

GENERAL ASSEMBLY OF IOWA

LEGAL COUNSELS

Douglas L. Adkisson
Terry M. Carr
Erwin G. Cook
Susan E. Crowley
Patricia A. Funaro
Michael J. Goedert
Leslie E. W. Hickey
Mark W. Johnson
Michael A. Kuehn
Carolyn T. Lumbard
Julie A. Smith

RESEARCH ANALYSTS

Kathleen B. Hanlon
Thane R. Johnson



LEGISLATIVE SERVICE BUREAU

STATE CAPITOL BUILDING
DES MOINES, IOWA 50319
(515) 281-3566
FAX (515) 281-8027

DIANE E. BOLENDER
DIRECTOR

RICHARD L. JOHNSON
DEPUTY DIRECTOR

JOHN C. POLLAK
COMMITTEE SERVICES ADMINISTRATOR

LOANNE DODGE
IOWA CODE EDITOR

PHYLLIS V. BARRY
ADMINISTRATIVE CODE EDITOR

JULIE E. LIVERS
LEGISLATIVE INFORMATION OFFICE DIRECTOR

June 21, 1993

MEMORANDUM

TO: CHAIRPERSON VAN MAANEN AND MEMBERS OF THE SERVICE COMMITTEE

FROM: DIANE BOLENDER, DIRECTOR

RE: JUNE PERSONNEL REPORT

Notification is made of the following personnel actions:

1. A listing of the employees receiving merit step increases since the May Personnel Report is attached to this report.
2. Judy Neff, Assistant Librarian and Carolyn Lumbard, Legal Counsel, have completed their probationary employment and are classified as permanent employees.

Approval is requested for position reclassifications listed in the attached document.

PROPOSED PROMOTIONS

Name	Date of Hire	Previous Position Final Grade and Step Date Attained Position	Current Position Current Grade and Step Date Attained Position	Recommended Position Grade and Step Effective Date
Susan Crowley Legal Counsel	10-08-90		Legal Counsel 30-3 10-08-90	Legal Counsel 1 32-2 06-18-93
Michael Kuehn Legal Counsel	10-22-90		Legal Counsel 30-3 10-22-90	Legal Counsel 1 32-2 06-18-93
Kathy Hanlon Research Analyst	01-21-91		Research Analyst 27-3 01-21-91	Research Analyst 1 29-1 06-18-93
Susan Weddell Computer Systems Analyst Trainee	11-06-87	Text Processor 2 22-3 08-18-89	Computer Systems Analyst Trainee 24-2 07-17-92	Computer Systems Analyst 1 27-1 06-18-93
Jody Jennings Legislative Text Processor	11-11-88	Text Processor 1 19-2 11-11-88	Text Processor 2 22-3 06-22-90	Senior Text Processor 25-2 06-18-93

NOTIFICATION OF MERIT STEP INCREASES

Name	Position	Date of Hire	Previous Grade and Step Effective Date	Current Grade and Step Effective Date
Judy Neff	Assistant Librarian	12-01-92	22-1 12-01-92	22-2 06-04-93
Carolyn Lumbard	Legal Counsel	11-23-92	30-1 11-23-92	30-2 06-04-93
Donna Greenwood	Confidential Secretary	12-16-72	27-5* 06-10-88	27-6 06-04-93
Richard Johnson	Deputy Director	07-10-78	41-3* 06-21-91	41-4 06-18-93
Loanne Dodge	Iowa Code Editor	01-14-80	38-1** 06-19-92	38-2 06-18-93
Michael Goedert	Sr. Legal Counsel	07-14-76	38-4* 06-21-91	38-5 06-18-93
Julie Smith	Legal Counsel 1	12-07-89	32-3** 06-19-92	32-4 06-18-93
Mary Carr	Legal Counsel 1	10-09-89	32-3** 06-19-92	32-4 06-18-93
Thane Johnson	Senior Research Analyst	08-01-69	38-3* 07-11-86	38-4 06-18-93
Gary Rudicil	Computer Systems Analyst 2	07-05-89	29-3** 06-19-92	29-4 06-18-93
Sarah Pedersen	Indexer 2	06-20-86	25-1* 06-21-91	25-2 06-18-93
Phyllis Barry	Administrative Code Editor	10-01-64	38-4 06-21-91	38-5 06-18-93
Janet Wilson	Deputy Iowa Code Editor	12-01-83	35-4* 06-23-89	35-5 06-18-93
Richard Schulze	Iowa Code Index Supervisor	06-27-86	28-2* 06-23-89	28-3 06-18-93

NOTIFICATION OF MERIT STEP INCREASES				
Name	Position	Date of Hire	Previous Grade and Step Effective Date	Current Grade and Step Effective Date
Pam Worden	Admin. Code Index Supervisor	04-27-72	28-2* 06-23-89	28-3 06-18-93
Kathy Bates	Assistant Editor 2	06-13-86	27-4** 06-19-92	27-5 06-18-93
Marge Knudsen	Senior Finance Officer	11-29-66	31-5 06-21-91	31-6 06-18-93
Andrea Meier	Legis. Proofreader Supervisor	12-30-87	22-1* 06-21-91	22-2 06-18-93

*Grade and step equivalent based upon 1992 new position classification system.

**Promotion

LEGISLATIVE SERVICE BUREAU
Eligibility Report for Merit Increases
FY 1994

	<u>Present Grade & Step</u>	<u>Employment Date</u>	<u>Review Date</u>
<u>Director</u> Bolender	00-0	09/11/67	00/00/00
<u>Deputy Director</u> Johnson, R.	41-3	07/10/78	06/18/93
LEGAL AND COMMITTEE SERVICES DIVISION			
<u>Legal Services Admin.</u> Vacant	38		
<u>Committee Services Admin.</u> Pollak	38-1	11/16/87	05/06/94
<u>Senior Legal Counsel</u> Goedert	38-4	07/14/76	06/18/93
<u>Legal Counsel 2</u> Johnson, M.	35-4	01/24/87	12/17/93
Adkisson	35-5	12/22/86	12/17/93
Hickey	35-5	02/01/88	12/17/93
Funaro	35-3	12/17/86	12/17/93
<u>Legal Counsel 1</u> Carr	32-3	10/09/89	06/18/93
Smith	32-3	12/07/89	06/18/93
<u>Legal Counsel</u> Crowley	30-3	10/08/90	04/08/94
Kuehn	30-3	10/22/90	04/22/94
Cook	30-2	11/09/92	05/20/94
Lumbard	30-2	11/23/92	06/03/94
<u>Senior Research Analyst</u> Johnson, T.	38-3	08/01/69	06/18/93
<u>Research Analyst</u> Hanlon	27-3	01/21/91	07/30/93
<u>Computer Systems Analyst 2</u> Rudicil	29-3	07/05/89	06/18/93
<u>Computer Systems Analyst Trainee</u> Weddell	24-2	11/06/87	04/22/94

IOWA CODE DIVISION

<u>Code Editor</u> Dodge	38-1	01/14/80	06/18/93
<u>Deputy IA Code Editor</u> Wilson	35-4	12/01/83	06/18/93
<u>Assistant Editor I</u> Dubec	24-6	10/09/87	00/00/00
Walroth	24-2	08/24/92	02/25/94
Vacant	24		
<u>Iowa Code Index Supervisor</u> Schulze	28-2	06/27/86	06/18/93
<u>Indexer 2</u> Pedersen	25-1	06/20/86	06/18/93
Stoner	25-2	11/29/85	05/20/94
<u>Publications Assistant</u> King	21-6	05/18/84	00/00/00
<u>Code Proofreader 2</u> Young, C.	19-4	01/03/89	12/17/93
Munzenmaier	19-3	08/04/89	12/17/93

ADMINISTRATIVE CODE DIVISION

<u>Administrative Code Editor</u> Barry	38-4	10/01/64	06/18/93
<u>Assistant Editor 2</u> Bates	27-4	06/13/86	06/18/93
<u>Assistant Editor 1</u> Drake	24-3	10/14/88	02/11/94
Mauck	24-3	11/18/91	05/20/94
<u>Publications Assistant</u> Rydell	21-3	12/20/91	09/24/93
<u>Admin. Code Index Supervisor</u> Worden	28-2	04/27/72	06/18/93
<u>Administrative Secretary</u> Scott	21-2	11/23/90	12/17/93
<u>Legis. Text Processor 1</u> McKnight	19-1	02/15/93	08/27/93
Vacant	19		
<u>Assistant Indexer</u> Hawkins	19-2	07/31/92	01/28/94

<u>Code Document Processor 2</u> Snuggs	19-3	03/25/85	05/20/94
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INFORMATION SERVICES DIVISION

<u>Public Information Director</u> Livers	30-3	04/09/90	10/08/93
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<u>Public Information Officer</u> Parker	24-2	09/05/89	03/11/94
Thompson	24-1	01/08/90	07/16/93

<u>Legis. Research Librarian</u> Douglas	24-4	10/23/89	04/22/94
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<u>Assistant Librarian</u> Neff	22-2	12/01/92	06/03/94
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<u>Capitol Guide Coordinator</u> Macauley	14-6	05/09/69	00/00/00
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<u>Capitol Tour Guide</u> Arnett	12-6	10/15/76	00/00/00
Nichols	12-6	10/15/76	00/00/00
Farrell	12-6	01/31/86	00/00/00

SUPPORT SERVICES DIVISION

<u>Confidential Secretary</u> Greenwood	27-6	12/16/72	00/00/00
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<u>Senior Finance Officer</u> Knudsen	31-5	11/29/66	06/18/93
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<u>Document Processor Supervisor</u> McNerney	25-1	12/08/89	12/17/93
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<u>Assistant Finance Officer</u> Brandt	24-1	06/01/90	12/03/93
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<u>Document Processor 1</u> Clark	16-2	11/09/92	05/20/94
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<u>Legis. Text Processor Super.</u> Wyer	28-6	01/01/67	00/00/00
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<u>Senior Legis. Text Processor</u> Craig	25-6	11/06/78	00/00/00
Fisher	25-6	11/16/74	00/00/00

Legis. Text Processor 2

Jennings
Cross

22-3
22-4

11/11/88
09/06/88

05/06/90
02/25/90

Legis. Text Processor 1

DeBartolo

19-2

10/19/92

04/22/94

Legis. Proofreader Super.

Meier

22-1

12/30/87

06/18/93

Legis. Proofreader 1

Fetters, S.
Lenth
Vacant

16-3
16-2
16

09/27/91
07/20/92

04/22/94
01/28/94

06/11/93
7e

**LEGISLATIVE SERVICE BUREAU
MANAGERS & DRAFTERS OVERTIME
01/01/93 - 06/03/93**

ELIGIBLE FOR PARTIAL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Adjustment first 40</u>	<u>Overtime less 40</u>	<u>Compensatory Hours</u>
1	345.25	40.00	305.25	120.00
2	339.50	40.00	299.50	120.00
3	336.00	40.00	296.00	120.00
4	311.25	40.00	271.25	120.00
5	300.00	40.00	260.00	120.00
6	283.00	40.00	243.00	120.00
7	277.00	40.00	237.00	120.00
8	273.25	40.00	233.25	120.00
9	261.50	40.00	221.50	120.00
10	228.00	40.00	188.00	120.00
11	223.00	40.00	183.00	120.00
12	222.25	40.00	182.25	120.00
13	191.50	40.00	151.50	120.00
14	186.00	40.00	146.00	120.00
15	174.25	40.00	134.25	120.00
16	151.50	40.00	111.50	111.50
Total Hours	4,103.25	640.00	3,463.25	1,911.50
Average	256.45	40.00	216.45	119.47

LEGISLATIVE INFORMATION OFFICE

1	190.50	40.00	150.50	120.00
2	90.25	40.00	50.25	50.25
3	59.25	40.00	19.25	19.25
Total Hours	340.00	120.00	220.00	189.50
Average	113.33	40.00	73.33	63.17

OTHERS

1	73.00	40.00	33.00	33.00
2	28.75	0.00	0.00	0.00
3	20.00	0.00	0.00	0.00
Total Hours	121.75	40.00	33.00	33.00
Average	40.58	13.33	11.00	63.17

**LEGISLATIVE SERVICE BUREAU
 PERMANENT FULL-TIME SUPPORT STAFF OVERTIME
 01/01/93 - 06/03/93**

ELIGIBLE FOR FULL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Compensatory Hours</u>
1	172.25	258.38
2	139.25	208.88
3	139.00	208.50
4	136.50	204.75
5	135.25	202.88
6	130.75	196.13
7	127.50	191.25
8	126.75	190.13
9	126.50	189.75
10	120.25	180.38
11	107.75	161.63
12	91.25	136.88
13	69.50	104.25
14	62.50	93.75
15	45.50	68.25
Total Hours	1,730.50	2,595.79
Average	115.37	173.05
16	166.00 *	189.00

*40 hr. adjustment

**LEGISLATIVE SERVICE BUREAU
ADMINISTRATIVE CODE & IOWA CODE DIVISIONS
PROFESSIONAL STAFF OVERTIME
07/01/92 - 06/03/93**

ELIGIBLE FOR PARTIAL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Adjustment first 40</u>	<u>Overtime less 40</u>	<u>Compensatory Hours</u>
1	125.50	40.00	85.50	85.50
2	122.75	40.00	82.75	82.75
3	104.00	40.00	64.00	64.00
Total Hours	352.25	120.00	232.25	232.25
Average	117.42	40.00	77.42	77.42

**PERMANENT FULL-TIME SUPPORT STAFF OVERTIME
07/01/92 - 06/03/93**

ELIGIBLE FOR FULL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Compensatory Hours</u>
1	80.50	120.75
2	60.50	90.75
3	36.25	54.38
4	32.00	48.00
5	28.00	42.00
6	8.25	12.38
7	7.50	11.25
8	7.00	10.50
9	2.25	3.38
10	2.00	3.00
11	2.00	3.00
Total Hours	266.25	399.39
Average	24.20	36.31

**LEGISLATIVE SERVICE BUREAU
TEMPORARY OR PART-TIME SUPPORT STAFF OVERTIME
01/01/93 - 06/03/93**

<u>Employee</u>	<u>Total Overtime Worked</u>
1	104.25
2	93.25
3	69.00
4	62.25
5	32.75
6	31.00
7	29.00
8	13.20
Total Hours	434.70

LEGISLATIVE FISCAL BUREAU
Position Classification System

<u>POSITION CLASSIFICATION</u>	<u>PAY GRADE</u>
Legislative Analyst	27
Legislative Analyst 1	29
Legislative Analyst 2	32
Legislative Analyst 3	35
Senior Legislative Analyst	38
Division Administrator 1	38
Division Administrator 2	41
Deputy Director	41
Computer System Analyst 1	27
Computer System Analyst 2	29
Computer System Analyst 3	32
Sr Computer System Analyst	35
Administrative Secretary	21
Executive Secretary	24

minimum wage

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Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

Job descriptions for these classifications are contained in Chapter 1 of the Legislative Fiscal Bureau Policies and Procedures Manual.

LEGISLATIVE FISCAL BUREAU
Eligibility Report for Merit Increases
FY 1994

<u>CLASS/EMPLOYEE NAME</u>	<u>PRESENT GRADE & STEP</u>	<u>EMPLOYMENT DATE</u>	<u>REVIEW DATE</u>
<u>DEPUTY DIRECTOR</u>			
Faller	41 - 5	7/1/74	5/20/94
<u>DIVISION ADMINISTRATOR II</u>			
Dickinson	41 - 3	7/8/88	3/11/94
Lyons	41 - 3	1/3/84	5/20/94
<u>DIVISION ADMINISTRATOR I</u>			
Wulf	38 - 5	2/11/83	5/20/94
Ferguson	38 - 4	11/27/87	5/20/94
<u>SENIOR LEGISLATIVE ANALYST</u>			
Lerdal	38 - (-1)	2/17/89	5/20/94
Neiderbach	38 - 2	12/21/81	4/23/94
Snyder	38 - (-1)	11/19/84	5/20/94
<u>LEGISLATIVE ANALYST III</u>			
Hudson	35 - 1	9/11/92	4/2/94
Robinson	35 - 1	11/17/87	5/20/94
Wisner	35 - 1	5/4/87	5/20/94
<u>LEGISLATIVE ANALYST II</u>			
Reynolds	32 - 1	9/18/89	5/20/94
Shipman	32 - 1	12/22/89	5/20/94
Studer	32 - 1	9/5/89	5/20/94
<u>LEGISLATIVE ANALYST I</u>			
McGarity	29 - 2	8/1/90	3/11/94
Sigel	29 - 2	8/20/90	3/11/94
<u>LEGISLATIVE ANALYST</u>			
Fujinaka	27 - 2	10/5/92	4/2/94
Muller	27 - 2	10/5/92	4/2/94
Ramsay	27 - 2	10/1/92	4/2/94

SR. COMPUTER SYS. ANALYST

Knapp

35 - 4

1/2/76

6/7/92

COMPUTER SYSTEMS ANALYST

Hinman

27 - 2

11/16/92

5/7/94

EXECUTIVE SECRETARY

Mosher

24 - 2

7/3/90

12/31/93

Navara

24 - 1

11/13/90

10/9/93

LEGISLATIVE FISCAL BUREAU
OVERTIME and COMPENSATORY TIME
Fiscal Year 1993

ELIGIBLE FOR PARTIAL COMPENSATION

Professional Staff:

<u>Name</u>	<u>Overtime Hours</u>	<u>Adjustment first 40</u>	<u>Overtime less 40</u>	<u>Compensator Hours</u>
Employee 1	609.50	40.00	569.50	120.00
Employee 2	596.50	40.00	556.50	120.00
Employee 3	450.50	40.00	410.50	120.00
Employee 4	426.50	40.00	386.50	120.00
Employee 5	420.50	40.00	380.50	120.00
Employee 6	306.25	40.00	266.25	120.00
Employee 7	256.00	40.00	216.00	120.00
Employee 8	250.75	40.00	210.75	120.00
Employee 9	228.50	40.00	188.50	120.00
Employee 10	215.20	40.00	175.20	120.00
Employee 11	195.25	40.00	155.25	120.00
Employee 12	187.50	40.00	147.50	120.00
Employee 13	176.25	40.00	136.25	120.00
Employee 14	165.50	40.00	125.50	120.00
Employee 15	162.75	40.00	122.75	120.00
Employee 16	152.00	40.00	112.00	112.00
Employee 17	148.00	40.00	108.00	108.00
Employee 18	146.00	40.00	106.00	106.00
Employee 19	85.75	40.00	45.75	45.75
Employee 2 20	74.25	40.00	34.25	34.25
Employee 2 21	74.00	40.00	34.00	34.00
Employee 2 22	42.50	40.00	2.50	2.50
Total Hours	5,369.95	880.00	4,489.95	2,242.50
Average	244.09		204.09	101.93

ELIGIBLE FOR FULL COMPENSATION

Administrative Support Staff:

Employee 1	74.50	111.75
Employee 2	53.50	80.25
Total Hours	128.00	192.00
Average	64.00	96.00

LEGISLATIVE COMPUTER SUPPORT BUREAU

<u>Position Classification</u>	<u>Pay Grade</u>
Computer Systems Analyst	24
Computer Systems Analyst I	27
Computer Systems Analyst II	29
Computer Systems Analyst III	32
Senior Computer Systems Analyst	35
Computer Operator-Session Only	21
Computer Operator I	21
Computer Operator II	24
Computer Systems Engineer I	29
Computer Systems Engineer II	32
Senior Computer Systems Engineer	35
Administrative Secretary	21
Executive Secretary	24
Division Administrator I	35
Division Administrator II	38

Source: Pay resolution adopted by Legislative Council

Job Descriptions are attached

Legislative Computer Support Bureau

Annual Personnel Report

FY 1993

NAME	POSITION	CURRENT GD/STEP	MERIT INCREASE ELIG. DATES	COMPTIME/OR OVERTIME	OVERTIME HOURS 1992
Damman, Ed	Division Administrator I	35/1	05-21-94	CT	N/A
Boyd, Bryan	Computer Systems Engineer I	29/1	12-17-93	CT	N/A
Campos, Roel	Computer Systems Analyst II	29/1	12-17-93	CT	N/A
Evans, Kay	Division Administrator I	35/4	11-20-93	CT	N/A
Frederick, Sherry	Executive Secretary	24/4	12-17-93	CT	N/A
Ritter, Cheryl	Computer Systems Analyst I	27/4	11-20-93	CT	N/A
Nelson, Steve	Computer Operator I	21/3	07-30-93	OT	188.50
Murtfeld, Roger	Division Administrator I	35/2	01-15-94	CT	N/A
Rowen, Virginia	Computer Systems Analyst	24/6	01-01-94	CT	N/A

Total comptime hours from January 1, 1993 thru June 15, 1993:

	COMP WORKED	ADJUST 1ST 40 HOURS	COMP/LESS ADJUSTMENT	COMPENSATORY ALLOWED	COMPTIME NOT USED
Employee 1	24.50	-40	0.00	0.00	0.00
Employee 2	14.50	-40	0.00	0.00	0.00
Employee 3	129.75	-40	89.75	89.75	89.75
Employee 4	19.00	-40	0.00	0.00	0.00
Employee 5	67.00	-40	27.00	27.00	14.00
Employee 6	3.50	-40	0.00	0.00	0.00
Employee 7	97.00	-40	57.00	57.00	1.00
Employee 8	39.25		39.25	58.88	21.63

**CITIZENS' AIDE / OMBUDSMAN
POSITION CLASSIFICATIONS AND PAY GRADES
JUNE 23, 1993**

<u>POSITION CLASSIFICATION</u>	<u>PAY GRADE</u>	
Senior Deputy	41	filled (1.0 FTE)
Legal Counsel II	35	filled (1.0 FTE)
Assistant III	35	filled (1.0 FTE)
Assistant I	29	filled (3.0 FTE)
Assistant	27	filled (2.0 FTE)
Executive Secretary	24	filled (1.0 FTE)
Administrative Secretary	21	filled (1.0 FTE)
Citizens' Aide/Ombudsman Secretary	19	filled (1.0 FTE)

The agency has 12.0 FTE's authorized (including the Citizens' Aide) and currently employs 12.0 FTE's (including the Citizens' Aide).

June 1993

**CITIZENS' AIDE/OMBUDSMAN
ANNUAL PERSONNEL REPORT
JUNE 23, 1993**

<u>NAME</u>	<u>POSITION</u>	<u>EMP. DATE</u>	<u>CURRENT GRADE/ STEP</u>	<u>REVIEW DATE</u>
Mosher, R	Senior Deputy	10/01/73	41/2	12/31/93
Cooperrider, R	Legal Counsel II	07/09/90	35/- one step	12/31/93
Ferjak, M	Assistant III (Assistant for Public Safety)	12/11/87	35/- one step	12/31/93
Milosevich, J	Assistant I (Assistant for Corrections)	01/16/91	29/3	08/27/93
Bencke, C	Assistant I	08/22/90	29/3	06/17/94
Sheetz, W	Assistant I	09/14/90	29/2	12/17/93
Exley, S	Assistant	09/16/91	27/3	03/11/94
Burnham, J	Assistant	06/05/92	27/2	12/03/93
Green, J	Executive Secretary	07/01/74	24/6*	11/05/93
Nett, P	Administrative Secretary	01/17/72	21/6*	10/08/93
Lee, M	CA/O Secretary	06/22/89	19/4	12/17/93

*These individuals are at the top of the Grade/Step and are not eligible for merit increases in their present positions.

June 1993

**CITIZENS' AIDE/OMBUDSMAN
ANNUAL COMPENSATORY TIME REPORT
JUNE 23, 1993**

Employees of the office of Citizens' Aide/Ombudsman accrue compensatory time on a calendar year basis (January 1 to December 31).

CALENDAR YEAR 1992

Compensatory time accrued after the accumulation of forty hours of overtime.

<u>EMPLOYEE</u>	<u>COMPENSATORY TIME EARNED</u>
1	17.50 hours
2	9.75 hours
3	55.75 hours
4	39.50 hours
5	49.00 hours
6	47.00 hours
7	42.50 hours

SUPPORT STAFF ANNUAL OVERTIME REPORT

Support staff of the office of Citizens' Aide/Ombudsman are eligible for overtime pay on a calendar year basis (January 1 to December 31).

CALENDAR YEAR 1992

No overtime hours were paid during calendar year 1992.

EDUCATIONAL LEAVE REPORT

FISCAL YEAR 1992

No educational leave was taken by Citizens' Aide/Ombudsman staff during Fiscal Year 1992.

June 1993

**SERVICE COMMITTEE
OF THE LEGISLATIVE COUNCIL**

MEMBERS

Speaker Harold Van Maanen, Chairperson
Representative John H. Connors
Representative Teresa Garman

Senator Donald E. Gettings
Senator Wally E. Horn
Senator Jack Rife

TENTATIVE AGENDA

Wednesday, June 23, 1993
Kirkwood Community College
Room 305, Kirkwood Hall

11:00 a.m.

