

**PERSONNEL GUIDELINES
FOR THE
IOWA SENATE**

**Adopted by the
Senate Rules and Administration Committee
December 2013, as amended April 2018 and February 2022**

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1. Definitions

- A. “Employee” means an employee of the Iowa Senate.
- B. “Leader” means the Majority Leader, Minority Leader, or President of the Senate.
- C. “Staff” means the Majority Caucus Staff, the Minority Caucus Staff, Leaders’ staffs, the Secretary of the Senate’s Office full-time administrative staff, and session-only staff (including interns, aides, and volunteers).
- D. “Supervisor” means a staff director or an employee designated by a Leader to perform supervisory duties with regard to staff employees.

2. Policy-Making and Oversight Authority

The Rules and Administration Committee is the policy-making and general oversight authority for Senate employees. Day-to-day oversight shall be as follows: the Majority Leader shall oversee the Majority Caucus Staff and its supervisor; the Minority Leader shall oversee the Minority Caucus Staff and its supervisor; the President of the Senate shall oversee the nonpartisan administrative staff and its supervisor, the Secretary of the Senate.

Executive branch policies referenced herein shall be those in force as of December 2013. Subsequent changes in executive branch policies are subject to review by the Rules and Administration Committee prior to the adoption of the changed policy.

These guidelines are subject to change at any time by the Rules and Administration Committee.

3. Compensation—Salary

All employees shall be at a grade and step on the legislative branch salary matrix. Grade levels for positions, cost-of-living increases, and merit increases shall be determined by the most recently adopted Joint Pay Resolution or as determined by the Rules and Administration Committee.

4. Compensation—Benefits

A. Benefits in General

Employees of the Iowa Senate are eligible for employee benefits as provided by law and these guidelines. These benefits include, but are not limited to, health, dental, life, and long-term disability insurance programs.

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, consistent with the applicable procedures utilized by the Department of Administrative Services and/or the third-party administrator used by the State of Iowa.

C. Educational Benefits

Full-time employees are eligible for educational leave and educational assistance as provided by law and section 5 of these guidelines. Such benefits may be granted on a case-by-case basis for each semester-long course, dependent upon its relevance to the employee's job duties and the staff'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 at the discretion of the Rules and Administration Committee.

5. Leaves of Absence

A. Attendance

The supervisor shall establish the work schedule, workstations, and required hours of work for employees under the 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 supervisor. All absences of employees 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 supervisor. Sick leave is the only form of leave that is allowed to be unscheduled. Leave without pay in excess of 30 consecutive calendar days must be approved by a supervisor and that staff's Leader.

C. Leave Types

1. Leaves With Pay

a. Vacation Leave

(1) All full-time employees shall accrue vacation leave according to the rules adopted by the Department of Administrative Services.

(2) Vacation leave does not accrue during leave without pay, nor can vacation leave be granted in excess of the amount accumulated.

b. Sick Leave

(1) Full-time employees shall accrue sick leave consistent with that provided executive branch employees under state law. Sick leave will not be granted in excess of the amount accrued nor will it accrue during any absence without pay.

(2) 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.

(3) Accrued sick leave, not exceeding 40 hours per year, may also be used for leaves for temporary care of immediate family members, for emergency child care, or for Family Death Leave.

(4) Sick leave may be converted to vacation time according to the state law applicable to executive branch employees.

c. Compensatory Leave

Compensatory time is accumulated as provided in the Joint Pay Resolution. Sick and vacation leave shall accumulate while on compensatory leave.

d. Holiday Leave

Holiday leave is granted to all full-time employees. Holidays are observed as specified by Iowa Code section 1C.2. Full-time employees are granted the following holidays off from employment with pay:

- (1) New Year's Day, January 1.
- (2) Martin Luther King, Jr.'s Birthday, the third Monday in January.
- (3) Memorial Day, the last Monday in May.
- (4) Independence Day, July 4.
- (5) Labor Day, the first Monday in September.
- (6) Veterans Day, November 11.
- (7) Thanksgiving Day, the fourth Thursday in November.
- (8) Friday after Thanksgiving.
- (9) Christmas Day, December 25.

A holiday shall not exceed eight hours for full-time employees. If a full-time employee is required to work on a holiday, the employee may take holiday leave for the hours worked, not exceeding eight, at another date.

e. Military Leave

All full-time employees who are members of the national guard, organized reserve, or any component of the military of the United States or the state of Iowa, when ordered by the proper authority to active military service, may serve for 30 days without loss of pay.

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 from the court shall be turned over to the Secretary of the Senate, except the amount necessary for travel or personal expenses. Hours spent in court outside of scheduled work hours are not subject to this rule. If two or more hours remain in a workday when released for the day, the employee shall return to work. Employees shall notify their supervisor 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 supervisor 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 supervisor.

h. 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 under policies adopted by the Rules and Administration Committee. 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 expenses involved in travel, lodging, meals, registration fees, and related expenses under policies adopted by the Rules and Administration Committee.

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 without specific approval from the employee's supervisor.

i. Transfer Rights

When a full-time employee transfers within state government, including the executive and judicial branches, or is promoted or demoted, all accumulated leave times, other than compensatory leave, shall carry over with the employee. If the employee is terminated or resigns, only accumulated vacation and compensatory leaves will be paid. Some employees may also be eligible for additional retirement or death benefits under state law, including payment for portions of earned but unused sick leave.

