



# Iowa Department of Corrections

GOVERNOR KIM REYNOLDS  
LT. GOVERNOR CHRIS COURNOYER

BETH SKINNER, PHD, DIRECTOR

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## Iowa Board of Corrections Minutes Friday January 9, 2026

**Board Members Present:** Trent Keller, Alexa Perez, Denise Bubeck, Jim Kersten, Jay Nelson

**Staff Present:** Director Skinner, Paul Cornelious, Jen Ratje, Jen Anderson, Bob Fairfax, Dwain Caldwell, Holly Kelley, Katrina Carter, Ken Pirc, Steve Dick, Deanne Krumm, Elizabeth Dehne

**Visitors Present:** Larry Smith, Richard Nordin, Justus, Darcy Schultz

### Call to Order:

- Trent Keller calls for the approval of October 10, 2025 minutes. Jim Kersten *approves*. Jay Nelson *seconds the motion for approval*.
- Trent Keller calls on voting by the board members for a new chair and vice chair. Trent Keller has been named Chair of the Board of Corrections and Jim Kersten has been named Vice Chair of the Board of Corrections. Voting will take place again at start of the fiscal year to align with the Iowa code.
- The next Board of Corrections meeting will be held on April 10, 2025. This meeting will be held in person at Central Office in Des Moines.

### Welcome – Director Skinner

- The Department has been getting ready for legislative session which starts on January 12, 2026. Condition of the State will take place on January 13, 2026.
- In October 2025 the Lieutenant Governor came out to Homes for Iowa to watch the process of how we move homes from the lot to the community. Homes for Iowa are embarking on their 150<sup>th</sup> home delivery. This is a win for Iowa for affordable housing and gives those under our supervision success in apprenticeship programs.
- In October legislators visited Anamosa State Penitentiary. We continue to engage our legislators as we move into session. **Trent Keller:** I was on this tour, and it was a wonderful visit. I saw that air conditioning was being put in, and a lot of vacancies were being filled.
- Our Leadership Institute is in full session. This course is designed to develop our future leaders and succession planning.
- Nick Lamb, Deputy of Prison Operations, left the department on November 7, 2025. He has taken the role as the new Secretary in South Dakota.
- In November, Recidiviz held a partner summit. Recidiviz is a nonprofit organization that does a lot of AI tech work around corrections. This work offers a proactive approach for treatment and programming risk mitigation.



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- The kickoff meeting for the Iowa Correctional Education Advisory Committee was held in November. We continue our work with the community colleges and Iowa Workforce Development regarding education and apprenticeship programs.
- We are continuing to work with our partners at ACJI on implementation science.
- Corrections Day on the Hill will be held on February 3<sup>rd</sup> at the Capitol.

### Budget – Steve Dick

- December marked six months into the fiscal year and at this time we expect to be at the 50% mark for expenses and revenues.
- Under the general department-wide funds, which include the institutions and CBCs, and central office appropriations, we do have agreements with the Federal Bureau of Prisons for the clients we house in our CBC residential facilities, and due to the shut down those monies are behind on reimbursements. Line 501 shows 50% spent, as we bill out to the Feds for those payments.
- Line 407 looks to be fully spent, which is the department-wide duty monies that are state appropriated funds. These funds are distributed out to the prisons and districts to cover salary costs throughout the year, and we distribute that money at the front end of the year.
- Line 414 is reimbursements to other agencies, such as worker compensation. We pay for these at the beginning of the year. This is why this line is higher than 50%.
- We are trying to keep our positions filled and not have vacancies, we are down significantly from the beginning of the year.
- The central office tab does have bills that we pay statewide and distribute out. This will make the budget line look higher as some of those bills have not been distributed fully yet.
- Institutions are at 48% spent and are in good shape. CBCs are at 44% spent. Central office is at 62% spent.
- A few projects are underway through Rebuild Iowa Infrastructure Funds (RIIF) and Technology Reinvestment Funds (TRF). The kitchen project at CCF is nearing completion. The replacement of a few body cameras is underway. Another big project is the renovation construction of the Council Bluffs probation and parole building.
- **Jay Nelson:** What is the vacancy factor right now? **Steve Dick:** That differs based on the classification, however, last week Friday we had 120 Correctional vacancies statewide. We continue to get people hired and through the New Employee Training, for us to place them on shift.
- **Trent Keller:** I am wondering about the new facility that was discussed last year for Mount Pleasant. **Steve Dick:** We have an apprenticeship building that was constructed at Mount Pleasant that is being finished and will start using that soon.
- **Trent Keller:** Another question about the air conditioning system, I did see this being worked on in October, how far are we until there is full air conditioning and HVAC? **Steve**



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**Dick:** I will need to reach back out to ASP. A cooling unit did go down awhile back, and we had to place temporary units. We are waiting for a permanent solution to arrive and to get installed, I can reach back out and provide an update once I know more.

