

SENATE FILE 316
BY SZYMONIAK and KRAMER

Passed Senate, Date 2/18 Passed House, Date 4/2/92 (A. 992)
Vote: Ayes 49 Nays 0 Vote: Ayes 98 Nays 0

Motion to reconsider adopted 2/18
Approved April 15, 1992
Repassed Ayes 48 Nays 1 as amended

A BILL FOR

1 An Act to prohibit sexual harassment of state employees, of
2 persons in the care or custody of a state employee or
3 institution, and of persons attending a state educational
4 institution.

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

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SF 316

1 Section 1. Section 2.11, Code 1991, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Each house of the general
4 assembly shall implement the sexual harassment prohibitions
5 and grievance, violation, and disposition procedures of
6 section 19B.12 for its respective employees.

7 Sec. 2. Section 2.42, Code 1991, is amended by adding the
8 following new subsection:

9 NEW SUBSECTION. 18. To implement the sexual harassment
10 prohibitions and grievance, violation, and disposition
11 procedures of section 19B.12 with respect to central
12 legislative staff agency employees.

13 Sec. 3. NEW SECTION. 19B.12 SEXUAL HARASSMENT
14 PROHIBITED.

15 A state employee shall not sexually harass another state
16 employee, a person in the care or custody of the state
17 employee or a state institution, or a person attending a state
18 educational institution.

19 1. An employee in a supervisory position shall not
20 threaten or insinuate, explicitly or implicitly, that another
21 employee's refusal to submit to sexual advances will adversely
22 affect the employee's employment, evaluation, salary
23 advancement, job assignments, or other terms, conditions, or
24 privileges of employment.

25 2. An employee shall not discriminate against another
26 state employee, a person in the care or custody of the
27 employee or a state institution, or a person attending a state
28 educational institution based on sex or create an
29 intimidating, hostile, or offensive working environment in a
30 state work, educational, or correctional situation.

31 3. As used in this section, "sexual harassment" includes
32 but is not limited to: offensive sexual flirtations,
33 advances, or propositions; verbal abuse of a sexual nature;
34 graphic verbal commentaries about an individual's body;
35 improper touching; sexually degrading words used to describe

1 an individual; and the display in the workplace of sexually
2 suggestive objects or pictures.

3 4. The department of personnel for all state agencies, and
4 the state board of regents for its institutions, shall adopt
5 rules and appropriate internal, confidential grievance
6 procedures to implement this section, and shall adopt
7 procedures for determining violations of this section and for
8 ordering appropriate dispositions that may include, but are
9 not limited to, discharge, suspension, or reduction in rank or
10 grade as defined in section 19A.9, subsection 16.

11 Sec. 4. Section 602.1401, Code 1991, is amended by adding
12 the following new subsection:

13 NEW SUBSECTION. 5. The supreme court, in establishing the
14 personnel system, shall implement the sexual harassment
15 prohibitions and grievance, violation, and disposition
16 procedures of section 19B.12 for employees of the judicial
17 department.

18 EXPLANATION

19 This bill prohibits sexually harassing conduct by or toward
20 a state employee, or any person in the care or custody of a
21 state employee or institution, or any person attending a state
22 educational institution. The bill describes sexual
23 harassment, and requires the department of personnel for state
24 agencies, the state board of regents for its institutions,
25 each house of the general assembly, the legislative council,
26 and the supreme court to adopt rules and establish grievance,
27 violation, and disposition procedures with appropriate
28 remedies for violations with regard to sexual harassment.

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S-5044

1 Amend Senate File 316 as follows:

2 1. Page 1, line 6, by striking the word
3 "employees" and inserting the following: "full-time,
4 part-time, and temporary employees, including, but not
5 limited to, interns, clerks, and pages. Each house
6 shall develop and cause to be distributed, at the time
7 of hiring or orientation, a guide that describes for
8 its employees the applicable sexual harassment
9 prohibitions and grievance, violation, and disposition
10 procedures."

11 2. Page 1, line 11, by inserting after the word
12 "to" the following: "full-time, part-time, and
13 temporary".

14 3. Page 1, line 12, by inserting after the word
15 "employees" the following: "and to develop and
16 distribute, at the time of hiring or orientation, a
17 guide that describes for its employees the applicable
18 sexual harassment prohibitions and grievance,
19 violation, and disposition procedures".

20 4. Page 1, line 18, by inserting after the word
21 "institution." the following: "This section applies
22 to full-time, part-time, or temporary employees, to
23 inpatients and outpatients, and to full-time or part-
24 time students."