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 a family member as defined in the Family and Medical Leave Act.

2. Leaves Without Pay

a. Scheduled Leave Without Pay

(1) A supervisor, upon written request, may grant leave without pay of up to 30 days 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 Rules and Administration Committee.

(2) 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.

(3) For leave without pay of more than 30 days, the employee shall be responsible for the state’s normal share of insurance premiums, and seniority, vacation and sick leave will not accrue.

(4) With the approval of the supervisor, 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

Employees are not entitled to sick leave beyond that which they have accumulated in accordance with the rules governing sick leave with pay. However, after such accumulated sick leave has been exhausted, a supervisor may grant sick leave without pay to an employee for the same reasons sick leave with pay is permitted, for a period not to exceed 30 days. Sick leave without pay for a time period exceeding 30 days may be granted by the Leader of the employee’s staff. The decision whether to grant such leave is entirely discretionary and dependent on the grounds therefor and substantiating material supplied by the employee and the staff needs of the Senate. After any such leave has been granted, it may be modified or terminated at any time if additional information changes the facts on which the decision to grant such leave was based.

3. Leaves which may be With Pay or Without Pay

a. Educational Leave

(1) Educational leave may be granted at the discretion of the supervisor 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 staff to better meet its responsibilities. Educational leave with pay requires the prior approval of the Rules and Administration Committee. Education financial assistance also may be provided with the prior approval of the Rules and Administration Committee.

(2) Length of leave. Educational leave shall be requested for a period not to exceed twelve 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 supervisor.

(3) Educational institutions. An employee on educational leave may take course work at an accredited educational institution.

(4) Notification. The supervisor shall notify the Rules and Administration Committee of all educational leaves within 15 days following the granting of the leave.

(5) Supervisor report. Annually, the supervisor shall report to the Rules and Administration Committee the direct and indirect costs to the Senate of educational leave and education financial assistance granted to employees during the preceding fiscal year.

b. Severe Weather Leave

Severe weather leave may be with pay or without pay, at the direction of Senate Leaders, depending upon the circumstances surrounding the severe weather event.

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 the period of time specified in applicable federal and state law. Failure to return within the specified period of time may result in demotion or termination.

d. Parental and Family Leave

(1) Eligibility and request for leave. All full-time employees are eligible for medical and parental and family leave benefits in compliance with the Family and Medical Leave Act, regardless of their length of service with the Senate. A request for such leave shall be made in writing to the supervisor 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 such leave.

(2) 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 Senate's share of state benefit premiums or payments continue to be paid by the Senate.

D. Vacation Leave Sharing

1. A supervisor shall permit a full-time employee to transfer any vacation leave accrued by the employee in excess of 80 hours to another full-time employee of the Senate, and the supervisor of the recipient shall permit the full-time 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 Senate.

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 Senate policies regarding sick leave use.

2. An employee receiving vacation leave under this paragraph shall not receive more than 2,088 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. Hiring

A. General Authority

Each supervisor has discretionary hiring authority for all authorized and funded vacant positions on that staff, subject to approval by that staff's Leader.

B. Equal Employment Opportunity

It is the policy of the Iowa Senate 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. The supervisor of each staff is responsible for that staff's efforts to provide equal employment opportunity on the basis of individual capabilities, motivation, and merit. Each staff shall comply with the Iowa Civil Rights Act and all laws and regulations relating thereto.

Each staff shall seek applications from qualified persons, including women and minorities, when vacancies or new positions are filled. Position announcements shall be posted within the office area of the staff and in other appropriate areas of the capitol complex. The position may be advertised online and 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 contain a description of the job and its duties and responsibilities.

No Senate employee or staff shall 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 who believe they have experienced discrimination in hiring or other matters pertaining to prospective employment may file a complaint with the Rules and Administration Committee.

C. Reasonable Accommodation

The Senate does not discriminate in the interviewing, hiring, or promotion of individuals on the basis of disability. The Senate is committed to compliance with the Americans with Disabilities Act (ADA) and the Iowa Civil Rights Act, and shall endeavor to provide reasonable accommodations requested by all employees with documented disabilities who are otherwise able to perform the essential functions of their jobs. The Senate will evaluate the feasibility of requested accommodations and determine whether such accommodations will create an undue hardship.

D. Probationary Period

For the purposes of evaluating the performance of new full-time employees (original appointment or reappointment of a returning employee to a permanent or temporary position), a probationary period will be implemented. The probationary period is, at the discretion of the supervisor, 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, the supervisor will recommend to continue or terminate the employee. During the probationary period, employees may be terminated at will. The grievance procedure is not available for any employment discipline, including termination, imposed during the probationary period.

7. Performance Evaluations

Each staff shall adopt a performance evaluation form or forms to be used for its full-time employees. Copies of the form shall be provided to each employee of the staff.

A review on at least an annual basis, using the evaluation form, shall be made of each employee's performance by the supervisor. Attention may 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 may 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. 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.

8. Promotions

A. Applicability

This section is not applicable to cost-of-living adjustments and annual merit increases, which are governed by section 3 of these guidelines.

B. Probationary Employees

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

C. Authority and Requirements for a Promotion

Each supervisor 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 Rules and Administration Committee. A supervisor may promote an employee to a higher classification and grade level within a job series with the prior approval of the Rules and Administration 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 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 if the new position is outside the employee's previous job series. Promotions within a job series will not result in a new probationary period.