Call to Order

Roll Call

Consider Minutes of May 26 Meeting
(Previously Distributed)

Receipt of Annual Personnel Reports

Personnel Reports

- Legislative Fiscal Bureau
- Legislative Service Bureau
- Computer Support Bureau
- Citizens' Aide/Ombudsman

Report of the Computer User Committee

Personnel Guidelines Changes

- Substance Abuse (new)
- Sexual Harassment (new)
- Gifts and Sales of Goods and Services (amended)
- Conflicts of Interest (amended)
- Personal Financial Disclosure (amended)

Additional Business, if any

Adjournment



DENNIS C. PROUTY
DIRECTOR
515/281-5279

STATE CAPITOL
DES MOINES, IOWA
50319

STATE OF IOWA
LEGISLATIVE FISCAL BUREAU

MEMO

TO: Service Committee of the Legislative Council
FROM: Dennis C. Prouty, Legislative Fiscal Bureau
RE: Fiscal Bureau Personnel Report
DATE: June 23, 1993

Attached is the Legislative Fiscal Bureau's Personnel Report covering the period May 26, 1993 through June 23, 1993. The Report covers all personnel action since the last report, which was submitted May 26, 1993. All promotions are subject to satisfactory performance reviews.

LFB PERSONAL REPORT

1993 Interim

PERSONNEL ACTIONS SINCE LAST REPORT: May 26, 1993

NOTIFICATION OF MERIT STEP INCREASES

<u>CURRENT POSITION</u>	<u>EMPLOYMENT DATE</u>	<u>PREVIOUS GRADE & STEP/ EFFECTIVE DATE</u>	<u>CURRENT GRADE & STEP EFFECTIVE DATE</u>
<u>SERVICE COMMITTEE REVIEW</u>			
MERIT INCREASES:			
M. Dwayne Ferguson	Div. Administrator 1	11/27/87 * 38 - 3 / 5-21-91	38 - 4 / 5-20-93
Robert R. Snyder	Sr. Legislative Analyst	11/19/84 ** 38 - (-2) / 5-21-92	38 - (-1) / 5-20-93
Susan L. Lerdal	Sr. Legislative Analyst	2/17/89 ** 38 - (-2) / 5-21-92	38 - (-1) / 5-20-93
Douglas P. Wulf	Div. Administrator 1	2/11/83 * 38 - 4 / 6-9-89	38 - 5 / 5-20-93
Jon A. Studer	Legislative Analyst 2	9/5/89 ** 32 - (-1) / 5-21-92	32 - 1 / 5-20-93
Mary A. Shipman	Legislative Analyst 2	12/22/89 ** 32 - (-1) / 5-21-92	32 - 1 / 5-20-93
David L. Reynolds	Legislative Analyst 2	9/18/89 ** 32 - (-1) / 5-22-92	32 - 1 / 5-20-93
Alice A. Wisner	Legislative Analyst 3	5/4/87 ** 35 - (-1) / 5-21-92	35 - 1 / 5-20-93
Jeff W. Robinson	Legislative Analyst 3	11/17/87 ** 35 - (-1) / 5-21-92	35 - 1 / 5-20-93
Tim C. Faller	Deputy Director	7/1/74 * 41 - 4 / 6-9-89	41 - 5 / 5-20-93

VACANT POSITIONS:

None

VACANT POSITIONS FILLED:

None

PARENTAL/FAMILY LEAVE:

Holly Lyons, Jun 14 - Sept 7, 1993

* Associated with merit increase

** Associated with promotion

LFB PERSONAL REPORT

1993 Interim

PERSONNEL ACTIONS SINCE LAST REPORT: May 26, 1993

PROPOSED PROMOTIONS

<u>DATE OF HIRE</u>	<u>PREVIOUS POSITION FINAL GRADE & STEP DATE ATTAINED</u>	<u>CURRENT POSITION CURRENT GRADE & STEP DATE ATTAINED</u>	<u>RECOMMENDED POSITION GRADE & STEP EFFECTIVE DATE</u>	
<u>SERVICE COMMITTEE APPROVAL</u>				
PROMOTIONS:				
Tami Fujinaka *	10/5/92	N/A	Legislative Analyst 27-2 4/2/93	Legislative Analyst 1 29-1 10/5/93

* Exceeds the minimum requirements for the Legislative Analyst 1 position. Promotion pending satisfactory review prior to December 1, 1993. Ms. Fujinaka was originally employed by the LFB from January 1983 to May 1984. Her previous employment covered both the 1983 and 1984 legislative sessions.

GENERAL ASSEMBLY OF IOWA

LEGAL COUNSELS

Douglas L. Adkisson
Mary M. Carr
Edwin G. Cook
Susan E. Crowley
Patricia A. Funaro
Michael J. Goedert
Leslie E. W. Hickey
Mark W. Johnson
Michael A. Kuehn
Carolyn T. Lumbard
Julie A. Smith

RESEARCH ANALYSTS

Kathleen B. Hanlon
Thane R. Johnson



LEGISLATIVE SERVICE BUREAU

STATE CAPITOL BUILDING
DES MOINES, IOWA 50319
(515) 281-3566
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DIANE E. BOLENDER
DIRECTOR

RICHARD L. JOHNSON
DEPUTY DIRECTOR

JOHN C. POLLAK
COMMITTEE SERVICES ADMINISTRATOR

LOANNE DODGE
IOWA CODE EDITOR

PHYLLIS V. BARRY
ADMINISTRATIVE CODE EDITOR

JULIE E. LIVERS
LEGISLATIVE INFORMATION OFFICE DIRECTOR

June 21, 1993

MEMORANDUM

TO: CHAIRPERSON VAN MAANEN AND MEMBERS OF THE SERVICE COMMITTEE

FROM: DIANE BOLENDER, DIRECTOR

RE: JUNE PERSONNEL REPORT

Notification is made of the following personnel actions:

1. A listing of the employees receiving merit step increases since the May Personnel Report is attached to this report.
2. Judy Neff, Assistant Librarian and Carolyn Lumbard, Legal Counsel, have completed their probationary employment and are classified as permanent employees.

Approval is requested for position reclassifications listed in the attached document.

NOTIFICATION OF MERIT STEP INCREASES

Name	Position	Date of Hire	Previous Grade and Step Effective Date	Current Grade and Step Effective Date
Judy Neff	Assistant Librarian	12-01-92	22-1 12-01-92	22-2 06-04-93
Carolyn Lumbard	Legal Counsel	11-23-92	30-1 11-23-92	30-2 06-04-93
Donna Greenwood	Confidential Secretary	12-16-72	27-5* 06-10-88	27-6 06-04-93
Richard Johnson	Deputy Director	07-10-78	41-3* 06-21-91	41-4 06-18-93
Loanne Dodge	Iowa Code Editor	01-14-80	38-1** 06-19-92	38-2 06-18-93
Michael Goedert	Sr. Legal Counsel	07-14-76	38-4* 06-21-91	38-5 06-18-93
Julie Smith	Legal Counsel 1	12-07-89	32-3** 06-19-92	32-4 06-18-93
Mary Carr	Legal Counsel 1	10-09-89	32-3** 06-19-92	32-4 06-18-93
Thane Johnson	Senior Research Analyst	08-01-69	38-3* 07-11-86	38-4 06-18-93
Gary Rudicil	Computer Systems Analyst 2	07-05-89	29-3** 06-19-92	29-4 06-18-93
Sarah Pedersen	Indexer 2	06-20-86	25-1* 06-21-91	25-2 06-18-93
Phyllis Barry	Administrative Code Editor	10-01-64	38-4 06-21-91	38-5 06-18-93
Janet Wilson	Deputy Iowa Code Editor	12-01-83	35-4* 06-23-89	35-5 06-18-93
Richard Schulze	Iowa Code Index Supervisor	06-27-86	28-2* 06-23-89	28-3 06-18-93

NOTIFICATION OF MERIT STEP INCREASES				
Name	Position	Date of Hire	Previous Grade and Step Effective Date	Current Grade and Step Effective Date
Pam Worden	Admin. Code Index Supervisor	04-27-72	28-2* 06-23-89	28-3 06-18-93
Kathy Bates	Assistant Editor 2	06-13-86	27-4** 06-19-92	27-5 06-18-93
Marge Knudsen	Senior Finance Officer	11-29-66	31-5 06-21-91	31-6 06-18-93
Andrea Meier	Legis. Proofreader Supervisor	12-30-87	22-1* 06-21-91	22-2 06-18-93

*Grade and step equivalent based upon 1992 new position classification system.

**Promotion

PROPOSED PROMOTIONS

Name	Date of Hire	Previous Position Final Grade and Step Date Attained Position	Current Position Current Grade and Step Date Attained Position	Recommended Position Grade and Step Effective Date
Susan Crowley Legal Counsel	10-08-90		Legal Counsel 30-3 10-08-90	Legal Counsel 1 32-2 06-18-93
Michael Kuehn Legal Counsel	10-22-90		Legal Counsel 30-3 10-22-90	Legal Counsel 1 32-2 06-18-93
Kathy Hanlon Research Analyst	01-21-91		Research Analyst 27-3 01-21-91	Research Analyst 1 29-1 06-18-93
Susan Weddell Computer Systems Analyst Trainee	11-06-87	Text Processor 2 22-3 08-18-89	Computer Systems Analyst Trainee 24-2 07-17-92	Computer Systems Analyst 1 27-1 06-18-93
Jody Jennings Legislative Text Processor	11-11-88	Text Processor 1 19-2 11-11-88	Text Processor 2 22-3 06-22-90	Senior Text Processor 25-2 06-18-93



SANFORD B. SCHARF
DIRECTOR
515-281-7840

LUCAS STATE OFFICE BUILDING
DES MOINES, IOWA
50319

STATE OF IOWA

LEGISLATIVE COMPUTER SUPPORT BUREAU

TO: Service Committee, Legislative Council

FROM: Sanford B. Scharf, Director

SUBJECT: Additional Staff Person

DATE: June 23, 1993

The report of the Computer User Policy Direction Committee recommends that the Legislative Computer Support Bureau be permitted to add one additional staff person to support our growing Local Area Network (LAN).

The approved FY'94 budget for the Legislative Computer Support Bureau included one additional F.T.E for the above purpose.

The Legislative Computer Support Bureau's budget for FY'94 will not increase and the combination of reduced maintenance and reduced outside support will cover the cost of the F.T.E.

I have included a one page listing covering the duties of the new staff person.

I am asking for the Service Committee's approval to hire a Computer Systems Analyst at Grade 27, Step 1.

Advantages of a New CSB "Network" Employee

A New Employee will allow our Current Employee to concentrated more on LAN administration and requested or required LAN projects.

- ◆ **Support - Ways in which a New Employee will help!**
A New employee will provide the computer users with an increased availability or "presence" for any LAN related questions, problems or concerns they may have. A New Employee will also handle many of our LAN related support phone calls. Our Current Employee admits to sometimes having problems returning support calls on a timely basis (in person or by phone). The New Employee will help provide support in case our Current Employee is unavailable (sick, vacation, 3 weeks national guard, or 3 months family leave). The primary advantage of a New Employee will be allowing our Current Employee to spend more time working on LAN projects and LAN administration.

- ◆ **LAN Administration - Ways in which a New Employee will help!**
LAN administration can get out of control and proper administration requires alot of concentration and attention. The Current Employee has been forced to revert to crisis management (fighting fires). The Current Employee is getting behind on workstation and system software upgrades which would improve the LAN reliability. A New Employee will allow the Current Employee to do some proactive LAN management that is required for making the system reliable and preventing downtime. As a network grows the LAN management becomes more complex.

- ◆ **LAN Projects - "Quality Time is Needed!"**
Some LAN projects are mandatory in order to maintain a usable LAN system. Some LAN redesign projects are a necessity; a product of "growing pains". For many reasons the integrated software "model" is very important. With a New Employee, requested or required projects can be completed and implemented on a timely basis! Some of the requested projects are very important, these requested technologies have been available for sometime now. The lack of time (not money) has been a reason for the delay in implementing these requested projects. New technologies in the computer industry and market are changing rapidly and these technologies need time for investigation.

- ◆ **Summary - We are simply understaffed for this LAN system!**
The Legislature owns an adequate amount of quality hardware and software. With the adequate amount of staff, we will continue to develop and implement exciting new technologies. Our LAN operating system, Novell's Netware 3.11, has just been upgraded to a new version, Netware 4.0. Netware 4.0 offers an impressive array of new technologies and features which should enhance stability, productivity and compatibility. The critical nature of Netware requires considerable installation, setup and testing time. With the current staffing, an upgrade to Netware 4.0 seems unfortunately distant.

REPORT OF THE COMPUTER USER POLICY DIRECTION COMMITTEE

June 21, 1993

The Computer User Policy Direction Committee met on June 21, 1992, and makes the following report:

1. The Committee received documents or materials from the Computer Support Bureau regarding 1) PC and network projects, 2) mainframe software application projects, 3) PC/network budget for fiscal year 1994, 4) rationale for a new Computer Support Bureau network employee, 5) fiscal year 1993 computer hardware and software purchases by the Computer Support Bureau, 6) computer hardware inventory, 7) computer class survey for interim session 1993-1994, 8) fiscal year 1993 computer system maintenance costs, 9) specific account sales order history report, and 10) software purchased by legislative agencies.
2. The Committee recommends the addition of a new Computer Systems Analyst (grade 27) to the Computer Support Bureau staff. Funding for the new position would come from savings due to removal of mainframe terminal maintenance fees and reduced billable time for services of Computer Supply Store technical staff.
3. The Committee agreed to meet on July 1, 1993, to discuss 1) computer project priorities, 2) computer training, 3) various materials distributed by Mr. Scharf during the June 21, 1993, meeting, and 4) responses by Mr. Scharf to other computer related questions.

Respectfully submitted,

DENNIS PROUTY
Chairperson

EXPLANATION TO
PROPOSED OR REVISED PERSONNEL POLICIES

June 23, 1993

SUBSTANCE ABUSE

The proposed policy on substance abuse is similar to the executive branch policy, except that the executive branch policy is broader and more vague in some respects.

Summary Dismissal. The policy establishes certain illegal conduct involving controlled substances and alcohol and certain abusive uses of alcohol, prescription drugs, or controlled substances as violations subjecting an employee to summary dismissal, absent mitigating circumstances. Examples of violations subjecting an employee to summary dismissal include (1) reporting to work during regular work hours under the influence of alcohol or nonprescribed controlled substances, (2) illegal sale or use of such substances while at work or on state business, (3) illegal use, abuse, or consumption of controlled substances or alcohol while operating or preceding the operation of a vehicle for work purposes, and (4) abusive use of prescription drugs while at work or on state business.

Discipline or Discharge. The policy also establishes certain uses of alcohol, prescription drugs, and controlled substances as violations subjecting an employee to discipline or discharge, absent mitigating circumstances. Such uses are tied to an employee's impairment on the job, below standard job performance or on-the-job misconduct, or off-duty misconduct if a nexus exists between the off-duty misconduct and the employee's job duties. A nexus is defined as a connection to the employee's job duties or ability to perform the job duties, to the public's perception of that ability to perform the job duties, or to serious damage to the employer's reputation.

Mitigating Circumstances. Mitigating circumstances may include, but are not limited to, alcohol or drug dependency, unknowing or mistaken consumption, consumption or use as directed by a medical practitioner, and other factors raised as a defense by the employee or reasonably believed to be present by the employer.

An employee is allowed an opportunity to seek an evaluation and treatment, if necessary for alcohol or drug dependency, except in extreme situations (the violation compromises the employee's ability to perform the job or compromises the employer's mission, is a violation after a last warning, or is egregious). A leave of absence by the employee during treatment may be enforced by the employer. Continued employment may be condition upon successful treatment and abstention from consumption or use for a reasonable period of time. Discharge and reinstatement under the same conditions is also set out as an alternative.

Procedures. The policy also includes a description of required investigatory procedures with suspension with pay listed as an option during the investigation. Criminal proceedings are

considered as extraneous to the independent administrative investigation. A leave of absence may be enforced during any period of arrest and incarceration. Summary discharge is allowed as a disposition if the employee, at the time of completion of the independent administrative investigation or upon conviction, is incarcerated. However, a leave of absence without pay may be granted for a limited period of incarceration.

Dispositions. Allowable dispositions under the policy range from verbal warning, written reprimand, suspension, discharge, and summary discharge. A specific disposition is not required for any specific act under the policy.

(Technical change in XIX. A. 2. a. iii, add the word "charge" after the word "felony".)

SEXUAL HARASSMENT

The proposed policy on sexual harassment is intended to implement Iowa Code section 19B.12 enacted during the 1992 legislative session. The policy uses the statutory definition of sexual harassment.

Applicability. The policy applies to all central legislative staff agency employees as perpetrators and as victims of fellow central legislative staff agency employees. In addition the policy applies to central legislative staff agency volunteers, interns, and consultants. Senate and House members, employees, interns, consultants, and lobbyists are subject to the jurisdiction of the Senate or House, and generally are not covered under this policy unless they are complaining of sexual harassment by a central legislative staff agency employee.

Formal Complaint Procedures. The policy provides that a complaint may be filed with the director of a central legislative staff agency. The complaint must be investigated by the director within certain time frames. The Service Committee is initially responsible for investigating complaints involving more than one central agency or a central agency director. Complaints are to be handled confidentially. The policy does not prohibit informal settlement of allegations of sexual harassment.

Evidentiary Standard. The applicable evidentiary standard is to take the perspective of a reasonable person of the same sex as the victim.

Disposition and Appeal. Disciplinary action can range from a written warning or reprimand, to suspension with or without pay, to termination of employment, depending on the severity of the sexual harassment. Retaliation against a complainant is prohibited. If an employee is dissatisfied with the results of a sexual harassment investigation, the employee may file a grievance under the personnel guidelines already established for central agency staff employees.

Training. Each central agency is required to establish a sexual harassment training policy.

GIFTS

The current policy on gifts implements the gift law changes enacted during the 1992 legislative session. The policy simply follows the statutory law and in addition requires reports of any gifts, which can be accepted, to be filed with the central agency staff director as public records.

Proposed Conforming Amendments. The proposed amendments conform the current policy to the new definition of "restricted donor" and to the changes made to allowable "gifts" under the 1993 ethics legislation. The amendments also change the regulated value of goods and services from \$500 to \$2000 and the description of regulated purchasers to conform to the 1993 ethics legislation.

SALES OF GOODS OR SERVICES

The current policy on sales of goods and services implements the statutory law as amended during the 1992 legislative session. The policy parrots the statute in terms of prohibiting sales of goods or services to state agencies with a value over \$500 without public notice and competitive bidding. The policy also parrots the statute in restricting sales of goods or services by legislative employees to lobbyists or lobbying organizations to only those sales not involving lobbying and approved by either the central agency director or the Legislative Council. Such approval of sales must be recorded as a public record under the policy.

Proposed Conforming Amendments. The proposed amendments change the regulated value of goods and services from \$500 to \$2000 and the description of regulated purchasers to conform to the 1993 ethics legislation.

CONFLICTS OF INTEREST

The current policy on conflicts of interest requires a central legislative staff agency employee to seek to avoid all conflicts of interest between the employee's own financial, business, property, and personal interests and the interests of the employee's agency. The policy enumerates certain outside employment, financial, business, property, and personal relationships as conflicts of interest and prohibits the use of confidential agency information to benefit such outside employment or relationships.

Proposed Conforming Amendments. The proposed amendments conform the policy to the 1993 ethics legislation by prohibiting outside employment or activity which is in conflict with the employee's official duties and responsibilities where the outside employment or activity involves the use of agency resources not available to members of the general public, or involves payment by an entity other than the state for the employee's performance of regular employment duties. An employee is required to cease the activity or disclose the conflict if the outside

employment or activity is subject to the control, review, or enforcement authority of the employee during the performance of regular employment duties.

(Technical change in XVIII. D. 6., change the word "their" to "the employee's".)

PERSONAL FINANCIAL DISCLOSURE

The proposed policy on personal financial disclosure is intended to implement the 1993 ethics legislation.

Applicability. The policy applies to central legislative staff agency directors, deputy directors, employees who exercise substantial administrative or supervisory authority over other employees, and employees who expend or approve the expenditure of agency funds as part of their regular duties.

Required Filing of Statement. The policy requires the annual filing, by June, with the Service Committee of the Legislative Council, of personal financial statements which contain the following: (1) a list of each business, occupation, or profession in which the person is engaged and its nature; and (2) a list of other sources of gross income of more than \$1000 annually in six defined categories.

prpalex1/rj

**PROPOSED NEW PART TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(Revised per Staff Comments - 6/21/93)

XVIIIXIX - SUBSTANCE ABUSE

A. Prohibitions

1. Prohibitions Subjecting Employees to Summary Discharge.

a. Employees of the central legislative staff agencies are prohibited from engaging or participating in any of the following activities:

i. Reporting to work during regular work hours while under the influence of alcohol or nonprescribed controlled substances.

ii. The illegal manufacture, possession, sale, purchase, transfer, consumption, or use of alcohol or controlled substances while engaged in state business, or on the employer's premises or in state offices.

iii. ~~The illegal use or abuse of controlled substances or the consumption of alcohol during or the illegal use or abuse of controlled substances or the illegal or abusive consumption of alcohol preceding the operation of a state vehicle or a personal vehicle when the employee expects to receive reimbursement for mileage from the state; or the illegal use or abuse of controlled substances or the illegal or abusive consumption of alcohol preceding the operation of a state vehicle or a personal vehicle when the employee expects to receive reimbursement for mileage from the state.~~

iv. The abusive use of prescription drugs or controlled substances while engaged in state business or on the employer's premises or in state offices.

b. Employees engaging or participating in any of the activities prohibited under this subparagraph 1 are subject to summary discharge, absent mitigating circumstances. ~~Mitigating circumstances may include, but are not limited to, alcohol or drug dependency or unknowing or mistaken consumption.~~ Summary discharge means discharge from employment upon completion of a fair and thorough investigation substantiating the egregious conduct. Such discharge need not be preceded by progressive discipline, which includes, but is not limited to, verbal warning, written reprimand, and suspension.

2. Prohibitions Subjecting Employees to Discipline or Discharge.

a. Employees of the central legislative staff agencies are prohibited from engaging or participating in any of the following activities:

i. Reporting to work or returning to work, during regular work hours following a meal or break period during which alcohol, prescription drugs, or controlled substances are consumed or used, in an impaired condition ~~that creates the appearance of impropriety, including, but not limited to, reporting to or returning to work with the odor of a beverage containing alcohol on the breath.~~ Reporting to work outside regular work hours in an impaired condition due to the consumption or use of alcohol, prescription drugs, or controlled substances, without informing the appropriate supervisor of the impaired condition prior to reporting to work.

ii. Below standard job performance or on-the-job misconduct, including, but not limited to, excessive absenteeism or tardiness, caused by the consumption or use of alcohol, prescription drugs, or controlled substances.

iii. Off duty misconduct involving the illegal manufacture, possession, sale, purchase, transfer, consumption, or use of alcohol or controlled substances, the illegal use or abuse of controlled substances or the consumption of alcohol during or the illegal use or abuse of controlled substances or the illegal or abusive consumption of alcohol preceding the operation of a vehicle, or the abusive use of prescription drugs or controlled substances, if a nexus exists between the off duty misconduct and the employee's job duties. Nexus means a connection, link, or tie to the employee's job duties, to the ability of the employee to perform the job duties, to the public's perception of the ability of the employee to perform the job duties, or to serious damage caused to the reputation of the employer. A nexus may exist for employees of the central legislative staff agencies between off duty conduct which results in any serious ~~criminal charge or aggravated misdemeanor or felony~~ involving alcohol, prescription drugs, or controlled substances and the employees' job duties relating to the work of the legislature as the public institution charged with lawmaking.

b. Employees engaging or participating, ~~or conspiring to engage or participate~~ in any of the activities prohibited under this subparagraph 2 are subject to discipline or discharge, absent mitigating circumstances.

B. Mitigating Circumstances. ~~Alcohol~~ Mitigating circumstances may include, but are not limited to, alcohol or drug dependency, or unknowing or mistaken consumption, consumption or use as directed by a practitioner, as defined in chapter 155A, if any restrictions on activity imposed by the practitioner are also complied with, and other factors may be considered a mitigating circumstance if raised as a defense in the investigatory meeting by the employee or if the employer has a reasonable belief that alcohol or drug dependency or another factor may be a mitigating factor/circumstance is present.

An employee shall be offered an opportunity to seek an evaluation and treatment, if necessary, for the alcohol or drug dependency, unless any of the following apply:

1. The employee's violation of paragraph A, subparagraph 1 or 2 compromises the employee's ability to responsibly perform the employee's job duties or compromises the employer's fulfillment of the agency's mission.
2. The employee has previously violated paragraph A, subparagraph 1 or 2 and has been given a final written warning or is subject to an executed last chance agreement to refrain from further violation of paragraph A, subparagraph 1 or 2.
3. The employee's violation is so egregious that summary discharge is the appropriate action.

If the employee wishes the alcohol or drug dependency to be considered as a mitigating circumstance, the employee bears the responsibility to seek evaluation and to provide the employer with documentation of an alcohol or drug dependency and treatment recommendations.

During the period of time when the employee is waiting for an evaluation to determine alcohol or drug dependency, the employer may require the employee to take a leave of absence and to use vacation, compensatory, or sick leave, as appropriate, or to request leave without pay. If the results of the evaluation determine that the employee is not alcohol or drug dependent, the employer shall proceed with discipline or discharge as appropriate. If the results of the evaluation determine that the employee is alcohol or drug dependent, the employer may establish successful completion of treatment and abstention from the consumption of alcohol or use or abuse of drugs for a reasonable period of time as a condition of continued employment.

