Red Tape Review Rule Report
(Due: September 1, 20 23)

Name:	Iowa Civil Rights Commission	**Date:**	9/1/23	**Total Rule Count:**	17
IAC #:	161	**Chapter/ SubChapter/ Rule(s):**	Chapter 3	**Iowa Code Section Authorizing Rule:**	216
Contact Name:	Kristen Stiffler	**Rule #:**	3.1-3.17	**Phone:**	515-281-4121

PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

The intended benefit of Chapter 3 is to provide parameters and expectations regarding the complaint process for discrimination complaints based on protected bases.

Is the benefit being achieved? Please provide evidence.

Yes, Chapter 3 provides the process for which the Iowa Civil Rights Commission (ICRC) is to investigate discrimination complaints. This Chapter also provides complainants and respondents the expectations regarding the investigation process.

What are the costs incurred by the public to comply with the rule?

Both complainant and respondent incur costs regarding the complaint process, including the cost to complete the complaint, questionnaires, interviews, and appearing for hearings. Additionally, if a respondent is found to be in violation of the Iowa Civil Rights Act, damages can be assessed against the respondent by means of a settlement, an administrative law judge decision, or Commission decision.

What are the costs to the agency or any other agency to implement/enforce the rule?

The cost to the Iowa Civil Rights Commission includes staff salaries and costs to process complaints for the Employment+ Division. Other agencies that engage with the Iowa Civil Rights Commission are reimbursed for the services provided to the ICRC (administrative law judges, human resources, budget/accounting, and Attorney General). Further, if a complaint is filed against another State agency, that named agency would incur costs in responding to the complaint.

Do the costs justify the benefits achieved? Please explain.

Yes, staff time and materials used to investigate complaints are needed to comply and fulfill the requirements of the Iowa Civil Rights Act.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

To receive reimbursement for complaints cross-filed with the EEOC and HUD, state statute and rules need to comply with the federal standards.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or un-necessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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RULES PROPOSED FOR REPEAL (list rule number[s]):

161-3.2(4)
161-3.3
161-3.4(1)
161-3.5(2)(7)
161-3.7 (2)
161-3.10 (1)(3)
161-3.11(2)
161-3.13(1)(5)(6)
161-3.16(8)(10)(11)
161-3.17

***RULES PROPOSED FOR RE-PROMULGATION* (list rule number[s] or include text if available):**

3.1
3.2 (1)(2)(3)(5)
3.3 (2)(3)
3.4(2)(3)
3.5(1)(3)(4)(5)(6)
3.6
3.7(1)(3)
3.8(1)(2)(3)
3.9
3.10(2)(4)(5)
3.11
3.12(1)(2)(3)
3.13(2)(3)(4)(7)(8)(9)(10)
3.15
3.16(1)(2)(3)(4)(5)(6)(7)(9)

For rules being re-promulgated with changes, please attach a document with suggested changes, if available.

METRICS

Total number of rules repealed:	**2**
Proposed word count reduction after repeal and/or re-promulgation	**4455/8315 54%**
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	**58/99 59%**

ARE THERE ANY RULES YOU WOULD RECOMMEND BE CODIFIED IN STATUTE?

Broad authority has been given to the administrative state through 216.5(2), which is reflected in the Chapter 3 rules.