

F I N A L R E P O R T

FEMALE-DOMINATED JOBS STUDY COMMITTEE

January, 1986

The Female-Dominated Jobs Study Committee was established by the Legislative Council pursuant to 1985 Iowa Acts, chapter 152, section 5 (House File 753). The legislation directed the Committee to review all female-dominated jobs to determine whether discrimination remains in compensation for work of comparable worth between jobs held predominantly by women and jobs held predominantly by men and to review other issues relating to comparable worth.

Members appointed to the Committee were:

Senator Beverly A. Hannon, Co-chairwoman
Representative Minnette Doderer, Co-chairwoman
Senator William W. Dieleman
Senator Charles Bruner
Senator Julia B. Gentleman
Senator Douglas Ritsema
Representative Jane Teaford
Representative Bob Arnould
Representative Darrell Hanson
Representative Dorothy Carpenter

The Committee was granted four meetings. Meetings were held on September 12, October 14, November 19, and December 16, 1985.

At the first meeting the Committee received testimony from Ms. Charlotte Nelson, Director, Iowa Commission on the Status of Women, describing the Commission's involvement with a progress evaluation report concerning the elimination of salary disparity based on sex in the state merit system. She stated that the "Memorandum of Understanding" agreed to by the State and the bargaining units under AFSCME provided for the Commission on the Status of Women to carry out the progress evaluation study. The Commission contracted with Dr. Susan Wright of the Drake Research Institute to conduct the study. Ms. Nelson and Dr. Wright discussed with the Committee the methodology and timetable and called attention to the specifications in the "Memorandum of Understanding" which would limit the scope of Dr. Wright's study.

The Committee received testimony from Ms. Judith Clark, Chairwoman of the Comparable Worth Appeal Board established pursuant to 1985 Iowa Acts, chapter 152, section 3, to consider requests for review of scores assigned to job classes under the comparable worth study. Ms. Clark reported on the procedures and

time schedule of the Board, the total number of merit system and exempt system classes eligible for review, and the classes for which reviews had been requested. The Board is to present its recommendations to the Executive Council at the Council's first regular meeting in April, 1986.

Iowa Lottery officials Ms. Nichola Schissel and Mr. Jean F. LeRoque testified that the Iowa Lottery in its recent hiring process encountered a number of actors believed to be barriers to the employment of female and minority applicants for executive and managerial jobs. They reported on requirements and procedures already changed in an attempt to alleviate the problem, and discussed with the Committee other steps which might be taken to assist female and minority applicants for state employment. Ms. Carol Swanson, Executive Assistant, Iowa Merit Employment Department, presented follow-up information in October on some of the issues raised during this discussion.

The Committee considered items for future agendas, including the question of comparable worth studies and implementation in cities, counties, and school districts.

At its second meeting the Committee asked Mr. Charles Wright, Director of Personnel and Employment Relations, State Board of Regents, to discuss information the Committee had requested relating to the Regents' comparable worth studies, pay adjustments, and in-house progress evaluation study, and the comparability of certain generic jobs between the state merit system and the Regents' personnel systems. Ms. Mary Jo Small of the University of Iowa and Mr. Warren Madden of Iowa State University accompanied Mr. Wright. They reviewed the history and current status of the Regents' comparable worth activities, including the approval and implementation of the revised pay plans for the various professional and scientific staffs and the Regents' merit system and plans for the progress evaluation study scheduled for completion in December, 1985. However, in view of the fact that the materials were made available only a few days before the meeting and did not address some of the Committee's questions, discussion of some items was deferred.

The Committee invited Mr. Jon Clarkson, Affirmative Action Manager, Iowa Civil Rights Commission, to testify regarding the state's efforts in the area of affirmative action. He discussed with the Committee possible ways of improving the utilization of women and minorities in state government. He pointed out that Governor's Executive Orders 15 and 46 and the administrative rules implementing them are not binding on executive agencies headed by elective officials or on the legislative or judicial branches. The Committee expressed interest in legislation requiring affirmative action planning and implementation by all state agencies, including those not reached by the executive orders.