As an alternative to a leave of absence while the employee is waiting for the evaluation, the employer, depending on the circumstances, may discharge the employee and, following an evaluation and successful completion of treatment initiated by the employee, may reinstate the employee with conditioned upon the employee's abstention from the consumption of alcohol or use or abuse of drugs for a reasonable period of time ~~as a condition of continued employment.~~

C. Procedures. If the employer observes or receives evidence of a violation of paragraph A, subparagraph 1 or 2, the employer shall immediately commence an investigation by carefully collecting and preserving any relevant evidence and by instructing witnesses to immediately reduce their observations to writing and to sign and date their statements. The investigation must include an opportunity for the employee to meet with the employer. At the meeting the employer must present the alleged violations and allow the employee to respond to the allegations and to any evidence presented, and to offer any mitigating circumstances. The employer may suspend the employee with pay pending the completion of the investigation. Upon completion of the investigation, the employer must meet with the employee to inform the employee of the imposition of any discipline or of discharge.

If a criminal investigation is pending related to the alleged violation, the employer must conduct an independent administrative investigation of the alleged violation in order to determine appropriate disciplinary action, regardless of the status or outcome of the criminal

investigation. Information obtained in the administrative investigation under threat of loss of job or other discipline is generally not admissible in a criminal proceeding. Arrest and incarceration may necessitate temporary removal of an employee from the job with leave charged to the employee or with leave without pay. Reassignment of duties is a possible alternative based on the circumstances. If the employee is incarcerated ~~upon~~ at the time of completion of the independent administrative investigation or upon conviction for a criminal offense, the employee may be summarily discharged unless extenuating circumstances exist in which case the employer may grant a leave of absence without pay for a limited period of incarceration. However, the employee must request such a leave of absence and, if the employee does not, the employer may discharge the employee for absence from the job without proper authorization.

rj/subabus4

**PROPOSED NEW PART TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(Revised June 18, 1993)

XVIII - SEXUAL HARASSMENT

A. Sexual Harassment Policy.

1. Sexual harassment is prohibited under Iowa Code Section 19B.12. As defined in Section 19B.12, 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. Conduct of a sexual nature that interferes with, or affects employment decisions regarding an employee, or creates an intimidating, hostile, or offensive work environment for an employee, shall constitute unlawful behavior.

2. Sexual harassment shall 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.

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

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

B. Applicability.

This policy applies to full-time, part-time, and temporary central legislative staff agency employees as perpetrators or as victims of fellow central legislative staff agency employees. For purposes of this policy, the word "employee" also applies to central legislative staff agency volunteers, interns, and consultants. This policy shall be distributed to all employees at the time of hiring or orientation.

Members, employees, interns, and consultants of the Senate and House of Representatives and lobbyists are subject to the jurisdiction of the Senate and House respectively regarding sexual harassment complaints.

C. Filing a Formal Complaint.

A complaint may be filed with the director of a central legislative staff agency. If the complaint involves the director of a central legislative staff agency or an employee of a different central legislative staff agency, the complaint may be filed directly with the Service Committee of the Legislative Council.

If the complaint involves a member or an employee of the Senate or House of Representatives or a lobbyist, the complaint should be filed with the Senate or House in accordance with the sexual harassment complaint or grievance procedures established by the Senate or House.

D. Investigation of Complaint.

The director shall begin investigation of a complaint within 48 hours of receipt of the complaint, and shall complete the investigation within 30 calendar days. The director should generally consult with the alleged harasser's supervisor in the investigation of the complaint. If the director determines that sexual harassment has occurred, the director shall take appropriate disciplinary action ranging from a written warning or reprimand, to suspension with or without pay, to termination of employment. A director who neglects to investigate promptly a sexual harassment complaint is also subject to the scope of disciplinary action described in this paragraph, up to and including termination of employment.

The Service Committee shall begin investigation of a complaint within 48 hours of receipt of the complaint, and shall complete the investigation within 30 calendar days. If the Service Committee determines that sexual harassment has occurred, the Service Committee shall take appropriate action. If the Service Committee neglects to investigate promptly a sexual harassment complaint under this policy, the complaint may be refiled with the Legislative Council, which is subject to the same guidelines as the Service Committee.

E. Confidentiality.

Any complaint or investigation of sexual harassment shall be handled confidentially in accordance with Iowa Code Section 19A.15.

F. Evidentiary Standards.

Disciplinary action shall be taken if the evidence, when viewed from the perspective of a reasonable person of the same sex as the victim, supports the claim of the victim. The nature of the disciplinary action shall depend on the severity of the sexual harassment.

G. Retaliation.

Retaliation, intimidation, or reprisal against a central legislative staff agency employee who files a sexual harassment complaint or assists in the investigation of a sexual harassment complaint is prohibited. A person found to be in violation of this prohibition is subject to appropriate disciplinary action ranging from a written warning or reprimand, to suspension with or without pay, to termination of employment.

H. Training.

Each agency shall establish and submit to the Council a sexual harassment training policy for that agency. The policy shall set out the agency's plan for creating, maintaining, and monitoring a workplace free of harassment, and for advising employees of their rights and duties in participating in a workplace free of harassment.

I. Procedural and Filing Alternatives.

If not satisfied with the results of an investigation, the employee may utilize the grievance procedures established in Part XII of the *Personnel Guidelines for the Central Legislative Staff Agencies*.

SEXUAL HARASSMENT COMPLAINT FORM

Name: _____ Bureau or Office: _____
Job Title: _____ Director: _____

1. Who was responsible for the harassment? _____

2. Describe the sexual harassment:

First Incident: _____

Approximate date, time, and place: _____

What was your reaction/did you take any action? _____

Second Incident: _____

Approximate date, time, and place: _____

What was your reaction/did you take any action? _____

Subsequent Incidents: _____

Approximate dates, times, and places: _____

3. List any witnesses to the harassment: _____

I understand that these incidents will be investigated, but this form will be kept confidential to the highest degree possible and in accordance with Section 19A.15 of the Iowa Code.

Employee Signature: _____ Date: _____
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**PROPOSED AMENDMENT TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(Revised June 16, 1993)

XIV. GIFTS AND SALES OF GOODS AND SERVICES

A. Gifts

1. As used in this paragraph A, the words "gift," "honorarium," "immediate family member," ~~person,~~ and "public disclosure", and "restricted donor" have the same meanings as provided in chapter 68B of the Iowa Code.

2. Except as provided in this paragraph A, a ~~person or persons~~ restricted donor or donors shall not, directly or indirectly, individually or jointly, offer or make any gift or series of gifts to an employee or an immediate family member of an employee. An employee or the employee's immediate family shall not solicit any gift or series of gifts at any time. An employee shall not seek or accept an honorarium from a restricted donor.

3. Gifts of ~~food, beverages, travel, and lodging~~ which would otherwise be prohibited may however, be received by an employee if the requirements of section 68B.22, subsection 4, of the Iowa Code are satisfied.

4. A ~~person~~ restricted donor may give, and an employee or an immediate family member of an employee may accept, a nonmonetary gift or series of gifts if the gift or series of gifts is donated within 30 days to a public body, a bona fide educational or charitable organization, or the Department of General Services. The employee shall file a report of the gift or series of gifts with the employee's legislative agency. A report required to be filed pursuant to these rules shall be filed by the fifteenth day of the month following the month in which the gift or series of gifts was made or received. The report shall show the donor, donee, nature, amount, date, and disposition or intended disposition of each gift or series of gifts.

5. Each director shall designate a custodian of the reports filed with that agency. The Legislative Council may request compilations on or copies of those reports. The reports are available for public inspection as provided in Chapter 22 of the Iowa Code.

B. Sales of Goods or Services

1. As used in this paragraph B, the words "legislative employee," "lobbyist," and "person" have the same meanings as provided in chapter 68B of the Iowa Code.

2. A legislative employee shall not sell goods or services with a value in excess of ~~\$500~~ \$2000 to the general assembly, a legislative branch agency, or a state executive branch agency with which the employee has substantial and regular contact, unless the sale has been made pursuant to an award or contract let after public notice and competitive bidding. The public bid requirement does not apply to legislative employees who are ~~teachers~~ instructors at accredited education institutions and who possess the appropriate license and education requirements for that education institution, or to publication of various legal notices and propositions in newspapers that have been designated as the place for publication of legal notices or propositions.

3. Except as provided in this subparagraph, a permanent legislative employee shall not sell, directly or indirectly, any goods or services to individuals, associations, or corporations which employ persons who are registered lobbyists before the general assembly.

A legislative employee who is not the director of a central legislative staff agency may sell goods or services and not be in violation of this paragraph A if all of the following conditions are met:

- a. The employee obtains the prior consent of the director of the employee's agency.
- b. The goods or services to be sold do not include lobbying the general assembly and selling goods or services to the general assembly.
- c. The duties and functions performed by the legislative employee are not related to the legislative authority of the general assembly over the individual, association, or corporation or the duties and functions performed by the legislative employee for the general assembly will not be affected by the proposed sale of goods or services to the individual, association, or corporation.
- d. Either the value of the goods or services is under ~~\$500~~ \$2000, or the value is greater than ~~\$500~~ \$2000 and the contract is let either with someone other than a state agency, or with a state agency, but has been let after public notice and competitive bidding.

If the legislative employee is the director of a central legislative staff agency, all of the above requirements shall apply, except that prior consent of the Legislative Council shall be required in lieu of consent of the director of the agency.

4. Each director shall specify a procedure for receiving and recording requests by employees for permission to sell goods or services. Records of the requests are available for public inspection as provided in Chapter 22 of the Iowa Code. This chapter shall not apply to goods or services rendered voluntarily by an employee for which no compensation is received. This chapter shall not be construed to permit sales of goods or services which would either constitute an unlawful receipt of an honorarium or would constitute services against the interest of the state in violation of section 68B.6 of the Iowa Code.

**PROPOSED AMENDMENT TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(Revised June 16, 1993)

XVIII. CONFLICTS OF INTEREST

A. An employee of a central legislative staff agency shall not engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities and shall seek to avoid all conflicts of interest between the employee's own financial, business, property, or personal interests and the interests of the employee's agency. Depending on the circumstances, the interests of the employee's agency may or may not be synonymous with the interests of the legislative branch or the state in general.

B. An employee of a central legislative staff agency shall not accept outside employment or enter into a financial, business, property, or personal relationship if the outside employment or financial, business, property, or personal relationship will or may reasonably adversely affect the employee's professional judgment exercised by the employee on behalf of the employee's agency.

C. An employee of a central legislative staff agency shall not disclose or use confidential information acquired in the course of the employee's professional responsibilities performed on behalf of the employee's agency in order to benefit the employee's outside employment or financial, business, property, or personal relationship.

D. In determining whether a conflict of interest or potential conflict of interests exists an employee shall take into consideration the following factors:

1. Whether a substantial threat to the employee's independence of judgment has been created by the conflict situation.

2. Whether a substantial likelihood exists that the performance of the employee's professional responsibilities will affect the outside employment or financial, business, property, or personal relationship.

3. Whether the exercise of the employee's professional responsibilities, considering the outside employment or financial, business, property, or personal relationship, would give rise to the appearance of professional impropriety and therefore diminish legislative and public confidence in the employee's conduct or the operations of the employee's agency.

4. Whether the outside employment or activity involves the use of central legislative staff agency time, facilities, equipment, and supplies or other evidence of central legislative staff agency employment to give the employee or member of the employee's immediate family an advantage or pecuniary benefit that is not available to similarly situated members of the general public.

5. Whether the outside employment or activity involves the receipt of, promise of, or acceptance of money or other consideration from a source other than the state for the performance of any act that the employee must or should perform as part of their regular duties.

6. Whether the outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the employee during the performance of the employee's duties.

E. An employee may consult with the agency director in order to determine whether a conflict of interests or potential conflict of interests exists.

F. If the director of an employee's agency determines that a conflict of interests or potential conflict of interests exists, the director may require the employee to make full disclosure to the director of all relevant facts relating to the outside employment or financial, business, property, or personal relationship, in order to determine what steps may be necessary to take in order to eliminate the conflict of interests or potential conflict of interests. If the conflict meets the criteria specified in paragraph D, subparagraph 4 or 5, the employee shall cease the activity. If the conflict meets the criteria specified in paragraph D, subparagraph 6, the employee shall either cease the activity or disclose the conflict in the manner required by the director.

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**PROPOSED NEW PART TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(June 16, 1993)

XIX. PERSONAL FINANCIAL DISCLOSURE

A. As used in this part, the words "legislative employee," "personal financial disclosure," and "financial statement" have the same meanings as provided in chapter 68B of the Iowa Code.

B. The following legislative employees of the central legislative staff agencies are required to file a financial statement containing the information enumerated in paragraph C:

1. Directors of the central legislative staff agencies.
2. Deputy directors of central legislative staff agencies.
3. Central legislative staff agency employees who exercise substantial administrative or supervisory authority over other employees.
4. Central legislative staff agency employees who expend or approve the expenditure of agency funds as part of their regular duties.

C. The personal financial statements shall be in writing and shall contain the following financial information:

1. A list of each business, occupation, or profession in which the person is engaged and the nature of that business, occupation or profession, unless already apparent.
2. A list of any other sources of income if the source produces more than one thousand dollars annually in gross income. Sources of income listed pursuant to this subparagraph shall be listed under the following categories:

- a. Securities.
- b. Instruments of financial institutions.
- c. Trusts.
- d. Real estate.
- e. Retirement systems.
- f. Other income categories specified in state and federal income tax regulations.

D. Personal financial statements required under this section shall be filed annually, by the June meeting, with the Service Committee of the Legislative Council and shall be on file in the Legislative Service Bureau.

MINUTES

SERVICE COMMITTEE OF THE LEGISLATIVE COUNCIL

June 23, 1993

PRELIMINARY BUSINESS

The June 23, 1993, meeting of the Service Committee of the Legislative Council was called to order by the Chairperson, Speaker Harold Van Maanen, at 11:29 a.m. in Room 305, Kirkwood Hall, Kirkwood Community College, Cedar Rapids, Iowa. Members of the Committee who were present at the meeting, in addition to Chairperson Van Maanen, were as follows:

Senator Don Gettings
Senator Wally Horn
Senator Jack Rife
Representative John Connors
Representative Teresa Garman

Also present at the meeting were Ms. Diane Bolender, Director of the Legislative Service Bureau; Mr. Dennis Prouty, Director of the Legislative Fiscal Bureau; Mr. Sanford Scharf, Director of the Legislative Computer Support Bureau; Mr. William Angrick, Citizens' Aide/Ombudsman; members of legislative staff; and other interested persons.

Chairperson Van Maanen noted that all members had received copies of the minutes of the last Committee meeting. Representative Connors moved that the reading of the minutes be dispensed with and that the minutes be approved as mailed. There was no discussion and the motion passed on a unanimous voice vote. Copies of the minutes are on file in the Legislative Service Bureau.

RECEIPT OF ANNUAL PERSONNEL REPORTS

Chairperson Van Maanen recognized Ms. Diane Bolender, Director of the Legislative Service Bureau, for presentation of the annual personnel reports. Copies of the reports are on file in the Legislative Service Bureau. Ms. Bolender noted that each of the members had been mailed copies of the annual reports of the four central nonpartisan legislative agencies, which are required to be filed under the Personnel Guidelines for the Central Legislative Staff Agencies and which contain information regarding the organization of

the agencies, the positions within the agencies, an annual report regarding positions held within each agency, an overtime report, work attendance policies, procedures for use of leave, costs of use of leave, and a copy of the performance evaluation forms used in the agencies. Ms. Bolender noted that if there were any questions, that the directors of the Central Legislative Staff Agencies were prepared to answer them. Chairperson Van Maanen asked if there were any questions. There were none and the reports were received and filed.

PERSONNEL REPORT OF THE LEGISLATIVE FISCAL BUREAU

Chairperson Van Maanen recognized Mr. Dennis Prouty, Director of the Legislative Fiscal Bureau, for presentation of a personnel report. Copies of the report are on file in the Legislative Service Bureau. Mr. Prouty stated that the Legislative Fiscal Bureau personnel report consisted of a letter, a chart that contains notice of merit step increases, and a proposed promotion. The proposed promotion, he noted, is for the promotion of Tami Fujinaka from the position of Legislative Analyst to Legislative Analyst I, and is contingent upon successful completion of her performance evaluation. Representative Connors asked whether the increase in pay grades from grade 27 to grade 29 was related to Ms. Fujinaka's qualifications and Mr. Prouty replied that the change in pay grades was due to the differences between the pay grades for Legislative Analyst and Legislative Analyst I.

Chairperson Van Maanen asked the members of the Committee whether they wished to vote on the Legislative Fiscal Bureau personnel report at this time or whether they wished to wait and vote on all of the personnel reports at the same time. The members of the Committee indicated that they wished to take up the vote on the personnel reports of the three agencies at the same time.

PERSONNEL REPORT OF THE LEGISLATIVE SERVICE BUREAU

Chairperson Van Maanen then recognized Ms. Diane Bolender, Director of the Legislative Service Bureau, for presentation of a personnel report. Copies of the report are on file in the Legislative Service Bureau. Ms. Bolender noted that the Legislative Service Bureau personnel report contains information regarding merit increases that have been granted since the last notification of merit increases, notification that two employees have successfully completed their probationary employment periods, and a list of proposed promotions. Ms. Bolender noted that, with respect to the promotions of the first three individuals, these persons have been employed

by the Legislative Service Bureau for the last three sessions. Two of the promotions are from Legal Counsel to Legal Counsel I and one of the promotions is from Research Analyst to Research Analyst I. The next individuals, she stated, are listed as a promotion from Computer Systems Trainee to Computer Systems Analyst I and a promotion from Text Processor II to Senior Text Processor. Chairperson Van Maanen asked if there was any discussion of the Legislative Service Bureau personnel report. There was no discussion.

PERSONNEL REPORT OF THE LEGISLATIVE COMPUTER SUPPORT BUREAU

Chairperson Van Maanen recognized Mr. Sanford Scharf, Director of the Legislative Computer Support Bureau, for presentation of a report. A copy of the report is on file in the Legislative Service Bureau. Mr. Scharf stated that his report consisted of a request for approval for an additional staff person for the Local Area Network. He noted that he had met with members the Computer User Policy Direction Committee and that they are recommending that the Computer Support Bureau be permitted to add the additional staff person. He noted that the 1994 fiscal year Computer Support Bureau budget did contain funding for the position, that since that time he did add an additional person, Virginia Rowen, to his staff, but that he does not intend to increase his budget with the addition of a new person. Instead, he indicated, he intends to reduce his maintenance costs for computer terminals and reduce outside support to achieve the savings necessary to fund the position. He noted that his report included a detailed list of the duties that would be performed by the proposed new employee. Chairperson Van Maanen asked if there was discussion on the request. Representative Connors asked whether there had been an increase in the number of computers that are serviced by the bureau and Mr. Scharf responded in the affirmative. He noted that the number of file servers and computers has increased and that there are currently about 250 personal computers on the network. He also stated that maintenance costs could be reduced because he had a number of terminals in storage and that these terminals could be used to deal with any problems that might arise with existing terminals. He stated that although the Computer Support Bureau has not experienced any serious problems with the network, he was trying to prevent that from occurring. Representative Connors moved that the Committee approve the request. Chairperson Van Maanen, noting that he had received a request from Senator Rife who was temporarily absent that the Committee not take action until he could be present, requested unanimous consent to defer action temporarily on the motion until all Committee members were present. There were no objections to the request.

PERSONNEL REPORT OF THE OFFICE OF CITIZENS' AIDE/OMBUDSMAN

Chairperson Van Maanen recognized Mr. William Angrick, Citizens' Aide/Ombudsman, for presentation of a personnel report. Mr. Angrick noted that the personnel report consisted of notice of a merit increase for one employee, Connie Bencke, and a request for the promotion of Ms. Bencke from the position of Assistant I, at grade 29, step 3, to Assistant II, at grade 32, step 2. A copy of the report is on file in the Legislative Service Bureau.

Chairperson Van Maanen, noting that Senator Rife had arrived, informed Senator Rife that the Committee had received the reports containing the four central legislative staff agencies' personnel requests and that they were now at the stage in the meeting where action on the requests was to be taken. Chairperson Van Maanen also noted that one of the reports, the report of the Legislative Computer Support Bureau, contained a request for the hiring of a new employee. Chairperson Van Maanen called for discussion on the request.

Senator Rife asked how much the position would cost. Mr. Scharf replied that the salary for grade 27, step 1, is \$28,600. Senator Rife asked where the money to cover the cost of the position was to be obtained. Mr. Scharf stated that he planned to take several of the computer terminals off of maintenance, since he had several in storage, and planned to discontinue or cut back on outside services. Senator Rife asked whether the outside services that were being referred to involved fixing the machines, since most of the complaints that he had heard involved persons who were unable to get the P.C.'s to operate properly. Mr. Scharf noted that the new person would be involved in handling software not hardware problems, but he believes that most of the problems that Senator Rife was referring to most likely are related to computer software. Senator Rife asked if it was necessary to hire the new person immediately and Mr. Scharf stated that, partially because he would not be available for the July Council meeting and partially because there is a need to provide training for the person before session, it would be necessary to approve the hiring of the person by this meeting if the person was to be able to work on the projects that the Computer User Policy Direction Committee had suggested. Mr. Scharf reiterated that he does not intend to ask for additional funds to cover the cost of the new position.

Representative Garman moved that the request for the additional staff person for the Legislative Computer Support Bureau be approved. Chairperson Van Maanen asked if there was discussion on the motion. There was no further discussion and the motion passed on a unanimous voice vote.

Chairperson Van Maanen stated that the next items for discussion were the individual recommendations for reclassification that are contained in the

personnel reports of the other three central legislative staff agencies. He noted that the Legislative Fiscal Bureau had one request for reclassification, the Legislative Service Bureau had five requests for reclassification, and the Office of Citizens' Aide/Ombudsman had one request for reclassification. Representative Connors moved that the recommendations for reclassification contained in the personnel reports of the Legislative Fiscal Bureau, Legislative Service Bureau, and the Office of Citizens' Aide/Ombudsman be approved. There was no discussion and the motion passed on unanimous voice vote.

REPORT OF THE COMPUTER USER POLICY DIRECTION COMMITTEE

Chairperson Van Maanen recognized Mr. Dennis Prouty for presentation of the report of the Computer User Policy Direction Committee. A copy of the report is on file in the Legislative Service Bureau. Mr. Prouty noted that the members had a copy of the report in their meeting packets and stated that the report consisted of three items: 1) that the Committee received various materials from the Computer Support Bureau that the Committee members will be reviewing; 2) that the Committee will meet on July 1, 1993, to discuss those materials and other matters; and 3) that the Committee recommends that a new position be created within the Computer Support Bureau. He noted that since the Service Committee had already taken action on the new Computer Support Bureau position, that there was no need to take action on any of the recommendations contained in the report.

Chairperson Van Maanen, noting that some of the Committee members were new to the Service Committee and might not be familiar with the Computer User Policy Direction Committee, asked Mr. Prouty to describe the makeup and function of that committee. Mr. Prouty informed the Committee that the Computer User Policy Direction Committee was established approximately two and one-half years ago by the Service Committee and consists of legislative staff members from each chamber and the central legislative staff agencies. The Committee, he stated, was established to formulate overall policy recommendations, to be submitted to the Service Committee, regarding the use of the computer system of the legislative branch of government. The Committee, he explained, meets approximately monthly to discuss various issues related to the legislative computer system.

Chairperson Van Maanen then asked for unanimous consent to receive and file the report of the Computer User Policy Direction Committee. There were no objections and the report was received and filed.

PERSONNEL GUIDELINES CHANGES

Chairperson Van Maanen recognized Mr. Richard Johnson, Deputy Director of the Legislative Service Bureau, for a presentation regarding proposed changes to the personnel guidelines for the central legislative staff agencies. A copy of the proposed new and amended guidelines are on file in the Legislative Service Bureau. Mr. Johnson began his presentation by noting that the personnel guidelines are those general guidelines that the Legislative Council has adopted during the last three to five years for the governance of the four central legislative staff agencies. The five proposed changes to those guidelines represent three new guidelines and two proposed amendments to current central legislative staff agency guidelines, he stated. Mr. Johnson noted that the substance abuse and sexual harassment guidelines had previously been submitted to the Legislative Council and had been rereferred to the Service Committee for further revision. He noted that both of those guidelines had recently been redistributed for comment from staff and had been revised based upon those comments. The two proposed changes to existing policies on gifts and sales and conflicts of interest and the proposed new provisions relating to personal financial disclosure are required as a result of the passage of the new ethics legislation, he stated.

With respect to the substance abuse policy, Mr. Johnson noted, the two basic reasons that the policy was developed are that federal legislation requires that any person who contracts with the federal government must have a substance abuse policy and the fact that a policy related to substance abuse did not exist in the central legislative staff agency personnel guidelines and the agency directors believe that this would be an appropriate subject for the guidelines. He noted that the policy that is before the Committee is modeled after the executive branch policy, but that it is more specific in several regards than the executive branch policy. The policy, he stated, leaves substantial discretion with the employer and contains no mandatory dispositions of substance abuse infractions so that the employer is not required to take certain action upon a violation of the policy. There are essentially two types of dispositions available under the policy, he noted, those being progressive discipline and discharge and the other being summary discharge. Summary discharge is available for certain more egregious violations that are listed in the policy, Mr. Johnson said, and mitigating circumstances are permitted to be considered in all situations that may come within the policy parameters.

