

11—53.4 (8A) Pay administration.

53.4(1) *Employees.* The director shall assign classes to pay plans and grades and shall assign employees to classes. Employees shall be paid at a rate between the minimum and maximum of the pay grade of the class to which the employee is assigned. Pay decisions shall be at the discretion of the appointing authority unless otherwise provided for in this chapter or by the director.

53.4(2) *Appointed officials.* Unless otherwise provided for in the Iowa Code or these rules, the staff of the governor, full-time board and commission members, department directors, deputy directors, division administrators, independent agency heads and others whose appointments are provided for by law or who are appointed by the governor may be granted pay increases of any amount at any time within the pay grade of the class or position to which appointed.

53.4(3) *Total compensation.* An employee shall not receive any pay other than that provided for the discharge of assigned duties, unless employed by the state in another capacity or specifically authorized in the Iowa Code, an Act of the general assembly or these rules.

53.4(4) *Part-time employment.* Pay for part-time employment shall be proportionate to full-time employment and based on hourly rates.

53.4(5) *Effective date of changes.* All pay changes shall be effective on the first day of a pay period, unless otherwise approved by the director. Original appointments, reemployment and reinstatements shall be effective on the employee's first day of work.

53.4(6) *General pay increases.* The director shall administer general pay increases for employees that have been authorized by the legislature and approved by the governor. An employee in a position whose pay has been red-circled above the maximum pay rate of the class to which the employee is assigned shall not receive a general pay increase unless specifically authorized by the Acts of the general assembly or otherwise provided for in these rules.

53.4(7) *Pay corrections.* An employee's pay shall be corrected if it is found to be in violation of these rules or a collective bargaining agreement. Corrections shall be made on the first day of a pay period.

a. Retroactive pay. An employee may receive retroactive pay in the same fiscal year for which the pay should have been paid. A request for retroactive pay must be received and processed no later than August 31 following the close of the fiscal year for which the request is made. Requests for retroactive pay which are not made in a timely fashion must be submitted to the state appeal board.

b. Overpayment and underpayment. If an error results in an employee's being overpaid for wages, except for FICA, state and federal income taxes and IPERS contributions shall be collected. Also, premiums for health, dental and life insurance benefits that have been underpaid shall be subject to collection. An employee may choose to repay the amount from wages in the pay period following discovery of the error or have the overpayment deducted from succeeding pay periods not to exceed the number of pay periods during which the overpayment occurred, or the employee or appointing authority may submit an alternate repayment plan to the director. The repayment plan shall identify the details of the overpayment, the reasons why the department's recouping the amount of overpayment in the same number of pay periods as those during which the overpayment occurred presents a hardship to the employee, and the terms of the alternate repayment plan. The director shall notify the appointing authority of the decision on the alternate repayment plan. If the employee separates from employment, the amount remaining shall be deducted from wages, vacation payout, applicable sick leave payout and any wage correction payback from IPERS. The collection of overpaid wages shall not result in reducing the employee's pay below relevant state and federal minimum wage statutes for each hour actually worked during the pay period in which the collection of overpaid wages occurs.