### Legislative Update – Jen Rathje

- Session will start on Monday with the Governor’s Condition of the State address following, at this she will discussed her priorities for the year ahead and outlining progress made so far.
- The DOC has two prefiled legislations being put forward this year
  - One bill would enhance the penalty for sexual misconduct within a correctional setting. This would propose that the penalty will go from an aggravated misdemeanor to a class D felony. This would expand into juvenile facilities as well as county jails. This will align Iowa with the federal PREA expectations
  - The second bill is to expand the definition of contraband within the facilities to include legal items that cause disruption to safety and security.
  - Both bills will be monitored for a committee or legislator to pick it up for introduction.
  - **Trent Keller:** The contraband coming into the institutions, the charges are both going to be a class D felony for the person bringing it in and the person that is in the institution? **Jen Rathje:** Correct.
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### Red Tape Review Update – Jen Rathje

- Executive Order 10 is regarding red tape review that was created under Governor Reynolds in January 2023. The focus is on reducing unnecessary or overly burdensome regulations across all state agencies.
- We have started our comprehensive review of all administrative rules where we are deciding what to keep, what needs to be potentially rescinded or removed from administrative rule.
- Another part of the initiative is to reduce the overall size of the administrative code, but not just by eliminating rules, but also trimming unnecessary language, page count, and word count.
- We have 18 administrative rule chapters, and our full review of every chapter must be completed by the end of the year December 31, 2026.
- We have Chapter 37, the Iowa State Industries chapter, ready to bring before the board for review.
  - What you will see is a reduction in terms where it is appropriate.
  - We have cited Iowa code directly, rather than repeating the language. This is to reduce regulatory burden.
  - If a rule is not required by Iowa code or at the federal level, we are trying to reduce that.



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- The word 'shall' has been replaced with the word 'may or will' where that is appropriate with the goal as we still want to convey a mandatory action.
- We adjusted words in the 'sale of products' section with terminology from 'shall' to 'may', which we have aligned with code that says 'may'.
- We have referenced back to code where it is appropriate.
- Senate file 2385 from 2024 eliminated and repealed the advisory board for Iowa State Industry.
- Anything with a strikethrough will be eliminated from the rule.
- Anything underlined will be added to the rule.
- We have struck out the private sector employment projects, known as PI program, and we worked on this with Iowa Workforce Development to assist in reducing regulatory burden where there was not any legal mandate to require it.
- Training is no longer IWDs responsibility, but the employers will provide the training as needed.
- **Jay Nelson:** I have a comment with the word 'ensure' that is towards the top of the document. I am paraphrasing it best, but anytime we say things that such as "we are going to make certain" of with when someone is going back out to the community, I have concerns with that as we deal with human beings. **Jen Rathje:** The subsection 37.11 where that says, "Iowa State Industries is in charge with making available to offenders of the state, opportunities for work and meaningful jobs that will ensure the offenders chances of successful reentry." We will look at this to make sure the intent is what we want it to be and not to give a false narrative.
- **Trent Keller:** I appreciate you taking the time to go through the document and replacing of words and making this more up to code. **Jen Rathje:** As we continue to complete other chapter reviews, we will present those as well and make you aware of any public comment that is received as we move through the process.
- **Denise Bubeck:** Have public comments already on part of the sections or are there comments on the whole review? **Jen Rathje:** No, we have not. We were going to wait until the official process started, but as we had this ready for review, we brought it to you first. Next it will be reviewed by Director Skinner and Chief of Staff, Paul Cornelius, and then to be submitted to start the formal process.
- **Trent Keller:** Is it possible that during some legislative sessions that the board can be present at the Capitol? **Jen Rathje:** I do not see any concern with that as it is a public building and space. I can always notify you of specific meeting that pops up.