Chairperson Van Maanen indicated his preference for taking each of the policies up as separate recommendations to the Council and asked if there was any discussion of the proposed substance abuse policy. Representative Connors asked whether the language contained under section A (2)(a)(i), which refers to reporting or returning to work "during regular work hours following a meal or break period during which alcohol, prescription

drugs...(are) consumed or used in an impaired condition....", would prohibit an employee from going out and having a cocktail at lunch. Mr. Johnson noted that the focus of that paragraph is on whether the person is impaired by the substance consumed. Chairperson Van Maanen asked if there was any further discussion of the policy. There was no further discussion and Representative Connors moved that the Committee recommend the policy for adoption to the Legislative Council. The motion passed upon a unanimous voice vote.

Mr. Johnson next described the changes that were contained in the proposed sexual harassment policy. He noted that policy has been modified from the previous version to clarify that the policy only applies to central legislative staff members, not members of the general assembly or pages, and does not prohibit informal settlement of complaints.

Chairperson Van Maanen asked if there was any discussion on the policy. Representative Connors asked whether the policy only applied to adults and Mr. Johnson replied that it only applied to central legislative staff and did not apply to House and Senate pages. Representative Connors, noting his previous concern about the effect of public disclosure of a sexual harassment complaint against a person, asked how the policy would deal with a frivolous complaint or a situation where a person did not know that the conduct was offensive. Mr. Johnson replied that there were informal settlement options under the policy and mentioned an incident that had occurred where similar informal action had been used. He added that the agencies also intended to use training to help employees use appropriate tools to remedy complaints. Representative Garman noted that the policy does contain language in the definition of sexual harassment that requires that the offensive character of the conduct be clearly communicated to the person who has engaged in the conduct.

Chairperson Van Maanen asked if there was any further discussion of the policy. There was no further discussion and Representative Connors moved that the Committee recommend the policy for adoption to the Legislative Council. The motion passed on a unanimous voice vote.

Mr. Johnson next described the proposed amendments to the gifts and sales and the conflicts of interest guidelines as well as the proposed new language relating to personal financial disclosure. He noted that the amendments basically conform the current policy to the language of the ethics bill which passed during the last legislative session and that the Legislative Service Bureau will be submitting proposed forms for personal financial disclosure at a later date for the Committee's review and approval.

Chairperson Van Maanen suggested that, due to time constraints and the fact that the gifts and sales language and the conflicts of interest language were only amendments to current policies, that the three policies be taken together and voted on as a package. He asked if there was discussion on the policies. There was no discussion and Representative Connors moved that the Committee recommend the policies for adoption to the Legislative Council. The motion passed on a unanimous voice vote.

OTHER BUSINESS, ADJOURNMENT

Chairperson Van Maanen asked if there was any other business to come before the Committee. There was no other business and Representative Connors moved that the Committee adjourn. The Committee adjourned at 12:02 p.m.

Respectfully submitted,

LESLIE E. W. HICKEY
Legal Counsel

**REPORT OF THE SERVICE COMMITTEE
TO THE LEGISLATIVE COUNCIL**

June 23, 1993

The Service Committee of the Legislative Council met on June 23, 1993. The meeting was called to order by Speaker Harold Van Maanen, Chairperson, at 11:29 a.m. in Room 305 of Kirkwood Hall, Kirkwood Community College, Cedar Rapids, Iowa.

The Service Committee respectfully submits to the Legislative Council the following report and recommendations:

1. The Service Committee received and filed the annual personnel reports of the Legislative Service Bureau, the Legislative Fiscal Bureau, the Legislative Computer Support Bureau, and the Office of Citizens' Aide/Ombudsman.
2. The Service Committee received and filed a personnel report from the Legislative Fiscal Bureau. The Service Committee recommends that the Legislative Council approve, effective October 5, 1993, and pending completion of a satisfactory review, the promotion of Ms. Tami Fujinaka from the position of Legislative Analyst, at grade 27, step 2, to Legislative Analyst 1, at grade 29, step 1. Ms. Fujinaka's qualifications exceed the minimum requirements for the Legislative Analyst 1 position.
3. The Service Committee received and filed a personnel report from the Legislative Service Bureau. The Service Committee recommends that the Legislative Council approve, effective June 18, 1993, the promotion of the following employees whose qualifications meet or exceed the minimum requirements for the new positions:
 - a. Ms. Susan Crowley from Legal Counsel at grade 30, step 3, to Legal Counsel 1 at grade 32, step 2.
 - b. Mr. Michael Kuehn from Legal Counsel at grade 30, step 3, to Legal Counsel 1 at grade 32, step 2.
 - c. Ms. Kathy Hanlon from Research Analyst at grade 27, step 3, to Research Analyst 1 at grade 29, step 2.
 - d. Ms. Susan Weddell from Computer Systems Analyst Trainee at grade 24, step 2, to Computer Systems Analyst 1 at grade 27, step 1.
 - e. Ms. Jody Jennings from Text Processor 2 at grade 22, step 3, to Senior Text Processor at grade 25, step 2.
4. The Service Committee received and filed a personnel report from the Legislative Computer Support Bureau. The Service Committee recommends that, pursuant to

the recommendation of the Computer User Policy Direction Committee, the Legislative Council approve the hiring of a new Computer Systems Analyst at grade 27, step 1. The position was included in the approved 1994 Fiscal Year Budget and hiring of the additional personnel will not increase the budget of the Legislative Computer Support Bureau in FY 1994.

5. The Service Committee received and filed a personnel report from the Office of Citizens' Aide/Ombudsman. The Service Committee recommends that the Legislative Council approve, effective July 2, 1993, the promotion of Ms. Connie Bencke from the position of Assistant I, at grade 29, step 3, to Assistant II, at grade 32, step 2. Ms. Bencke's qualifications exceed the minimum requirements for the position.
6. The Service Committee received and filed a report from the Computer User Direction Policy Committee.
7. The Service Committee received, filed, and recommends that the Legislative Council approve the following proposed changes to the Personnel Guidelines of the Central Legislative Staff Agencies:
 - a. Substance abuse policy.
 - b. Sexual harassment policy.
 - c. Amendments to the gifts and sales of goods and services policy.
 - d. Amendments to the conflicts of interest policy.
 - e. Personal financial disclosure policy.

Copies of the proposed changes are contained in the Legislative Council meeting materials.

Respectfully submitted,
SPEAKER HAROLD VAN MAANEN
Chairperson

LEGISLATIVE FISCAL BUREAU
Position Classification System

<u>POSITION CLASSIFICATION</u>	<u>PAY GRADE</u>
Legislative Analyst	27
Legislative Analyst 1	29
Legislative Analyst 2	32
Legislative Analyst 3	35
Senior Legislative Analyst	38
Division Administrator 1	38
Division Administrator 2	41
Deputy Director	41
Computer System Analyst 1	27
Computer System Analyst 2	29
Computer System Analyst 3	32
Sr Computer System Analyst	35
Administrative Secretary	21
Executive Secretary	24
Page	minimum wage

Source: Pay resolution adopted by Legislative Council

Job descriptions for these classifications are contained in Chapter 1 of the Legislative Fiscal Bureau Policies and Procedures Manual.

LEGISLATIVE FISCAL BUREAU
Eligibility Report for Merit Increases
FY 1994

<u>CLASS/EMPLOYEE NAME</u>	<u>PRESENT GRADE & STEP</u>	<u>EMPLOYMENT DATE</u>	<u>REVIEW DATE</u>
<u>DEPUTY DIRECTOR</u>			
Faller	41 - 5	7/1/74	5/20/94
<u>DIVISION ADMINISTRATOR II</u>			
Dickinson	41 - 3	7/8/88	3/11/94
Lyons	41 - 3	1/3/84	5/20/94
<u>DIVISION ADMINISTRATOR I</u>			
Wulf	38 - 5	2/11/83	5/20/94
Ferguson	38 - 4	11/27/87	5/20/94
<u>SENIOR LEGISLATIVE ANALYST</u>			
Lerdal	38 - (-1)	2/17/89	5/20/94
Neiderbach	38 - 2	12/21/81	4/23/94
Snyder	38 - (-1)	11/19/84	5/20/94
<u>LEGISLATIVE ANALYST III</u>			
Hudson	35 - 1	9/11/92	4/2/94
Robinson	35 - 1	11/17/87	5/20/94
Wisner	35 - 1	5/4/87	5/20/94
<u>LEGISLATIVE ANALYST II</u>			
Reynolds	32 - 1	9/18/89	5/20/94
Shipman	32 - 1	12/22/89	5/20/94
Studer	32 - 1	9/5/89	5/20/94
<u>LEGISLATIVE ANALYST I</u>			
McGarity	29 - 2	8/1/90	3/11/94
Sigel	29 - 2	8/20/90	3/11/94
<u>LEGISLATIVE ANALYST</u>			
Fujinaka	27 - 2	10/5/92	4/2/94
Muller	27 - 2	10/5/92	4/2/94
Ramsay	27 - 2	10/1/92	4/2/94

SR. COMPUTER SYS. ANALYST

Knapp

35 - 4

1/2/76

6/7/92

COMPUTER SYSTEMS ANALYST

Hinman

27 - 2

11/16/92

5/7/94

EXECUTIVE SECRETARY

Mosher

24 - 2

7/3/90

12/31/93

Navara

24 - 1

11/13/90

10/9/93

LEGISLATIVE FISCAL BUREAU
OVERTIME and COMPENSATORY TIME
Fiscal Year 1993

ELIGIBLE FOR PARTIAL COMPENSATION

Professional Staff:

<u>Name</u>	<u>Overtime Hours</u>	<u>Adjustment first 40</u>	<u>Overtime less 40</u>	<u>Compensator Hours</u>
Employee 1	609.50	40.00	569.50	120.00
Employee 2	596.50	40.00	556.50	120.00
Employee 3	450.50	40.00	410.50	120.00
Employee 4	426.50	40.00	386.50	120.00
Employee 5	420.50	40.00	380.50	120.00
Employee 6	306.25	40.00	266.25	120.00
Employee 7	256.00	40.00	216.00	120.00
Employee 8	250.75	40.00	210.75	120.00
Employee 9	228.50	40.00	188.50	120.00
Employee 10	215.20	40.00	175.20	120.00
Employee 11	195.25	40.00	155.25	120.00
Employee 12	187.50	40.00	147.50	120.00
Employee 13	176.25	40.00	136.25	120.00
Employee 14	165.50	40.00	125.50	120.00
Employee 15	162.75	40.00	122.75	120.00
Employee 16	152.00	40.00	112.00	112.00
Employee 17	148.00	40.00	108.00	108.00
Employee 18	146.00	40.00	106.00	106.00
Employee 19	85.75	40.00	45.75	45.75
Employee 2 20	74.25	40.00	34.25	34.25
Employee 2 21	74.00	40.00	34.00	34.00
Employee 2 22	42.50	40.00	2.50	2.50
Total Hours	5,369.95	880.00	4,489.95	2,242.50
Average	244.09		204.09	101.93

ELIGIBLE FOR FULL COMPENSATION

Administrative Support Staff:

Employee 1	74.50	111.75
Employee 2	53.50	80.25
Total Hours	128.00	192.00
Average	64.00	96.00

PROPOSED AMENDMENT TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES

(Revised June 16, 1993)

XIV. GIFTS AND SALES OF GOODS AND SERVICES

A. Gifts

1. As used in this paragraph A, the words "gift," "honorarium," "immediate family member," ~~person,~~ and "public disclosure", and "restricted donor" have the same meanings as provided in chapter 68B of the Iowa Code.

2. Except as provided in this paragraph A, a ~~person or persons~~ restricted donor or donors shall not, directly or indirectly, individually or jointly, offer or make any gift or series of gifts to an employee or an immediate family member of an employee. An employee or the employee's immediate family shall not solicit any gift or series of gifts at any time. An employee shall not seek or accept an honorarium from a restricted donor.

3. Gifts of ~~food, beverages, travel, and lodging~~ which would otherwise be prohibited may however, be received by an employee if the requirements of section 68B.22, subsection 4, of the Iowa Code are satisfied.

4. A ~~person~~ restricted donor may give, and an employee or an immediate family member of an employee may accept, a nonmonetary gift or series of gifts if the gift or series of gifts is donated within 30 days to a public body, a bona fide educational or charitable organization, or the Department of General Services. The employee shall file a report of the gift or series of gifts with the employee's legislative agency. A report required to be filed pursuant to these rules shall be filed by the fifteenth day of the month following the month in which the gift or series of gifts was made or received. The report shall show the donor, donee, nature, amount, date, and disposition or intended disposition of each gift or series of gifts.

5. Each director shall designate a custodian of the reports filed with that agency. The Legislative Council may request compilations on or copies of those reports. The reports are available for public inspection as provided in Chapter 22 of the Iowa Code.

B. Sales of Goods or Services

1. As used in this paragraph B, the words "legislative employee," "lobbyist," and "person" have the same meanings as provided in chapter 68B of the Iowa Code.

2. A legislative employee shall not sell goods or services with a value in excess of ~~\$500~~ \$2000 to the general assembly, a legislative branch agency, or a state executive branch agency with which the employee has substantial and regular contact, unless the sale has been made pursuant to an award or contract let after public notice and competitive bidding. The public bid requirement does not apply to legislative employees who are ~~teachers~~ instructors at accredited education institutions and who possess the appropriate license and education requirements for that education institution, or to publication of various legal notices and propositions in newspapers that have been designated as the place for publication of legal notices or propositions.

3. Except as provided in this subparagraph, a permanent legislative employee shall not sell, directly or indirectly, any goods or services to individuals, associations, or corporations which employ persons who are registered lobbyists before the general assembly.

A legislative employee who is not the director of a central legislative staff agency may sell goods or services and not be in violation of this paragraph A if all of the following conditions are met:

- a. The employee obtains the prior consent of the director of the employee's agency.
- b. The goods or services to be sold do not include lobbying the general assembly and selling goods or services to the general assembly.
- c. The duties and functions performed by the legislative employee are not related to the legislative authority of the general assembly over the individual, association, or corporation or the duties and functions performed by the legislative employee for the general assembly will not be affected by the proposed sale of goods or services to the individual, association, or corporation.
- d. Either the value of the goods or services is under ~~\$500~~ \$2000, or the value is greater than ~~\$500~~ \$2000 and the contract is let either with someone other than a state agency, or with a state agency, but has been let after public notice and competitive bidding.

If the legislative employee is the director of a central legislative staff agency, all of the above requirements shall apply, except that prior consent of the Legislative Council shall be required in lieu of consent of the director of the agency.

4. Each director shall specify a procedure for receiving and recording requests by employees for permission to sell goods or services. Records of the requests are available for public inspection as provided in Chapter 22 of the Iowa Code. This chapter shall not apply to goods or services rendered voluntarily by an employee for which no compensation is received. This chapter shall not be construed to permit sales of goods or services which would either constitute an unlawful receipt of an honorarium or would constitute services against the interest of the state in violation of section 68B.6 of the Iowa Code.

**PROPOSED AMENDMENT TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(Revised June 16, 1993)

XVIII. CONFLICTS OF INTEREST

A. An employee of a central legislative staff agency shall not engage in any outside employment or activity which is in conflict with the employee's official duties and responsibilities and shall seek to avoid all conflicts of interest between the employee's own financial, business, property, or personal interests and the interests of the employee's agency. Depending on the circumstances, the interests of the employee's agency may or may not be synonymous with the interests of the legislative branch or the state in general.

B. An employee of a central legislative staff agency shall not accept outside employment or enter into a financial, business, property, or personal relationship if the outside employment or financial, business, property, or personal relationship will or may reasonably adversely affect the employee's professional judgment exercised by the employee on behalf of the employee's agency.

C. An employee of a central legislative staff agency shall not disclose or use confidential information acquired in the course of the employee's professional responsibilities performed on behalf of the employee's agency in order to benefit the employee's outside employment or financial, business, property, or personal relationship.

D. In determining whether a conflict of interest or potential conflict of interests exists an employee shall take into consideration the following factors:

1. Whether a substantial threat to the employee's independence of judgment has been created by the conflict situation.

2. Whether a substantial likelihood exists that the performance of the employee's professional responsibilities will affect the outside employment or financial, business, property, or personal relationship.

3. Whether the exercise of the employee's professional responsibilities, considering the outside employment or financial, business, property, or personal relationship, would give rise to the appearance of professional impropriety and therefore diminish legislative and public confidence in the employee's conduct or the operations of the employee's agency.

4. Whether the outside employment or activity involves the use of central legislative staff agency time, facilities, equipment, and supplies or other evidence of central legislative staff agency employment to give the employee or member of the employee's immediate family an advantage or pecuniary benefit that is not available to similarly situated members of the general public.

5. Whether the outside employment or activity involves the receipt of, promise of, or acceptance of money or other consideration from a source other than the state for the performance of any act that the employee must or should perform as part of their regular duties.

6. Whether the outside employment or activity is subject to the official control, inspection, review, audit, or enforcement authority of the employee during the performance of the employee's duties.

E. An employee may consult with the agency director in order to determine whether a conflict of interests or potential conflict of interests exists.

F. If the director of an employee's agency determines that a conflict of interests or potential conflict of interests exists, the director may require the employee to make full disclosure to the director of all relevant facts relating to the outside employment or financial, business, property, or personal relationship, in order to determine what steps may be necessary to take in order to eliminate the conflict of interests or potential conflict of interests. If the conflict meets the criteria specified in paragraph D, subparagraph 4 or 5, the employee shall cease the activity. If the conflict meets the criteria specified in paragraph D, subparagraph 6, the employee shall either cease the activity or disclose the conflict in the manner required by the director.

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**PROPOSED NEW PART TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(June 16, 1993)

XIX. PERSONAL FINANCIAL DISCLOSURE

A. As used in this part, the words "legislative employee," "personal financial disclosure," and "financial statement" have the same meanings as provided in chapter 68B of the Iowa Code.

B. The following legislative employees of the central legislative staff agencies are required to file a financial statement containing the information enumerated in paragraph C:

1. Directors of the central legislative staff agencies.
2. Deputy directors of central legislative staff agencies.
3. Central legislative staff agency employees who exercise substantial administrative or supervisory authority over other employees.
4. Central legislative staff agency employees who expend or approve the expenditure of agency funds as part of their regular duties.

C. The personal financial statements shall be in writing and shall contain the following financial information:

1. A list of each business, occupation, or profession in which the person is engaged and the nature of that business, occupation or profession, unless already apparent.

2. A list of any other sources of income if the source produces more than one thousand dollars annually in gross income. Sources of income listed pursuant to this subparagraph shall be listed under the following categories:

- a. Securities.
- b. Instruments of financial institutions.
- c. Trusts.
- d. Real estate.
- e. Retirement systems.
- f. Other income categories specified in state and federal income tax regulations.

D. Personal financial statements required under this section shall be filed annually, by the June meeting, with the Service Committee of the Legislative Council and shall be on file in the Legislative Service Bureau.

**PROPOSED NEW PART TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(Revised June 18, 1993)

XVIII - SEXUAL HARASSMENT

A. Sexual Harassment Policy.

1. Sexual harassment is prohibited under Iowa Code Section 19B.12. As defined in Section 19B.12, 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. Conduct of a sexual nature that interferes with, or affects employment decisions regarding an employee, or creates an intimidating, hostile, or offensive work environment for an employee, shall constitute unlawful behavior.

2. Sexual harassment shall 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.

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

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

B. Applicability.

This policy applies to full-time, part-time, and temporary central legislative staff agency employees as perpetrators or as victims of fellow central legislative staff agency employees. For purposes of this policy, the word "employee" also applies to central legislative staff agency volunteers, interns, and consultants. This policy shall be distributed to all employees at the time of hiring or orientation.

Members, employees, interns, and consultants of the Senate and House of Representatives and lobbyists are subject to the jurisdiction of the Senate and House respectively regarding sexual harassment complaints.

C. Filing a Formal Complaint.

A complaint may be filed with the director of a central legislative staff agency. If the complaint involves the director of a central legislative staff agency or an employee of a different central legislative staff agency, the complaint may be filed directly with the Service Committee of the Legislative Council.

If the complaint involves a member or an employee of the Senate or House of Representatives or a lobbyist, the complaint should be filed with the Senate or House in accordance with the sexual harassment complaint or grievance procedures established by the Senate or House.

D. Investigation of Complaint.

The director shall begin investigation of a complaint within 48 hours of receipt of the complaint, and shall complete the investigation within 30 calendar days. The director should generally consult with the alleged harasser's supervisor in the investigation of the complaint. If the director determines that sexual harassment has occurred, the director shall take appropriate disciplinary action ranging from a written warning or reprimand, to suspension with or without pay, to termination of employment. A director who neglects to investigate promptly a sexual harassment complaint is also subject to the scope of disciplinary action described in this paragraph, up to and including termination of employment.

The Service Committee shall begin investigation of a complaint within 48 hours of receipt of the complaint, and shall complete the investigation within 30 calendar days. If the Service Committee determines that sexual harassment has occurred, the Service Committee shall take appropriate action. If the Service Committee neglects to investigate promptly a sexual harassment complaint under this policy, the complaint may be refiled with the Legislative Council, which is subject to the same guidelines as the Service Committee.

E. Confidentiality.

Any complaint or investigation of sexual harassment shall be handled confidentially in accordance with Iowa Code Section 19A.15.

F. Evidentiary Standards.

Disciplinary action shall be taken if the evidence, when viewed from the perspective of a reasonable person of the same sex as the victim, supports the claim of the victim. The nature of the disciplinary action shall depend on the severity of the sexual harassment.

G. Retaliation.

Retaliation, intimidation, or reprisal against a central legislative staff agency employee who files a sexual harassment complaint or assists in the investigation of a sexual harassment complaint is prohibited. A person found to be in violation of this prohibition is subject to appropriate disciplinary action ranging from a written warning or reprimand, to suspension with or without pay, to termination of employment.

H. Training.

Each agency shall establish and submit to the Council a sexual harassment training policy for that agency. The policy shall set out the agency's plan for creating, maintaining, and monitoring a workplace free of harassment, and for advising employees of their rights and duties in participating in a workplace free of harassment.

I. Procedural and Filing Alternatives.

If not satisfied with the results of an investigation, the employee may utilize the grievance procedures established in Part XII of the *Personnel Guidelines for the Central Legislative Staff Agencies*.

SEXUAL HARASSMENT COMPLAINT FORM

Name: _____ Bureau or Office: _____
Job Title: _____ Director: _____

1. Who was responsible for the harassment? _____

2. Describe the sexual harassment:

First Incident: _____

Approximate date, time, and place: _____

What was your reaction/did you take any action? _____

Second Incident: _____

Approximate date, time, and place: _____

What was your reaction/did you take any action? _____

Subsequent Incidents: _____

Approximate dates, times, and places: _____

3. List any witnesses to the harassment: _____

I understand that these incidents will be investigated, but this form will be kept confidential to the highest degree possible and in accordance with Section 19A.15 of the Iowa Code.

Employee Signature: _____ Date: _____
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**PROPOSED NEW PART TO THE
PERSONNEL GUIDELINES FOR THE
CENTRAL LEGISLATIVE STAFF AGENCIES**

(Revised per Staff Comments - 6/21/93)

XVIIIXIX - SUBSTANCE ABUSE

A. Prohibitions

1. Prohibitions Subjecting Employees to Summary Discharge.

a. Employees of the central legislative staff agencies are prohibited from engaging or participating in any of the following activities:

i. Reporting to work during regular work hours while under the influence of alcohol or nonprescribed controlled substances.

ii. The illegal manufacture, possession, sale, purchase, transfer, consumption, or use of alcohol or controlled substances while engaged in state business, or on the employer's premises or in state offices.

iii. ~~The illegal use or abuse of controlled substances or the consumption of alcohol during or the illegal use or abuse of controlled substances or the illegal or abusive consumption of alcohol preceding~~ the operation of a state vehicle or a personal vehicle when the employee expects to receive reimbursement for mileage from the state; or the illegal use or abuse of controlled substances or the illegal or abusive consumption of alcohol preceding the operation of a state vehicle or a personal vehicle when the employee expects to receive reimbursement for mileage from the state.

iv. The abusive use of prescription drugs or controlled substances while engaged in state business or on the employer's premises or in state offices.

b. Employees engaging or participating in any of the activities prohibited under this subparagraph 1 are subject to summary discharge, absent mitigating circumstances. ~~Mitigating circumstances may include, but are not limited to, alcohol or drug dependency or unknowing or mistaken consumption.~~ Summary discharge means discharge from employment upon completion of a fair and thorough investigation substantiating the egregious conduct. Such discharge need not be preceded by progressive discipline, which includes, but is not limited to, verbal warning, written reprimand, and suspension.