Mr. James Lynch, Director of the Division of Local Affairs, Office for Planning and Programming, appeared at the Committee's

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invitation to discuss the local government personnel management services provided by his division. Mr. David Boyd, Deputy Supreme Court Administrator, reported on the results and implementation of the Judicial Department's comparable worth study. Mr. William Herrick of the Vocational Rehabilitation Branch of the Department of Public Instruction was invited to discuss the separate vocational rehabilitation personnel system; a follow-up report on vocational rehabilitation was provided at the November meeting. Mr. Robert Landess, State Industrial Commissioner, discussed with the Committee the effects of the job evaluation study on the morale of incumbents in certain positions in his office.

A portion of the meeting was scheduled as a public hearing. Representatives of the Iowa Nurses' Association testified concerning their proposed court challenge of the pay step reduction applicable to noncontractual merit employees receiving comparable worth increases. Representatives of the Iowa United Professionals expressed dissatisfaction with the job evaluation study as it related to job classes in their bargaining unit and discussed with the Committee the need to review job specifications for certain classes. They also testified that the comparable worth adjustments were not implemented in a satisfactory manner for those in their bargaining unit.

At its third meeting the Committee invited further testimony from the Board of Regents. Mr. Don Volm attended as the Regents' representative. The materials provided in response to Committee requests were again voluminous, without summarization, and arrived only one day before the meeting, hampering analysis for purposes of Committee discussion. One matter discussed was the desirability of requiring that the separate professional and scientific pay plans under the Regents' jurisdiction be better coordinated and possibly consolidated.

The Committee received information concerning the salary differential between the state merit system and Regents' nursing classifications (registered nurses and licensed practical nurses) after the comparable worth adjustments. The salary levels for the Regents' nursing classifications were found to be considerably lower than for nursing classifications in the state merit system. The Committee sought explanations for the differences.

The Committee received a progress report from Ms. Nelson and Dr. Wright on the evaluation study of female-dominated and male-dominated job classes in the state merit system.

Ms. Jan Reinecke and Mr. Clewis Walden of the Iowa State Education Association were invited to present information on comparable worth studies and implementation in school districts and area community colleges and vocational schools around the state. They discussed inequities in secretarial, custodial, and teacher's aide positions and described efforts to include comparable worth studies in collective bargaining negotiations.

Committee members were brought up to date on the status of the legislative branch comparable worth study. Arrangements for Arthur Young and Company to conduct the study were discussed. The study is scheduled for completion by April 1, 1986.

The Committee reviewed in detail the draft of a bill to establish a state affirmative action policy and provide for the implementation of state affirmative action plans by all state agencies.

At the fourth and final meeting the Committee received copies of the "Study of the Effects of Implementation of Comparable Worth Guidelines for State Merit System Classification", Dr. Susan Wright's final report to the Commission on the Status of Women. Dr. Wright reviewed the background, purpose, and methodology of her study and discussed the limitations and possible interpretations of her findings. A major limitation is the definition of male-dominated "benchmark" classifications. The definition excludes male classes recommended for downgrade.

In an analysis of whether each pay grade is constituted of equal percentages of male-dominated "benchmark" and female-dominated classifications, Dr. Wright found that the "benchmark" classifications are more than proportionally represented at the upper pay grades and less than proportionally represented at the lower grades. In an analysis of whether the average pay grade for female-dominated classifications is equal to the average pay grade for male-dominated "benchmark" classifications, Dr. Wright found that the average pay grades are somewhat closer than before comparable worth implementation, but still are not equal.

Dr. Wright's conclusion, within the limitations of the study, was that bias remains in the state merit system toward female-dominated classifications when compared to male-dominated "benchmark" classifications. The Committee discussed with Dr. Wright the cost of conducting an additional analysis which would include the male-dominated classes recommended for downgrade.