### Public Comments – Public



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- **Larry Smith:** Larry presented concerns with the air conditioning projects not being part of the budget presentations. Larry mentioned that Mount Pleasant has funds appropriately to add air conditioning to the east and west housing units. Larry states that the air conditioning at Anamosa is not a new unit, but a unit that is being fixed. Larry also stated concern with the dress code is not being followed by visitors and incarcerated individuals.
- **Darcy Schultz:** Darcy presented concerns with how much money is being spent to renovate Cherokee facility. Darcy expressed that she would like tax dollars to be spent on education and rehabilitation, and not old, unused facilities. Darcy expressed that Iowa needs to be more innovative with its treatment facilities.

### Open Discussion – Board Members

- **Jay Nelson:** I had the opportunity to attend the HiSet graduation and that reinforced how important correctional education is and the great job these instructors do to help them be successful.
- **Jay Nelson:** We did talk about Nick Lambs position, however, are we looking at Sally Kreamer's position as well to be filled? **Director Skinner:** Yes, Sally's last day was January 2, and applications will close on January 8 with interviews to follow.
- **Trent Keller:** I would like to thank all the Board Members for electing me as chair, I thank the department for having me. I enjoyed being part of past interviews for open positions. I congratulate both Nicholas on his promotion and Sally on her retirement. I also thank Jim for his legislative knowledge, and I appreciate you being vice chair. Alexa has great expertise; Jay is a past Warden and is very knowledgeable and I appreciate everyone so much.
- **Trent Keller:** Regarding Webster's position we will need to research a new board member. Dr. Skinner, thoughts? **Director Skinner:** We will need to work with the Governor's office to fill in the board seat. I will inquire about the status.

### Adjournment – Board Members

- **Trent Keller** calls for the meeting to be adjourned. Jim Kersten seconds motion for adjournment. *Meeting adjourned.*