2. Prohibitions Subjecting Employees to Discipline or Discharge.

a. Employees of the central legislative staff agencies are prohibited from engaging or participating in any of the following activities:

i. Reporting to work or returning to work, during regular work hours following a meal or break period during which alcohol, prescription drugs, or controlled substances are consumed or used, in an impaired condition ~~that creates the appearance of impropriety, including, but not limited to, reporting to or returning to work with the odor of a beverage containing alcohol on the breath.~~ Reporting to work outside regular work hours in an impaired condition due to the consumption or use of alcohol, prescription drugs, or controlled substances, without informing the appropriate supervisor of the impaired condition prior to reporting to work.

ii. Below standard job performance or on-the-job misconduct, including, but not limited to, excessive absenteeism or tardiness, caused by the consumption or use of alcohol, prescription drugs, or controlled substances.

iii. Off duty misconduct involving the illegal manufacture, possession, sale, purchase, transfer, consumption, or use of alcohol or controlled substances, the illegal use or abuse of controlled substances or the consumption of alcohol during or the illegal use or abuse of controlled substances or the illegal or abusive consumption of alcohol preceding the operation of a vehicle, or the abusive use of prescription drugs or controlled substances, if a nexus exists between the off duty misconduct and the employee's job duties. Nexus means a connection, link, or tie to the employee's job duties, to the ability of the employee to perform the job duties, to the public's perception of the ability of the employee to perform the job duties, or to serious damage caused to the reputation of the employer. A nexus may exist for employees of the central legislative staff agencies between off duty conduct which results in any serious ~~criminal charge or aggravated misdemeanor or felony~~ involving alcohol, prescription drugs, or controlled substances and the employees' job duties relating to the work of the legislature as the public institution charged with lawmaking.

b. Employees engaging or participating, ~~or conspiring to engage or participate~~ in any of the activities prohibited under this subparagraph 2 are subject to discipline or discharge, absent mitigating circumstances.

B. Mitigating Circumstances. ~~Alcohol~~ Mitigating circumstances may include, but are not limited to, alcohol or drug dependency, or unknowing or mistaken consumption, consumption or use as directed by a practitioner, as defined in chapter 155A, if any restrictions on activity imposed by the practitioner are also complied with, and other factors may be considered a mitigating circumstance if raised as a defense in the investigatory meeting by the employee or if the employer has a reasonable belief that alcohol or drug dependency or another factor may be a mitigating factor/circumstance is present.

An employee shall be offered an opportunity to seek an evaluation and treatment, if necessary, for the alcohol or drug dependency, unless any of the following apply:

1. The employee's violation of paragraph A, subparagraph 1 or 2 compromises the employee's ability to responsibly perform the employee's job duties or compromises the employer's fulfillment of the agency's mission.
2. The employee has previously violated paragraph A, subparagraph 1 or 2 and has been given a final written warning or is subject to an executed last chance agreement to refrain from further violation of paragraph A, subparagraph 1 or 2.
3. The employee's violation is so egregious that summary discharge is the appropriate action.

If the employee wishes the alcohol or drug dependency to be considered as a mitigating circumstance, the employee bears the responsibility to seek evaluation and to provide the employer with documentation of an alcohol or drug dependency and treatment recommendations.

During the period of time when the employee is waiting for an evaluation to determine alcohol or drug dependency, the employer may require the employee to take a leave of absence and to use vacation, compensatory, or sick leave, as appropriate, or to request leave without pay. If the results of the evaluation determine that the employee is not alcohol or drug dependent, the employer shall proceed with discipline or discharge as appropriate. If the results of the evaluation determine that the employee is alcohol or drug dependent, the employer may establish successful completion of treatment and abstention from the consumption of alcohol or use or abuse of drugs for a reasonable period of time as a condition of continued employment.

As an alternative to a leave of absence while the employee is waiting for the evaluation, the employer, depending on the circumstances, may discharge the employee and, following an evaluation and successful completion of treatment initiated by the employee, may reinstate the employee ~~with~~ conditioned upon the employee's abstention from the consumption of alcohol or use or abuse of drugs for a reasonable period of time ~~as a condition of continued employment.~~

C. Procedures. If the employer observes or receives evidence of a violation of paragraph A, subparagraph 1 or 2, the employer shall immediately commence an investigation by carefully collecting and preserving any relevant evidence and by instructing witnesses to immediately reduce their observations to writing and to sign and date their statements. The investigation must include an opportunity for the employee to meet with the employer. At the meeting the employer must present the alleged violations and allow the employee to respond to the allegations and to any evidence presented, and to offer any mitigating circumstances. The employer may suspend the employee with pay pending the completion of the investigation. Upon completion of the investigation, the employer must meet with the employee to inform the employee of the imposition of any discipline or of discharge.

If a criminal investigation is pending related to the alleged violation, the employer must conduct an independent administrative investigation of the alleged violation in order to determine appropriate disciplinary action, regardless of the status or outcome of the criminal

investigation. Information obtained in the administrative investigation under threat of loss of job or other discipline is generally not admissible in a criminal proceeding. Arrest and incarceration may necessitate temporary removal of an employee from the job with leave charged to the employee or with leave without pay. Reassignment of duties is a possible alternative based on the circumstances. If the employee is incarcerated ~~upon~~ at the time of completion of the independent administrative investigation or upon conviction for a criminal offense, the employee may be summarily discharged unless extenuating circumstances exist in which case the employer may grant a leave of absence without pay for a limited period of incarceration. However, the employee must request such a leave of absence and, if the employee does not, the employer may discharge the employee for absence from the job without proper authorization.

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**CITIZENS' AIDE / OMBUDSMAN
POSITION CLASSIFICATIONS AND PAY GRADES
JUNE 23, 1993**

<u>POSITION CLASSIFICATION</u>	<u>PAY GRADE</u>	
Senior Deputy	41	filled (1.0 FTE)
Legal Counsel II	35	filled (1.0 FTE)
Assistant III	35	filled (1.0 FTE)
Assistant I	29	filled (3.0 FTE)
Assistant	27	filled (2.0 FTE)
Executive Secretary	24	filled (1.0 FTE)
Administrative Secretary	21	filled (1.0 FTE)
Citizens' Aide/Ombudsman Secretary	19	filled (1.0 FTE)

The agency has 12.0 FTE's authorized (including the Citizens' Aide) and currently employs 12.0 FTE's (including the Citizens' Aide).

June 1993

**CITIZENS' AIDE/OMBUDSMAN
ANNUAL PERSONNEL REPORT
JUNE 23, 1993**

<u>NAME</u>	<u>POSITION</u>	<u>EMP. DATE</u>	<u>CURRENT GRADE/ STEP</u>	<u>REVIEW DATE</u>
Mosher, R	Senior Deputy	10/01/73	41/2	12/31/93
Cooperrider, R	Legal Counsel II	07/09/90	35/- one step	12/31/93
Ferjak, M	Assistant III (Assistant for Public Safety)	12/11/87	35/- one step	12/31/93
Milosevich, J	Assistant I (Assistant for Corrections)	01/16/91	29/3	08/27/93
Bencke, C	Assistant I	08/22/90	29/3	06/17/94
Sheetz, W	Assistant I	09/14/90	29/2	12/17/93
Exley, S	Assistant	09/16/91	27/3	03/11/94
Burnham, J	Assistant	06/05/92	27/2	12/03/93
Green, J	Executive Secretary	07/01/74	24/6*	11/05/93
Nett, P	Administrative Secretary	01/17/72	21/6*	10/08/93
Lee, M	CA/O Secretary	06/22/89	19/4	12/17/93

*These individuals are at the top of the Grade/Step and are not eligible for merit increases in their present positions.

June 1993

**CITIZENS' AIDE/OMBUDSMAN
ANNUAL COMPENSATORY TIME REPORT
JUNE 23, 1993**

Employees of the office of Citizens' Aide/Ombudsman accrue compensatory time on a calendar year basis (January 1 to December 31).

CALENDAR YEAR 1992

Compensatory time accrued after the accumulation of forty hours of overtime.

<u>EMPLOYEE</u>	<u>COMPENSATORY TIME EARNED</u>
1	17.50 hours
2	9.75 hours
3	55.75 hours
4	39.50 hours
5	49.00 hours
6	47.00 hours
7	42.50 hours

SUPPORT STAFF ANNUAL OVERTIME REPORT

Support staff of the office of Citizens' Aide/Ombudsman are eligible for overtime pay on a calendar year basis (January 1 to December 31).

CALENDAR YEAR 1992

No overtime hours were paid during calendar year 1992.

EDUCATIONAL LEAVE REPORT

FISCAL YEAR 1992

No educational leave was taken by Citizens' Aide/Ombudsman staff during Fiscal Year 1992.

June 1993

EXPLANATION TO
PROPOSED OR REVISED PERSONNEL POLICIES

June 23, 1993

SUBSTANCE ABUSE

The proposed policy on substance abuse is similar to the executive branch policy, except that the executive branch policy is broader and more vague in some respects.

Summary Dismissal. The policy establishes certain illegal conduct involving controlled substances and alcohol and certain abusive uses of alcohol, prescription drugs, or controlled substances as violations subjecting an employee to summary dismissal, absent mitigating circumstances. Examples of violations subjecting an employee to summary dismissal include (1) reporting to work during regular work hours under the influence of alcohol or nonprescribed controlled substances, (2) illegal sale or use of such substances while at work or on state business, (3) illegal use, abuse, or consumption of controlled substances or alcohol while operating or preceding the operation of a vehicle for work purposes, and (4) abusive use of prescription drugs while at work or on state business.

Discipline or Discharge. The policy also establishes certain uses of alcohol, prescription drugs, and controlled substances as violations subjecting an employee to discipline or discharge, absent mitigating circumstances. Such uses are tied to an employee's impairment on the job, below standard job performance or on-the-job misconduct, or off-duty misconduct if a nexus exists between the off-duty misconduct and the employee's job duties. A nexus is defined as a connection to the employee's job duties or ability to perform the job duties, to the public's perception of that ability to perform the job duties, or to serious damage to the employer's reputation.

Mitigating Circumstances. Mitigating circumstances may include, but are not limited to, alcohol or drug dependency, unknowing or mistaken consumption, consumption or use as directed by a medical practitioner, and other factors raised as a defense by the employee or reasonably believed to be present by the employer.

An employee is allowed an opportunity to seek an evaluation and treatment, if necessary for alcohol or drug dependency, except in extreme situations (the violation compromises the employee's ability to perform the job or compromises the employer's mission, is a violation after a last warning, or is egregious). A leave of absence by the employee during treatment may be enforced by the employer. Continued employment may be condition upon successful treatment and abstention from consumption or use for a reasonable period of time. Discharge and reinstatement under the same conditions is also set out as an alternative.

Procedures. The policy also includes a description of required investigatory procedures with suspension with pay listed as an option during the investigation. Criminal proceedings are

considered as extraneous to the independent administrative investigation. A leave of absence may be enforced during any period of arrest and incarceration. Summary discharge is allowed as a disposition if the employee, at the time of completion of the independent administrative investigation or upon conviction, is incarcerated. However, a leave of absence without pay may be granted for a limited period of incarceration.

Dispositions. Allowable dispositions under the policy range from verbal warning, written reprimand, suspension, discharge, and summary discharge. A specific disposition is not required for any specific act under the policy.

(Technical change in XIX. A. 2. a. iii, add the word "charge" after the word "felony".)

SEXUAL HARASSMENT

The proposed policy on sexual harassment is intended to implement Iowa Code section 19B.12 enacted during the 1992 legislative session. The policy uses the statutory definition of sexual harassment.

Applicability. The policy applies to all central legislative staff agency employees as perpetrators and as victims of fellow central legislative staff agency employees. In addition the policy applies to central legislative staff agency volunteers, interns, and consultants. Senate and House members, employees, interns, consultants, and lobbyists are subject to the jurisdiction of the Senate or House, and generally are not covered under this policy unless they are complaining of sexual harassment by a central legislative staff agency employee.

Formal Complaint Procedures. The policy provides that a complaint may be filed with the director of a central legislative staff agency. The complaint must be investigated by the director within certain time frames. The Service Committee is initially responsible for investigating complaints involving more than one central agency or a central agency director. Complaints are to be handled confidentially. The policy does not prohibit informal settlement of allegations of sexual harassment.

Evidentiary Standard. The applicable evidentiary standard is to take the perspective of a reasonable person of the same sex as the victim.

Disposition and Appeal. Disciplinary action can range from a written warning or reprimand, to suspension with or without pay, to termination of employment, depending on the severity of the sexual harassment. Retaliation against a complainant is prohibited. If an employee is dissatisfied with the results of a sexual harassment investigation, the employee may file a grievance under the personnel guidelines already established for central agency staff employees.

Training. Each central agency is required to establish a sexual harassment training policy.

GIFTS

The current policy on gifts implements the gift law changes enacted during the 1992 legislative session. The policy simply follows the statutory law and in addition requires reports of any gifts, which can be accepted, to be filed with the central agency staff director as public records.

Proposed Conforming Amendments. The proposed amendments conform the current policy to the new definition of "restricted donor" and to the changes made to allowable "gifts" under the 1993 ethics legislation. The amendments also change the regulated value of goods and services from \$500 to \$2000 and the description of regulated purchasers to conform to the 1993 ethics legislation.

SALES OF GOODS OR SERVICES

The current policy on sales of goods and services implements the statutory law as amended during the 1992 legislative session. The policy parrots the statute in terms of prohibiting sales of goods or services to state agencies with a value over \$500 without public notice and competitive bidding. The policy also parrots the statute in restricting sales of goods or services by legislative employees to lobbyists or lobbying organizations to only those sales not involving lobbying and approved by either the central agency director or the Legislative Council. Such approval of sales must be recorded as a public record under the policy.

Proposed Conforming Amendments. The proposed amendments change the regulated value of goods and services from \$500 to \$2000 and the description of regulated purchasers to conform to the 1993 ethics legislation.

CONFLICTS OF INTEREST

The current policy on conflicts of interest requires a central legislative staff agency employee to seek to avoid all conflicts of interest between the employee's own financial, business, property, and personal interests and the interests of the employee's agency. The policy enumerates certain outside employment, financial, business, property, and personal relationships as conflicts of interest and prohibits the use of confidential agency information to benefit such outside employment or relationships.

Proposed Conforming Amendments. The proposed amendments conform the policy to the 1993 ethics legislation by prohibiting outside employment or activity which is in conflict with the employee's official duties and responsibilities where the outside employment or activity involves the use of agency resources not available to members of the general public, or involves payment by an entity other than the state for the employee's performance of regular employment duties. An employee is required to cease the activity or disclose the conflict if the outside

employment or activity is subject to the control, review, or enforcement authority of the employee during the performance of regular employment duties.

(Technical change in XVIII. D. 6., change the word "their" to "the employee's".)

PERSONAL FINANCIAL DISCLOSURE

The proposed policy on personal financial disclosure is intended to implement the 1993 ethics legislation.

Applicability. The policy applies to central legislative staff agency directors, deputy directors, employees who exercise substantial administrative or supervisory authority over other employees, and employees who expend or approve the expenditure of agency funds as part of their regular duties.

Required Filing of Statement. The policy requires the annual filing, by June, with the Service Committee of the Legislative Council, of personal financial statements which contain the following: (1) a list of each business, occupation, or profession in which the person is engaged and its nature; and (2) a list of other sources of gross income of more than \$1000 annually in six defined categories.

prpalex1/rj

**Legislative Computer Support Bureau
Proposed Allocation
1993-94 Fiscal Year**

	<u>FY-92 ACTUAL</u>	<u>FY-93 ADJUSTED</u>	<u>FY-94 REQUEST</u>
Personal Services	372,855	433,808	499,145
Travel	15,050	20,000	20,000
Office Supplies	6,384	13,000	14,000
Communications	12,465	13,000	17,000
Rental	1,940	1,000	2,000
Office Equipment	126	10,000	10,000
Outside Maintenance, Repairs/Service	238,778	250,000	280,000
Data Processing, Hardware & Software	<u>590,134</u>	<u>559,649</u>	<u>590,000</u>
Expenditures	<u>1,237,732</u>	<u>1,300,457</u>	<u>1,432,145</u>
FTE's	9.4	9.4	10.4

Legislative Computer Support Bureau (FY-94 Budget Request Breakdown:)

<u>ITEM</u>	<u>DOLLARS</u>	<u>ASSUMPTIONS</u>
Salaries	\$499,145	*Assumes merit/COLA increase in FY 1994 *COLA (4%) effective 7-1-93 *All 9.4 FTE positions will be filled *Merit steps based upon salary review *One new position requested *Includes minimal amount for reallocations/ promotions
Travel	\$ 20,000	*maintain current level of training, seminars and conferences attended by staff
Office Supplies	\$ 14,000	*maintain current level of operation
Office Equipment	\$ 10,000	*maintain current level of operation
Communications	\$ 17,000	*maintain current level of operation
Rentals	\$ 2,000	*maintain current level of operation

Outside Maintenance, Repairs/Service \$280,000

Anticipated maintenance charges for computer equipment including laser printers and UPS	\$200,000
Anticipated maintenance increases	\$ 25,000
Anticipated software upgrade	\$ 40,000
Anticipated off hours maintenance	\$ 15,000

Data Processing Hardware and Software \$590,000

Anticipated Lease Purchase Payments	\$440,304
PC's and equipment for training room, PC & Network Software upgrades and purchases, PC & network hardware upgrades and purchases.	\$149,696

Chapter 3. PERSONNEL GUIDELINES FOR THE CENTRAL LEGISLATIVE STAFF AGENCIES

I. DEFINITIONS

- "Agency" means the Legislative Service Bureau, the Legislative Fiscal Bureau, the Computer Support Bureau, and the Office of Citizens' Aide/Ombudsman.
- "Director" means the head of an agency as designated by the Legislative Council.
- "Employee" means an employee of an agency, including supervisors, unless the context requires otherwise.
- "Supervisor" means the agency director or the agency employee designated by the agency director to perform supervisory duties with regard to an agency employee or agency employees.

II. POLICY-MAKING AND OVERSIGHT AUTHORITY

A. Legislative Council

The Legislative Council is the policy-making and oversight authority for the central legislative staff agencies under Chapter 2 of the Code of Iowa. Such statutory power can be found in Code Section 2.42, subsections 1, 11, 12, 14, and 17. Code Sections 2.48, 2.58, and 2.100 establish the Legislative Fiscal Bureau, the Legislative Service Bureau, and the Computer Support Bureau, respectively. Code Chapter 601G establishes the Office of the Citizens' Aide, commonly known as Citizens' Aide/Ombudsman. Section 601G.3 makes the Citizens' Aide responsible to the Legislative Council.

B. Service Committee

The Service Committee of the Legislative Council determines policies and exercises oversight relating to the operations of the central legislative staff agencies, subject to the approval of the Legislative Council (Code Section 2.45). Executive branch policies referenced herein shall be accepted as of July 1, 1989. Subsequent changes in executive branch policies are subject to review by the Service Committee prior to the policy's adoption. Any reference in these guidelines to a requirement of Service Committee approval also includes a requirement of Legislative Council approval. Such approval by the Council is customarily given by Council adoption of Service Committee recommendations contained in the reports of the Service Committee to the Council.

C. Guidelines Subject to Change

These guidelines are subject to change at any time by the Legislative Council.

III. POSITION CLASSIFICATION SYSTEM AND AGENCY ORGANIZATION

A. Position Classification System

1. Each director shall develop and file with the Service Committee a position classification system covering all authorized positions within the agency of the director. The position classification system shall contain guidelines for eligibility of an employee for promotion from one job title in a series to the next. The Legislative Service Bureau, as the staff agency to the Service Committee, shall keep these on file.
2. The position classification system shall include, but is not limited to, a job title, job description (including duties and qualifications), and grade level for each authorized position classification in an agency.
3. Job titles and job descriptions are at the discretion of each director. Grade levels are determined by the legislative branch comparable worth process. Changes in grade level due to changes in the duties or structuring of existing positions require prior approval by the Service Committee. Grade levels for new positions are set through the comparable worth process by the Service Committee.
4. The Comparable Worth Staff Report of August 1986 shall serve as the reference for the grade level of positions, except for positions whose grade level has been established or changed under the comparable worth process and approved by the Service Committee since the issuance of the report. Grade levels for positions that have been established or changed since the issuance of the report shall be developed in accordance with the factor scores in the comparable worth report.
5. Each director shall provide copies of the position classification system for the agency to the agency's employees.

B. Agency Organization

Each director shall develop and file with the Service Committee a statement of agency organization showing the interrelationship of authorized positions within the agency. The Legislative Service Bureau, as the staff agency to the Service Committee, shall keep these on file. The statement of agency organization may be in the form of an organization chart. Changes in the existing organizational structure of an agency require the prior approval of the Service Committee.

IV. COMPENSATION - SALARY

A. Salary Matrix

All employees, except agency directors, shall be at a grade and step on the legislative branch salary matrix. Grade levels for positions shall be as determined under Part III of these guidelines.

B. Cost-of-Living Increases

Employees shall receive the same cost-of-living increases as are granted to those employees in the executive branch who are not included in a collective bargaining agreement.

C. No Temporary Raises

Unless prior approval of the Service Committee is obtained, a director shall not grant raises for a temporary increase in duties.

D. Annual Merit Increases

1. Employees are eligible for annual one-step merit increases up to and including step six of a grade based upon satisfactory performance according to annual evaluations as provided in Part IX of these guidelines. Such an annual increase may be delayed or denied by a director for performance shortcomings. An additional salary increase may be given to an employee by a director for exceptional job performance with the approval of the Service Committee. The additional salary increase for exceptional job performance shall not exceed one step, shall not be given more than once a year, and shall not result in an increase beyond step six in the employee's grade level. Written justification setting forth the nature of the exceptional job performance shall be maintained on file by the director.
2. Employees who are on step one of a grade may receive a merit step increase after the satisfactory completion of a six-month period of employment. Any merit step increase after step two may be granted to an employee only after completion of at least one full year on a step unless the employee is recommended for a step increase for exceptional job performance.
3. Each director shall file an annual report with the Service Committee listing all employees under their supervision with their current grade and step and the effective date of a merit increase for which they are eligible. Notification of the successful completion of probationary employment and merit increases granted and increases for exceptional job performance shall be made by the director at the next following Service Committee meeting. The effective date

for a merit increase is normally the employee's anniversary date at the end of an employee's probationary period, but a director may specify one or more standard eligibility dates for merit increases other than the anniversary date. Granting of merit increases may be delayed or denied for performance shortcomings. The annual report filed with the Service Committee under this provision indicates eligibility for a merit increase but does not necessarily indicate that a merit increase will be granted.

E. Merit Increases for Part-Time and Temporary Employees

1. Permanent part-time employees are eligible for merit increases as if they were permanent full-time employees.
2. Temporary full-time employees who work intermittently shall have their eligibility for probationary and annual merit increases determined by their cumulative length of service.
3. Temporary part-time employees are eligible for merit increases as if they were temporary full-time employees.

F. Overtime and Compensatory Time

1. At the discretion of the director, support positions are to be designated as eligible for full compensation for overtime. Those positions eligible for full compensation for overtime accrued shall be compensated with either overtime pay or compensatory time at a one and one-half hour rate for each hour of overtime accrued as determined by the director for each particular class of support positions. Employees in support positions shall be notified whether compensation for their positions is overtime pay or compensatory time. Legislative library employees are compensated pursuant to the requirements of federal law. The annual personnel report filed with the Service Committee shall specify the specific support positions designated as eligible for full compensation for overtime accrued.
2. Those professional positions eligible for only partial compensation for overtime accrued shall be compensated with compensatory time on an hour-for-hour basis, computed each pay period, which compensatory time shall be used within a one-year period. Compensatory time is accrued only after the accumulation of 40 hours of overtime and is limited to a maximum accrual of 120 hours.
3. The annual personnel report shall specify the annual period for which employees accrue compensatory time and shall state the compensatory time earned by each employee.

V. COMPENSATION - BENEFITS

A. Benefits in General

Employees in the central legislative staff agencies are eligible for employee benefits under the same terms and conditions as provided by law for employees in the legislative branch. This includes, but is not limited to, health, dental, life, and long-term disability insurance programs for permanent employees.

B. Workers' Compensation

An employee's supervisor shall be immediately notified if an employee is injured while on the job. The employee shall seek appropriate medical care.

C. Interviewing and Moving Expenses

At the director's discretion, expenses may be paid for interviewing prospective employees. Payment shall be made at the same rate a state employee would be reimbursed in performance of state duties. Also, at the director's discretion, newly hired employees may be reimbursed for moving expenses in accordance with executive branch standards. Reimbursement for moving expenses shall not be made until a new employee is on the state payroll. The payment of such expenses shall be reported to the Service Committee. (See Code Section 79.16.)

D. Educational Benefits

Permanent employees are eligible for educational leave and educational assistance as provided in Code Section 79.25 and Part VI of these guidelines. Such benefits are to be granted on a case-by-case basis for each semester-long course based on its relevance to the employee's job duties and the agency's needs. A particular course may or may not be part of a program leading to a degree or a certificate. The granting of such leave and assistance shall be reported to the Service Committee, including the specification of any college courses taken.

VI. COMPENSATION - LEAVE

A. Attendance

The director shall establish a written work attendance policy which shall be provided to all employees and which shall be filed with the Legislative Council. The director or the supervisor shall establish the work schedule, work stations, and required hours of work for employees under the director's or supervisor's supervision. All regulations and schedules shall be made known to the affected employees. Such regulations and schedules may include "flextime" arrangements at the discretion of the director. All

absences of employees, whether permanent, temporary, or probationary, from the established work schedule shall be charged to one of the leave or leave without pay categories.

