

CHAPTER 7
EQUAL EMPLOYMENT OPPORTUNITY
[Prior to 4/20/88, Regents, Board of (720)]

Chapter rescission date pursuant to Iowa Code section 17A.7: 8/12/31

681—7.1(262) Definitions.

“Bona fide occupational qualification” means a qualification reasonably necessary to the normal function of a position in the operation of a particular business. The concept of the bona fide occupational qualification is narrow in scope and will not be applied to include the mere preference or convenience of the employer.

“Protected class” shall mean any group that is legally protected from discrimination under Iowa Code chapter 216 or applicable federal law.

[ARC 0421D, IAB 7/8/26, effective 8/12/26]

681—7.2(262) Equal employment opportunity.

7.2(1) *Nondiscrimination in employment.* The state board of regents and all institutions under the jurisdiction of the state board of regents shall appoint, assign, and advance employees on the basis of merit and fitness. Each institution under the jurisdiction of the state board of regents shall promulgate a written policy of nondiscrimination in employment.

7.2(2) *Personnel administration.* The state board of regents office and all institutions under the jurisdiction of the state board of regents shall regularly review its personnel practices and procedures with a view to correcting personnel practices and procedures that may contribute to discrimination in appointment, assignment, or advancement. Each institution shall conduct programs of job orientation and provide training and organizational structure for upward mobility and shall place emphasis upon fair practices in employment. Each institution shall also bar from all employment application forms any inquiry as to protected class unless it relates to a bona fide occupational qualification.

[ARC 0421D, IAB 7/8/26, effective 8/12/26]

681—7.3(262) Contract compliance.

7.3(1) *Equal employment opportunity.* The state board of regents and all institutions under the jurisdiction of the state board of regents are responsible for the administration and promotion of equal opportunity in contracts and services and the prohibition of discriminatory and unfair practices within any program administered by institutions under the jurisdiction of the state board of regents receiving or benefiting from state financial assistance in whole or in part. Every official responsible to the state board of regents who is authorized to make contracts or subcontracts for construction or for goods or services shall cause to be inserted into every such contract or subcontract a clause in which the contractor or subcontractor is prohibited from engaging in discriminatory employment practices in violation of federal and state laws, regulations, and executive orders that pertain to equal employment opportunity.

7.3(2) *Procedures.* Any individual aggrieved by a contractor’s alleged noncompliance with the state board of regents equal employment opportunity policy may file a complaint with the institutional office designated for receiving and investigating complaints of discrimination. Complaints shall be investigated in accordance with established institutional policies and procedures.

7.3(3) *Bidding requirement.* All construction specifications shall include, in the “instruction to bidders,” the following paragraph: “Bidders shall file with each bid a completed state board of regents equal employment opportunity data reporting form as included in the specifications or certify on the certificate of reporting that they have filed their annual equal employment opportunity data reporting form with the state board of regents equal opportunity compliance office.”

[ARC 0421D, IAB 7/8/26, effective 8/12/26]

These rules are intended to implement Iowa Code chapter 19B.

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