Respectfully submitted,

Elizabeth Dehne,  
Executive Assistant

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	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-	-	-	-	-
Total Staffing	3,775.72	-	-	-	-
<b>Resources Available</b>					
04B Balance Brought Forward	557,273.00	741,612	-	741,612.16	1.33
05A Appropriation	449,911,857.00	449,911,857	-	449,911,857.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	472,247.00	519,426	-	519,425.75	1.10
202R Local Governments	422,288.00	187,346	-	187,346.47	0.44
204R Intra State Receipts	6,309,470.00	5,812,353	-	5,812,353.11	0.92
205R Reimbursement from Other Agencies	42,123.00	13,179	-	13,179.03	0.31
234R Transfers - Other Agencies	190,549.00	1,058,993	-	1,058,992.68	5.56
301R Interest	11,000.00	22	-	22.47	0.00
401R Fees, Licenses & Permits	6,358,857.00	2,748,774	-	2,748,773.50	0.43
501R Refunds & Reimbursements	17,444,754.00	4,946,226	-	4,946,225.54	0.28
601R Refunds & Reimbursements	5.00	-	-	-	-
602R Sale of Equipment & Salvage	1,005.00	68	-	68.32	0.07
603R Rents & Leases	82,750.00	33,380	-	33,380.04	0.40
604R Agricultural Sales	2,000.00	-	-	-	-
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	2.00	397,408	-	397,408.11	198,704.06
704R Other Sales & Services	149,816.00	45,335	-	45,335.30	0.30
<b>Total Resources Available</b>	<b>481,955,996.00</b>	<b>466,415,979.48</b>		<b>466,415,979.48</b>	<b>0.97</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	382,433,329.00	171,595,744	-	171,595,744.09	0.45
202 Personal Travel (In State)	644,901.00	347,075	-	347,075.00	0.54
203 State Vehicle Operation	1,202,215.00	470,783	1,567	472,349.37	0.39
204 Depreciation	10,298.00	9,223	-	9,223.38	0.90
205 Personal Travel (Out of State)	107,999.00	33,976	-	33,976.04	0.31
301 Office Supplies	492,484.00	254,295	4,007	258,301.96	0.52
302 Facility Maintenance Supplies	1,943,656.00	1,004,778	10,768	1,015,545.72	0.52
303 Equipment Maintenance Supplies	884,622.00	508,254	53,081	561,334.99	0.63
304 Professional & Scientific Supplies	1,663,952.00	825,372	201,496	1,026,867.35	0.62
306 Housing & Subsistence Supplies	3,385,256.00	1,770,284	243,883	2,014,166.47	0.59
307 Ag, Conservation & Horticulture Supply	81,507.00	20,690	-	20,689.81	0.25
308 Other Supplies	615,838.00	361,137	18,940	380,076.25	0.62
309 Printing & Binding	1,146.00	-	-	-	-
310 Drugs & Biologicals	10,175,417.00	4,895,212	-	4,895,212.22	0.48
311 Food	15,381,480.00	7,612,596	158,823	7,771,418.80	0.51
312 Uniforms & Related Items	1,435,192.00	785,048	112,262	897,309.55	0.63
313 Postage	94,514.00	27,052	-	27,052.00	0.29
401 Communications	1,568,555.00	665,990	6,038	672,027.53	0.43
402 Rentals	886,171.00	381,979	9,611	391,590.26	0.44
403 Utilities	12,137,126.00	5,498,973	232,759	5,731,731.95	0.47
405 Professional & Scientific Services	5,713,651.00	3,223,687	22,374	3,246,061.03	0.57
406 Outside Services	7,670,808.00	2,967,440	86,624	3,054,063.82	0.40
407 Intra-State Transfers	5,907,100.00	5,949,528	-	5,949,528.00	1.01
408 Advertising & Publicity	131,005.00	20,617	4,668	25,285.18	0.19
409 Outside Repairs/Service	2,795,068.00	1,837,488	182,508	2,019,995.58	0.72
412 Auditor of State Reimbursements	300.00	-	-	-	-
414 Reimbursement to Other Agencies	9,194,085.00	6,587,775	-	6,587,775.25	0.72
416 ITD Reimbursements	5,429,086.00	4,748,686	9,803	4,758,488.53	0.88
417 Worker's Compensation	6,000.00	-	-	-	-
418 IT Outside Services	2,075,915.00	1,182,203	-	1,182,202.65	0.57
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	1,500.00	-	-	-	-
434 Transfers - Other Agencies Services	387,796.00	39,663	-	39,663.47	0.10
501 Equipment	863,763.00	346,440	62,241	408,680.92	0.47
502 Office Equipment	33,566.00	5,342	-	5,342.27	0.16
503 Equipment - Non-Inventory	646,097.00	446,811	22,145	468,956.02	0.73
510 IT Equipment	2,348,994.00	2,605,349	25,725	2,631,073.28	1.12
601 Claims	306.00	320	-	319.89	1.05
602 Other Expense & Obligations	3,280,764.00	1,340,658	307	1,340,964.49	0.41
604 Securities	-	-	-	-	---
701 Licenses	22,880.00	16,237	-	16,237.00	0.71
702 Fees	70.00	-	-	-	-
705 Refunds-Other	5,500.00	7,757	-	7,756.69	1.41
901 Capitals	200,100.00	-	-	-	-
--- Balance Carry Forward	95,989.00	-	-	-	-
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>481,955,996.00</b>	<b>228,394,460.54</b>	<b>1,469,626.27</b>	<b>229,864,086.81</b>	<b>0.48</b>
<b>Ending Balance</b>				<b>236,551,892.67</b>	