25 5. Page 2, by inserting after line 10 the
26 following:

27 "____. The department of personnel shall develop
28 for all state agencies, and all state agencies shall
29 distribute at the time of hiring or orientation, a
30 guide for employees that describes the applicable
31 sexual harassment prohibitions and grievance,
32 violation, and disposition procedures.

33 _____. The state board of regents shall develop, and
34 direct the institutions under its control to
35 distribute at the time of hiring, registration, or
36 orientation, a guide for employees, students, and
37 patients that describes the applicable sexual
38 harassment prohibitions and grievance, violation, and
39 disposition procedures."

40 6. Page 2, line 16, by inserting after the word
41 "for" the following: "full-time, part-time, and
42 temporary".

43 7. Page 2, line 17, by inserting after the word
44 "department." the following: "The court shall direct
45 its personnel system to develop and to distribute at
46 the time of hiring or orientation, a guide for its
47 employees that describes the applicable sexual
48 harassment prohibitions and grievance, violation, and
49 disposition procedures."

50 8. By renumbering as necessary.

By LARRY MURPHY
ELAINE E. SZYMONIAK
MARY E. KRAMER

S-5044 FILED FEBRUARY 11, 1992

adopted 2/13 (p. 384)

SENATE FILE 316

S-5033

- 1 Amend Senate File 316 as follows:
- 2 1. Page 2, by inserting after line 10 the
- 3 following:
- 4 "5. This section does not supersede a provision of
- 5 a collective bargaining agreement negotiated under
- 6 chapter 20, or the grievance procedures provisions of
- 7 chapter 20."
- 8 2. By renumbering as necessary.

By COMMITTEE ON STATE GOVERNMENT
JOHN P. KIBBIE, Chairperson

S-5033 FILED FEBRUARY 7, 1992

adopted 2/18 (p. 383)

SENATE FILE 316

S-5039

- 1 Amend Senate File 316 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "Code" the following: "Supplement".
- 4 2. Page 2, line 11, by inserting after the word
- 5 "Code" the following: "Supplement".
- 6 3. Page 2, line 13, by striking the figure "5"
- 7 and inserting the following: "6".

By JOE J. WELSH

S-5039 FILED FEBRUARY 7, 1992

adopted 2/18 (p. 384)

SENATE FILE 316

S-5062

- 1 Amend amendment, S-5044, to Senate File 316 as
- 2 follows:
- 3 1. Page 1, line 35, by inserting after the word
- 4 "registration," the following: "admission,".
- 5 2. Page 1, by striking lines 46 and 47 and
- 6 inserting the following: "the time of hiring or
- 7 orientation, a guide that describes for its employees
- 8 the applicable sexual".

By LARRY MURPHY
ELAINE SZYMONIAK
MARY KRAMER

S-5062 FILED FEBRUARY 14, 1992

adopted 2/18 (p. 383)

SENATE FILE 316

S-5065

1 Amend the amendment, S-5044, to Senate File 316 as
2 follows:
3 1. Page 1, by striking lines 40 through 49 and
4 inserting the following:
5 "____. Page 2, by striking lines 11 through 17 and
6 inserting the following:
7 "Sec. 4. Section 602.1401, subsection 1, Code
8 Supplement 1991, is amended to read as follows:
9 1. The supreme court shall establish, and may
10 amend, a personnel system and a pay plan for court
11 employees. The personnel system shall include a
12 designation by position title, classification, and
13 function of each position or class of positions within
14 the department. Reasonable efforts shall be made to
15 accommodate the individual staffing and management
16 practices of the respective clerks of the district
17 court. The personnel system, in the employment of
18 court employees, shall not discriminate on the basis
19 of race, creed, color, sex, national origin, religion,
20 physical disability, or political party preference.
21 The supreme court, in establishing the personnel
22 system, shall implement the comparable worth
23 directives issued by the state court administrator
24 under section 602.1204, subsection 2. The personnel
25 system shall include the prohibitions against sexual
26 harassment of full-time, part-time, and temporary
27 employees set out in section 19B.12, and shall include
28 a grievance procedure for discriminatory harassment.
29 The personnel system shall develop and distribute at
30 the time of hiring or orientation, a guide that
31 describes for employees the applicable sexual
32 harassment prohibitions and grievance, violation, and
33 disposition procedures."
34 2. By renumbering as necessary.