B. Scheduling of Leave

All leave, such as vacation time, compensatory time, sick leave, or any other form of leave, including leave without pay, must be requested and granted under procedures established by each director and filed with the Legislative Council. Application should be made to the director or the director's designee. Sick leave is the only form of leave that is allowed to be unscheduled and shall be subject to written reporting requirements as established by each director and filed with the Legislative Council. Leave granted by a director in excess of thirty consecutive calendar days shall be reported to the Service Committee.

C. Leave Types

1. Leaves With Pay

a. Vacation Leave

- i. All permanent and probationary employees shall accrue vacation leave according to the rules adopted by the Department of Personnel.
- ii. Vacation leave does not accrue during leave without pay, nor can vacation leave be granted in excess of the amount accumulated.

b. Sick Leave

- i. Employees shall accrue sick leave according to rules adopted by the Department of Personnel. Sick leave will not be granted in excess of the amount accrued nor will it accrue during any absence without pay.
- ii. Accrued sick leave may be used during a period in which an employee is unable to perform the employee's duties because of medical disabilities, physical or mental illness, doctor, dentist, or optical examination or treatment, parental or family leave, or when the performance of assigned duties would jeopardize the employee's health or recovery. Pregnancy disability or recovery from pregnancy are covered by sick leave. Absences for sick leave may require verification by an authorized practitioner.
- iii. Accrued sick leave, not exceeding forty hours per year, may also be used for leaves for temporary care of immediate family members, for child care, or for bereavement leave.
- iv. Sick leave may be converted to vacation time according to the rules of the Department of Personnel.

- c. **Compensatory Leave**
Compensatory leave is accumulated as provided in Part IV of these guidelines. Sick and vacation leave shall accumulate on compensatory time.
- d. **Holiday Leave**
Holiday leave is granted to all permanent employees. Holidays are observed as specified by statute. (See Code Section 33.2.) A holiday shall not exceed eight hours for full-time employees. If an employee is required to work on a holiday, the employee may take holiday leave for the hours worked, not exceeding eight, at a future date. Hours worked on a holiday in excess of eight hours shall accrue as overtime hours in the manner overtime hours accrue for that employee.
- e. **Military Leave**
All permanent or probationary employees who are members of the national guard, organized reserve, or any component of the military of the state of Iowa, when ordered by the proper authority to active military service, may serve for 30 days without loss of pay. Leave for inducted employees will be granted up to five years.
- f. **Court/Jury Leave**
When, in obedience to a subpoena, summons, or direction by proper authority, an employee appears as a witness or jury member in public or private litigation, in which the employee is not a party to the proceedings, the employee is entitled to leave from regularly scheduled duty with regular compensation. However, all payments or reimbursements shall be turned over to the director except the amount necessary for travel or personal expense. Hours spent in court outside of scheduled work hours are not subject to this rule. If two or more hours remain in a work day when released for the day, the employee shall return to work. Employees shall notify the director immediately upon receiving a subpoena, summons, or direction. Court/Jury leave does not apply to those involved in expert testimony outside of their capacity as a state employee.
- g. **Voting Leave**
An employee, who is eligible to vote in a public election in the state of Iowa, may request time off from work with regular pay for a period not to exceed three hours for the purpose of voting. Leave shall be granted only if the employee's work hours do not allow a period of three consecutive hours outside the employee's scheduled work hours during which the voting polls are open. A request for voting leave must be made to the director on or before the employee's last scheduled workday prior to election day. The time during the day to be taken off shall be designated by the director.

h. Olympic Leave

Employees may request leave for participation in Olympic competition. The maximum leave granted for participation in Olympic competition sanctioned by the U.S. Olympic Committee, including travel and pretraining time, shall not exceed 90 working days. All vacation and sick leave still accrue during this time. Eligibility for pay raises and insurance eligibility remain in force. Olympic leave will not be granted during a legislative session. (See Code Section 79.24.)

i. Business Leave

Absence from the usual workplace in the capitol complex for work-related reasons is to be construed as business leave. Business leave includes absence from the capitol complex to attend public hearings, committee meetings, seminars, workshops, and conferences outside the capitol complex as assigned or approved by the director. Business leave includes reasonable travel time to and from such events. All reasonable effort is to be made to travel at the lowest cost relevant to the circumstances. Reimbursement will be provided for reasonable expenses involved in travel, lodging, meals, and related expenses as approved by the director.

If the hours during a day of an in-state meeting, seminar, workshop, or conference, including reasonable travel time to and from the event, exceed eight, the employee accrues work hours equal to the work time plus travel time.

Accrual of work hours during attendance at out-of-state seminars, workshops, and conferences shall not exceed eight hours per day.

j. Family Death Leave

In the event of the death of an employee's immediate family member, the employee is entitled to five working days' leave of absence, per occurrence, with pay. In the event of the death of an employee's family member, other than the death of an immediate family member, the employee is entitled to three working days' leave of absence, per occurrence, with pay.

Family death leave is in addition to other leaves available to an employee. An employee is not required to exhaust other leaves available to the employee before taking family death leave.

For purposes of this lettered paragraph, "employee's immediate family member" means an employee's spouse, child, or parent, and "employee's family member" means family member as defined in Part VI.C.3.d.iii. of these guidelines.

k. Transfer Rights

When a central legislative staff agency employee is transferred within state government, including the executive and judicial branches, or promoted or demoted, all accumulated leave times, other than compensatory leave for transfers to another branch of government, shall carry over with the employee. If the employee is terminated or resigns, only accumulated vacation leave will be paid at its respective hourly rate.

2. Leaves Without Pay

a. Leave Without Pay

- i. A director, upon written request, may grant any amount of leave without pay in a single period of leave or multiple periods of leave for any reason deemed satisfactory, provided the leave in the aggregate is no greater than six months in any one year. Leave without pay in excess of six months in any one calendar year requires the approval of the Service Committee.
- ii. For leave without pay of 30 days or less, the state's share of insurance benefits shall continue and the employee shall accrue seniority as if the employee had not taken the leave. The employee shall not accrue vacation or sick leave.
- iii. With the approval of the director, the employee need not have exhausted sick leave with pay and accrued vacation in order to be granted leave without pay.

b. Sick Leave Without Pay

After all sick leave with pay has been exhausted, the director may, upon written request, grant sick leave without pay to an employee for a length of time the director determines is appropriate. If an employee requests to use sick leave without pay in excess of 30 days, the director shall consult the employee's attending physician or other licensed practitioner. The employee may be terminated or must return to work immediately if the director determines that any of the following are true:

- i. The employee fails or refuses to supply requested information about the illness within a stated time.
- ii. The employee does not show sufficient continued reason to prevent the performance of duties.
- iii. The employee is performing work or activity incompatible with the purpose for which sick leave was granted.

3. Leaves Which May Be With Pay or Without Pay

a. Educational Leave

- i. Educational leave may be granted at the discretion of the director for the purpose of assisting employees to develop skills that will improve their ability to perform their present job responsibilities or to

- provide training and development opportunities for employees that will enable the agency to better meet staffing needs. Educational leave with pay requires the approval of the Service Committee. Education financial assistance shall be as provided for executive branch employees.
- ii. Length of leave. Educational leave shall be requested for a period not to exceed 12 consecutive months. Accrued vacation or compensatory leave need not be exhausted before educational leave is granted. The determination to require the exhaustion of any or all accrued leave rests with the director. The director may grant an extension of the original leave for an additional 12 months.
 - iii. Selection of applicants. While the selection of applicants is at the discretion of the director, all qualified employees shall be offered an equal opportunity to be considered for educational leave within the limitations imposed by agency staffing requirements.
 - iv. Educational institutions. An employee on educational leave may take course work at any accredited educational institution within the state. Attendance at out-of-state institutions may be provided if there are geographical or educational considerations which make attendance at institutions within the state impractical.
 - v. Notification. The director shall notify the Legislative Council of all educational leaves within 15 days following the granting of the leave.
 - vi. Agency report. Annually, the director shall report to the legislative council the direct and indirect costs to the agency of educational leave granted to employees during the preceding fiscal year.
- b. Severe Weather Leave
The provisions relating to severe weather leave contained in the rules of the Department of Personnel apply.
- c. Rights of Return
All persons on any form of leave without pay, provided that they return within the specified period of time, will be returned to the vacant position in the classification held prior to the leave or to the class in the same pay grade for which the employee qualifies. However, for military leave without pay, the right of return applies for five years and 90 days after honorable discharge. Failure to return within the specified period of time shall result in demotion or termination.
- d. Parental and Family Leave
- i. Eligibility and Request for Leave. All permanent, full-time employees are eligible for parental and family leave benefits regardless of their length of service at the Legislature. A request for parental or family leave shall be made in writing by the employee reasonably in

advance of the beginning of the leave, unless a planned leave is precluded by an unforeseen circumstance. The request for leave shall state the purpose of the leave, the expected duration of absence, and the intention of the employee to return to work following completion of the leave. An employee's supervisor may agree to an arrangement for reduced working hours in lieu of granting parental or family leave.

- ii. **Parental Leave.** An employee is entitled to parental leave, not to exceed three months in duration, upon the birth or placement for adoption of a child. Parental leave shall begin no later than eight weeks following the birth or placement for adoption of a child.

The employee may use accrued vacation, sick, compensatory, or holiday leave or leave without pay during the period of parental leave. However, an employee on parental leave shall be required to use accrued leave before being granted a leave without pay, except that an employee is entitled to retain 40 hours of vacation leave and 40 hours of sick leave upon the taking of leave without pay as part of the employee's parental leave.

Parental leave includes the period of time that a pregnant employee is absent from work due to physical disability related to pregnancy and childbirth. This period of physical disability is presumed to be two weeks before the birth of the child and six weeks following the birth of the child but may be extended before or after that period of time by a physician's statement of disability.

- iii. **Family Leave.** An employee's supervisor may grant to the employee family leave, not to exceed 160 hours per year, to care for a family member who is seriously ill or upon the death of a family member. Family leave is in addition to the 40 hours per year of accrued sick leave provided for the temporary care of immediate family members, for child care, or for bereavement leave. See Part VI.C.1.b.iii. of these guidelines.

The employee, at the employee's own option, may use accrued vacation, sick, compensatory, or holiday leave or leave without pay during the period of family leave.

For the purposes of family leave, "family member" means the employee's spouse, children, grandchildren, foster children, stepchildren, legal wards, parents, grandparents, foster parents, stepparents, brothers, foster brothers, stepbrothers, sons-in-law, brothers-in-law, sisters, foster sisters, stepsisters, daughters-in-law, sisters-in-law, aunts, uncles, nieces, nephews, corresponding

relatives of the employee's spouse, other persons who are members of the employees's household, and other persons for whom the employee is the primary caretaker.

- iv. **Seniority and Benefits During Leave.** During any period of authorized parental or family leave, seniority continues to accrue, state benefits continue in force, and the employer's share of state benefit premiums or payments continue to be paid by the employer.
- v. **Right of Return.** Following any period of authorized parental or family leave, the employee is guaranteed a job at the same position classification at least the same grade and step. Part VI.C.3.c. of these guidelines, entitled "Rights of Return," does not apply to parental and family leave.

D. Vacation Leave Sharing

1. The director shall permit a permanent employee to transfer any vacation leave accrued by the employee in excess of eighty hours to another permanent employee of the same or another agency, and the director of that same or other agency shall permit the other permanent employee to receive and use such transferred vacation leave, if all of the following conditions relating to the employee receiving and using the transferred vacation leave are met:
 - a. The employee suffers from, or has a relative or household member suffering from, an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to go on leave without pay status or to terminate employment with the agency.
 - b. The employee has depleted or will shortly deplete the employee's vacation leave, compensatory leave, and sick leave.
 - c. The employee has complied with agency rules regarding sick leave use.
2. An employee receiving vacation leave under this paragraph shall not receive more than 2088 hours of transferred vacation leave per calendar year under this paragraph.
3. While an employee is using vacation leave transferred to the employee under this paragraph, the employee shall be treated as if the employee were using the employee's own vacation leave. As soon as an employee accrues 40 hours of vacation leave while using vacation leave transferred to the employee under this paragraph, the employee shall be required to use that accrued vacation leave and all accrued sick leave before continuing to use the transferred vacation leave.
4. Vacation leave transferred under this section shall be transferred on an hour-for-hour basis without regard to any difference in hourly pay between the employee transferring the vacation leave and the employee receiving the

vacation leave. The number of hours of vacation leave transferred by an employee under this paragraph shall be deducted from that employee's accrued vacation leave. The number of hours of vacation leave received by an employee under this paragraph shall be added to that employee's vacation leave.

5. Vacation leave transferred under this paragraph which remains unused for any reason shall be returned to the employee, or to the employees on a pro rata basis, who transferred the vacation leave.
6. Vacation Leave Sharing Policy - Transfer Procedure. (Not approved by Legislative Council but agreed to by all four central legislative staff agency directors on May 1, 1991.)
 - a. Confidential Requests for Transfer. Pursuant to the vacation leave sharing policy adopted by the Legislative Council, a permanent employee of a central legislative staff agency (referred to as the transferring employee or transferring agency) may confidentially request the transfer of a specific number of vacation leave hours accrued by the transferring employee in excess of 80 hours to a specified, named permanent employee of the same or another central legislative staff agency (referred to as the receiving employee or receiving agency) by filing a written request with the director of the transferring agency.
 - b. Notification and Inquiry -- Confidentiality. The director of the transferring agency shall immediately notify the director of the receiving agency, inquiring if the receiving employee is or will be eligible to receive transferred vacation leave and whether the employee would be able to immediately use the vacation leave requested to be transferred. The transferring agency shall not subtract any vacation leave hours from the transferring employee's accrued vacation leave until all or a portion of the vacation leave hours requested to be transferred have been accepted by the receiving agency for actual transfer to the receiving employee. The request for transfer and any action regarding the request or the use of transferred vacation leave shall be maintained by the directors and finance officers of the transferring and receiving agencies as a confidential personnel record. In administering the transfer procedure, if the transferring and receiving agencies are not one and the same, the director and finance officer of a transferring agency shall not disclose the name of a transferring employee to the director or finance officer of the receiving agency.
 - c. Eligibility Determination and Acceptance or Abeyance of Transfer. Upon a determination by the director of the receiving agency that the specified, named employee is eligible to receive transferred vacation leave under the vacation leave sharing policy adopted by the Legislative Council, the receiving agency shall determine the time period or periods during which the receiving employee would be able to use transferred vacation leave,

and the number of hours which could be transferred to the receiving employee without the receiving employee exceeding the receiving employee's vacation ceiling. At any point in time the directors and finance officers of the transferring and receiving agencies may hold requests for transfer in abeyance if the receiving employee is currently not able to use all of the hours requested to be transferred. The directors and finance officers may periodically transfer such hours when the receiving employee is able to use the hours. If such hours are still being held in abeyance at the end of the calendar year in which the hours were requested to be transferred, the transferring agency's director shall notify the transferring employee that a transfer has not been made and that the request for transfer will be automatically terminated at the end of the calendar year unless the transferring employee files a written request for transfer for the next calendar year.

- d. Actual Transfer. The receiving agency's finance officer shall notify the transferring agency's finance officer of the number of hours which can be transferred and, upon approval of the request for transfer by the director of the transferring agency, the transferring agency's finance officer shall subtract that number of hours from the transferring employee's accrued vacation hours and the receiving agency's finance officer shall add that number of hours to the receiving employee's accrued vacation hours, if any.
- e. Multiple Requests for Transfer. If the receiving agency has been notified of more than one approved request for the transfer of vacation leave to the receiving employee, the finance officer of each transferring agency shall separate the requests by date of approval. The transferring and receiving agencies' finance officers shall transfer vacation hours, beginning with the requests for transfer approved at the earliest date.
- f. Pro Rata Return of Unused Hours. If all or a portion of the vacation leave hours which were actually transferred cannot be used by the receiving employee, the transferring and receiving agencies' finance officers shall arrange the return of the unused vacation leave hours to the transferring employee, or if more than one transferring employee is involved, to the transferring employees on a pro rata basis.

VII. HIRING

A. General Authority

Each director has discretionary hiring authority for all authorized and funded vacant positions within the agency, provided such hiring is at the entry level salary. Such hirings shall be reported at the time of hiring to the Service Committee and the Legislative Council. Placement of a new employee at higher than entry level salary requires the prior approval of the Service Committee. Entry level salary is step one of

the specified grade level of the position for original appointment or, for reappointment of former employees to the same position, the step determined by cumulative prior experience.

B. Affirmative Action - Equal Employment Opportunity

It is the policy of the Legislative Council that equal employment opportunities be provided to all qualified employees and applicants for employment regardless of race, religion, color, sex, national origin, age, sexual orientation, or physical or mental disability. Each agency shall adopt a program of affirmative action designed to provide employment opportunities on the basis of individual capabilities, motivation, and merit, and also designed to encourage women and minorities to seek employment and promotion on these bases. The director of each agency is responsible for that agency's efforts to provide equal employment opportunity. Each agency shall comply with the Iowa Civil Rights Act contained in Chapter 216 of the Code. Each agency shall seek qualified applicants and assist underqualified persons to become qualified within the job classifications of the agency. An agency shall seek applications from qualified women and minorities when vacancies or new positions are filled.

An agency shall adopt procedures to encourage the recruitment, hiring, and promotion of women and minorities. Position announcements shall be posted within the office area of the agency and in other appropriate areas of the capitol complex. The position may be advertised in an appropriate newspaper or newspapers based upon the period of time that has elapsed since a similar position announcement was last published.

The position announcement shall advise the employees that applications for the position must be filed in writing with the director of the agency and shall contain a description of the job and its duties and responsibilities. Applicants may be asked to complete a questionnaire indicating their race or national origin, sex, age, and whether they have a physical or mental disability. The questionnaire responses shall be used solely for periodic review to determine whether a well-qualified and diverse pool of applicants is being attracted.

An agency shall not favor or discriminate against any person in training, professional development, promotional opportunities, salary, or working conditions, because of race, religion, color, sex, national origin, age, sexual orientation, or physical or mental disability. Applicants or employees who believe they have experienced discrimination in hiring, promotion, termination, or other matters pertaining to employment may file a grievance with the Legislative Council. Any person aggrieved by the decision of the Legislative Council may initiate appropriate action through the court system.

C. Probationary Period

For the purposes of evaluating the performance of new employees (original appointment or reappointment of a returning employee to a permanent or temporary

position), a period will be implemented. The probationary period is, at the discretion of the director, the first six months of employment or the completion of a legislative session. During this period, the employee shall be ineligible for promotion or demotion. After the probationary period is over, either the director or the employee's supervisor will recommend to continue or terminate the employee. During the probationary period, employees may be terminated at will and the grievance procedure is not applicable to them.

VIII. LAYOFF AND RECALL

A. Layoffs and Order of Layoffs

With the approval of the Service Committee, a director may, due to budgetary requirements or workload demands, lay off an employee. Layoff shall be by job classification in reverse order of seniority.

B. Recall List

1. Each director shall establish and maintain a recall list used for filling vacant positions. Recall lists will be established by job classification and seniority. These lists shall consist of the names of permanent employees who were separated by layoffs. Employees shall be placed on the list in order of seniority (years-months-days of continuous service prior to layoff).
2. Employees shall be removed from the list for any of the following reasons:
 - a. Failure by applicant to maintain a current address as evidenced by the return of a properly addressed letter.
 - b. Failure by applicant to respond to a written inquiry concerning availability for employment within five working days following the inquiry.
 - c. Receipt of a written request that the employee no longer wants to be on a particular list.
 - d. Declination to accept a position for which the employee is eligible.
3. If no recall list exists for a given job class, the director shall follow the procedure for filling vacancies.

IX. PERFORMANCE EVALUATIONS

Each agency shall adopt a performance evaluation form or forms to be used for its employees. Copies of the form shall be provided to the Service Committee and to each employee of the agency.

A review on at least an annual basis, using the evaluation form, shall be made of each employee's performance by the director or a supervisor designated by the director. Attention should be directed to areas of strength and weakness, areas of past

improvement or needed future improvement, and suggestions or requirements for further training or development. Exit performance evaluations shall be conducted before the last day of employment covering the period between the last evaluation and the last date of employment. A copy of a completed employee's performance evaluation form, and other documentation, if any, shall be given to the employee at the time of the employee's evaluation. The form shall be signed and dated by both the employee and the supervisor or director. A copy of the signed evaluation form shall be placed in the employee's file. The employee may make a written response relating to the performance evaluation and the response will be placed in the employee's file.

X. PROMOTIONS

A. Applicability

This chapter is not applicable to cost-of-living adjustments and annual merit increases, which are governed by Part IV of the guidelines.

B. Probationary Employees

Probationary employees shall be ineligible for a promotion during their probationary period.

C. Authority and Requirements for a Promotion

Each director shall have the discretion to promote an employee to either a vacant position or a new position when an employee meets the requirements of that position, with the prior approval of the Service Committee. A director may promote an employee to a higher classification and grade level within a job series of position classifications with the prior approval of the Service Committee for such reclassification. To be eligible for a promotion, the employee must at least receive satisfactory ratings on their current job assignment, and the employee must meet the minimum qualifications for the new position. A salary increase due to a promotion is in addition to any salary increase that an employee may receive under Part IV of these guidelines. A promotion is a change in positions by an employee to a position that has been assigned a higher pay grade level.

D. Post Promotion

For current employees, a new probationary period may be required. For pay purposes, when an employee is promoted, the employee's salary shall be adjusted to step one of the grade level of the new position. If that does not result in at least a one-step increase, then the employee's salary shall be adjusted to the paystep at the new grade level that results in a one-step increase. However, for promotions between classes with a three or more pay grade difference, the employee shall be given a two-step

increase in pay or the employee's salary shall be adjusted to step one of the grade level of the new position, whichever is greater.

XI. DEMOTIONS AND TERMINATION

A. Informal Review of Performance Shortcomings

The employee's director or immediate supervisor may at any time, in an informal manner, discuss concerns regarding existing performance problems. The director or supervisor may note in the employee's file the date and reasons for the meeting. The employee is expected to address the specified concerns.

B. Formal Review of Performance Shortcomings

The employee's director or immediate supervisor may make a formal review of performance shortcomings by memorandum, letter of reprimand, annual performance evaluation, or documented discussion. A listing of the employee's shortcomings and any written material relating to the formal review shall be placed in the employee's file. The employee shall be provided time to prepare a written response and the response shall be placed in the employee's file. Failure by the employee to show sufficient progress in addressing the performance shortcoming may result in demotion or termination.

C. Suspension

A director has discretionary authority to suspend an employee with or without pay.

D. Demotion

A director has discretionary authority to demote an employee. Demotion may be in step or in grade. Demotion in step shall be a one-step reduction within the employee's current grade. Demotion in grade shall be to step 6 in the grade of the next lower classification in the employee's job series or career ladder. If that does not result in at least a one-step decrease in salary, then the employee's salary shall be adjusted to the pay step at the new grade level that results in a one-step decrease in salary. Demotions shall be reported to the Service Committee.

E. Termination

The director has discretionary authority to terminate an employee. All documentation regarding the termination shall be kept for at least two calendar years.

XII. GRIEVANCE PROCEDURES

A. Grievance Procedures - Authority

Pursuant to section 2.42, subsection 14, and section 2C.3, Code 1989, the following rules for hearing and acting upon appeals of aggrieved employees of the Legislative Service Bureau, Legislative Fiscal Bureau, Computer Support Bureau, and the Office of Citizens' Aide are established by the Legislative Council.

B. Definitions

Unless otherwise provided:

1. "Director" means the director of the Legislative Service Bureau, Legislative Fiscal Bureau, Computer Support Bureau, or the Office of Citizens' Aide.
2. "Employee" means a person employed by the Legislative Service Bureau, Legislative Fiscal Bureau, Computer Support Bureau, or the Office of Citizens' Aide. "Employee" does not include the director of the Legislative Service Bureau, the director of the Legislative Fiscal Bureau, the director of the Computer Support Bureau, or the Citizens' Aide.
3. "Committee" means the Service Committee of the Legislative Council.
4. "Council" means the Legislative Council.

C. Grievance Procedures - Rules

These rules shall constitute the procedures for resolving grievances or complaints of employees. Time limits specified within these rules begin the working day following the day an action takes place or is required.

D. Filing of Grievance or Complaint - Right of Employee

An employee may file or submit a grievance or complaint with a director, the Committee, or the Council as provided in these rules without fear of jeopardizing the employee's position or opportunities for advancement or salary increase. The employee involved in the proceeding shall cooperate with the employing authority so that there will be a minimum of interference with normal operation of the agency's work. Time limits provided in these rules may be altered by mutual agreement.

E. Initiation of Complaint or Grievance

An employee shall file a grievance or complaint in writing with the director within five working days of the incident of the alleged grievance or complaint. The director shall

transmit a written decision to the employee within five working days of receipt of the grievance or complaint.

F. Appeal to Committee - Submission in Writing

If the employee is not satisfied with the decision of the director, the employee may within five working days of receipt of the decision of the director file a grievance or complaint in writing with the chairperson of the Committee. A copy of the written grievance or complaint shall be filed with the director at the same time as the filing with the chairperson of the Committee. The director shall file a copy of the director's decision upon notification of the filing of the grievance or complaint with the Committee.

