



April 2, 2014

#Contact-Info:FirstName# #Contact-Info:LastName#  
#Contact-Info:Address#  
#Contact-Info:City# #Contact-Info:State# #Contact-Info:Zip#

You recently applied for: #Requisition:Job-Title#  
Vacancy Number: #Requisition:Auto-req-ID#  
Department: #Requisition:Department#

Our records show that you were previously discharged from a position in state government. Your name will not be referred to the hiring authority for this vacancy. Below please find the administrative rules governing the authority for this decision and your rights to an appeal.

**11-54.2(6) Disqualification or removal of applicants.** The director may refuse to place an applicant on a list of eligibles, refuse to refer an applicant for a vacancy, refuse to approve the appointment of an applicant, or remove an applicant from a list of eligibles for a position if it is found that the applicant:

- a. Does not meet the minimum qualifications or selective requirements for the job class or position as specified in the job class description, vacancy announcement, administrative rules, or law.
- b. Is incapable of performing the essential functions of the job classification or position and a reasonable accommodation cannot be provided.
- c. Has knowingly misrepresented the facts when submitting information relative to an application, examination, certification, appeal, or any other facet of the selection process.
- d. Has used or attempted to use coercion, bribery or other illegal means to secure an advantage in the application, examination, appeal or selection process.
- e. Has obtained screening information to which applicants are not entitled.
- f. Has failed to submit the application within the designated time limits.
- g. Was previously discharged from a position in state government.
- h. Has resigned in lieu of discharge for cause.
- i. Has been convicted of a crime that is shown to have a direct relationship to the duties of a job class or position.
- j. Is proven to be an unrehabilitated substance abuser who would be unable to perform the duties of the job class or who would constitute a threat to state property or to the safety of others.
- k. Is not a United States citizen and does not have a valid permit to work in the United States under regulations issued by the U.S. Immigration and Naturalization Service.

**11—61.2(4) Appeal of disqualification, restriction, or removal from eligible lists.** An applicant who has been disqualified or whose name has been restricted or removed from an eligible list in accordance with rule 11—54.2(8A) or 11—55.2(8A), or who has been restricted from certification in accordance with rule 11—56.7(8A) may file a written appeal to the

employment appeal board in the department of inspections and appeals for a review of that action. The written appeal must be filed with the board within 30 calendar days following the notice of disqualification, removal from the eligible list, or restriction from certification. The burden of proof to establish eligibility shall rest with the appellant.

Send your appeal to:  
Mary Shineflew  
Employment Appeal Board  
Department of Inspections and Appeals  
Lucas State Office Building, 4<sup>th</sup> Floor  
Des Moines, IA 50319  
515-281-4161

When an appeal is generated as the result of an action initiated by the department, the department shall be responsible for representation. When an appeal is generated as the result of an action initiated by an appointing authority through the department, the appointing authority shall pay the costs of the appeal assessed to the department and shall participate in representation as requested by the department.

If the applicant's name is restored to an eligible list, that decision shall not affect any certifications or appointments already made.

If you have any questions, you may contact us at the address shown below.

Iowa Department of Administrative Services  
Human Resources Enterprise  
Hoover State Office Building, Level A  
1305 East Walnut Street  
Des Moines, IA 50319-0150  
Phone: 515-281-6294  
Fax: 515-281-7970  
[DASHRE.Info@iowa.gov](mailto:DASHRE.Info@iowa.gov)