

Reported Recommending .....  
Ind. Postponed .....  
Passed Senate .....  
Failed to Pass Senate .....  
Passed House .....  
Failed to Pass House .....

**Senate File 284**

February 18, 1947.  
Passed on File.

By MERCER, CLEM, REILLY, WATSON.

## **A BILL FOR**

An Act to establish a system of civil service administration for municipal corporations, counties, departments, and special districts of the State of Iowa which are not included within the provisions of chapter three hundred sixty-five (365), Code 1946.

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

1 Section 1. The purpose of this act is to make it possible  
2 to bring under civil service administration the municipalities,  
3 counties, departments and special districts of the State of Iowa  
4 which are not included within the provisions of chapter three  
5 hundred sixty-five (365), Code 1946, as amended, and to build up  
6 a department with a civil service board which shall have the  
7 power to employ all proper officials, make rules for the classi-  
8 fication of positions, for compensation schedules, for competitive  
9 entrance and promotional examinations, for certifications and  
10 appointments, for probationary service periods and rejections  
11 therein, for demotions, promotions, re-employments, suspensions,  
12 transfers, leaves of absence, sick leaves and vacations, for lay-  
13 offs when necessary according to seniority, for suspensions,  
14 demotions and separations from the service by discharge for cause,  
15 for hearings for reinstatements, and for establishing status of

16 incumbent employees.

1     Sec. 2. In all municipalities, counties, departments and  
2 special districts not now included within the provisions of  
3 chapter three hundred sixty-five (365), Code 1946, which  
4 voluntarily bring themselves within the provisions of this  
5 Act, and in all municipalities, counties, departments and  
6 special districts of the State of Iowa in which a majority of  
7 the employees shall request their employees to bring themselves  
8 within the provisions of this Act, there shall be established a  
9 department of civil service with a civil service board of three  
10 members with powers and duties hereinafter enumerated, and such  
11 board may employ all proper officers subject to provisions  
12 hereinafter contained.

1     Sec. 3. The city or town council or the board of super-  
2 visors of the county or the governing body of any department or  
3 special district which bring themselves or are brought within  
4 the provisions of this act, shall make annual appropriations to  
5 enable the civil service department to carry out effectively the  
6 provisions hereof.

1     Sec. 4. The civil service board shall be appointed by the  
2 board of supervisors in the counties, by the mayor with the  
3 approval of the majority of the city or town council in the  
4 cities, and by the governing body of the departments or special  
5 districts of the State of Iowa. The members of the civil service  
6 board shall hold office, one until the first Monday in the fiscal  
7 year of the second year, one until the first Monday of the fiscal

8 year of the fourth year, and one until the first Monday in the  
9 fiscal year of the sixth year after such appointment, whose  
10 respective successors shall be appointed for terms of six years  
11 each. The members of the civil service board must be citizens of  
12 the State of Iowa and residents of the municipal, county or  
13 special district which they represent for more than five years  
14 next preceding their appointment, and they shall serve without  
15 compensation. No person while on said board shall hold, or be  
16 a candidate for, any office of public trust.

1 Sec. 5. The civil service board may appoint, compensate  
2 and remove, subject to the provisions of this act, all proper  
3 officers and clerks, including a personnel officer. Whenever a  
4 personnel officer is so appointed he shall be the administrative  
5 and executive director of the civil service department and shall  
6 be vested with the powers and duties of a secretary and chief  
7 examiner. Any personnel officer who may be appointed shall be  
8 in sympathy with the application of merit principles to public  
9 appointment. He shall be appointed only after an examination  
10 to determine his or her fitness for the position and shall be  
11 removed only for cause in accordance with the provisions of this  
12 act. The position of personnel officer, whenever created, may  
13 be a part-time or a full-time position. Whenever the position  
14 is created on a full-time basis it shall be included within  
15 the classified service.

1 Sec. 6. All officers and employees shall be selected and  
2 hold their positions pursuant to this act with the following

3 exceptions:

4 1. All officers elected by the people.

5 2. All board members and commissioners who are

6 by statute required to be appointed by the

7 governing body of any subordinate unit of

8 government.