9. Demotions and Termination

A. Informal Review of Performance Shortcomings

The employee's supervisor may at any time, in an informal manner, discuss concerns regarding existing performance problems. The 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 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 discipline, up to and including termination.

C. Suspension

A supervisor, with approval of that staff's Leader, has discretionary authority to suspend an employee with or without pay.

D. Demotion

A supervisor, with approval of that staff's Leader, has discretionary authority to demote an employee. Demotion may be in step or in grade.

E. Termination

A supervisor, with approval of that staff's Leader, has authority to terminate an employee for just cause. All documentation regarding the termination shall be kept for at least two calendar years. Just cause includes but is not limited to the following: inefficiency; insubordination; less than competent job performance; failure to perform assigned duties; inadequacy in the performance of assigned duties; dishonesty; sexual or other harassment; improper use of leave; unrehabilitated alcohol or substance abuse; use of alcohol or controlled substances while on the job; negligence; conduct that adversely affects job performance of the employee or of other employees; conduct unbecoming a public employee; improper use of state equipment or supplies; violation of Senate rules, policies, or guidelines; other misconduct; and illegal discrimination.

10. Grievance Procedures

Should any employee have a grievance concerning compensation, hours of work, performance of work, or other matters, the grievance shall be resolved as provided in these guidelines. Any grievance filed more than 30 days after the occurrence that is the subject of the grievance may be dismissed by the employee's supervisor, applicable Leader, and/or the Rules and Administration Committee.

The grievance shall first be brought to the attention of the employee's supervisor in writing or by email. The writing or email shall specifically state that it is a filed grievance pursuant to these guidelines and provide the basis therefor. Within seven days, the supervisor shall give his or her final decision in writing or by email, with a copy provided to the applicable Leader. Informal discussions held to resolve an issue without resort to these grievance procedures shall not be deemed to be the filing of a grievance.

An employee may appeal in writing or by email an adverse ruling of the supervisor to the applicable Leader. Any appeal must be made within seven days of the supervisor's decision. The Leader's decision shall be provided to the employee and the supervisor in writing or by email within seven days of the appeal. An employee may further appeal an adverse ruling of the Leader to the full Rules and Administration Committee in writing or by email to the Committee Chair within seven days of the Leader's decision. The committee's consideration shall be made in a closed meeting with accurate minutes kept. The meeting shall be held within 14 days of the appeal. Committee members may participate by telephone. The committee's decision shall be provided to the employee and the supervisor in writing or by email.

11. Political Participation Guidelines

Employees are prohibited from engaging in political activity during hours when working for the Senate or when using state equipment. Additionally, the Secretary of the Senate shall have discretionary authority to provide guidelines to the employees of the nonpartisan administrative staff governing the employees' participation in political activities. Such guidelines shall be in writing, kept on file, and made available to all employees of that staff.

12. Outside Employment

In general, employment outside the Senate is not prohibited. However, a supervisor may refuse to allow an employee to accept or continue with an outside job if the employment raises questions of conflict of interest, adversely affects the employee's performance in the employee's current position, or negatively affects the operations of that staff.

In addition, permissible outside employment must meet the requirements of Iowa Code chapter 68B and of the Senate's Code of Ethics.

13. Gift Reporting Policy

Iowa law and various rules of the Senate regulate certain kinds of gifts that might be received by Senate employees, their spouses, or their immediate families. The gifts to which the law applies are basically those provided by lobbyists who are unrelated to the recipient.

The rules and statutes covering these matters contain detailed definitions and more precise information and should be consulted when any questions arise. They are found in Iowa Code chapter 68B and Joint Lobbyist Rules 16-18. The relevant sections may be found in the addenda attached hereto.

14. Personnel Records

The supervisor or the supervisor's designee shall maintain and be custodians of all personnel files on each employee of that staff. These files shall also include but not be limited to performance evaluation records, any disciplinary proceedings against the employee, and other information concerning the employee-employer relationship. An employee who is no longer employed by the Senate, whether by resignation or termination, shall have the employee's file kept in the Senate for a period not less than ten years. 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.

15. Electronic Media Policy

Electronic media services (Internet, email, telephone system) provided by the Senate may not be used for knowingly transmitting, retrieving, or storing any communications of a discriminatory or harassing nature, or which are derogatory to any individual or group, or which are obscene or X-rated communications, or are of a defamatory or threatening nature, or for any other purpose which is illegal.

The Senate reserves the right, in its discretion, to review any user's electronic files and messages and Internet usage to the extent necessary to ensure that electronic media services are being used in compliance with the law and with this policy. The use of a password to protect computer data or information does not create an expectation of privacy.

However, employees must respect the confidentiality of other people's electronic communications and shall not attempt to read or access other employees' communications, or breach computer or network security measures, or monitor electronic files or communications of other employees or third parties, except by explicit direction of the Secretary of the Senate or the director of the Computer Services Division.

Penalties for unauthorized access or the attempt of unauthorized access of the legislative computer system include disciplinary action, up to and including discharge.

16. Use of Senate Computers and Legislative Computer Network

A. Permitted Use

Senate computers may be used by Senators and Senate employees for all communications related to Senate business. Senators and Senate employees may also use Senate computers for personal use so long as such use does not interfere with office or employment responsibilities. Senate employees may not, however, use Senate computers for outside employment or financial gain. Due to the part-time nature of their official duties and their necessary attendance at the state capitol on official business, Senators may use Senate computers for communications related to their businesses, employment, and professions.

