State of Iowa

EQUAL OPPORTUNITY
AND ANTI-DISCRIMINATION POLICY
FOR EXECUTIVE BRANCH EMPLOYEES

NOTIFICATION AND EFFECTIVE DATE

All executive branch employees are required to read this Equal Opportunity and Anti-Discrimination Policy, and are expected to sign an Acknowledgment indicating that the Policy was read and fully understood by the employee. This Policy is being issued with revision on July 1, 2026.

I. GENERAL STATEMENT OF POLICY

It is the policy of the executive branch of state government in the State of Iowa to "provide equal opportunity in state employment to all persons." (Iowa Code chapter 19B.) The intent of this policy is to ensure that individuals are not denied equal access to state employment opportunities because of their race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, pregnancy or pregnancy-related condition, consistent with applicable state and federal policies and regulations.

II. DISCRIMINATORY HARASSMENT

The executive branch is committed to a work environment in which all individuals are treated with respect and dignity. Harassment of employees based upon their race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, pregnancy or pregnancy-related condition is a violation of the Iowa Civil Rights Act (Iowa Code chapter 216, as amended). For the Policy Prohibiting Sexual Harassment for Executive Branch Employees, see the following link:

https://das.iowa.gov/state-policies.

Other laws also prohibiting discriminatory harassment in one or more of specified covered areas include: Iowa Code section 19B.12, Title VII of the Civil Rights Act of 1964, as amended; the Age Discrimination in Employment Act of 1978, as amended; and the Americans with Disabilities Act of 1990.

Under this policy, discriminatory harassment is conduct that insults or shows hostility toward or dislike of an individual or group on the basis of race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, pregnancy, or pregnancy-related condition.

Examples of discriminatory harassment based on race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, pregnancy, or pregnancy-related condition include, but are not limited to:

A. Abusing the dignity of an individual or group through insulting or degrading remarks or conduct, slurs, negative stereotyping, or insulting jokes.
B. Threatening, intimidating, or hostile acts.
C. Written or graphic material that insults or shows hostility toward or dislike of an individual or group.
D. Threats, demands, or suggestions that an employee's work status is contingent upon submission to harassment.
E. Subjecting an employee to demeaning or degrading activities in order to gain co-worker acceptance, e.g., hazing.

III. DISCRIMINATORY PRACTICES IN VIOLATION OF IOWA CODE CHAPTER 216 AND THE FEDERAL AMERICANS WITH DISABILITIES ACT

A person with a disability is a person who has a physical or mental impairment that substantially limits a "major life activity," or has a record of such impairment, or is regarded as having such impairment. "Major life activities" include functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

A "qualified" person with a disability is one who meets the legitimate job requirements and is able to perform the essential functions of the position with or without reasonable accommodations and without being a direct threat to the health or safety of themselves or others. Essential functions are absolute requirements for producing critical job results/outputs. Essential, by definition, means indispensable, vital, necessary, or related

to the essence of the job. It does not include marginal functions or duties performed. As such, departments are not required to provide reasonable accommodations that would result in fundamental alterations in the nature of the work to be performed.

The State of Iowa and its departments, agencies and other instrumentalities and all their employment practices, services and programs shall comply with the requirements of the ADA. The ADA requires, in part, that the State of Iowa:

A. Make reasonable modifications in policies, practices, and procedures that deny equal access to individuals with disabilities, unless fundamental alteration in the program or an undue hardship would result.

B. May not refuse to allow a person with a disability to participate in a service, program, or activity simply because the person has a disability.

C. Provide programs and services in an integrated setting unless separate or different measures are necessary to ensure equal opportunity.

D. Prohibit requirements that tend to screen out individuals with disabilities, such as requiring a driver's license as the only acceptable means of identification.

E. Eliminate unnecessary eligibility standards or rules that deny individuals with disabilities an equal opportunity to enjoy their services, programs or activities unless "necessary" to the provisions of the services, program or activity.

F. Impose safety requirements only when they are necessary for the safe operation of the program in question, such as requirements for eligibility for drivers' licenses if they are based on actual risks and not on mere speculation, stereotypes, or generalizations about individuals with disabilities.

G. Ensure that individuals with disabilities are not excluded or limited from participation in services, programs, and activities because buildings are inaccessible.

H. Provide services, programs, and activities offered in the facility to persons with disabilities through alternative methods, if physical barriers are not removed.

IV. COMPLAINT REPORTING PROCEDURE

Any person who feels that he or she has been denied an employment opportunity, has had terms and conditions of employment adversely affected or has been subjected to discrimination because of the employee's race, creed, color, religion, sex, national origin, age, physical or mental disability, sexual orientation, pregnancy or pregnancy-related condition should immediately report the matter to the attention of his or her immediate supervisor, agency director or other designated agency personnel. If the

concern or complaint involves the employee's immediate supervisor, the employee is encouraged to file the complaint with the next highest supervisor, or, in the alternative, to the director of the Department of Administrative Services. An employee may also file a complaint with the Iowa Office of Civil Rights or the appropriate federal enforcement agency.

A person who is not an executive branch employee and who alleges he or she was subject to actions by an executive branch employee in violation of this policy may report the incident to the director of the department affected or to the director of the Department of Administrative Services.

A person who witnesses or has knowledge of a violation of this policy may report the incident to the director of the department affected or to the director of the Department of Administrative Services.

