

# ADMINISTRATIVE RULE WAIVER REQUEST

Petitioner Name: Department of Public Defense

Contact Information: COL Jason Wischert jason.l.wischert.mil@army.mil

Hiring Authority: Stephen E Osborn

Administrative Rule to be Waived: Iowa Admin. Code r. 11-63.3(8A) Sick Leave with Pay

**Statement of Rule:**

See attached rule.

**List the names of the persons or the description of the class known by petitioner to be affected:**

Airport Firefighters (07130)

**Briefly describe the change requested, including the portion of the rule to be waived:**

The requested change will modify the sick leave accrued to reflect the calculations based on a 53 hour work week, or 106 hour pay period to the following: If the employee's accrued sick leave balance is 750 hours or less, the employee shall accrue one and one-half days of sick leave per month, which is 7.33846154 hours per pay period. If the employee's accrued sick leave balance is 1500 hours or less but more than 750 hours, the employee shall accrue one day of sick leave per month, which is 4.89231 hours per pay period. If the employee's accrued sick leave balance is more than 1500 hours, the employee shall accrue one-half day of sick leave per month, which is 2.446154 hours per pay period.

**Justification for waiving rule (attach additional sheets, as needed):**

The rule in its current iteration applies to employees that work a standard 40 hour workweek, or 80 hours in a pay period. Airport Firefighters work a scheduled 53 hour workweek, or 106 hours in a pay period, thus, the rule does not reflect the appropriate hours worked for these employees, nor allow them to accrue sick leave at the rate reflective of those hours. This waiver request would only affect Airport Firefighters, all of whom work 53 hours a week, and the sick leave balance limitations for accrual amounts under the current rule would still apply.

Department Director Signature Stephen E. Osborn Date 20 May 2024

DAS-HRE Bureau Chief Signature \_\_\_\_\_ Date \_\_\_\_\_

**Decision:**

- Granted** Effective for the pay period, 5/24/2024, in which signed.  
 **Denied**

Signature of DAS Director's Designee/COO of DAS-HRE Celin Roca Date 6.3.2024

11—63.3 (8A) Sick leave with pay. Probationary and permanent full-time employees, except peace officer employees of the department of natural resources and the department of public safety, shall accrue sick leave as set forth in this paragraph. If the employee's accrued sick leave balance is 750 hours or less, the employee shall accrue one and one-half days of sick leave per month, which is 5.538462 hours per pay period. If the employee's accrued sick leave balance is 1500 hours or less but more than 750 hours, the employee shall accrue one day of sick leave per month, which is 3.692308 hours per pay period. If the employee's accrued sick leave balance is more than 1500 hours, the employee shall accrue one-half day of sick leave per month, which is 1.846154 hours per pay period. Peace officer employees of the department of natural resources and department of public safety shall accrue sick leave at the same rate as the rate provided under the State Police Officers Council collective bargaining agreement.