B. Maintenance

The Legislative Computer Services Division is responsible for loading, configuring, and maintaining all software on the computers. Only that software approved by the Senate for use on the computers may be loaded onto them. Unauthorized software use on the computers could cause problems in connecting to the legislative local area network (LAN), in running authorized software on the computers while connected to the LAN, or in running the unauthorized software correctly. Violation of this restriction may result in denial of use of the computers or access to the legislative network or both.

C. Confidentiality

Recognizing that communications between individuals involve substantial rights under the United States and Iowa Constitutions, as well as protections afforded by state statutes, the dates and times computer communications were made, the contents of all communications, and the identity of communicants shall be kept confidential by all legislative officers and employees with access to that information.

D. Data Integrity

The computers are configured to allow access to large databases of legislative information. Users are prohibited from using that access to corrupt any information stored in databases. Access to certain confidential and other electronic information is restricted to some users and prohibited to other users. Unauthorized access, whether intentional or accidental, or an attempt to access unauthorized information must be reported to the Secretary of the Senate. If the unauthorized access involved data of a member, that member shall also be notified.

E. Penalties

Violation of access restrictions or prohibitions may result in denial of use of the computers or access to the legislative network or both. Employment penalties for misuse of a Senate computer, or unauthorized access or attempted unauthorized access of a Senate computer or the legislative computer network, may include a demotion, suspension, loss of reclassification, loss of salary increase, or termination of employment.

17. Iowa Senate Harassment Prevention Policy

The Senate is committed to providing a workplace free from harassment. Discrimination, harassment, and/or retaliation, as outlined in this policy, will not be tolerated.

The Senate strictly prohibits harassment on the basis of race, color, national origin, religion, sex (including pregnancy), physical or mental disability, genetic information, age, marital status, military or veteran status, gender identity, sexual orientation, or any other characteristic protected by applicable laws. (Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1978, as amended; the Americans with Disabilities Act of 1990, and the Iowa Civil Rights Act of 1965 (Iowa Code Chapter 216, as amended)).

This policy applies to all employees (to include Senators, staff, pages), volunteers, credentialed members of the media, vendors, registered lobbyists and interns, all of whom are covered by and expected to comply with this policy, and to take appropriate measures to help ensure prohibited conduct does not occur.

All complaints will be investigated in a timely and impartial manner, and confidentiality will be maintained to the greatest extent possible.

Senators, lobbyists and clients of lobbyists engaging in harassment or retaliation will be subject to the imposition of penalties by the Senate Ethics Committee.

When conducting business with the Senate, lobbyists, employees from other government offices, vendors and other individuals are expected to conduct themselves in a manner that complies with this policy. Complaints concerning harassment or retaliation shall be filed and resolved as set forth in this policy.

Employee conduct that constitutes harassment against other employees, lobbyists, news media or designated nonemployees (i.e., vendors, visitors, volunteers) will be investigated and may result in disciplinary action, up to and including termination. Third parties or volunteers may be prohibited from engaging in activities in or on behalf of the Senate, or representing the Senate.

Complaints shall be referred to external investigators when the Senate harassment prevention remedies as set out in this policy have been exhausted and the complainant requests additional investigation by an external investigator, or the complainant requests the referral of the complaint to an external investigator before or during the investigation.

No individual shall be subject to retaliation for reporting harassment or participating in a harassment investigation. In all cases, reasonable measures will be taken to protect a reporting or participating party from any retaliatory behavior.

Harassment

The Senate prohibits workplace harassment or retaliation on the basis of race, color, national origin, religion, sex (including pregnancy), physical or mental disability, genetic information, age, marital status, military or veteran status, gender identity, sexual orientation, or any other characteristic protected by applicable laws. (Including, but not necessarily limited to, Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1978, as amended; the Americans with Disabilities Act of 1990, and the Iowa Civil Rights Act of 1965 (Iowa Code Chapter 216, as amended)).

Examples of prohibited harassment include, but are not limited to:

1. Verbal conduct, such as threats, demands, epithets, derogatory comments, slurs or suggestions that an employee's work status is contingent upon submission to harassment.
2. Visual conduct to include the delivery of derogatory posters, photographs, cartoons, drawings, or gestures transmitted in any format, including social media.
3. Subjecting an employee to demeaning or degrading activities in order to gain co-worker acceptance (e.g. hazing).
4. Written communications containing statements that may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricature.
5. Physical conduct, such as assault, unwanted touching, or blocking normal movement.
6. Retaliation for making harassment reports, threatening to report harassment, or participating in a harassment/workplace environment investigation.

Sexual Harassment

It is the policy of the Senate to provide an environment free of sexual harassment. Sexual harassment in any form is an abuse of individual dignity that damages employee morale, threatens work relationships, subverts the public interest, and is illegal under federal and state law.

Sexual harassment is prohibited under federal law by Title VII of the Civil Rights Act of 1964, as amended and Iowa Code Section 19B.12 that defines sexual harassment as “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, or otherwise function normally within an institution responsible for the person’s care, rehabilitation, education, or training.”

There are two types of sexual harassment:

1. “Quid Pro Quo” -- or “this for that” -- is a type of harassment that occurs when unwelcome sexual conduct is directed at an individual, and that individual’s submission to or rejection of such conduct is used as the basis for employment (or other applicable) decisions affecting that individual.

