

Sec. 12. NEW SECTION. 135F.12 SUSPENSION AND REVOCATION OF CERTIFICATES.

The department may suspend, revoke or impose probationary conditions upon a certificate issued pursuant to rules adopted in accordance with section 135F.6.

Sec. 13. NEW SECTION. 135F.13 ADVISORY COMMITTEE.

A respiratory care advisory committee is established to provide advice to the department regarding approval of continuing education programs and drafting of rules pursuant to section 135F.6.

The members of the advisory committee shall include two licensed physicians with recognized training and experience in respiratory care, two respiratory care practitioners, and one public member. Not more than a simple majority of the advisory committee shall be of one gender. Members shall be appointed by the governor, subject to confirmation by the senate, and shall serve three-year terms beginning and ending in accordance with section 69.19. Members shall also be compensated for their actual and necessary expenses incurred in the performance of their duties. All per diem and expense moneys paid to the members shall be paid from funds appropriated to the department.

Sec. 14. Notwithstanding the provisions of section 135F.13, of the initial appointees to the advisory committee, two members shall be appointed for one-year terms, two members shall be appointed for two-year terms and one member shall be appointed for a three-year term. The initial appointees' successors shall be appointed to terms of three years each except that a person chosen to fill a vacancy shall be appointed only for the unexpired term of the committee member replaced.

Approved May 20, 1985

CHAPTER 152
COMPARABLE WORTH IMPLEMENTATION
H.F. 753

AN ACT relating to the implementation of comparable worth pay adjustments, amending 1984 Iowa Acts, chapter 1314, and providing for an effective date.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. 1984 Iowa Acts, chapter 1314, section 5, is amended by adding the following new unlettered paragraph:

NEW UNLETTERED PARAGRAPH. Comparable worth adjustments made pursuant to 1983 Iowa Acts, chapter 170, sections 1 through 4, are retroactive to the pay period beginning March 8, 1985, subject to the availability of funds. The retroactive payments shall be lump sum payments and cover employees covered under recommended adjustments made pursuant to section 8 of this chapter 1314 and shall include employees of the state board of regents.

Sec. 2. 1984 Iowa Acts, chapter 1314, section 8, is amended to read as follows:

SEC. 8. AGENCY COMPARABLE WORTH REPORTS. Agencies with positions which are exempt or partially exempt from the state merit system shall report to the governor and the legislative council by December 15, 1984, on the degree to which the salary plans covering positions substantially equivalent to those in the state merit system comply with the provisions of 1983 Iowa Acts, chapter 170. The reports shall include a plan for implementation in fiscal year 1986 of comparable worth salary adjustments, if necessary, and the amount of appropriations necessary to implement those adjustments. Plans developed pursuant to this section shall be implemented in the fiscal year 1985 subject to the availability of funds as provided in this chapter 1314. Implementation of this section shall be consistent in principle with other sections of this chapter 1314. Notwithstanding sections 602.1204, 602.1208, 602.1209, and 602.1401 of the Iowa Code, the provisions of this section of this Act shall be applicable to the judicial department.

Sec. 3. REVIEW OF FACTOR SCORES AND FACTOR DETERMINED SCORES.

1. Any state employee may request review of the factor scores or the factor determined score that employee's job title received under the study commissioned under 1983 Iowa Acts, chapter 170, section 2, or under a study required of a state agency to implement the requirements of section 79.18 of the Iowa Code. Requests for review by more than one employee within a job title shall be considered together, and a request for review by one or more employees within a job title shall be considered as a request on behalf of all employees in that job title.

2. In order to ease implementation of this review, the request for review forms will be developed and distributed by the Iowa merit employment department for all employees except Regent employees. The forms will be available within 14 days from the signing of this Act.

3. Employees shall be notified of their right to request review of their factor scores and factor determined scores with one or more paychecks following the signing of this Act, or where inclusion with the paycheck is not possible, by mail or other direct communication with the employee.

4. The Iowa merit employment department shall make "request for review" forms available to all departments and agencies and shall provide complete access to information regarding the study and the methods for determining factor scores in the system. Employees shall have at least four weeks from the date forms are distributed to the agencies and to employees on their request in which to file a request for review. Any request not filed within that time will not be considered.

5. The executive council of the state of Iowa shall appoint an appeals board of five state employees. These employees shall be representative of both exempt and merit employment groups. These employees shall be familiar with the process of classification review and will serve as hearing officers. No more than one employee shall be from any one department or agency.

6. The hearing officers will review the requests for review and any supporting documentation. The hearing officers may contact any employee involved for further information when necessary. It is assumed that in most cases the written request and any supporting documentation will be the evidence submitted to the board. All decisions of the board will be based on the evidence submitted. There will be no formal hearing, but the employees may have the opportunity to present documentation and appear before the hearing board. Appearances shall be limited to one for each classification.

7. The review process shall be completed no later than March 1, 1986. The board will then present its recommendations to the executive council at the first regular meeting of the executive council in April. The executive council shall have the authority to adjust pay grades for classifications at the recommendations of the appeals board except such actions shall not supersede any collective bargaining agreement. The action of the executive council will be final.

8. This section does not apply to state employees who were given the opportunity to have their job titles reviewed as a part of a study completed for an agency with positions which are exempt from the state merit system.

Sec. 4. LEGISLATIVE INTENT ON STEP RESTORATION. In order to complete the implementation of comparable worth, it is the intent of the general assembly that employees who were employed on March 8, 1985, and who received a step or equivalent pay reduction while receiving comparable worth adjustments shall have the pay reduction restored effective with the first pay period of fiscal year 1988, if the employee is still employed with the state in the same classification on July 1, 1987, except that an employee shall not be placed at a step or pay level above the maximum step or pay level in the employee's salary range.

Sec. 5. INTERIM STUDY OF FEMALE-DOMINATED JOBS. The legislative council shall establish an interim study committee to conduct a complete review of all female-dominated jobs to determine whether discrimination remains in compensation for work of comparable worth between jobs held predominantly by women and jobs held predominantly by men and to review other issues relating to comparable worth. The membership shall consist of ten members, five legislators from each house appointed by the legislative council. Legislative members are entitled to per diem and expenses as provided for interim study committee members in section 2.44.

The committee shall make recommendations to the governor, the legislative council, and the general assembly by January 1, 1986.

Sec. 6. This Act, being deemed of immediate importance, takes effect from and after its publication in the Iowa City Press-Citizen, a newspaper published in Iowa City, Iowa, and in the Ames Daily Tribune, a newspaper published in Ames, Iowa.

Approved May 20, 1985

I hereby certify that the foregoing Act was published in the Ames Daily Tribune, Ames, Iowa on May 24, 1985 and in the Iowa City Press-Citizen, Iowa City, Iowa on June 12, 1985.

MARY JANE ODELL, *Secretary of State*