By ELAINE SZYMONIAK
MARY E. KRAMER

S-5065 FILED FEBRUARY 14, 1992

adopted 2/18 (p. 383)
motion to reconsider (p. 384)
Ruled out of order (p. 384)

SENATE FILE 316

S-5080

1 Amend Senate File 316 as follows:

2 1. Page 2, by inserting after line 17 the
3 following:

4 "Sec. ____ . Section 602.1401, subsection 1, Code
5 Supplement 1991, is amended to read as follows:

6 1. The supreme court shall establish, and may
7 amend, a personnel system and a pay plan for court
8 employees. The personnel system shall include a
9 designation by position title, classification, and
10 function of each position or class of positions within
11 the department. Reasonable efforts shall be made to
12 accommodate the individual staffing and management
13 practices of the respective clerks of the district
14 court. The personnel system, in the employment of
15 court employees, shall not discriminate on the basis
16 of race, creed, color, sex, national origin, religion,
17 physical disability, or political party preference.
18 The supreme court, in establishing the personnel
19 system, shall implement the comparable worth
20 directives issued by the state court administrator
21 under section 602.1204, subsection 2. The personnel
22 system shall include the prohibitions against sexual
23 harassment of full-time, part-time, and temporary
24 employees set out in section 19B.12, and shall include
25 a grievance procedure for discriminatory harassment.
26 The personnel system shall develop and distribute at
27 the time of hiring or orientation, a guide that
28 describes for employees the applicable sexual
29 harassment prohibitions and grievance, violation, and
30 disposition procedures."

31 2. By renumbering as necessary.

By ELAINE SZYMONIAK
MARY E. KRAMER

S-5080 FILED FEBRUARY 18, 1992

ADOPTED (p. 386)

Amended & Passed H-5540 3/26

SENATE FILE 316

BY SZYMONIAK and KRAMER

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 18, 1992)

~~_____~~ - New Language by the Senate

Passed Senate, Date 4/6/92 (p. 1250) Passed House, Date 4/2/92 (p. 992)

Vote: Ayes 48 Nays 0 Vote: Ayes 98 Nays 0

Approved April 15, 1992 (p. 1422)

A BILL FOR

1 An Act to prohibit sexual harassment of state employees, of
2 persons in the care or custody of a state employee or
3 institution, and of persons attending a state educational
4 institution.

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

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S.F. 316

1 Section 1. Section 2.11, Code 1991, is amended by adding
2 the following new unnumbered paragraph:

3 NEW UNNUMBERED PARAGRAPH. Each house of the general
4 assembly shall implement the sexual harassment prohibitions
5 and grievance, violation, and disposition procedures of
6 section 19B.12 for its respective full-time, part-time, and
7 temporary employees, including, but not limited to, interns,
8 clerks, and pages. Each house shall develop and cause to be
9 distributed, at the time of hiring or orientation, a guide
10 that describes for its employees the applicable sexual
11 harassment prohibitions and grievance, violation, and
12 disposition procedures.

13 Sec. 2. Section 2.42, Code Supplement 1991, is amended by
14 adding the following new subsection:

15 NEW SUBSECTION. 18. To implement the sexual harassment
16 prohibitions and grievance, violation, and disposition
17 procedures of section 19B.12 with respect to full-time, part-
18 time, and temporary central legislative staff agency employees
19 and to develop and distribute, at the time of hiring or
20 orientation, a guide that describes for its employees the
21 applicable sexual harassment prohibitions and grievance,
22 violation, and disposition procedures.

23 Sec. 3. NEW SECTION. 19B.12 SEXUAL HARASSMENT
24 PROHIBITED.

25 A state employee shall not sexually harass another state
26 employee, a person in the care or custody of the state
27 employee or a state institution, or a person attending a state
28 educational institution. This section applies to full-time,
29 part-time, or temporary employees, to inpatients and
30 outpatients, and to full-time or part-time students.

31 1. An employee in a supervisory position shall not
32 threaten or insinuate, explicitly or implicitly, that another
33 employee's refusal to submit to sexual advances will adversely
34 affect the employee's employment, evaluation, salary
35 advancement, job assignments, or other terms, conditions, or

1 privileges of employment.

2 2. An employee shall not discriminate against another
3 state employee, a person in the care or custody of the
4 employee or a state institution, or a person attending a state
5 educational institution based on sex or create an
6 intimidating, hostile, or offensive working environment in a
7 state work, educational, or correctional situation.

8 3. As used in this section, "sexual harassment" includes
9 but is not limited to: offensive sexual flirtations,
10 advances, or propositions; verbal abuse of a sexual nature;
11 graphic verbal commentaries about an individual's body;
12 improper touching; sexually degrading words used to describe
13 an individual; and the display in the workplace of sexually
14 suggestive objects or pictures.