2. “Hostile environment” -- This occurs when an employee has experienced sufficiently severe or pervasive offensive behavior that alters the conditions of the person’s employment and creates an objectively and subjectively hostile or abusive working environment. The determination of whether a hostile environment has been created will be based on the totality of circumstances, including but not limited to:
 - a. The frequency of the conduct;
 - b. The nature and severity of the conduct;
 - c. The identity and relationships of the persons involved;
 - d. The location of the conduct and the context in which it occurred;
 - e. Whether the conduct was physically threatening and/or humiliating;
 - f. The effect of the conduct on the target’s physical, mental, or emotional well-being;
 - g. Whether the conduct was directed at more than one person;
 - h. Whether the conduct arose in the context of other discriminatory conduct; and
 - i. Whether the conduct unreasonably interfered with the alleged victim’s work or other performance.

The more severe the conduct, the less need there is to show a pattern of multiple inappropriate acts to find the existence of a hostile environment. A single act of sexual assault is sufficient to create a hostile environment. Likewise, a pattern of multiple inappropriate acts may be sufficient to create a hostile work environment, even where none of the alleged incidents is particularly severe.

For the purpose of these definitions, prohibited sexual misconduct is defined as, unwelcome conduct of a sexual nature including, but not limited to, these examples:

- Sexual pranks, or repeated teasing, jokes, or innuendo;
- Verbal abuse;
- Repeatedly making sexually suggestive gestures;
- Unwelcome touching or grabbing any part of an individual’s body;

- Repeatedly standing too close to or intentionally brushing up against a person;
- Giving sexually suggestive gifts or displaying in the workplace sexually suggestive objects;
- Repeatedly asking a person to socialize during off-duty hours when the person has said no or has indicated that he or she is not interested;
- Making, sharing, or posting sexually demeaning or offensive photographs, pictures, cartoons, videos, or other material in the workplace;
- Off-duty, unwelcome conduct of a sexual nature that affects the work environment. These are examples of inappropriate conduct, and may constitute a violation of this policy, as well as state and federal law.

Sexual harassment can occur in a variety of circumstances, if the harasser's conduct is unwelcome by the target, including:

- The target as well as the harasser may be a woman or a man. The target does not have to be of the opposite sex.
- The harasser can be the target's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The target does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the target.

Complaint Procedures

The Senate will handle all complaints in a professional, impartial, and timely manner, and will take appropriate corrective action. Information gathered during the complaint process will be treated confidentially to the greatest extent possible. Reporting a complaint shall not be used against a person or have an adverse effect on employment or other status with the Senate.

In addition to this complaint process, persons believing they are targets of harassment may file a complaint with the Iowa Civil Rights Commission or other applicable federal, state, or local agency with jurisdiction over the Senate.

This is a general outline of the complaint and investigation procedure:

- 1.** If someone believes they have been subjected to or witnessed harassment, discrimination, or retaliation, they should immediately notify the Secretary of the Senate, or their immediate supervisor and/or a member of their party's leadership. Individuals who wish to file complaints involving their direct supervisor should do so to the Senate's human resources outside law firm, the Secretary of the Senate, or their respective member of leadership.
- 2.** The Senate will take no formal action against any person under this policy without a written and signed complaint containing sufficient details to determine if the complaint states a potential violation of this policy unless the Complaint and Respondent waive the written complaint requirement. An individual desiring to file a complaint under this policy ("Complainant") may obtain the form from the Secretary of the Senate or their supervisor. The form shall also be

available on the General Assembly Intranet home page. If a supervisor becomes aware that harassment or discrimination is occurring, either from personal observation or as a result of a verbal complaint, the supervisor will immediately report it to the Senate's human resources outside law firm, or the Secretary of the Senate, or the supervisor's leadership. Failure by a supervisor to report a harassment complaint shall be considered a violation of this policy.

3. The Senate's human resources outside law firm upon receiving the written complaint, will notify as soon as practicable the person(s) named in the complaint ("Respondent(s)") of the claim and will initiate an investigation to determine whether there is a reasonable basis for believing that a violation of this policy occurred.

4. The Senate's human resources outside law firm shall be the designated investigator in all cases. The Investigator will interview the complainant, respondent, and any witnesses; gather and review any other available evidence; and make any necessary determinations as to whether there is credible evidence to support that the alleged conduct occurred.

5. The investigator shall make reasonable effort to complete the investigation within 15 business days. The investigator shall submit a written report to either the individual's supervisor or appropriate leadership, as the investigator deems appropriate. The written report will contain at least the following: a summary of the complaint; a list of witnesses and other evidence reviewed by the investigators and summary of information gathered; a statement of any undisputed facts; findings on any disputed material facts; and a determination by the investigator of whether a preponderance of the available evidence supports finding that a violation of this policy occurred.

6. If the investigator determines that it is more likely than not that a violation of this policy occurred, the report shall include proposed remedial actions based on;

- a. The severity, frequency, and pervasiveness of the conduct;
- b. Prior complaints made against the respondent;
- c. The quality of the evidence considered by the investigator (e.g., first-hand knowledge, credible corroboration).

If the investigation is inconclusive or the investigator determined there is no violation of this policy, but problematic conduct, may have occurred, the report may recommend appropriate potential preventive or remedial action.

7. The investigator will meet individually within three business days after the conclusion of the investigation with the complainant and the respondent to notify them of the findings of the investigation and any recommended actions.

