

**877—8.1(96) Definitions.** The following words and terms, when used in these rules, shall have the following meaning, unless the context clearly indicates otherwise:

“*Affirmative action*” means a program or procedure intended to provide or foster employment opportunities for members of groups pursuant to legislation, court order, consent decree, government contracts or other fair employment practice authority.

“*Alien*” means a foreign-born resident who has not been naturalized and is still a subject or citizen of a foreign country.

“*CFR*” means Code of Federal Regulations.

“*DOT*” means dictionary of occupational titles.

“*Employer*” means a corporation, company, partnership, or organization that provides a job and pays wages for a salary to devote toward a particular activity.

“*Farm labor contractor*” means any person who, for a fee, either for self or on behalf of another person, recruits, solicits, hires, furnishes, or transports migrant workers for agricultural employment.

“*General provisions*” means items imposed by the United States federal government to be considered as part of the contract.

“*Migrant*” means a seasonal farm worker whose farm work experience during the preceding 12 months required travel such that the worker was unable to return to such worker’s residence (domicile) in the same day.

“*Migrant food processing worker*” means a person who has had experience during the preceding 12 months doing food processing for a scheduled period of 150 days or less provided that it required travel such that the worker was unable to return to such worker’s residence (domicile) in the same day.

“*Monitor advocate*” means a position within the division of workforce development center administration established to monitor procedures to ensure compliance with Title 20, Code of Federal Regulations, Parts 653.111, 658.400 through 658.414 and 658.500 through 658.502.

“*OJT*” means on-the-job training.

“*Public service employer*” means a nonprofit organization or political jurisdiction or subdivision thereof.

“*Questionable*” means one who has a previous history of physical or mental health problems.

“*Re:*” means with regard to.

“*Reverse referral system*” means an agreement between the division of workforce development center administration and an employer whereby the employer does not register walk-in employment seekers but refers them to the division of workforce development center administration where division employees perform the initial interviewing and preliminary personnel tasks. The names of those applicants who indicate an interest in working for a particular employer are placed in a file at the workforce development center. When an opening is listed for a particular employer, an interviewer employed by the department of workforce development reviews the applicants and those persons found to be best qualified are referred to the employer in a number specified by the employer. The interviewer determines compliance with the civil rights Act and other statutory requirements for job applicant referral.

“*Seasonal farm worker*” means a person who has at least 25 days’ experience during the preceding 12 months working for wages in farm work for a scheduled period of 150 consecutive days or less in any one establishment engaged in agricultural production or agricultural services. Nonmigrant individuals who are full-time students are excluded. For the purpose of this definition, an individual who is hired repeatedly on a short-term basis is a seasonal farm worker even if this results in such individual working for any one agricultural establishment for a period of 150 consecutive days or more.

“*Select*” means designated and established by the division of workforce development center administration.

“*Selection*” means the process of choosing suitably qualified applicants using the application form for referral to job openings in a number specified by the employer.

“*State workforce development office staff*” means a person employed by a workforce development center of the division of workforce development center administration.

“*Veteran*” means a person who served in the active military, naval, or air service and who was discharged or released therefrom with other than a dishonorable discharge.

*“Waiver”* means the act of intentionally relinquishing or abandoning a known right, claim, or privilege or an instrument evidencing such act.

*“Where appropriate”* means when the applicant has previously been a client.

This rule is intended to implement Code of Federal Regulations, Part V, Chapter 20, Section 604.1, dtd. November 2, 1976, and Iowa Code section 96.10, 96.11 and 96.19.