Mr. Thomas Donahue, Director of the Iowa Merit Employment Department, appeared at the request of the Committee to comment on the proposed new centralized department of personnel and other personnel matters. The Committee expressed special interest in affirmative action policies and in protective measures for females and minorities whose positions are scheduled to be abolished as part of the reorganization of the executive branch. The Committee also expressed concern over the recent changes in rules on benefits for permanent part-time employees. Part-time employees include more females than males.

Mr. Herrick was asked to appear again to discuss the report provided the Committee on the vocational rehabilitation personnel system. Committee members raised questions about the need for exempting vocational rehabilitation employees from the state merit system.

The Committee received detailed statistical charts comparing data from the 1985 Iowa EEO-4 Report (submitted to the federal Equal Employment Opportunity Commission) with similar data from 1982, 1983, and 1984. These charts show various types and salary levels of jobs in state government, including new hires, with the distribution according to sex. There appears to be a slight increase in the percentage of females in the higher level jobs.

Mr. Don Volm of the Board of Regents was present to explain and answer questions about information previously provided to members of the Committee. The Committee renewed its discussion of the salary differentials between the Regents' nursing classifications and the state merit system nursing classifications. Staff analyses showed that the Regents comparable worth study and the state merit system study classified factors in the job evaluation categories differently and assigned different weights to the categories.

Because of the difficulties the Committee experienced in seeking usable information from the Board of Regents during the course of this study, the Committee voted to send a letter to the members of the Board of Regents conveying the Committee's dissatisfaction with the responses to its questions and asking that in the future when there is a request for information, the Board make an effort to convert the data into a clear, concise, and usable form.

The Committee considered specific requests for legislation and agreed to the following recommendations:

State Affirmative Action Policy and Implementation. The Committee recommends legislation to establish a state affirmative action policy and provide for implementation of state affirmative action plans by all state agencies and merged area schools. The current affirmative action policy and plans are required by Governor's Executive Orders 15 and 46, which apply to state agencies responsible to the Governor. Other state agencies are urged to comply voluntarily. The recommended bill requires that all state agencies, including those within the legislative department and the judicial department, and merged area schools established under chapter 280A are to implement affirmative action plans. It gives the Iowa Civil Rights Commission responsibility for coordinating and monitoring the implementation of affirmative action programs. (See attached proposal LSB 7179.)

Comparable Worth Policy for Merged Area Schools. The Committee recommends legislation to establish a comparable worth policy for employees of area vocational schools and area community colleges. The effective date of the requirement is July 1, 1987. Boards of directors of merged areas are directed to complete their job evaluation studies before that date. (See attached proposal LSB 7569.)

Comparable Worth Studies by Local Governments. The Committee recommends legislation to require cities, counties, school districts, and area education agencies to conduct comparable worth job evaluation studies. The studies must be completed in three years. The bill does not contain a requirement for implementation of adjustments based on comparable worth. (See attached proposal LSB 7568.)

Continued Monitoring of Implementation of Comparable Worth. The Committee recommends a resolution requesting the Legislative Council to establish a study committee or request a standing committee to appoint a subcommittee to continue monitoring the implementation of the state comparable worth policy and restructuring of state personnel systems. (See attached proposal LSB 6504.)

1 HOUSE CONCURRENT RESOLUTION NO. ____
2 BY (A CONCURRENT RESOLUTION PREPARED BY THE
3 LEGISLATIVE
4 SERVICE BUREAU FOR THE FEMALE-DOMINATED JOBS STUDY
5 COMMITTEE)

6 House Concurrent Resolution requesting the
7 Legislative Council to establish a study committee or
8 request a standing committee to appoint a subcommittee
9 to continue monitoring the implementation of the state
10 comparable worth policy and restructuring of state
11 personnel systems.