8. The complainant or the respondent may submit to the Investigator a statement challenging the factual basis of the findings. Individuals shall submit their statement no later than three business days after the individual met with the investigator to discuss the results of the investigation.

9. Within 15 business days of the end of the investigation, the investigator will meet with the appropriate Senate leadership members to review the investigation report and any statements submitted by the complainant or respondent. The Investigator will report the Senate's decision to the complainant, the respondent and their supervisors. The Senate's decision shall be in writing. If disciplinary action is to be taken, the respondent will be informed of the nature of the discipline and how it will be fulfilled.

10. The Senate's human resources outside law firm will direct complaints against Senators, lobbyists, clients of lobbyists or, members of the media to the Secretary of the Senate. The Senate Ethics Committee will follow the process outlined in Iowa Code section 68B.31 and/or the Senate Code of Ethics for handling complaints and take appropriate action as necessary.

Cooperation

All Senators, employees, and interns are expected to cooperate with investigations by providing truthful, complete, and accurate information to the fullest extent possible.

Confidentiality

Complaints and resulting investigations of harassment or retaliation shall be handled confidentially, to the greatest extent possible. Requests by individuals for confidentiality will be considered in the context of the Senate's legal obligation to act on the complaint, the right of the respondent to obtain information, and any other legal or procedural requirements.

Retaliation

The Senate will not tolerate retaliation against any individual who participates in a process outlined in this policy. Any person who believes they have been retaliated against may file a complaint under the procedures set out in this section.

Other Remedies

In addition to the Iowa Senate harassment remedies, harassment complaints may be filed with the Iowa Civil Rights Commission or the U.S. Equal Employment Opportunity Commission.

Any individual who believes that they have been subject to a crime may report to the applicable law enforcement agency. An individual's decision about whether to report an incident to law enforcement does not affect their ability to file a complaint under this Policy.

Training

The Secretary of the Senate, in consultation with the President of the Senate, shall arrange for a mandatory training workshop for all Senators, employees, and interns each year before or shortly

after the Senate convenes. Participants shall be required to acknowledge in writing their attendance and receipt of the harassment policy, procedures for complaints and prohibition against retaliation.

The Secretary of the Senate, in consultation with the President of the Senate, shall arrange for mandatory leadership/supervisory training, including training on preventing and investigating harassment, prior to the start of each General Assembly. New or promoted leadership/supervisors will attend in the year they are hired/promoted. Participants shall be required to acknowledge in writing their attendance.

Review

The policies and procedures set out herein shall be reviewed on an annual basis by Senate Leadership, the Senate's human resources outside law firm, and the Secretary of the Senate.

CONTACT INFORMATION FOR SENATE'S HUMAN RESOURCES OUTSIDE LAW FIRM

Julie Bittner
MWH Law Group
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West Des Moines, IA 50266
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23. COMPLAINT FILING FORM. The following form shall be used to file a complaint under these rules:

THE SENATE

Ethics Complaint Form

RE: _____ (Senator/Lobbyist/Client of Lobbyist), of
_____, Iowa.

I, _____ (Complainant), residing at
_____ in the City of _____,
State of _____, hereby complain

that _____ (Senator/Lobbyist/Client of
Lobbyist) whose address is _____ has
violated the Senate Code of Ethics or Joint Rules Governing Lobbyists in that: (Explain the basis
for the complaint here. Use additional pages if necessary.)

Under penalty of perjury, I certify that the above complaint is true and correct as I verily believe.

_____ Signature of Complainant

SUBSCRIBED AND AFFIRMED to me before this _____ day of _____,
_____.

HARASSMENT COMPLAINT FORM

Name/Title of Complainant _____ **Office** _____

Name/Title of Respondent _____ **Date Submitted** _____

Describe the incident you experienced or witnessed and indicate the date/time/location/name of witness(es)

Describe any repeat(s) of the incident, your experience or observation with date/time/location/names of witness(es)

Describe any additional pertinent facts

Describe any relevant evidence (e.g., photos, videos, electronic or other correspondence, police reports):

I understand these incidents will be investigated; this information provided will be kept confidential to the greatest extent possible

Claimant Signature _____ **Date** _____

Received by _____ **Date** _____

18. Addendum: Iowa Code Sections 68B.21 – 68B.24

GIFTS AND OFFERS — GENERAL PENALTIES

68B.21 Legislative intent.

It is the goal of the general assembly that public officials and public employees of the state be extremely cautious and circumspect about accepting a gratuity or favor, especially from persons that have a substantial interest in the legislative, administrative, or political actions of the official or employee. Even where there is a genuine personal friendship, the acceptance of personal benefits from those who could gain advantage by influencing official actions raises suspicions that tend to undermine the public trust. It is therefore the intent of the general assembly that the provisions of this subchapter be construed to discourage all gratuities, but to prohibit only those that create unacceptable conflicts of interest or appearances of impropriety.

92 Acts, ch 1228, §8

68B.22 Gifts accepted or received.

1. Except as otherwise provided in this section, a public official, public employee, or candidate, or that person's immediate family member shall not, directly or indirectly, accept or receive any gift or series of gifts from a restricted donor. A public official, public employee, candidate, or the person's immediate family member shall not solicit any gift or series of gifts from a restricted donor at any time.

