued.

56.3(1) Recall list. The director will provide the names of those persons who are eligible for recall on the date and time issued in accordance with the provisions of 11—subrule 60.3(6) or applicable collective bargaining agreements.

56.3(2) Promotional list. The director will provide the names of qualified applicants who are permanent employees and those designated in 11—subrule 54.2(4) who have indicated availability for the conditions and location specified in the vacancy announcement.

56.3(3) All-applicant list. The director will provide the names of all qualified applicants who have indicated availability for the conditions and location specified in the vacancy announcement.

11—56.4(8A) Selective lists. The director may provide lists of only those eligibles for a position who possess specific education, experience or other selective qualifications required to perform the duties of a position. The director may establish procedures for determining and approving selective qualifications, processing requests and issuing lists with selectives.

11—56.5(8A) Expiration of a list. The expiration of a list shall be 120 calendar days following the date of issue unless otherwise approved by the director. All appointments or promotions must be reported to the director before the expiration date of the list. Effective dates of appointments or promotions must be no later than 60 days after the expiration date of the list unless otherwise authorized by the director, except that appointments or promotions “pending graduation” or “pending license” shall be allowed to be effective up to nine months following the expiration date of the list.

[ARC 2267C, IAB 11/25/15, effective 12/30/15]

11—56.6(8A) Incomplete lists. If the number of names available on a nonpromotional list is less than six, the appointing authority will be granted provisional appointment authority.

[ARC 0401C, IAB 10/17/12, effective 11/21/12]

11—56.7(8A) Referral and appointment of “conditional” applicants. The names of applicants who are on the eligible list for a class “pending graduation” or “pending license” are considered to be “conditional.” If a “conditional” applicant is selected, the appointment shall not be effective until the applicant has met the minimum requirements for qualification. Appointments shall be made in accordance with 11—subrule 54.2(5) and rule 11—56.5(8A).

11—56.8(8A) Adjustment of errors. An error in the compilation or issuance of a list, if called to the attention of the director prior to the filling of the vacancy, shall be corrected and a new list issued. Except for a recall list, such correction shall not result in the removal of any eligible already certified nor invalidate any appointment already made.

These rules are intended to implement Iowa Code sections 8A.401, 8A.402, 8A.411, 8A.413, 8A.414, 8A.416 to 8A.418, 8A.453, 8A.456 and 8A.458.

[Filed 5/1/69; amended 11/10/70, 7/26/74]

[Filed 10/26/79, Notice 9/19/79—published 11/14/79, effective 12/20/79]

[Filed 1/2/81, Notice 7/23/80—published 1/21/81, effective 2/25/81]

[Filed 1/2/81, Notice 10/1/80—published 1/21/81, effective 2/25/81]

[Filed 6/3/81, Notice 4/15/81—published 6/24/81, effective 7/29/81]

[Filed 8/14/81, Notice 6/24/81—published 9/2/81, effective 10/7/81]

[Filed 12/3/82, Notice 10/13/82—published 12/22/82, effective 1/26/83]¹

[Filed 3/22/85, Notice 10/24/84—published 4/10/85, effective 5/15/85]

[Filed 12/3/85, Notice 10/9/85—published 12/18/85, effective 1/22/86]

[Filed 4/4/86, Notice 1/15/86—published 4/23/86, effective 5/28/86]

[Filed emergency 7/1/86—published 7/30/86, effective 7/1/86]²

[Filed 10/17/86, Notice 8/13/86—published 11/5/86, effective 12/10/86]

[Filed 7/24/87, Notice 6/17/87—published 8/12/87, effective 9/16/87]

[Filed 2/18/88, Notice 1/13/88—published 3/9/88, effective 4/13/88]

[Filed 9/2/88, Notice 6/29/88—published 9/21/88, effective 10/26/88]

[Filed 2/1/90, Notice 12/31/89—published 2/21/90, effective 3/30/90]

[Filed 5/23/91, Notice 4/17/91—published 6/12/91, effective 7/19/91]

[Filed 3/27/92, Notice 2/5/92—published 4/15/92, effective 5/20/92]³

[Filed 12/12/96, Notice 10/23/96—published 1/15/97, effective 2/19/97]

[Filed emergency 6/29/00—published 7/26/00, effective 7/1/00]

[Filed 1/28/04, Notice 12/24/03—published 2/18/04, effective 3/24/04]

[Filed ARC 0401C (Notice ARC 0180C, IAB 6/27/12), IAB 10/17/12, effective 11/21/12]

[Filed ARC 2267C (Notice ARC 2145C, IAB 9/16/15), IAB 11/25/15, effective 12/30/15]

[Filed ARC 4053C (Notice ARC 3937C, IAB 8/15/18), IAB 10/10/18, effective 11/14/18]

¹ Effective date of amendments to 7.6, 7.9 and 7.12 delayed 70 days by Administrative Rules Review Committee. Delay lifted by Committee on 2/8/83. See details following chapter analysis.

² See IAB Personnel Department

³ Effective date delayed 70 days by the Administrative Rules Review Committee at its meeting held May 13, 1992; delay lifted by the Committee at its meeting held June 10, 1992.