



## ADMINISTRATIVE RULE WAIVER REQUEST

Petitioner Name: Iowa Department of Transportation

Contact Information: Todd A. Sadler

Hiring Authority: Lee Wilkinson

Administrative Rule to be Waived: Iowa Administrative Code Chapter 11 53.11(5)

### Statement of Rule:

Compensatory time. An overtime eligible employee in a noncontract class may accrue up to 80 hours of compensatory time before it must be paid off. Compensatory time may be paid off at any time, but it shall be paid off if the employee separates, transfers to a different agency, or moves to a class with a different overtime eligibility designation. ....

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

AFSCME contract-covered Iowa Department of Transportation (DOT) job classes eligible for overtime who are carrying over 80 hours of compensatory time as of June 30, 2017. On July 1, 2017 these employees' collective bargaining agreement will no longer supercede Adm. Rule 53.11.

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

The Iowa DOT requests the rule be waived to allow employees with over 80 hours of comp. time on June 30, 2017 to use the time prior to September 30, 2017. Any remaining balance of hours over 80 will be paid out to the individual on September 30, 2017. Employees will no longer be eligible to accrue hours in excess of 80 hours.

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

The Justification for waiving this rule is the fiscal impact it will have on Iowa Department of Transportation. The fiscal impact including the FICA, which is another 7.65%, brings the total to \$824,092 if paid out June 30, 2017. Paying out these balances with our normal payout dates will allow the department to more effectively manage the process and avoid issues with the current collective bargaining agreement.

Petitioner Signature

Todd A. Sadler

Date May 8, 2017

DAS-HRE Bureau Chief Signature

Date 5/9/17

### Decision:



Granted



Denied

Signature of DAS Director's  
Designee/COO of DAS-HRE

Date 5/9/2017