



ADMINISTRATIVE RULE WAIVER REQUEST

Petitioner Name: Iowa Department of Human Services

Contact Information: Jerry Foxhoven, Director

Hiring Authority: Richard Shults, Administrator of Mental Health and Disability Services & Facility Superintendents

Administrative Rule to be Waived: 11-53.11(3) OT-Exempt job classes; 53.9(2) Call back pay; 53.9(3) standby pay

Statement of Rule:

53.11(3) An employee in an overtime exempt job class shall not be paid for hours worked or in pay status over 40 hours in a work week. 53.9(2)...overtime exempt classes may be eligible for call back pay, if a request is ... approved by the director. 53.9(3)...overtime exempt classes may be eligible for standby, if a request is...approved by the director.

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

Physician Assistant 02550 (PAs)

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

Waiver for the PA job class to receive hour for hour overtime after 40 hours worked in a work week; Waiver to receive stand-by pay when assigned stand-by status; and Waiver to receive call back pay when required to return to work on call back effective July 1, 2017.

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

Other public and private inpatient psychiatric hospitals and large state run ICFs/ID (State Resource Centers) ordinarily use physicians for week-ends, evenings, stand-by and call back. However, physicians are expensive and difficult to recruit and hire. Using PAs is significantly less costly than hiring physicians for this 24 hour 7 day a week duty. Not allowing OT eligibility, standby, and call back for PAs will present significant recruitment/retention challenges. Changing PAs' schedules to cover evenings and weekends would require hiring additional PAs. PAs are also a highly competitive position with the private sector paying more, offering education loan forgiveness, and sign-on bonuses.

Department Director Signature

Date 8-25-17

DAS-HRE Bureau Chief Signature

Date

Decision:



Granted



Denied

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

Date 08/25/2017

Just E. Phypers
effective with the pay period
that included 7/1/2017