

681—3.3(8A) Administration. Under authority of the board of regents and the supervision of its executive director, a merit system director will be appointed who will be responsible for the development, operation and evaluation of the system in compliance with the objectives and intent of certain provisions of Iowa Code chapter 8A, subchapter IV, related to merit staff employment and board of regents policies and rules. At each board of regents institution the head thereof will designate an administrator to serve as resident director of the system. The resident director will be responsible through the chief executive at the institution for human resources administration in accordance with these rules. The merit system director shall review the operation of the merit system at each of the institutions and will be responsible for the direction of the merit system and have the authority to ensure the administration of the merit system consistent with the provision of these rules.

3.3(1) *Records and reports.* The resident directors will maintain appropriate documentation on each employee that will include a record of all personnel transactions affecting the individual's employment. The resident directors will also maintain records on operations conducted under these rules and will periodically as requested report a summary of such operations to the merit system director and in addition will prepare other reports as may be required by the merit system director to indicate compliance with applicable regents and state requirements and federal standards. The resident director will establish, in cooperation with employing departments, a program that will provide for the regular evaluation, at least annually, of the qualifications and performance of all employees consistent with board and institutional policies.

3.3(2) *Nondiscrimination.* All programs and transactions administered under these rules will be conducted on the basis of merit and fitness without discrimination or favor because of political opinions or affiliations, nor any discrimination protections by law, regulation, or board of regents or institutional policies.

3.3(3) *Political activity.* No merit employees covered under this system will engage in any partisan political activity that is prohibited by law; employees will have the right to freely express their views as private citizens and to cast their vote; coercion of employees for political purposes and the use of employees' positions for political purposes will be prohibited.

Those employees who are by law subject to the provisions of the federal Hatch Act and successor legislation will be informed of such provisions by the resident director at their institution and will be required to adhere thereto.

3.3(4) *Revisions and additions.* In accordance with the provisions of Iowa Code chapter 8A, these rules may be revised at any time. In addition, supplementary rules subject to Iowa Code chapter 17A not inconsistent with these rules may be made applicable to any department, program or service, whenever such additional merit system provisions are required as a condition of eligibility for federal funds.

3.3(5) *Suspension of merit increases.* During any period of time when merit increases provided under these rules are temporarily suspended by legislative action, the rules providing for such increases shall be suspended for the duration of that legislative mandate. The merit system director shall provide for the administration of such suspension and shall ensure the maintenance of necessary information at each board of regents institution as would be necessary for reinstatement of such increases following the temporary suspension. Reinstatement of such increases shall be authorized by the board upon the recommendation of the merit system director and may include a delay in increases to promote equity among employees. Any such delay, however, cannot exceed one year and must be applied uniformly throughout the system to all employees with like performance and length of employment in the system, or in classification of position, or other specified categorization.

This rule is intended to implement Iowa Code section 262.9.
[ARC 4850C, IAB 1/1/20, effective 2/5/20]