

CHAPTER 66
CONDUCT OF EMPLOYEES
[Prior to 11/5/86, Merit Employment Department [570]]
[Prior to 2/18/04, see 581—Ch 18]

11—66.1(8A) General. Employees shall fulfill to the best of their ability the duties and responsibilities of the position to which appointed. In carrying out their official job duties, employees shall work for the appointing authority's efficient and effective delivery of services. Employees shall perform assigned responsibilities in such a manner as neither to endanger their impartiality nor to give occasion for distrust or question of their impartiality.

11—66.2(68B) Selling of goods or services. Rescinded IAB 11/10/04, effective 10/20/04. See rules 351—6.10(68B) to 351—6.12(68B) and 11—1.7(68B).

11—66.3(68B) Outside employment or activity. Employees shall not engage in any outside employment, including outside employment with another department of the state of Iowa, a political subdivision of the state, or the federal government, or activity which is or has the potential to be in conflict with the employees' job duties and responsibilities.

"Conflict" means a situation created where an employee receives a personal gain or advantage as a result of employment with an agency of state government.

66.3(1) Determination of conflict. The management authority shall reasonably determine and make known in writing whether a particular outside employment or activity creates or could create an unacceptable conflict with an employee's job duties and responsibilities. In making the determination, the management authority shall give consideration to, but not be limited to, the following:

a. Involves private gain or advantage by the use of the state's time, facilities, equipment and supplies; or, the use of the badge, uniform, prestige, or influence of the employee's job.

b. Involves the receipt of, promise of, or acceptance by an employee of any money or other consideration from anyone, other than the state for the performance of any act that the employee would be required to perform as a part of regular duties or during hours of state employment.

c. Involves the performance of an act or work which may later be subject, directly or indirectly, to control, inspection, review, audit, or enforcement by the employee or the management authority for which the employee performs state duties or responsibilities.

66.3(2) Result of conflict. If the management authority reasonably determines that the outside employment or activity creates or could create an unacceptable conflict, the employee shall cease the outside employment or activity. Failure to do so may result in disciplinary action, up to and including discharge.

11—66.4(8A) Performance of duty. Employees shall, during scheduled hours of work, devote their full time, attention and efforts to assigned duties and responsibilities subject to the Iowa Code and the Iowa Administrative Code. Continued employment is dependent upon the satisfactory performance of assigned duties and responsibilities, i.e., "meets job expectations," as well as appropriate conduct as provided for in these rules and the work rules of their agency of employment. This rule shall not be interpreted to prevent the separation or reduction of employees because of the lack of funds or work, reorganization done in accordance with these rules, or the provisions of the Iowa Code or a collective bargaining agreement.

11—66.5(8A) Prohibitions relating to certain actions by state employees.

66.5(1) Employees shall not be prohibited from disclosing any information to members or employees of the general assembly, or to any other public official or law enforcement agency if the employee believes the information is evidence of the violation of a law, rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety. An employee need not inform the appointing authority about such disclosure unless the employee presented the information as the official position of the appointing authority.

- a.* This subrule does not apply to the disclosure of information prohibited by statute.
- b.* Agencies are prohibited from any reprisals in the form of a disciplinary action or failure to appoint or promote an employee who discloses information, fails to inform the appointing authority of the disclosure of information, or who declines to contribute to a charity or organization. Reprisals for disclosing information shall be subject to civil action.

66.5(2) Employees may contact the office of the Iowa citizens' aide at (888)426-6283 to report violations of this rule.

These rules are intended to implement Iowa Code Supplement section 8A.413 and Iowa Code section 68B.4.

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