15 4. The department of personnel for all state agencies, and
16 the state board of regents for its institutions, shall adopt
17 rules and appropriate internal, confidential grievance
18 procedures to implement this section, and shall adopt
19 procedures for determining violations of this section and for
20 ordering appropriate dispositions that may include, but are
21 not limited to, discharge, suspension, or reduction in rank or
22 grade as defined in section 19A.9, subsection 16.

23 5. The department of personnel shall develop for all state
24 agencies, and all state agencies shall distribute at the time
25 of hiring or orientation, a guide for employees that describes
26 the applicable sexual harassment prohibitions and grievance,
27 violation, and disposition procedures.

28 6. The state board of regents shall develop, and direct
29 the institutions under its control to distribute at the time
30 of hiring, registration, admission, or orientation, a guide
31 for employees, students, and patients that describes the
32 applicable sexual harassment prohibitions and grievance,
33 violation, and disposition procedures.

34 7. This section does not supersede a provision of a
35 collective bargaining agreement negotiated under chapter 20,

1 or the grievance procedures provisions of chapter 20.

2 Sec. 4. Section 602.1401, Code Supplement 1991, is amended
3 by adding the following new subsection:

4 NEW SUBSECTION. 6. The supreme court, in establishing the
5 personnel system, shall implement the sexual harassment
6 prohibitions and grievance, violation, and disposition
7 procedures of section 19B.12 for full-time, part-time, and
8 temporary employees of the judicial department. The court
9 shall direct its personnel system to develop and to distribute
10 at the time of hiring or orientation, a guide that describes
11 for its employees the applicable sexual harassment
12 prohibitions and grievance, violation, and disposition
13 procedures.

14 Sec. 5. Section 602.1401, subsection 1, Code Supplement
15 1991, is amended to read as follows:

16 1. The supreme court shall establish, and may amend, a
17 personnel system and a pay plan for court employees. The
18 personnel system shall include a designation by position
19 title, classification, and function of each position or class
20 of positions within the department. Reasonable efforts shall
21 be made to accommodate the individual staffing and management
22 practices of the respective clerks of the district court. The
23 personnel system, in the employment of court employees, shall
24 not discriminate on the basis of race, creed, color, sex,
25 national origin, religion, physical disability, or political
26 party preference. The supreme court, in establishing the
27 personnel system, shall implement the comparable worth
28 directives issued by the state court administrator under
29 section 602.1204, subsection 2. The personnel system shall
30 include the prohibitions against sexual harassment of full-
31 time, part-time, and temporary employees set out in section
32 19B.12, and shall include a grievance procedure for
33 discriminatory harassment. The personnel system shall develop
34 and distribute at the time of hiring or orientation, a guide
35 that describes for employees the applicable sexual harassment

1 prohibitions and grievance, violation, and disposition
2 procedures.

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SENATE FILE 316

H-5540

1 Amend Senate File 316, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 12, by inserting after the word
4 "procedures." the following: "This section does not
5 supersede the remedies provided under chapter 601A."

6 2. Page 1, line 22, by inserting after the word
7 "procedures." the following: "This subsection does
8 not supersede the remedies provided under chapter
9 601A."

10 3. Page 2, by striking lines 8 through 14 and
11 inserting the following:

12 "3. As used in this section, "sexual harassment"
13 means persistent, repetitive, or highly egregious
14 conduct directed at a specific individual or group of
15 individuals that a reasonable person would interpret
16 as intentional harassment of a sexual nature, taking
17 into consideration the full context in which the
18 conduct occurs, which conduct threatens to impair the
19 ability of a person to perform the duties of
20 employment, or otherwise function normally within an
21 institution responsible for the person's care,
22 rehabilitation, education, or training.

23 "Sexual harassment" may include, but is not limited
24 to, the following:

25 a. Unsolicited sexual advances by a person toward
26 another person who has clearly communicated the other
27 person's desire not to be the subject of those
28 advances.

29 b. Sexual advances or propositions made by a
30 person having superior authority toward another person
31 within the workplace or institution.

32 c. Instances of offensive sexual remarks or speech
33 or graphic sexual displays directed at a person in the
34 workplace or institution, who has clearly communicated
35 the person's objection to that conduct, and where the
36 person is not free to avoid that conduct due to the
37 requirements of the employment or the confines or
38 operations of the institution.