2. Except as otherwise provided in this section, a restricted donor shall not, directly or indirectly, offer or make a gift or a series of gifts to a public official, public employee, or candidate. Except as otherwise provided in this section, a restricted donor shall not, directly or indirectly, join with one or more other restricted donors to offer or make a gift or a series of gifts to a public official, public employee, or candidate.

3. A restricted donor may give, and a public official, public employee, or candidate, or the person's immediate family member, may accept an otherwise prohibited nonmonetary gift or a series of otherwise prohibited nonmonetary gifts and not be in violation of this section if the nonmonetary gift or series of nonmonetary gifts is donated within thirty days to a public body, the department of administrative services, or a bona fide educational or charitable organization, if no part of the net earnings of the educational or charitable organization inures to the benefit of any private stockholder or other individual. All such items donated to the department of administrative services shall be disposed of by assignment to state agencies for official use or by public sale. A person subject to section 8.7 that receives a gift pursuant to this subsection shall file a report pursuant to section 8.7.

4. Notwithstanding subsections 1 and 2, the following gifts may be received by public officials, public employees, candidates, or members of the immediate family of public officials, public employees, or candidates:

a. Contributions to a candidate or a candidate's committee.

b. Informational material relevant to a public official's or public employee's official functions, such as books, pamphlets, reports, documents, periodicals, or other information that is recorded in a written, audio, or visual format.

c. Anything received from anyone related within the fourth degree by kinship or marriage, unless the donor is acting as an agent or intermediary for another person not so related.

d. An inheritance.

e. Anything available or distributed free of charge to members of the general public without regard to the official status of the recipient. This paragraph shall not apply to functions described under paragraph "s".

f. Items received from a bona fide charitable, professional, educational, or business organization to which the donee belongs as a dues-paying member, if the items are given to all members of the organization without regard to individual members' status or positions held outside of the organization and if the dues paid are not inconsequential when compared to the items received.

g. Actual expenses of a donee for food, beverages, registration, travel, and lodging for a meeting, which is given in return for participation in a panel or speaking engagement at the meeting when the expenses relate directly to the day or days on which the donee has participation or presentation responsibilities.

h. Plaques or items of negligible resale value which are given as recognition for the public services of the recipient.

i. Food and beverages provided at a meal that is part of a bona fide event or program at which the recipient is being honored for public service.

j. Nonmonetary items with a value of three dollars or less that are received from any one donor during one calendar day.

k. Items or services solicited by or given to a state, national, or regional government organization in which the state of Iowa or a political subdivision of the state is a member for purposes of a business or educational conference, seminar, or other meeting; or solicited by or given to state, national, or regional government organizations, whose memberships and officers are primarily composed of state or local government officials or employees, for purposes of a business or educational conference, seminar, or other meeting.

l. Items or services received by members or representatives of members at a regularly scheduled event that is part of a business or educational conference, seminar, or other meeting that is sponsored and directed by any state, national, or regional government organization in which the state of Iowa or a political subdivision of the state is a member, or received at such an event by members or representatives of members of state, national, or regional government organizations whose memberships and officers are primarily composed of state or local government officials or employees.

m. Funeral flowers or memorials to a church or nonprofit organization.

n. Gifts which are given to a public official or public employee for the public official's or public employee's wedding or twenty-fifth or fiftieth wedding anniversary.

o. Payment of salary or expenses by a person's employer or the firm in which the person is a member for the cost of attending a meeting of a subunit of an agency when the person whose expenses are being paid serves on a board, commission, committee, council, or other subunit of

the agency and the person is not entitled to receive compensation or reimbursement of expenses from the state or a political subdivision of the state for attending the meeting.

p. Gifts of food, beverages, travel, or lodging received by a public official or public employee if all of the following apply:

(1) The public official or public employee is officially representing an agency in a delegation whose sole purpose is to attract a specific new business to locate in the state, encourage expansion or retention of an existing business already established in the state, or to develop markets for Iowa businesses or products.

(2) The donor of the gift is not the business or businesses being contacted. However, food or beverages provided by the business or businesses being contacted which are consumed during the meeting are not a gift under section 68B.2, subsection 9, or this section.

(3) The public official or public employee plays a significant role in the presentation to the business or businesses on behalf of the public official's or public employee's agency.

q. Gifts other than food, beverages, travel, and lodging received by a public official or public employee which are received from a person who is a citizen of a country other than the United States and are given during a ceremonial presentation or as a result of a custom of the other country and are of personal value only to the donee.

r. Actual registration costs for informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions. The costs of food, drink, lodging, and travel are not "registration costs" under this paragraph. Meetings or sessions which a public official or public employee attends for personal or professional licensing purposes are not "informational meetings or sessions which assist a public official or public employee in the performance of the person's official functions" under this paragraph.

s. Gifts of food, beverage, and entertainment received at a function where every member of the general assembly has been invited to attend, when the function takes place during a regular session of the general assembly. A sponsor of a function under this paragraph shall file a registration prior to the function taking place identifying the sponsor and the date, time, and location of the function. The registration shall be filed with the person or persons designated by the secretary of the senate and the chief clerk of the house and with the board. After a function takes place, the sponsor of the function shall file a report disclosing the total amount expended, including in-kind expenditures, on food, beverage, and entertainment for the function. The report shall be filed with the person or persons designated by the secretary of the senate and the chief clerk of the house and with the board within twenty-eight calendar days following the date of the function.