9 3. All election officials.

10 4. The teaching staffs in the public schools.

1 Sec. 7. Rules for the administration of civil service in

2 accordance with the provisions of this act shall be adopted by

3 the civil service board in the various subordinate units of

4 government which are made subject to the provisions of this act.

5 Wherever the position of personnel officer has been created, such

6 rules shall be prepared by him for adoption by the civil service

7 board. The civil service rules shall provide for:

8 1. The development and maintenance of classi-

9 fications for all positions subject to

10 this law.

11 2. The development and maintenance of

12 compensation schedules providing salary

13 ranges for all classes of positions with

14 minimum and maximum pay allowances and for

15 systematic advancements within the schedules

16 so established.

17 3. The maintenance of re-employment lists which

18 shall contain the names of persons who have

19 been regular employees and who have been  
20 separated from their employments without  
21 fault or delinquency on their part. The  
22 order in which names shall be placed on such  
23 lists shall be according to seniority earned  
24 in the service.

25 4. The preparation of promotion lists and  
26 original entrance employment lists for  
27 various classes of positions in the  
28 service upon which eligibles shall be  
29 ranked in the order of ratings earned in  
30 prepared tests.

31 5. The conduct of competitive promotional and  
32 original entrance examinations of candidates  
33 who meet established requirements.

34 6. The certification of names of the highest  
35 ranking candidates, whenever vacancies  
36 occur, in the following order: re-employment  
37 lists, promotional lists, and original  
38 entrance employment lists. The number of  
39 names certified from re-employment lists  
40 shall be equal to the number of vacancies  
41 to be filled, and the number of names  
42 certified from other lists shall be two  
43 greater than the number of vacancies to  
44 be filled.

44 7. The use of a service probationary period  
45 of six months.

46 8. Provisional employments, when necessary,  
47 because of lack of eligibles for periods not  
48 to exceed 90 days.

49 9. Temporary employments, when necessary, of  
50 persons on eligible lists but without  
51 regard to rank for a period not to exceed  
52 60 days.

53 10. Emergency appointments without regard to  
54 eligibility for periods not to exceed 10  
55 days.

56 11. Vacation leaves with pay, and sick leaves  
57 with pay for permanent employees.

58 12. Lay-offs when necessary in inverse order  
59 to length of service.

60 13. Suspensions without pay for cause,  
61 demotions and discharges for cause,  
62 whenever necessary, only when causes  
63 or reasons therefor are written and  
64 signed by the employing officer, served  
65 upon the affected employee, and filed  
66 with the civil service board: the  
67 obligation of the civil service board  
68 upon application of the affected employee,  
69 to give open public hearing on the

70 charges or reasons for the action taken  
71 or to be taken and to render decision in  
72 all such matters including the right to  
73 restore pay and position and to reimburse  
74 for lost pay, which decision and order  
75 shall be binding upon the parties  
76 concerned.

77 14. Service standards to be used only in  
78 connection with promotions, suspensions,  
79 demotions and discharges.

80 15. Accrediting with civil service standing  
81 without examination all employees who  
82 have been in the service of various units  
83 of government subject to the provisions of  
84 this act for a period of five years or more  
85 when such employees shall file with said  
86 civil service department the necessary  
87 personnel and employment data required by  
88 the board.

89 16. Such additional rules as may become necessary  
90 from time to time.

1 Sec. 8. The civil service board shall, subject to the  
2 provisions of this law and the rules made hereunder, employ  
3 all necessary administrative and technical staff.

1 Sec. 9. Any employee or any department head or employing  
2 officer affected by any action taken or any ruling made by the

3 personnel officer employed under the provisions of this act shall  
4 have the right of appeal to the civil service board and there-  
5 after to the district courts of the State of Iowa and to the  
6 Supreme Court of the State of Iowa.

1 Sec. 10. This act, being deemed of immediate importance,  
2 shall be in full force and effect from and after its passage  
3 and publication in the ..... a newspaper  
4 published in ..... Iowa, and in the  
5 a newspaper published in ..... Iowa.