39 d. The imposition of sexual expectations
40 concerning a person's dress or conduct that bears no
41 relation to the person's employment responsibilities
42 or institutional status."

43 4. Page 3, by inserting after line 1 the
44 following:

45 "8. This section does not supersede the remedies
46 provided under chapter 601A."

47 5. Page 4, line 2, by inserting after the word
48 "procedures." the following: "This subsection does
49 not supersede the remedies provided under chapter
50 601A."

By COMMITTEE ON STATE GOVERNMENT
BLANSHAN of Greene, Chairperson

H-5540 FILED MARCH 26, 1992

Adopted as amended 4/2 (p. 992)

SENATE FILE 316

H-5653

1 Amend amendment, H-5540, to Senate File 316, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by striking lines 39 and 40 and
5 inserting the following:

6 "____. Dress requirements that bear no".

7 2. By renumbering as necessary.

By PETERSON of Carroll

H-5653 FILED APRIL 1, 1992

Adopted 4/2 (p. 492)

SENATE FILE 316

H-5656

1 Amend the amendment, H-5540, to Senate File 316, as
2 amended, passed, and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 46 the
5 following:

6 "____. Page 3, by striking lines 2 through 13."

7 2. By renumbering as necessary.

By PETERSON of Carroll

H-5656 FILED APRIL 1, 1992

Adopted 4/2 (p. 491)

HOUSE AMENDMENT TO
SENATE FILE 316

S-5511

1 Amend Senate File 316, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 12, by inserting after the word
4 "procedures." the following: "This section does not
5 supersede the remedies provided under chapter 601A."

6 2. Page 1, line 22, by inserting after the word
7 "procedures." the following: "This subsection does
8 not supersede the remedies provided under chapter
9 601A."

10 3. Page 2, by striking lines 8 through 14 and
11 inserting the following:

12 "3. As used in this section, "sexual harassment"
13 means persistent, repetitive, or highly egregious
14 conduct directed at a specific individual or group of
15 individuals that a reasonable person would interpret
16 as intentional harassment of a sexual nature, taking
17 into consideration the full context in which the
18 conduct occurs, which conduct threatens to impair the
19 ability of a person to perform the duties of
20 employment, or otherwise function normally within an
21 institution responsible for the person's care,
22 rehabilitation, education, or training.

23 "Sexual harassment" may include, but is not limited
24 to, the following:

25 a. Unsolicited sexual advances by a person toward
26 another person who has clearly communicated the other
27 person's desire not to be the subject of those
28 advances.

29 b. Sexual advances or propositions made by a
30 person having superior authority toward another person
31 within the workplace or institution.

32 c. Instances of offensive sexual remarks or speech
33 or graphic sexual displays directed at a person in the
34 workplace or institution, who has clearly communicated
35 the person's objection to that conduct, and where the
36 person is not free to avoid that conduct due to the
37 requirements of the employment or the confines or
38 operations of the institution.

39 d. Dress requirements that bear no relation to the
40 person's employment responsibilities or institutional
41 status."

42 4. Page 3, by inserting after line 1 the
43 following:

44 "8. This section does not supersede the remedies
45 provided under chapter 601A."

46 5. Page 3, by striking lines 2 through 13.

47 6. Page 4, line 2, by inserting after the word
48 "procedures." the following: "This subsection does
49 not supersede the remedies provided under chapter
50 601A."

S-5511 FILED APRIL 2, 1992 RECEIVED FROM THE HOUSE

Concurred 4/6 (p. 1249)

SENATE FILE 316

AN ACT

TO PROHIBIT SEXUAL HARASSMENT OF STATE EMPLOYEES, OF PERSONS
IN THE CARE OR CUSTODY OF A STATE EMPLOYEE OR INSTITUTION,
AND OF PERSONS ATTENDING A STATE EDUCATIONAL INSTITUTION.

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

Section 1. Section 2.11, Code 1991, is amended by adding
the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Each house of the general
assembly shall implement the sexual harassment prohibitions
and grievance, violation, and disposition procedures of
section 19B.12 for its respective full-time, part-time, and
temporary employees, including, but not limited to, interns,
clerks, and pages. Each house shall develop and cause to be
distributed, at the time of hiring or orientation, a guide
that describes for its employees the applicable sexual
harassment prohibitions and grievance, violation, and

disposition procedures. This section does not supersede the
remedies provided under chapter 601A.