12 WHEREAS, a state comparable worth policy has been
13 in the process of implementation since 1983; and

14 WHEREAS, comparable worth evaluation studies have
15 been completed for the state merit system, the
16 judicial department, merit exempt personnel systems,
17 and personnel systems under the State Board of
18 Regents; and

19 WHEREAS, an independent study conducted under the
20 direction of the Iowa Commission on the Status of
21 Women has determined that bias remains in the state
22 merit system toward female-dominated classifications
23 when compared to male-dominated classifications which
24 were not recommended for a downgrade under the Arthur
25 Young & Company job evaluation study or 1984 Iowa
26 Acts, chapter 1314 (Senate File 2359); and

27 WHEREAS, other progress evaluation reports
28 concerning the elimination of salary disparity based
29 on sex are being conducted by the State Board of
30 Regents; and

1 WHEREAS, plans are being studied for the
2 reorganization of the current state personnel systems
3 and agencies; NOW THEREFORE,
4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE
5 SENATE CONCURRING, That the Legislative Council
6 establish a study committee or request a standing
7 committee to appoint a subcommittee to continue
8 monitoring the implementation of comparable worth in
9 the state merit system, exempt personnel systems, and
10 personnel systems under the State Board of Regents,
11 and to monitor the restructuring of the state
12 personnel systems and related changes.

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SENATE/HOUSE FILE _____
BY (PREPARED BY THE LEGISLATIVE
SERVICE BUREAU FOR THE FEMALE-
DOMINATED JOBS STUDY COMMITTEE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to studies by cities, counties, school districts,
2 and area education agencies for the purpose of evaluating jobs
3 on the basis of their comparable worth.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1.

2 1. As used in this section, "comparable worth" means the
3 value of work as measured by the composite of the skill,
4 effort, responsibility, and working conditions normally
5 required in the performance of work.

6 2. The governing body of each city, county, school dis-
7 trict, and area education agency in the state shall provide
8 for a study to be conducted for the purpose of establishing an
9 evaluation of the jobs under its jurisdiction on the basis of
10 their comparable worth, with particular attention given to
11 jobs predominantly held by women and jobs predominantly held
12 by men.

13 3. The final report of each study shall be submitted to
14 the legislative council on or before July 1, 1989.

15 EXPLANATION

16 This bill requires cities, counties, school districts, and
17 area education agencies (established pursuant to chapter 273)
18 to conduct studies evaluating jobs on the basis of their com-
19 parable worth. The studies must be completed in three years.
20 The bill does not contain a requirement for implementation of
21 adjustments based on comparable worth.

22 The requirements of the bill may constitute a state mandate
23 for the expenditure of local funds.

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SENATE/HOUSE FILE _____
BY (PREPARED BY THE LEGISLATIVE
SERVICE BUREAU FOR THE
FEMALE-DOMINATED JOBS STUDY
COMMITTEE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing as the policy of the state that employees of
2 merged areas, including area vocational schools and area
3 community colleges, shall be paid at a rate based on
4 comparable worth, requiring studies, and delaying the
5 implementation of the policy.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 280A.46 COMPENSATION BASED ON
2 COMPARABLE WORTH.

3 1. As used in this section, "comparable worth" means the
4 value of work as measured by the composite of the skill,
5 effort, responsibility, and working conditions normally
6 required in the performance of work.

7 2. It is the policy of this state that a merged area,
8 including an area vocational school or area community college,
9 shall not discriminate in compensation for work of comparable
10 worth between jobs held predominantly by women and jobs held
11 predominantly by men.

12 Sec. 2.

13 1. As used in this section, "comparable worth" means the
14 value of work as measured by the composite of the skill,
15 effort, responsibility, and working conditions normally
16 required in the performance of work.

17 2. The board of directors of each merged area in the state
18 shall provide for a study to be conducted for the purpose of
19 establishing an evaluation of the jobs under its jurisdiction
20 on the basis of their comparable worth, with particular
21 attention given to jobs predominantly held by women and jobs
22 predominantly held by men.

23 3. The final report of each study shall be submitted to
24 the legislative council on or before July 1, 1987.