For reporting allegations of sexual harassment, please see the complaint reporting procedure set forth in the Policy Prohibiting Sexual Harassment for Executive Branch Employees at:

https://das.iowa.gov/policy-prohibiting-sexual-harassment-executive-branch-employees/section-iv-complaint-procedure.

V. INVESTIGATION PROCEDURE

Unless directed by the Governor's Office to be investigated by another agency or entity, all complaints alleging violation(s) of this policy shall be promptly investigated by the executive branch agency that employs the subject(s) of the complaint or by Department of Administrative Services if the complaint:

- involves an agency director, head, or appointed official.
- involves any employee who directly reports to an agency director, head, or appointed official.
- includes a request by the complainant that the investigation be conducted by the Department of Administrative Services.
- includes a conflict of interest or other circumstances whereby investigation by the employing agency is not appropriate.

(For allegations involving sexual harassment, please see the Investigation Procedure set

forth in the Policy Prohibiting Sexual Harassment for executive branch employees.) All complaints alleging violation(s) of this policy shall be promptly investigated. All executive branch employees must cooperate fully with any investigation. Failure to cooperate with an investigation may result in discipline up to and including termination of employment.

VI. CORRECTIVE ACTION

The Department of Administrative Services will work with appropriate executive branch agency personnel to ensure corrective action is taken immediately to remedy violations of this policy. Corrective action may include disciplinary action up to and including termination of employment for parties whose conduct violates this policy. A manager or supervisor who fails to properly act upon complaints or who has personal knowledge of a violation of this policy and fails to take appropriate action shall be subject to disciplinary action up to and including termination of employment.

VII. RETALIATION PROHIBITED

Any form of discrimination or retaliation against an individual because he or she files a complaint or aids another individual in filing a complaint is prohibited. An employee who has reason to believe that he or she has been retaliated against because of participation in an investigation of a discrimination complaint may also file a complaint with the Department of Administrative Services, the Iowa Office of Civil Rights, or the U.S. Equal Employment Opportunity Commission, whichever is appropriate.

VIII. ASSIGNMENT OF RESPONSIBILITIES

The Department of Administrative Services, pursuant to Iowa Code section 19B.3, shall be “responsible for the administration and promotion of equal opportunity efforts in the recruitment, appointment, assignment, and advancement of personnel by all state agencies except the state board of regents and the institutions under the board's jurisdiction.”

The director of the Department of Administrative Services shall also be designated as the State Americans with Disabilities (ADA) Coordinator in compliance with the U. S. Department of Justice’s Title II Regulations Section 35.107. The director shall carry out this responsibility as follows:

A. Employment: The Human Resources Enterprise of the Department of Administrative Services shall be responsible for equal employment opportunity efforts under the ADA.

B. Accessibility: The General Services Enterprise of the Department of Administrative Services shall be responsible for equal access to State facilities under the ADA.

C. Complaint Reporting Procedure: The ADA Coordinator shall utilize existing complaint reporting procedures detailed in this policy to ensure that policies and procedures of the State of Iowa and its departments, agencies and other instrumentalities do not discriminate against persons with disabilities.

Department directors have the responsibility for the overall administration of this policy within their departments. This includes the following responsibilities:

A. Equal Opportunity: Integrating equal opportunity into all parts of human resource and program management, reviewing all policies and procedures as they affect equal opportunity and ensuring compliance with relevant statutes.

B. Prevention of Harassment: Making every reasonable effort to prevent all forms of harassment from occurring and taking immediate and appropriate corrective action when harassment is brought to their attention, either directly or indirectly. Any administrator, supervisor, or employee who engages in any form of discrimination or harassment prohibited by this policy or who retaliates against an individual who has complained of discrimination or harassment will be subject to disciplinary action up to and including discharge. Also, any administrator or supervisor who fails to act upon complaints of or on personal knowledge of workplace discrimination or harassment will be subject to disciplinary action up to and including discharge.

C. Access to Program Services: Department directors shall ensure their activities, services and programs are in compliance with the ADA and accessible to the general public.

IX. TRAINING

The Department of Administrative Services shall offer training courses in equal opportunity, diversity, and prevention of discrimination/harassment through its Performance and Development Solutions (PDS) program area. These courses are found on the Department of Administrative Services— Human Resources Enterprise website at https://das.iowa.gov/human-resources/training-and-development. Executive branch employees are strongly encouraged to attend training offered through PDS.

X. RESOURCES

Individuals needing assistance may also contact the Department of Administrative Services – Human Resources Enterprise, Hoover Building, Level A, Des Moines, Iowa 50319. Phone: 515-281-3087 or dashre.info@das.iowa.gov.

The Iowa Office of Civil Rights and the Equal Employment Opportunity Commission administer laws and regulations regarding employment discrimination and harassment, which include deadlines for filing discrimination complaints. For more information, these agencies may be contacted at the following:

IOWA OFFICE OF CIVIL RIGHTS
6200 Park Avenue, Suite 100
Des Moines, IA 50321-1270
Phone: 515-281-4121; 800-457-4416 (toll free)
Fax: 515-242-5840
http://icrc.iowa.gov

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Reuss Federal Plaza
310 West Wisconsin Avenue, Suite 500
Milwaukee, WI 53203-2292
Phone: 1-800-669-4000

XI. POSTING

This policy is posted on the Department of Administrative Services website at https://das.iowa.gov/state-policies and is incorporated in the State executive branch employee handbook. Executive branch agencies are responsible for distributing this policy to employees at the time of hire or orientation.

Last revised July 1, 2026