Sec. 2. Section 2.42, Code Supplement 1991, is amended by
adding the following new subsection:

NEW SUBSECTION. 18. To implement the sexual harassment
prohibitions and grievance, violation, and disposition
procedures of section 19B.12 with respect to full-time, part-
time, and temporary central legislative staff agency employees
and to develop and distribute, at the time of hiring or
orientation, a guide that describes for its employees the
applicable sexual harassment prohibitions and grievance,
violation, and disposition procedures. This subsection does
not supersede the remedies provided under chapter 601A.

Sec. 3. NEW SECTION. 19B.12 SEXUAL HARASSMENT
PROHIBITED.

A state employee shall not sexually harass another state
employee, a person in the care or custody of the state
employee or a state institution, or a person attending a state
educational institution. This section applies to full-time,
part-time, or temporary employees, to inpatients and
outpatients, and to full-time or part-time students.

1. An employee in a supervisory position shall not
threaten or insinuate, explicitly or implicitly, that another
employee's refusal to submit to sexual advances will adversely
affect the employee's employment, evaluation, salary
advancement, job assignments, or other terms, conditions, or
privileges of employment.

2. An employee shall not discriminate against another
state employee, a person in the care or custody of the
employee or a state institution, or a person attending a state
educational institution based on sex or create an
intimidating, hostile, or offensive working environment in a
state work, educational, or correctional situation.

3. As used in this section, "sexual harassment" means
persistent, repetitive, or highly egregious conduct directed

at a specific individual or group of individuals that a reasonable person would interpret as intentional harassment of a sexual nature, taking into consideration the full context in which the conduct occurs, which conduct threatens to impair the ability of a person to perform the duties of employment, or otherwise function normally within an institution responsible for the person's care, rehabilitation, education, or training.

"Sexual harassment" may include, but is not limited to, the following:

a. Unsolicited sexual advances by a person toward another person who has clearly communicated the other person's desire not to be the subject of those advances.

b. Sexual advances or propositions made by a person having superior authority toward another person within the workplace or institution.

c. Instances of offensive sexual remarks or speech or graphic sexual displays directed at a person in the workplace or institution, who has clearly communicated the person's objection to that conduct, and where the person is not free to avoid that conduct due to the requirements of the employment or the confines or operations of the institution.

d. Dress requirements that bear no relation to the person's employment responsibilities or institutional status.

4. The department of personnel for all state agencies, and the state board of regents for its institutions, shall adopt rules and appropriate internal, confidential grievance procedures to implement this section, and shall adopt procedures for determining violations of this section and for ordering appropriate dispositions that may include, but are not limited to, discharge, suspension, or reduction in rank or grade as defined in section 19A.9, subsection 16.

5. The department of personnel shall develop for all state agencies, and all state agencies shall distribute at the time of hiring or orientation, a guide for employees that describes

the applicable sexual harassment prohibitions and grievance, violation, and disposition procedures.

6. The state board of regents shall develop, and direct the institutions under its control to distribute at the time of hiring, registration, admission, or orientation, a guide for employees, students, and patients that describes the applicable sexual harassment prohibitions and grievance, violation, and disposition procedures.

7. This section does not supersede a provision of a collective bargaining agreement negotiated under chapter 20, or the grievance procedures provisions of chapter 20.

8. This section does not supersede the remedies provided under chapter 601A.

Sec. 4. Section 602.1401, subsection 1, Code Supplement 1991, is amended to read as follows:

1. The supreme court shall establish, and may amend, a personnel system and a pay plan for court employees. The personnel system shall include a designation by position title, classification, and function of each position or class of positions within the department. Reasonable efforts shall be made to accommodate the individual staffing and management practices of the respective clerks of the district court. The personnel system, in the employment of court employees, shall not discriminate on the basis of race, creed, color, sex, national origin, religion, physical disability, or political party preference. The supreme court, in establishing the personnel system, shall implement the comparable worth directives issued by the state court administrator under section 602.1204, subsection 2. The personnel system shall include the prohibitions against sexual harassment of full-time, part-time, and temporary employees set out in section 19B.12, and shall include a grievance procedure for discriminatory harassment. The personnel system shall develop and distribute at the time of hiring or orientation, a guide that describes for employees the applicable sexual harassment

prohibitions and grievance, violation, and disposition procedures. This subsection does not supersede the remedies provided under chapter 601A.

MICHAEL E. GRONSTAL
President of the Senate

ROBERT C. ARNOULD
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 316, Seventy-fourth General Assembly.

JOHN F. DWYER
Secretary of the Senate

Approved April 15, 1992

TERRY E. BRANSTAD
Governor

SF 316