G. Consideration of the Written Grievance or Complaint by the Committee

The Committee shall consider the written complaint or grievance either within 30 days of its receipt, at its next regularly scheduled meeting, at a meeting specially called for such purpose, or at a subsequent meeting as determined by the Committee. The Committee shall make a written decision in regard to the grievance or complaint on the day the complaint or grievance is considered. However, if the Committee desires additional information from any person it may continue the hearing and notify the employee and the director of its decision to continue the hearing. The Committee may then request the additional information from the director or the employee affected. A copy of the written decision shall be filed with the director and employee.

H. Appeal to Council

If the employee is not satisfied with the decision of the Committee, the employee may appeal the Committee's decision to the Council by filing a written appeal with the chairperson and vice chairperson of the Council. A copy of the appeal shall be filed with the director at the same time. The chairperson shall set a time for hearing the written appeal of the grievance or complaint. The hearing may be part of a regular meeting of the Council or may be held during a special meeting called for such purpose. The appeal to the Council must be filed within five working days of the decision of the Committee. The decision of the Council in regard to the grievance or complaint is final. A copy of the written decision shall be filed with the director and employee.

I. Effect of Failure to Proceed

If the employee fails to proceed with the grievance or complaint within the time limits set forth in these rules or special time limits agreed upon, it shall be assumed the grievance or complaint has been settled on the basis of the last decision reached or that the employee does not desire to pursue the matter further. If a director fails to

comply with the time limitations, the employee may proceed immediately to the next step as if a decision had been reached with which the employee was not satisfied.

J. Form and Content of Written Appeals

The written appeal shall contain such specific information as will adequately inform a director, the Committee, or the Council of the incident from which the appeal arose. A director, the Committee, or the Council may request additional information and may request the information be presented in a specific form or letter and provided to all parties involved. An employee may request that a third person be present to give evidence or represent the employee, however, the third person may decline to present evidence or represent the employee. All germane information presented at any hearing may be added to and shall become a part of an appeal. All hearings shall be held in an informal manner. Any party, a director, the Committee, or the Council may call witnesses and consider documents and written statements which shall not be limited by legal rules of evidence. Witnesses may decline to participate in the hearing.

K. Notification of Hearing

An aggrieved employee or any person affected shall be given reasonable notice of any hearing so that proper arrangements to attend the hearing can be made. An aggrieved employee shall be allowed time off with pay to attend the hearing.

L. Coercion of Employees

A director or another supervisor shall not coerce an employee into not proceeding with a grievance or a complaint or appearing as a witness at a hearing. An act of coercion shall be considered as a reason for a grievance or complaint which may be combined with the original grievance or complaint.

M. Amendments

A complaint or a grievance may be amended at any time prior to a decision. The amendment must relate directly to the original complaint or grievance and allowance of such amendments shall be within the discretion of the chairperson of the Committee or Council. The Committee or the Council may impose terms or grant a continuance with or without terms as a condition of such allowance. A request for an amendment shall be submitted in writing either to the chairperson of the Committee or the Council, as the case may be, and a copy shall be filed with the affected director.

XIII. NONPARTISAN POLITICAL PARTICIPATION GUIDELINES

In order to maintain fair and effective functioning of the Legislative Service Bureau, the Legislative Fiscal Bureau, the Computer Support Bureau, and the Office of Citizens' Aide, it is necessary that their employees not participate in partisan politics.

A. Participation in Partisan Politics Defined.

Participation in partisan politics means and includes the following:

1. Organizing a political party or club.
2. Actively participating in or attending fund-raising activities for a partisan candidate or partisan political party.
3. Becoming a partisan candidate for or campaigning for an elective public office.
4. Actively working in or managing the campaign of a partisan candidate for public office.
5. Initiating or circulating a partisan nominating petition or soliciting votes for a partisan candidate for public office.
6. Serving as a delegate, alternate, or proxy to a political party caucus or convention.
7. Speaking at political party meetings in support of a partisan candidate for public office or party office.
8. Giving or receiving money for partisan political purposes unless giving the money for political purposes will remain confidential such as is provided in the state income tax law.
9. Endorsing a partisan candidate for public office or political party office in a political advertisement, broadcast, or campaign.
10. Speaking to a political convention, caucus rally, or similar gathering of a political party except when providing information on an objective and nonpartisan basis.

B. Identification as an Advocate

In addition employees must take care that the employee is not identified as an advocate or an opponent of an issue which is subject to legislative debate except as otherwise provided by law.

C. Allowable Political Functions

There are some political functions which can be exercised by legislative staff which will not inhibit the exercise of a person's election franchise or free speech and will not diminish the fair and effective functioning of the agencies. While the following is not intended to be a complete list, it can be used as a guideline regarding allowable political activities. An employee may do the following:

1. Vote at all elections and register as a member of a political party.
2. Discuss publicly legislative issues and matters of public interest so long as discussions are not directed toward party success or failure and so long as the discussion does not promote or downgrade a party or member of a party and lead other persons to believe that the employee favors one party or another.
3. Participate in nonpartisan elections or be politically active in issues which are not specifically identified with any national or political party.
4. Participate in public affairs if the participation does not materially imply that the employee favors one political party or another.
5. Attend political conventions or functions to which the public at large is invited if the employee does not take part in the convention or in the deliberations and refrains from a public display of partisanship.
6. Attend any political meeting such as where political candidates or political figures are attending if the public at large is invited and if the attendance will not result in the appearance to persons that the employee is engaging in a political activity with the result that confidence in that employee could be eroded.
7.
 - a. Participation in the precinct party caucuses for presidential candidate selection is permitted since it is the equivalent of voting in a primary election. Participation at a higher level, such as being a delegate to a county party convention, is not permitted.
 - b. Behavior while participating in the precinct caucuses is governed by the guidelines, including the specific guidance given in regard to what are allowable activities and what are prohibited activities.

D. Application of Policies to Immediate Family

The policies established shall not apply to the spouse or children of an employee.

E. Consultation with Department Head in Case of Questions

An employee should exercise judgment in participating in any activities that might be construed by others as partisan in nature and which might compromise the belief that the employee will work on a nonpartisan relationship. If an employee is in doubt about attendance at a particular function or a possible political practice, that employee should consult with the agency director prior to attending the function in order that the employee's right of free speech and association will be maintained and the efficiency and fairness of the offices will not be compromised as a result of a lack of confidence by the persons for whom the employee must work.

F. Penalties

Penalty for violation of any provisions may include a warning, reprimand, demotion, suspension, loss of reclassification, loss of salary increase, or termination of employment. The director shall determine the penalty to be imposed, however, no penalty, except a warning or reprimand, shall be imposed, until the violation and penalty are reviewed by the Service Committee. The Service Committee may change or modify the penalty through the grievance procedures. If a director violates these provisions, the Service Committee shall review the violation and impose the penalty, if any.

XIV. GIFTS AND SALES OF GOODS AND SERVICES

A. Gifts.

1. As used in this paragraph A, the words "gift," "honorarium," "immediate family member," "person," and "public disclosure" have the same meanings as provided in chapter 68B of the Iowa Code.
2. Except as provided in this paragraph A, a person or persons shall not, directly or indirectly, individually or jointly, offer or make any gift or series of gifts to an employee or an immediate family member of an employee. An employee or the employee's immediate family shall not solicit any gift or series of gifts at any time. An employee shall not seek or accept an honorarium.
3. Gifts of food, beverages, travel, and lodging which would otherwise be prohibited may be received by an employee if the requirements of section 68B.22, subsection 4, of the Iowa Code are satisfied.
4. A person may give, and an employee or an immediate family member of an employee may accept, a nonmonetary gift or series of gifts if the gift or series of gifts is donated within 30 days to a public body, a bona fide educational or charitable organization, or the Department of General Services. The employee shall file a report of the gift or series of gifts with the employee's legislative agency. A report required to be filed pursuant to these rules shall be filed by the fifteenth day of the month following the month in which the gift or series of gifts was made or received. The report shall show the donor, donee, nature, amount, date, and disposition or intended disposition of each gift or series of gifts.
5. Each director shall designate a custodian of the reports filed with that agency. The Legislative Council may request compilations on or copies of those reports. The reports are available for public inspection as provided in Chapter 22 of the Iowa Code.

B. Sales of Goods or Services

1. As used in this paragraph B, the words "legislative employee," "lobbyist," and "person" have the same meanings as provided in chapter 68B of the Iowa Code.
2. A legislative employee shall not sell goods or services with a value in excess of \$500 to a state agency, unless the sale has been made pursuant to an award or contract let after public notice and competitive bidding. The public bid requirement does not apply to legislative employees who are teachers at accredited education institutions and who possess the appropriate license and education requirements for that education institution, or to publication of various legal notices and propositions in newspapers that have been designated as the place for publication of legal notices or propositions.
3. Except as provided in this subparagraph, a permanent legislative employee shall not sell, directly or indirectly, any goods or services to individuals, associations, or corporations which employ persons who are registered lobbyists before the general assembly.

A legislative employee who is not the director of a central legislative staff agency may sell goods or services and not be in violation of this paragraph A if all of the following conditions are met:

- a. The employee obtains the prior consent of the director of the employee's agency.
- b. The goods or services to be sold do not include lobbying the general assembly and selling goods or services to the general assembly.
- c. The duties and functions performed by the legislative employee are not related to the legislative authority of the general assembly over the individual, association, or corporation or the duties and functions performed by the legislative employee for the general assembly will not be affected by the proposed sale of goods or services to the individual, association, or corporation.
- d. Either the value of the goods or services is under \$500, or the value is greater than \$500 and the contract is let either with someone other than a state agency, or with a state agency, but has been let after public notice and competitive bidding.

If the legislative employee is the director of a central legislative staff agency, all of the above requirements shall apply, except that prior consent of the Legislative Council shall be required in lieu of consent of the director of the agency.

4. Each director shall specify a procedure for receiving and recording requests by employees for permission to sell goods or services. Records of the requests

are available for public inspection as provided in Chapter 22 of the Iowa Code. This chapter shall not apply to goods or services rendered voluntarily by an employee for which no compensation is received. This chapter shall not be construed to permit sales of goods or services which would either constitute an unlawful receipt of an honorarium or would constitute services against the interest of the state in violation of section 68B.6 of the Iowa Code.

REPORT OF GIFTS RECEIVED

An employee of a central legislative staff agency is required to file this report with the employee's agency when any gift or series of gifts, as defined in section 68B.2, is received by the employee or an immediate family member of the employee. This does not apply to gifts of food, beverage, travel, and lodging if the requirements of section 68B.22, subsection 4, are met and the director is notified. This report is due by the 15th of the month following the month in which the gift was received.

Please note: Iowa law prohibits the acceptance of any gift or series of gifts, but allows the acceptance of a nonmonetary gift or series of gifts if donated within 30 days to a public body, a bona fide educational or charitable organization, or the Department of General Services. Iowa Code Chapter 68B should be reviewed with respect to the definition of gift and other pertinent requirements.

GIFTS:

1. Donor/Organization _____
Date Received _____
Nature and Amount _____

Disposition _____

 2. Donor/Organization _____
Date Received _____
Nature and Amount _____

Disposition _____

 3. Donor/Organization _____
Date Received _____
Nature and Amount _____

Disposition _____

- _____
- Date _____ Donee's Signature _____

XV. EMPLOYEE CONDUCT

Each director shall have the authority to define policies and procedures for the operations of their agencies within the context of these guidelines and each agency's operating requirements. The director shall compile these policies and procedures into an employee handbook that is provided to all employees of the agency.

Such policies and procedures may include, but are not limited to, those relating to dress code, smoking in the workplace, outside employment, and various operating procedures.

Such policies and procedures shall be filed with the Service Committee for its review and approval.

XVI. PERSONNEL RECORDS

The director or the director's designee shall maintain and be custodians of all personnel files on each employee of that agency. These files shall also include but not be limited to performance evaluation records and any disciplinary proceedings against the employee. An employee who is no longer employed by the agency, whether by resignation or termination, shall have the employee's file kept in the agency for a period not to exceed two years, then transmitted to the General Services Records Center. Employees shall have the right to inspect and have copies made of their personnel files during regular business hours. All records shall be held as confidential in accordance with Code Section 19A.15.

XVII. UNAUTHORIZED COMPUTER ACCESS (HACKING)

Unauthorized computer access is the attempt, successful or unsuccessful, to access the legislative computer system without proper authorization from the Legislative Computer Support Bureau. Unauthorized computer access includes but is not limited to: Attempting or using a sign-on belonging to another individual, attempting to access modes and data without proper authorization, or attempting to disrupt the computer system by intentionally causing the computer system to abort or terminate.

Unauthorized computer access is also any attempt to compromise data stored on a microcomputer (pc) within the capitol complex or belonging to the Legislature or any attempt to alter the hardware or software without authorization of the Computer Support Bureau.

Unauthorized access attempts will be monitored by the Legislative Computer Support Bureau and immediate notification will be made to the Secretary of the Senate, Chief Clerk of the House, and the directors of the central staff agencies.

The Legislative Computer Support Bureau will attempt to provide details to help determine where the unauthorized access was made and, if possible, the actual person or persons attempting the unauthorized access.

The Legislative Computer Support Bureau may disable the user-id of any employee found attempting unauthorized access and will restore the user privilege only at the direction of the Service Committee. The Legislative Computer Support Bureau shall notify the employee and the employee's director when a user-id has been disabled.

Penalties for unauthorized access or the attempt of unauthorized access of the legislative computer system or microcomputers may include a warning, reprimand, demotion, suspension, loss of reclassification, loss of salary increase, or termination of employment, as determined by the employee's director. The Service Committee may change or modify the penalty through the grievance procedures prescribed in Part XII of these guidelines.

XVIII. CONFLICTS OF INTEREST

- A. An employee of a central legislative staff agency shall seek to avoid all conflicts of interest between the employee's own financial, business, property, or personal interests and the interests of the employee's agency. Depending on the circumstances, the interests of the employee's agency may or may not be synonymous with the interests of the legislative branch or the state in general.
- B. An employee of a central legislative staff agency shall not accept outside employment or enter into a financial, business, property, or personal relationship if the outside employment or financial, business, property, or personal relationship will or may reasonably adversely affect the employee's professional judgment exercised by the employee on behalf of the employee's agency.
- C. An employee of a central legislative staff agency shall not disclose or use confidential information acquired in the course of the employee's professional responsibilities performed on behalf of the employee's agency in order to benefit the employee's outside employment or financial, business, property, or personal relationship.
- D. In determining whether a conflict of interest or potential conflict of interests exists an employee shall take into consideration the following factors:
 - 1. Whether a substantial threat to the employee's independence of judgment has been created by the conflict situation.

2. Whether a substantial likelihood exists that the performance of the employee's professional responsibilities will affect the outside employment or financial, business, property, or personal relationship.
 3. Whether the exercise of the employee's professional responsibilities, considering the outside employment or financial, business, property, or personal relationship, would give rise to the appearance of professional impropriety and therefore diminish legislative and public confidence in the employee's conduct or the operations of the employee's agency.
- E. An employee may consult with the agency director in order to determine whether a conflict of interests or potential conflict of interests exists.
- F. If the director of an employee's agency determines that a conflict of interests or potential conflict of interests exists, the director may require the employee to make full disclosure to the director of all relevant facts relating to the outside employment or financial, business, property, or personal relationship, in order to determine what steps may be necessary to take in order to eliminate the conflict of interests or potential conflict of interests.

LEGISLATIVE COMPUTER SUPPORT BUREAU

<u>Position Classification</u>	<u>Pay Grade</u>
Computer Systems Analyst	24
Computer Systems Analyst I	27
Computer Systems Analyst II	29
Computer Systems Analyst III	32
Senior Computer Systems Analyst	35
Computer Operator-Session Only	21
Computer Operator I	21
Computer Operator II	24
Computer Systems Engineer I	29
Computer Systems Engineer II	32
Senior Computer Systems Engineer	35
Administrative Secretary	21
Executive Secretary	24
Division Administrator I	35
Division Administrator II	38

Source: Pay resolution adopted by Legislative Council
Job Descriptions are attached

Legislative Computer Support Bureau
Annual Personnel Report
FY 1993

NAME	POSITION	CURRENT GD/STEP	MERIT INCREASE ELIG. DATES	COMPTIME/OR OVERTIME	OVERTIME HOURS 1992
Damman, Ed	Division Administrator I	35/1	05-21-94	CT	N/A
Boyd, Bryan	Computer Systems Engineer I	29/1	12-17-93	CT	N/A
Campos, Roel	Computer Systems Analyst II	29/1	12-17-93	CT	N/A
Evans, Kay	Division Administrator I	35/4	11-20-93	CT	N/A
Frederick, Sherry	Executive Secretary	24/4	12-17-93	CT	N/A
Ritter, Cheryl	Computer Systems Analyst I	27/4	11-20-93	CT	N/A
Nelson, Steve	Computer Operator I	21/3	07-30-93	OT	188.50
Murtfeld, Roger	Division Administrator I	35/2	01-15-94	CT	N/A
Rowen, Virginia	Computer Systems Analyst	24/6	01-01-94	CT	N/A

Total comptime hours from January 1, 1993 thru June 15, 1993:

	COMP WORKED	ADJUST 1ST 40 HOURS	COMP/LESS ADJUSTMENT	COMPENSATORY ALLOWED	COMPTIME NOT USED
Employee 1	24.50	-40	0.00	0.00	0.00
Employee 2	14.50	-40	0.00	0.00	0.00
Employee 3	129.75	-40	89.75	89.75	89.75
Employee 4	19.00	-40	0.00	0.00	0.00
Employee 5	67.00	-40	27.00	27.00	14.00
Employee 6	3.50	-40	0.00	0.00	0.00
Employee 7	97.00	-40	57.00	57.00	1.00
Employee 8	39.25		39.25	58.88	21.63

1 LEGISLATIVE COUNCIL RESOLUTION

2 A Resolution relating to the compensation of employees
3 of the central legislative staff agencies for the
4 Seventy-fifth General Assembly.

5 WHEREAS, past Senate Concurrent Resolutions of the
6 General Assembly have provided that it is the intent
7 of the General Assembly that the Legislative Council
8 adopt a resolution to provide for the compensation and
9 benefits of all central legislative staff agency
10 employees, and that the resolution be adopted as soon
11 as practicable after the convening of each new General
12 Assembly, NOW THEREFORE,

13 BE IT RESOLVED BY THE LEGISLATIVE COUNCIL, That the
14 compensation of the central legislative staff agency
15 employees of the Seventy-fifth General Assembly shall
16 be set, effective from January 11, 1993, until January
17 9, 1995, in accordance with the following salary
18 schedule:

19 #8	#9	#10	#11	#12
20 \$11,564.80	\$12,126.40	\$12,750.40	\$13,395.20	\$14,060.80
21 5.56	5.83	6.13	6.44	6.76
22				
23 #13	#14	#15	#16	#17
24 \$14,768.00	\$15,537.60	\$16,348.80	\$17,160.00	\$17,950.40
25 7.10	7.47	7.86	8.25	8.63
26				
27 #18	#19	#20	#21	#22
28 \$18,824.00	\$19,697.60	\$20,696.00	\$21,652.80	\$22,713.60
29 9.05	9.47	9.95	10.41	10.92
30				

1	#23	#24	#25	#26	#27
2	\$23,816.00	\$24,918.40	\$26,145.60	\$27,372.80	\$28,683.20
3	11.45	11.98	12.57	13.16	13.79
4					
5	#28	#29	#30	#31	#32
6	\$30,076.80	\$31,532.80	\$33,030.40	\$34,652.80	\$36,254.40
7	14.46	15.16	15.88	16.66	17.43
8					
9	#33	#34	#35	#36	#37
10	\$38,064.00	\$39,852.80	\$41,745.60	\$43,763.20	\$45,884.80
11	18.30	19.16	20.07	21.04	22.06
12					
13	#38	#39	#40	#41	#42
14	\$48,068.80	\$50,398.40	\$52,832.00	\$55,369.60	\$58,032.00
15	23.11	24.23	25.40	26.62	27.90

16 In this schedule, each numbered block shall be the
17 yearly and hourly compensation for the pay grade of
18 the number heading the block. Within each grade there
19 shall be six steps numbered "1" through "6". In the
20 above schedule the steps for all grades are determined
21 in the following manner. Each numbered block is
22 counted as the "1" step for that grade. The next
23 higher block is counted as the "2" step; the next
24 higher block is the "3" step; the next higher block is
25 the "4" step; the next higher block is the "5" step;
26 and the next higher block is the "6" step.

27 All employees shall be available to work daily
28 until completion of the needed work of the central
29 legislative staff agencies. The directors of the
30 central legislative staff agencies shall schedule all

1 employees' working hours to, as far as possible,
2 maintain regular working hours.

3 All employees, other than those designated "part-
4 time" and those on leave without pay, shall generally
5 be compensated for 40 hours of work in a one-week pay
6 period. Except for the personnel designated to the
7 contrary in this resolution, employees who are
8 required to work in excess of 40 hours in a one-week
9 pay period shall either be compensated at a rate of
10 pay equal to one and one-half times the hourly pay
11 provided in this resolution or be allowed compensatory
12 time off at a rate of one and one-half hours for each
13 hour of overtime as provided in the personnel
14 guidelines for central legislative staff agencies
15 adopted by the Legislative Council.

16 BE IT FURTHER RESOLVED, That, notwithstanding the
17 above salary schedule, the compensation for the
18 following agency directors for the period commencing
19 January 1, 1993, and ending January 10, 1995, shall be
20 within the following ranges:

21 Computer Support Bureau Director	\$45,890 to \$62,400
22 Legislative Fiscal Bureau Director	\$52,832 to \$72,956
23 Legislative Service Bureau Director	\$52,832 to \$72,956
24 Citizens' Aide/Ombudsman	\$43,758 to \$61,503

25 Within the indicated ranges, the exact compensation
26 shall be set or adjusted by the Service Committee and
27 the Legislative Council.

28 The following personnel shall not be paid an
29 overtime premium:

30 CITIZENS' AIDE/OMBUDSMAN

1 Citizens' Aide/Ombudsman
2 Deputy Citizens' Aide/Ombudsman
3 Legal Counsel
4 All Assistants
5 COMPUTER SUPPORT BUREAU
6 Director
7 All Division Administrators
8 All Computer Systems Analysts
9 All Computer Systems Engineers
10 LEGISLATIVE FISCAL BUREAU
11 Director
12 Deputy Director
13 All Principal Legislative Analysts
14 All Legislative Analysts
15 All Computer Systems Analysts
16 LEGISLATIVE SERVICE BUREAU
17 Director
18 Deputy Director
19 Iowa Code Editor
20 Deputy Iowa Code Editor
21 Administrative Code Editor
22 Legal Services Administrator
23 Committee Services Administrator
24 Legislative Information Office Director
25 Senior Finance Officer
26 All Legal Counsels
27 All Research Analysts
28 All Computer Systems Analysts
29 All Legislative Information Officers
30 The lists of positions may be modified pursuant to

1 the annual review authorized in this resolution.

2 BE IT FURTHER RESOLVED, That all session-only and
3 part-time employees shall be compensated at the
4 scheduled hourly rate for their pay grade and step.

5 BE IT FURTHER RESOLVED, That compensatory time off
6 shall be granted to employees not eligible for the
7 overtime premium in a uniform manner for all
8 legislative employees as determined by the Legislative
9 Council.

10 BE IT FURTHER RESOLVED, That in the event the
11 salary schedule for employees of the State of Iowa as
12 promulgated by the Personnel Commission pursuant to
13 section 19A.9, subsection 2, Code 1993, is revised
14 upward at any time during the Seventy-fifth General
15 Assembly, such revised schedule shall simultaneously
16 be adopted for the compensation of the central
17 legislative staff agency employees of the Seventy-
18 fifth General Assembly assigned a grade by this
19 resolution. The pay ranges of those positions
20 specifically listed on page 3 of this resolution shall
21 be automatically adjusted to reflect any cost of
22 living increases granted to those employees not
23 included in the collective bargaining agreements made
24 final under Iowa Code chapter 20 or to reflect any
25 increases provided by the Legislative Council.

26 BE IT FURTHER RESOLVED, That changes in pay grades
27 authorized for positions listed in this resolution and
28 authorizations for new central legislative staff
29 agency positions may be made through an annual interim
30 review of all legislative employees for internal

1 equity and to assure compliance with appropriate legal
 2 standards for granting of overtime and compensatory
 3 time off. Such review shall be conducted by a
 4 legislative committee made up of members of the
 5 Service Committee of the Legislative Council and the
 6 appropriate salary subcommittees of the Senate and
 7 House. Only one such review may be conducted in any
 8 fiscal year and changes or authorizations proposed by
 9 such a review for central legislative staff agency
 10 positions must be approved by the Service Committee
 11 and Legislative Council.