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	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-				
Total Staffing	2,601.45				
<b>Resources Available</b>					
04B Balance Brought Forward	2	263,127.73	-	263,127.73	131,563.87
05A Appropriation	318,827,271	318,827,271.00	-	318,827,271.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	2	33,177.78	-	33,177.78	16,588.89
202R Local Governments	138,000	74,249.09	-	74,249.09	0.54
204R Intra State Receipts	3,373,833	3,344,113.27	-	3,344,113.27	0.99
205R Reimbursement from Other Agencies	123	-	-	-	-
234R Transfers - Other Agencies	162,505	834,825.65	-	834,825.65	5.14
301R Interest	-	-	-	-	---
401R Fees, Licenses & Permits	840,000	379,975.71	-	379,975.71	0.45
501R Refunds & Reimbursements	947,000	466,309.13	-	466,309.13	0.49
601R Refunds & Reimbursements	5	-	-	-	-
602R Sale of Equipment & Salvage	1,005	68.32	-	68.32	0.07
603R Rents & Leases	82,750	33,380.04	-	33,380.04	0.40
604R Agricultural Sales	-	-	-	-	---
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	1	-	-	-	-
<b>Total Resources Available</b>	<b>324,372,497</b>	<b>324,256,497.72</b>		<b>324,256,497.72</b>	<b>1.00</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	257,485,609	117,458,023.49	-	117,458,023.49	0.46
202 Personal Travel (In State)	377,715	234,807.36	-	234,807.36	0.62
203 State Vehicle Operation	842,567	328,093.02	1,566.74	329,659.76	0.39
204 Depreciation	10,297	9,223.38	-	9,223.38	0.90
205 Personal Travel (Out of State)	27,992	9,560.10	-	9,560.10	0.34
301 Office Supplies	220,639	134,239.45	4,007.01	138,246.46	0.63
302 Facility Maintenance Supplies	1,734,728	845,271.27	10,767.98	856,039.25	0.49
303 Equipment Maintenance Supplies	884,622	506,318.14	53,080.61	559,398.75	0.63
304 Professional & Scientific Supplies	1,293,917	702,253.84	201,495.83	903,749.67	0.70
306 Housing & Subsistence Supplies	2,988,553	1,647,607.69	243,882.93	1,891,490.62	0.63
307 Ag,Conservation & Horticulture Supply	81,507	20,689.81	-	20,689.81	0.25
308 Other Supplies	526,688	324,658.58	18,939.62	343,598.20	0.65
309 Printing & Binding	145	-	-	-	-
310 Drugs & Biologicals	10,175,417	4,895,212.22	-	4,895,212.22	0.48
311 Food	13,216,084	6,584,236.54	158,822.75	6,743,059.29	0.51
312 Uniforms & Related Items	1,425,692	777,724.43	112,261.57	889,986.00	0.62
313 Postage	49,466	13,541.25	-	13,541.25	0.27
401 Communications	639,257	279,616.88	6,037.51	285,654.39	0.45
402 Rentals	108,987	39,741.82	9,610.98	49,352.80	0.45
403 Utilities	10,666,035	4,835,763.09	232,758.66	5,068,521.75	0.48
405 Professional & Scientific Services	2,565,419	1,138,078.41	22,374.13	1,160,452.54	0.45
406 Outside Services	1,666,963	1,567,443.22	86,623.82	1,654,067.04	0.99
407 Intra-State Transfers	121	43,150.00	-	43,150.00	356.61
408 Advertising & Publicity	127,002	20,617.18	4,668.00	25,285.18	0.20
409 Outside Repairs/Service	1,895,070	1,460,852.08	182,507.98	1,643,360.06	0.87
412 Auditor of State Reimbursements	-	-	-	-	---
414 Reimbursement to Other Agencies	6,476,058	6,125,892.49	-	6,125,892.49	0.95
416 ITD Reimbursements	2,827,235	2,374,038.56	9,803.00	2,383,841.56	0.84
417 Worker's Compensation	-	-	-	-	---
418 IT Outside Services	215	8,119.49	-	8,119.49	37.77
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	-	-	-	-	---
434 Transfers - Other Agencies Services	372,095	33,501.47	-	33,501.47	0.09
501 Equipment	629,339	283,580.15	62,241.33	345,821.48	0.55
502 Office Equipment	25,645	3,248.07	-	3,248.07	0.13
503 Equipment - Non-Inventory	355,881	235,137.49	22,144.77	257,282.26	0.72
510 IT Equipment	1,537,542	665,341.37	25,724.50	691,065.87	0.45
601 Claims	306	319.89	-	319.89	1.05
602 Other Expense & Obligations	3,115,644	1,281,581.77	306.55	1,281,888.32	0.41
604 Securities	-	-	-	-	---
701 Licenses	21,880	16,237.00	-	16,237.00	0.74
702 Fees	70	-	-	-	-
705 Refunds-Other	-	-	-	-	---
901 Capitals	100	-	-	-	-
--- Balance Carry Forward	-	-	-	-	---
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>324,372,497</b>	<b>154,903,721.00</b>	<b>1,469,626.27</b>	<b>156,373,347.27</b>	<b>0.48</b>
<b>Ending Balance</b>				<b>167,883,150.45</b>	