5. For purposes of determining the value of an item given or received, an individual who gives an item on behalf of more than one person shall not divide the value of the item by the number of persons on whose behalf the item is given and the value of an item received shall be the value actually received by the donee.

6. A gift shall not be considered to be received by a public official or public employee if the state is the donee of the gift and the public official or public employee is required to receive the gift on behalf of the state as part of the performance of the person's duties of office or employment.

7. A person shall not request, and a member of the general assembly shall not agree, that a member of the general assembly sell tickets for a community-related social event that is to be held for members of the general assembly in Polk county during the legislative session. This section shall not apply to Polk county or city of Des Moines events that are open to the public generally or are held only for Polk county or city of Des Moines legislators.

8. Except as otherwise provided in subsection 4, an organization or association which has as one of its purposes the encouragement of the passage, defeat, introduction, or modification of legislation shall not give and a member of the general assembly shall not receive food, beverages, registration, or scheduled entertainment with a per person value in excess of three dollars.

92 Acts, ch 1228, §9; 93 Acts, ch 163, §6; 94 Acts, ch 1092, §5 – 7; 2001 Acts, ch 24, §19; 2003 Acts, ch 145, §286; 2003 Acts, ch 161, §1, 2; 2005 Acts, ch 76, §5; 2007 Acts, ch 5, §2; 2008 Acts, ch 1191, §40; 2009 Acts, ch 133, §18; 2010 Acts, ch 1006, §1, 11

Referred to in §68B.23, 68B.34

Solicitations for capitol complex projects, see §8A.108

68B.23 Honoraria — banned.

1. Except as provided in subsection 2, a public official or public employee shall not seek or accept an honorarium from a restricted donor.

2. A public official or public employee may accept an honorarium from any person under the following circumstances:

a. The honorarium consists of payment of actual expenses of a donee for registration, food, beverages, travel, and lodging paid in return for participation in a panel or speaking engagement at a meeting when the expenses relate directly to the day or days on which the recipient has participation or presentation responsibilities.

b. The honorarium consists of a nonmonetary item or series of nonmonetary items that the public official or public employee donates within thirty days to a public body, a bona fide educational or charitable organization, or the department of administrative services as provided in section 68B.22, subsection 3.

c. The honorarium consists of a payment made to a public official or public employee for services rendered as part of a bona fide private business, trade, or profession in which the public official or public employee is engaged if the payment is commensurate with the actual services rendered and is not being made because of the person's status as a public official or public employee, but, rather, because of some special expertise or other qualification.

92 Acts, ch 1228, §10; 93 Acts, ch 163, §7; 2003 Acts, ch 145, §286

Referred to in §68B.34

68B.24 Loans — receipt from lobbyists prohibited.

1. An official, member of the general assembly, state employee, legislative employee, or candidate for state office shall not, directly or indirectly, seek or accept a loan or series of loans from a person who is a lobbyist.

2. A lobbyist shall not, directly or indirectly, offer or make a loan or series of loans to an official, member of the general assembly, state employee, legislative employee, or candidate for state office. A lobbyist shall also not, directly or indirectly, join with one or more persons to

offer or make a loan or series of loans to an official, member of the general assembly, state employee, legislative employee, or candidate for state office.

3. This section shall not apply to loans made in the ordinary course of business. For purposes of this section, a loan is “made in the ordinary course of business” when it is made by a person who is regularly engaged in a business that makes loans to members of the general public and the finance charges and other terms of the loan are the same or substantially similar to the finance charges and loan terms that are available to members of the general public.

92 Acts, ch 1228, §11; 93 Acts, ch 163, §8

Referred to in §68B.34

19. Addendum: Joint Rules Governing Lobbyists (Rules 16 – 18)

Rule 16 PROHIBITION AGAINST GIFTS

1. A lobbyist or client of a lobbyist shall not, directly or indirectly, offer or make a gift or series of gifts to any member or full-time permanent employee of the house or senate or the immediate family members of a member or full-time permanent employee of the house or senate except as otherwise provided in section 68B.22 of the Code. A lobbyist or client of a lobbyist who intends or plans to give a nonmonetary item, other than food or drink consumed in the presence of the donor, which does not have a readily ascertainable value, to a member or full-time permanent employee of the house or senate, prior to giving or sending the item to the member or employee, shall seek approval of the item from the chief clerk of the house or the secretary of the senate, as applicable. A lobbyist or client of a lobbyist who seeks approval of an item from the chief clerk of the house or the secretary of the senate shall submit the item and evidence of the value of the item at the time that approval is requested.

2. A lobbyist shall inform each of the lobbyist's clients of the requirements of section 68B.22 of the Code and of the responsibility to seek approval prior to giving or sending a nonmonetary item which does not have a readily ascertainable value to a member or a full-time permanent employee of the house or senate.

Rule 17 FINANCIAL TRANSACTIONS

1. A lobbyist shall not, directly or indirectly, make a loan to a member or to an employee of the house or senate.

2. A loan prohibited under this section does not include a loan made in the ordinary course of business of a lobbyist if the primary business of the lobbyist is something other than lobbying, if consideration of equal or greater value is received by the lobbyist, and if fair market value is given or received for the benefit conferred.

Rule 18 HONORARIA — RESTRICTIONS

A lobbyist or client of a lobbyist shall not pay an honorarium to a member or employee of the house or senate for a speaking engagement or other formal public appearance in the official capacity of the member or employee except as otherwise provided in section 68B.23 of the Code.