12 BE IT FURTHER RESOLVED, That the central
 13 legislative staff agency employees of the Seventy-
 14 fifth General Assembly be placed in the following pay
 15 grades:

16 CITIZENS' AIDE/OMBUDSMAN OFFICE

17 <u>Position Classification</u>	<u>Pay Grade</u>
18 Senior Deputy Citizens' Aide/Ombudsman	41
19 Deputy Citizens' Aide/Ombudsman	38
20 Senior Legal Counsel	38
21 Senior Assistant	38
22 Assistant 3	35
23 Legal Counsel 2	35
24 Assistant 2	32
25 Legal Counsel 1	32
26 Legal Counsel	30
27 Assistant I	29
28 Assistant	27
29 Finance Officer 1	24
30 Executive Secretary	24

1	Assistant Finance Officer	21
2	Administrative Secretary	21
3	Citizens' Aide/Ombudsman Secretary	19

4 COMPUTER SUPPORT BUREAU

5	<u>Position Classification</u>	<u>Pay Grade</u>
6	Division Administrator 2	38
7	Division Administrator 1	35
8	Senior Computer Systems Analyst	35
9	Senior Computer Systems Engineer	35
10	Computer Systems Analyst 3	32
11	Computer Systems Engineer 2	32
12	Computer Systems Analyst 2	29
13	Computer Systems Engineer 1	29
14	Computer Systems Analyst 1	27
15	Computer Systems Analyst Trainee	24
16	Computer Operator 2	24
17	Executive Secretary	24
18	Computer Operator 1	21
19	Administrative Secretary	21

20 LEGISLATIVE FISCAL BUREAU

21	<u>Position Classification</u>	<u>Pay Grade</u>
22	Deputy Director	41
23	Division Administrator 2	41
24	Division Administrator 1	38
25	Senior Legislative Analyst	38
26	Legislative Analyst 3	35
27	Senior Computer Systems Analyst	35
28	Legislative Analyst 2	32
29	Computer Systems Analyst 3	32
30	Legislative Analyst 1	29

1	Computer Systems Analyst 2	29
2	Legislative Analyst	27
3	Computer Systems Analyst 1	27
4	Executive Secretary	24
5	Administrative Secretary	21
6	Page	Minimum Wage

7 LEGISLATIVE SERVICE BUREAU

8	<u>Position Classification</u>	<u>Pay Grade</u>
9	Deputy Director	41
10	Division Administrator 2	41
11	Division Administrator 1	38
12	Iowa Code Editor	38
13	Administrative Code Editor	38
14	Senior Legal Counsel	38
15	Senior Research Analyst	38
16	Legal Counsel 2	35
17	Research Analyst 3	35
18	Senior Computer Systems Analyst	35
19	Deputy Iowa Code Editor	35
20	Deputy Administrative Code Editor	35
21	Legal Counsel 1	32
22	Research Analyst 2	32
23	Computer Systems Analyst 3	32
24	Senior Finance Officer	31
25	Legal Counsel	30
26	Legislative Information Office Director	30
27	Assistant Editor 3	30
28	Research Analyst 1	29
29	Computer Systems Analyst 2	29
30	Index Supervisor	28

1	Text Processor Supervisor	28
2	Research Analyst	27
3	Computer Systems Analyst 1	27
4	Senior Librarian	27
5	Assistant Editor 2	27
6	Confidential Secretary	27
7	Finance Officer 2	27
8	Indexer 2	25
9	Senior Text Processor	25
10	Document Processor Supervisor	25
11	Computer Systems Analyst Trainee	24
12	Legislative Information Officer	24
13	Assistant Editor 1	24
14	Librarian	24
15	Executive Secretary	24
16	Finance Officer 1	24
17	Assistant Librarian	22
18	Indexer 1	22
19	Text Processor 2	22
20	Senior Document Processor	22
21	Proofreader Supervisor	22
22	Publications Assistant	21
23	Administrative Secretary	21
24	Assistant Finance Officer	21
25	Legislative Information Office Assistant ...	19
26	Assistant Indexer	19
27	Text Processor 1	19
28	Document Processor 2	19
29	Proofreader 2	19
30	Document Processor 1	16

1 Proofreader 1	16
2 Capitol Tour Guide Supervisor	14
3 Assistant Document Processor	13
4 Capitol Tour Guide	12
5 Legislative Service Bureau Page	Minimum Wage

6 BE IT FURTHER RESOLVED, That there shall be four
7 classes of appointments as employees of the central
8 legislative staff agencies:

9 A "permanent full-time" or "permanent part-time"
10 employee is one who is employed year round and
11 eligible to receive state benefits.

12 An "exempt full-time" employee is one who is
13 employed for the period of the session with extensions
14 post-session and pre-session as scheduled. This class
15 is eligible to receive state benefits as provided in
16 section 2.40.

17 A "session-only" employee is one who is employed
18 for only a portion of the year, usually the
19 legislative session. This class is not eligible for
20 state benefits, except IPERS.

21 A temporary "part-time" employee is one who is
22 employed to work less than 40 hours per week and is
23 not employed year round. This class is not eligible
24 for state benefits, except IPERS if eligible.

25 BE IT FURTHER RESOLVED, That the exact
26 classification for individuals in a job series created
27 by this resolution shall be set or changed by the
28 agency directors subject to the review of the Service
29 Committee and Legislative Council. The agency
30 directors shall base the classification upon all of

1 the following factors:

2 1. The extent of formal education required of the
3 position.

4 2. The extent of the responsibilities to be
5 assigned to the position.

6 3. The amount of supervision placed over the
7 position.

8 4. The number of persons the position is assigned
9 to supervise and skill and responsibilities of those
10 positions supervised.

11 The agency directors shall report the exact
12 classifications assigned to each individual to the
13 Service Committee of the Legislative Council.

14 Recommendations for a pay grade for a new position
15 shall be developed in accordance with the factor
16 scores in the comparable worth report. Beginning in
17 1995, every four years the Senate Rules and
18 Administration Committee, the House Administration
19 Committee, and the Legislative Council shall review
20 all positions in the legislative branch to assure
21 conformity to comparable worth.

22 BE IT FURTHER RESOLVED, That employees of the
23 central legislative staff agencies of the General
24 Assembly may be eligible for promotion within a job
25 series and increases within a pay grade as provided in
26 the personnel guidelines for central legislative staff
27 agencies adopted by the Legislative Council.

28 BE IT FURTHER RESOLVED, That the entrance salary
29 for central legislative staff employees of the General
30 Assembly shall be at step 1 in the grade of the

1 position held. Such employee may be hired above the
2 entrance step if possessing outstanding and unusual
3 experience for the position, provided that the
4 entrance is not beyond step 3. Such employee who is
5 hired above the entrance step shall be mobile above
6 that step in the same period of time as other
7 employees in that same step. An employee who is moved
8 to another position may be considered for partial or
9 full credit for their experience in the former
10 position in determining the step in the new grade.

11 The entry level for the position of Analyst shall
12 be Legislative Analyst, or Research Analyst, unless
13 extraordinary conditions justify increasing that entry
14 level; however, that entry level shall not be
15 increased beyond Legislative Analyst 1 or Research
16 Analyst 1. An Analyst must have shown knowledge of
17 legislative rules and procedures as well as the Code
18 of Iowa to be considered at any level above a
19 Legislative Analyst or Research Analyst. The entry
20 level for the position of Legal Counsel shall be Legal
21 Counsel unless extraordinary conditions justify
22 increasing that entry level; however, that entry level
23 shall not be increased beyond Legal Counsel 1. A
24 Legal Counsel shall be a person who at a minimum has
25 graduated from an accredited school of law. A Legal
26 Counsel must have shown knowledge of legislative rules
27 and procedures as well as the Code of Iowa to be
28 considered at any level above a Legal Counsel.

29 BE IT FURTHER RESOLVED, That a pay increase for
30 exceptionally meritorious service may be made in

1 accordance with the personnel guidelines for central
2 legislative staff agencies adopted by the Legislative
3 Council.

4 BE IT FURTHER RESOLVED, That each agency director
5 shall receive applications for employment, arrange for
6 any necessary examinations and contacting of
7 references, and make hirings. The agency director
8 shall report the names of those hired for the filling
9 of any vacancies.

10 On the legislative day following the adoption of
11 this resolution, the director of each central
12 legislative staff agency shall submit to the Service
13 Committee of the Legislative Council and the
14 Legislative Council the list of names, titles,
15 classifications, and pay grade and step for each
16 employee. The Legislative Council shall publish the
17 lists in the journals of both houses.

18 BE IT FURTHER RESOLVED, That permanent central
19 legislative staff employees of the General Assembly
20 shall receive those vacation allowances, sick leave,
21 health and accident insurance, life insurance, and
22 disability income insurance as are provided for full-
23 time, permanent state employees, and as provided in
24 the personnel guidelines for central legislative staff
25 agencies adopted by the Legislative Council. The
26 computations shall be maintained by each central
27 legislative staff agency and coordinated with the
28 department of revenue and finance.

29 BE IT FURTHER RESOLVED, That should any central
30 legislative staff employee have a grievance concerning

1 their compensation, hours or work, performance of
2 work, or other matter, the grievance shall be resolved
3 as provided by procedures determined by the
4 Legislative Council pursuant to section 2.42,
5 subsection 14, Code 1991, and the personnel guidelines
6 for central legislative staff agencies adopted by the
7 Legislative Council.

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**LEGISLATIVE SERVICE BUREAU
MANAGERS & DRAFTERS OVERTIME
01/01/93 - 06/03/93**

ELIGIBLE FOR PARTIAL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Adjustment first 40</u>	<u>Overtime less 40</u>	<u>Compensatory Hours</u>
1	345.25	40.00	305.25	120.00
2	339.50	40.00	299.50	120.00
3	336.00	40.00	296.00	120.00
4	311.25	40.00	271.25	120.00
5	300.00	40.00	260.00	120.00
6	283.00	40.00	243.00	120.00
7	277.00	40.00	237.00	120.00
8	273.25	40.00	233.25	120.00
9	261.50	40.00	221.50	120.00
10	228.00	40.00	188.00	120.00
11	223.00	40.00	183.00	120.00
12	222.25	40.00	182.25	120.00
13	191.50	40.00	151.50	120.00
14	186.00	40.00	146.00	120.00
15	174.25	40.00	134.25	120.00
16	151.50	40.00	111.50	111.50
Total Hours	4,103.25	640.00	3,463.25	1,911.50
Average	256.45	40.00	216.45	119.47

LEGISLATIVE INFORMATION OFFICE

1	190.50	40.00	150.50	120.00
2	90.25	40.00	50.25	50.25
3	59.25	40.00	19.25	19.25
Total Hours	340.00	120.00	220.00	189.50
Average	113.33	40.00	73.33	63.17

OTHERS

1	73.00	40.00	33.00	33.00
2	28.75	0.00	0.00	0.00
3	20.00	0.00	0.00	0.00
Total Hours	121.75	40.00	33.00	33.00
Average	40.58	13.33	11.00	63.17

**LEGISLATIVE SERVICE BUREAU
 PERMANENT FULL-TIME SUPPORT STAFF OVERTIME
 01/01/93 - 06/03/93**

ELIGIBLE FOR FULL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Compensatory Hours</u>
1	172.25	258.38
2	139.25	208.88
3	139.00	208.50
4	136.50	204.75
5	135.25	202.88
6	130.75	196.13
7	127.50	191.25
8	126.75	190.13
9	126.50	189.75
10	120.25	180.38
11	107.75	161.63
12	91.25	136.88
13	69.50	104.25
14	62.50	93.75
15	45.50	68.25
Total Hours	1,730.50	2,595.79
Average	115.37	173.05
16	166.00 *	189.00

*40 hr. adjustment

**LEGISLATIVE SERVICE BUREAU
ADMINISTRATIVE CODE & IOWA CODE DIVISIONS
PROFESSIONAL STAFF OVERTIME
07/01/92 - 06/03/93**

ELIGIBLE FOR PARTIAL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Adjustment first 40</u>	<u>Overtime less 40</u>	<u>Compensatory Hours</u>
1	125.50	40.00	85.50	85.50
2	122.75	40.00	82.75	82.75
3	104.00	40.00	64.00	64.00
Total Hours	352.25	120.00	232.25	232.25
Average	117.42	40.00	77.42	77.42

**PERMANENT FULL-TIME SUPPORT STAFF OVERTIME
07/01/92 - 06/03/93**

ELIGIBLE FOR FULL COMPENSATION

<u>Employee</u>	<u>Overtime Hours</u>	<u>Compensatory Hours</u>
1	80.50	120.75
2	60.50	90.75
3	36.25	54.38
4	32.00	48.00
5	28.00	42.00
6	8.25	12.38
7	7.50	11.25
8	7.00	10.50
9	2.25	3.38
10	2.00	3.00
11	2.00	3.00
Total Hours	266.25	399.39
Average	24.20	36.31

**LEGISLATIVE SERVICE BUREAU
TEMPORARY OR PART-TIME SUPPORT STAFF OVERTIME
01/01/93 - 06/03/93**

<u>Employee</u>	<u>Total Overtime Worked</u>
1	104.25
2	93.25
3	69.00
4	62.25
5	32.75
6	31.00
7	29.00
8	13.20
Total Hours	434.70



SANFORD B. SCHARF
DIRECTOR
515-281-7840

LUCAS STATE OFFICE BUILDING
DES MOINES, IOWA
50319

STATE OF IOWA

LEGISLATIVE COMPUTER SUPPORT BUREAU

TO: Service Committee, Legislative Council

FROM: Sanford B. Scharf, Director

SUBJECT: Additional Staff Person

DATE: June 23, 1993

The report of the Computer User Policy Direction Committee recommends that the Legislative Computer Support Bureau be permitted to add one additional staff person to support our growing Local Area Network (LAN).

The approved FY'94 budget for the Legislative Computer Support Bureau included one additional F.T.E for the above purpose.

The Legislative Computer Support Bureau's budget for FY'94 will not increase and the combination of reduced maintenance and reduced outside support will cover the cost of the F.T.E.

I have included a one page listing covering the duties of the new staff person.

I am asking for the Service Committee's approval to hire a Computer Systems Analyst at Grade 27, Step 1.

Advantages of a New CSB "Network" Employee

A New Employee will allow our Current Employee to concentrated more on LAN administration and requested or required LAN projects.

♦ **Support - Ways in which a New Employee will help!**

A New employee will provide the computer users with an increased availability or "presence" for any LAN related questions, problems or concerns they may have. A New Employee will also handle many of our LAN related support phone calls. Our Current Employee admits to sometimes having problems returning support calls on a timely basis (in person or by phone). The New Employee will help provide support in case our Current Employee is unavailable (sick, vacation, 3 weeks national guard, or 3 months family leave). The primary advantage of a New Employee will be allowing our Current Employee to spend more time working on LAN projects and LAN administration.

♦ **LAN Administration - Ways in which a New Employee will help!**

LAN administration can get out of control and proper administration requires alot of concentration and attention. The Current Employee has been forced to revert to crisis management (fighting fires). The Current Employee is getting behind on workstation and system software upgrades which would improve the LAN reliability. A New Employee will allow the Current Employee to do some proactive LAN management that is required for making the system reliable and preventing downtime. As a network grows the LAN management becomes more complex.

♦ **LAN Projects - "Quality Time is Needed!"**

Some LAN projects are mandatory in order to maintain a usable LAN system. Some LAN redesign projects are a necessity; a product of "growing pains". For many reasons the integrated software "model" is very important. With a New Employee, requested or required projects can be completed and implemented on a timely basis! Some of the requested projects are very important, these requested technologies have been available for sometime now. The lack of time (not money) has been a reason for the delay in implementing these requested projects. New technologies in the computer industry and market are changing rapidly and these technologies need time for investigation.

♦ **Summary - We are simply understaffed for this LAN system!**

The Legislature owns an adequate amount of quality hardware and software. With the adequate amount of staff, we will continue to develop and implement exciting new technologies. Our LAN operating system, Novell's Netware 3.11, has just been upgraded to a new version, Netware 4.0. Netware 4.0 offers an impressive array of new technologies and features which should enhance stability, productivity and compatibility. The critical nature of Netware requires considerable installation, setup and testing time. With the current staffing, an upgrade to Netware 4.0 seems unfortunately distant.



DENNIS C. PROUTY
DIRECTOR
515/281-5279

STATE CAPITOL
DES MOINES, IOWA
50319

STATE OF IOWA
LEGISLATIVE FISCAL BUREAU

MEMO

TO: Service Committee of the Legislative Council

FROM: Dennis C. Prouty, Legislative Fiscal Bureau

RE: Fiscal Bureau Personnel Report

DATE: June 23, 1993

Attached is the Legislative Fiscal Bureau's Personnel Report covering the period May 26, 1993 through June 23, 1993. The Report covers all personnel action since the last report, which was submitted May 26, 1993. All promotions are subject to satisfactory performance reviews.

LFB PERSONAL REPORT

1993 Interim

PERSONNEL ACTIONS SINCE LAST REPORT: May 26, 1993

NOTIFICATION OF MERIT STEP INCREASES

<u>CURRENT POSITION</u>	<u>EMPLOYMENT DATE</u>		<u>PREVIOUS GRADE & STEP/ EFFECTIVE DATE</u>	<u>CURRENT GRADE & STEP EFFECTIVE DATE</u>
<u>SERVICE COMMITTEE REVIEW</u>				
MERIT INCREASES:				
M. Dwayne Ferguson	Div. Administrator 1	11/27/87	* 38 - 3 / 5-21-91	38 - 4 / 5-20-93
Robert R. Snyder	Sr. Legislative Analyst	11/19/84	** 38 - (-2) / 5-21-92	38 - (-1) / 5-20-93
Susan L. Lerdal	Sr. Legislative Analyst	2/17/89	** 38 - (-2) / 5-21-92	38 - (-1) / 5-20-93
Douglas P. Wulf	Div. Administrator 1	2/11/83	* 38 - 4 / 6-9-89	38 - 5 / 5-20-93
Jon A. Studer	Legislative Analyst 2	9/5/89	** 32 - (-1) / 5-21-92	32 - 1 / 5-20-93
Mary A. Shipman	Legislative Analyst 2	12/22/89	** 32 - (-1) / 5-21-92	32 - 1 / 5-20-93
David L. Reynolds	Legislative Analyst 2	9/18/89	** 32 - (-1) / 5-22-92	32 - 1 / 5-20-93
Alice A. Wisner	Legislative Analyst 3	5/4/87	** 35 - (-1) / 5-21-92	35 - 1 / 5-20-93
Jeff W. Robinson	Legislative Analyst 3	11/17/87	** 35 - (-1) / 5-21-92	35 - 1 / 5-20-93
Tim C. Faller	Deputy Director	7/1/74	* 41 - 4 / 6-9-89	41 - 5 / 5-20-93

VACANT POSITIONS:

None

VACANT POSITIONS FILLED:

None

PARENTAL/FAMILY LEAVE:

Holly Lyons, Jun 14 - Sept 7, 1993

* Associated with merit increase

** Associated with promotion

**LFB PERSONAL REPORT
1993 Interim**

PERSONNEL ACTIONS SINCE LAST REPORT: May 26, 1993

PROPOSED PROMOTIONS

<u>DATE OF HIRE</u>	<u>PREVIOUS POSITION FINAL GRADE & STEP DATE ATTAINED</u>	<u>CURRENT POSITION CURRENT GRADE & STEP DATE ATTAINED</u>	<u>RECOMMENDED POSITION GRADE & STEP EFFECTIVE DATE</u>
<u>SERVICE COMMITTEE APPROVAL</u>			
PROMOTIONS:			
Tami Fujinaka *	10/5/92	N/A	Legislative Analyst 27-2 4/2/93
			Legislative Analyst 1 29-1 10/5/93

* Exceeds the minimum requirements for the Legislative Analyst 1 position. Promotion pending satisfactory review prior to December 1, 1993. Ms. Fujinaka was originally employed by the LFB from January 1983 to May 1984. Her previous employment covered both the 1983 and 1984 legislative sessions.

MEMORANDUM REGARDING SUBSTANCE ABUSE TREATMENT COVERAGE

Although almost all of the health insurance plans provide coverage for inpatient substance abuse treatment, the amount and nature of the coverage varies substantially. The various coverages are as follows:

BLUE CROSS/BLUE SHIELD:

Program I:

Inpatient Room and Board: 100%, maximum 365 days. Excess days may be paid under Major Medical.

Inpatient Physician Care: 10%, maximum 365 days. Excess visits may be paid under Major Medical.

Outpatient: 80% after Major Medical.

Program II:

Inpatient Room and Board: 90%, after first 2-day average semi private room rate deductible.

Inpatient Physician Care: 90%

Outpatient: 50% for mental illness, 90% for substance abuse.

Program III:

Inpatient Room and Board: 80% after deductible. Maximum 60 days per member per calendar year.

Inpatient Physician Care: 80%. Maximum 60 days per member per calendar year.

Outpatient: 80%. Lifetime maximum \$10,000.

IUP:

Inpatient Room and Board: 90%, after deductible. \$50,000 lifetime benefit maximum per member for combined inpatient/outpatient mental, nervous and substance abuse treatments. Costs begin accumulating toward maximum benefit upon member's enrollment in IUP Plan 2.

Inpatient Physician Care: 90%, no deductible, \$50,000 lifetime benefit maximum per member for combined inpatient/outpatient mental, nervous, and substance abuse treatments. Costs begin accumulating toward maximum benefit upon member's enrollment in IUP Plan 2.

Outpatient: 90%, no deductible for physician service. \$50,000 lifetime benefit maximum per member for combined inpatient/outpatient mental, nervous and substance abuse treatments. Costs begin accumulating toward maximum benefit upon member's enrollment in IUP Plan 2.

SHARE:

Inpatient Room and Board: 80%. Maximum 20 per member per 12 month period.

Inpatient Physician Care: 100%. Maximum 20 days per member per 12 month period.

Outpatient: \$15 copayment per visit. Maximum 20 individual or 30 group visits per member per 12 month period.

HMO IOWA:

Inpatient Room and Board: \$50 copayment per day, up to out-of-pocket limit.

Maximum 30 days per member per year.

Inpatient Physician Care: 100% Maximum 30 days per member year.

Outpatient: \$20 copayment per visit. Maximum 20 mental illness visits and 50 substance abuse visits per member per year.

UNITED HEALTHCARE OF IOWA:

Inpatient Room and Board: 80%. Maximum 30 days per member per 12 month period.

Inpatient Physician Care: 100%. Maximum 30 days per member per 12 month period.

Outpatient: \$15 copayment per visit. Maximum 30 individual or 45 group visits per member per 12 month period.

MEDICAL ASSOCIATES:

Inpatient Room and Board: \$200 plus \$20 per day copayment for inpatient mental health service; maximum 20 days per member per calendar year. 100% for substance abuse detox, no inpatient benefits for substance abuse rehabilitation. \$20 per day copayment for hospital day care or partial care per calendar year; maximum 10 days per member per calendar year.

Inpatient Physician Care: 100%. Maximum 20 days per member per calendar year for mental illness. 100% for substance abuse detox, no inpatient payment for substance abuse rehabilitation services. 100%, maximum 10 days of hospital daycare or partial care per member calendar year.

Outpatient: 50%. Maximum 20 visits per member per calendar year for mental illness. 50 % maximum per calendar year for substance abuse rehab, subject to plan approval.

CARE CHOICES:

Inpatient Room and Board: \$50 copayment per day up to maximum copay of \$450 per member per year. Maximum 30 inpatient days per member per year.

Inpatient Physician Care: 100%. Maximum 30 days per member per year.

Outpatient: \$5 copayment per visit. Maximum 20 visits per member per year.

PRINCIPAL:

Inpatient Room and Board: 50%. Maximum 30 days per member per calendar year.

Two admissions per lifetime maximum for inpatient substance abuse rehabilitation.

Inpatient Physician Care: 50%. Maximum 30 days per member per calendar year.

Outpatient: 20% copayment per visit. \$1000 maximum per member per calendar year.

HERITAGE NATIONAL HEALTHPLAN:

Inpatient Room and Board: \$125 copayment per day. Maximum 15 days each for mental health and substance abuse per member per calendar year.

Inpatient Physician Care: \$35 copayment per visit. Maximum 15 days each for mental health and substance abuse per member per calendar year.

Outpatient: \$50 hospital facility copayment plus \$35 physician copayment per visit. Maximum 30 visits per member per calendar year for each mental health and substance abuse. \$35 copayment per physician office visit. Maximum 20 office visits per member per calendar year for each mental health and substance abuse.

**SERVICE COMMITTEE
OF THE LEGISLATIVE COUNCIL**

MEMBERS

Speaker Harold Van Maanen, Chairperson
Representative John H. Connors
Representative Teresa Garman

Senator Donald E. Gettings
Senator Wally E. Horn
Senator Jack Rife

TENTATIVE AGENDA

Wednesday, June 23, 1993
Kirkwood Community College
Room 305, Kirkwood Hall

11:00 a.m.

Call to Order

Roll Call

Consider Minutes of May 26 Meeting
(Previously Distributed)

Receipt of Annual Personnel Reports

Personnel Reports

- Legislative Fiscal Bureau
- Legislative Service Bureau
- Computer Support Bureau
- Citizens' Aide/Ombudsman

Report of the Computer User Committee

Personnel Guidelines Changes

- Substance Abuse (new)
- Sexual Harassment (new)
- Gifts and Sales of Goods and Services (amended)
- Conflicts of Interest (amended)
- Personal Financial Disclosure (amended)

Additional Business, if any

Adjournment