25 Sec. 3. Section 1 of this Act takes effect July 1, 1987.

26 EXPLANATION

27 This bill establishes as the policy of the state, effective
28 July 1, 1987, that employees of merged areas, including area
29 vocational schools and area community colleges, shall be paid
30 at a rate based on comparable worth. It directs the board of
31 directors of each merged area to conduct a study and report to
32 the legislative council by July 1, 1987.

33 The requirements of the bill may constitute a state mandate
34 for the expenditure of local funds.

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SENATE/HOUSE FILE _____
BY (PREPARED BY THE LEGISLA-
TIVE SERVICE BUREAU FOR
THE FEMALE-DOMINATED JOBS
STUDY COMMITTEE)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act establishing a state affirmative action policy and pro-
2 viding for the implementation of state affirmative action
3 plans by all state agencies and merged area schools.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. NEW SECTION. 601K.1 DEFINITION.

2 As used in this chapter unless the context otherwise re-
3 quires, "state agency" means any executive, legislative, or
4 judicial office, bureau, division, department, board, or com-
5 mission of state government including the house of represen-
6 tatives and the senate. "State agency" also includes an area
7 school established under chapter 280A.

8 Sec. 2. NEW SECTION. 601K.2 STATE POLICY.

9 It is the policy of this state that a state agency shall
10 not discriminate, in policy or practice, on the basis of race,
11 creed, color, religion, national origin, gender, age, physical
12 disability, or mental disability unless it relates to a bona
13 fide occupational qualification.

14 Sec. 3. NEW SECTION. 601K.3 APPOINTMENT, ASSIGNMENT,
15 TRAINING, AND ADVANCEMENT OF STATE OFFICERS AND EMPLOYEES.

16 1. All state officers who are responsible for the
17 recruitment, appointment, assignment, and advancement of state
18 personnel shall recruit, appoint, assign, and advance state
19 personnel solely on the basis of merit and fitness.

20 2. Each state agency shall:

21 a. Promulgate clearly written affirmative action program
22 containing goals and time specifications in personnel
23 administration.

24 b. Regularly review its personnel practices and procedures
25 with the purpose of correcting any personnel practices and
26 procedures which may contribute to discrimination in recruit-
27 ment, appointment, assignment, or advancement.

28 c. Conduct programs of job orientation, provide training
29 and an organizational structure for upward mobility, and
30 emphasize fair practices in employment.

31 d. Exclude from its employment application forms, except
32 for statistical purposes, any inquiry as to race, creed,
33 color, religion, national origin, gender, age, physical
34 disability, or mental disability unless it relates to a bona
35 fide occupational qualification.

1 Sec. 4. NEW SECTION. 601K.4 STATE EMPLOYMENT SERVICES.

2 A state agency which provides placement or referral
3 services for public or private employees shall refuse to fill
4 any job order which specifies race, creed, color, religion,
5 national origin, gender, age, physical disability, or mental
6 disability as a condition of employment, assignment, or
7 advancement unless it relates to a bona fide occupational
8 qualification. A state agency shall refer a prohibited job
9 order to the Iowa state civil rights commission for
10 investigation, conciliation, or other appropriate action.

11 Sec. 5. NEW SECTION. 601K.5 PUBLIC EDUCATION PROGRAMS.

12 1. Pursuant to chapter 601A, the state commissioner of
13 public instruction shall actively promote fair employment
14 practices for all school personnel.

15 2. All educational and vocational guidance programs,
16 counseling and testing programs, and on-the-job training
17 programs of state agencies shall be administered in compliance
18 with chapter 601A. Each state officer responsible for
19 implementation of the programs shall seek to provide equal
20 opportunity for all, regardless of race, creed, color,
21 religion, national origin, gender, age, physical disability,
22 or mental disability unless it relates to a bona fide
23 occupational qualification.

24 Sec. 6. NEW SECTION. 601K.6 STATE LICENSING AGENCIES.

25 A state agency which has the authority to issue licenses
26 shall ensure that a license is not granted, denied, suspended,
27 or revoked on the basis of race, creed, color, religion, na-
28 tional origin, gender, or ancestry. If a state authority, in
29 an official proceeding, determines that a licensee has engaged
30 in an unlawful discriminatory practice under chapter 601A, the
31 state agency responsible for issuing the license shall
32 institute disciplinary proceedings as otherwise provided by
33 law. If a state authority has made a determination that an
34 unlawful discriminatory practice has occurred, the state
35 licensing agency involved shall consider, before reissuance of

1 a state license, whether the licensee or former licensee has
2 made a bona fide effort to comply with the requirements of
3 chapter 601A.

4 Sec. 7. NEW SECTION. 601K.7 STATE CONTRACTS.

5 To ensure compliance with chapter 601A, each state officer
6 who is authorized to make contracts or subcontracts for public
7 works, goods, or services shall include in each contract or
8 subcontract a clause in which the contractor or subcontractor
9 is required to file a copy of the contractor's or
10 subcontractor's affirmative action program containing goals
11 and time specifications before submitting a bid for public
12 works, goods, or services. A breach of the clause constitutes
13 a material breach of contract. This section applies to a
14 contractor or a subcontractor with fifty or more employees and
15 a state contract of fifty thousand dollars or more, or to a
16 contract for a project financed by the proceeds of revenue
17 bonds issued by a state agency.

18 Sec. 8. NEW SECTION. 601K.8 COORDINATION, COMPLIANCE,
19 AND REPORTING.

20 1. The civil rights commission shall coordinate the affir-
21 mative action efforts of all state agencies. The coordination
22 shall include, but is not limited to, activities proposing
23 uniform affirmative action planning standards in consultation
24 with state agencies, monitoring personnel data necessary to
25 maintain an ongoing assessment of affirmative action efforts
26 in state government, and working with individual state
27 agencies on corrective action plans.

28 2. The merit employment department shall coordinate the
29 collection and analysis of personnel data and equal employment
30 opportunity reporting. The department shall annually conduct
31 a study of the various preemployment processes used by the
32 state agencies. The results of the study shall be made
33 available to the civil rights commission and the affected
34 state agencies. The director of the department may establish
35 a state recruitment coordinating committee consisting of

1 personnel and affirmative action administrators from state
2 agencies. The committee members shall be appointed by the
3 director with the concurrence of the head of the state agency
4 from which the member is selected. The committee shall assist
5 the department in conducting the annual preemployment
6 processes study and with any remedial recruitment action.

7 3. All state agencies shall make available affirmative ac-
8 tion training for administrative and supervisory employees and
9 employees working in a capacity related to personnel
10 administration. The merit employment department shall provide
11 educational courses to aid in meeting this requirement.

12 4. The civil rights commission shall monitor the
13 implementation of affirmative action programs of state
14 agencies to assure compliance with the requirements of this
15 chapter. If deficiencies are found, the commission shall
16 assist the state agency in making appropriate corrections. If
17 corrections are not made, the commission shall report the
18 deficiencies to the governor if the state agency involved is
19 within the executive department, to the chairperson of the
20 legislative council if the state agency is within the
21 legislative department, and to the chief justice of the state
22 supreme court if the state agency is within the judicial
23 department.

24 5. Each state agency shall report annually to the civil
25 rights commission between December 15 and January 1 all
26 programs undertaken to carry out its responsibilities under
27 this chapter and the civil rights commission shall report this
28 information to the governor, the chairperson of the
29 legislative council, and the chief justice of the state
30 supreme court not later than January 30 of each year.

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EXPLANATION

32 This bill provides for a state affirmative action policy
33 and for implementation of state affirmative action plans by
34 all state agencies and merged area schools. The current
35 affirmative action policy and plans are required by two

1 executive orders, numbers 15 and 46, which apply to state
2 agencies which are responsible to the governor. Other state
3 agencies are urged to voluntarily comply. This bill requires
4 that all state agencies, including those within the
5 legislative department and the judicial department, and merged
6 area schools are to implement affirmative action plans.

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