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	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-				
Total Staffing	1,123				
<b>Resources Available</b>					
04B Balance Brought Forward	-	293,875.97	-	293,875.97	---
05A Appropriation	110,287,209.00	110,287,209.00	-	110,287,209.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	472,245.00	201,672.43	-	201,672.43	0.43
202R Local Governments	284,288.00	113,097.38	-	113,097.38	0.40
204R Intra State Receipts	706,778.00	546,778.00	-	546,778.00	0.77
205R Reimbursement from Other Agencies	42,000.00	13,179.03	-	13,179.03	0.31
234R Transfers - Other Agencies	28,044.00	224,167.03	-	224,167.03	7.99
301R Interest	11,000.00	22.47	-	22.47	0.00
401R Fees, Licenses & Permits	5,518,857.00	2,368,600.17	-	2,368,600.17	0.43
501R Refunds & Reimbursements	16,457,754.00	4,462,733.87	-	4,462,733.87	0.27
602R Sale of Equipment & Salvage	-	-	-	-	---
603R Rents & Leases	-	-	-	-	---
604R Agricultural Sales	2,000.00	-	-	-	-
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	1.00	397,408.11	-	397,408.11	397,408.11
704R Other Sales & Services	149,816.00	45,335.30	-	45,335.30	
<b>Total Resources Available</b>	<b>133,959,992</b>	<b>118,954,078.76</b>		<b>118,954,078.76</b>	<b>0.89</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	117,708,889	51,022,867	-	51,022,866.94	0.43
202 Personal Travel (In State)	245,540	107,733	-	107,732.82	0.44
203 State Vehicle Operation	324,741	125,996	-	125,995.99	0.39
204 Depreciation	-	-	-	-	---
205 Personal Travel (Out of State)	55,005	22,414	-	22,414.18	0.41
301 Office Supplies	257,773	118,939	-	118,938.63	0.46
302 Facility Maintenance Supplies	208,928	159,506	-	159,506.47	0.76
303 Equipment Maintenance Supplies	-	1,936	-	1,936.24	---
304 Professional & Scientific Supplies	370,034	123,118	-	123,117.68	0.33
306 Housing & Subsistence Supplies	396,703	122,676	-	122,675.85	0.31
307 Ag,Conservation & Horticulture Supply	-	-	-	-	---
308 Other Supplies	76,785	26,569	-	26,568.72	0.35
309 Printing & Binding	1,000	-	-	-	---
310 Drugs & Biologicals	-	-	-	-	---
311 Food	2,165,396	1,028,360	-	1,028,359.51	0.47
312 Uniforms & Related Items	9,500	7,324	-	7,323.55	0.77
313 Postage	38,442	9,839	-	9,839.04	0.26
401 Communications	786,936	327,368	-	327,367.98	0.42
402 Rentals	774,158	341,511	-	341,511.46	0.44
403 Utilities	1,471,091	663,210	-	663,210.20	0.45
405 Professional & Scientific Services	3,137,230	1,799,393	-	1,799,392.52	0.57
406 Outside Services	531,180	281,220	-	281,220.01	0.53
407 Intra-State Transfers	1,200	600	-	600.00	0.50
408 Advertising & Publicity	4,003	-	-	-	-
409 Outside Repairs/Service	899,998	376,636	-	376,635.52	0.42
412 Auditor of State Reimbursements	300	-	-	-	-
414 Reimbursement to Other Agencies	2,114,931	330,388	-	330,387.75	0.16
416 ITD Reimbursements	764,982	1,146,484	-	1,146,483.72	1.50
417 Worker's Compensation	6,000	-	-	-	-
418 IT Outside Services	-	13,246	-	13,245.50	---
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	-	-	-	-	---
434 Transfers - Other Agencies Services	10,000	200	-	200.00	0.02
501 Equipment	234,423	62,859	-	62,859.44	0.27
502 Office Equipment	7,921	2,094	-	2,094.20	0.26
503 Equipment - Non-Inventory	285,215	211,604	-	211,604.01	0.74
510 IT Equipment	730,068	351,216	-	351,215.81	0.48
601 Claims	-	-	-	-	---
602 Other Expense & Obligations	135,120	59,072	-	59,072.44	0.44
604 Securities	-	-	-	-	---
701 Licenses	1,000	-	-	-	-
702 Fees	-	-	-	-	---
705 Refunds-Other	5,500	7,757	-	7,756.69	1.41
901 Capitals	200,000	-	-	-	-
--- Balance Carry Forward	-	-	-	-	---
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>133,959,992</b>	<b>58,852,132.87</b>		<b>58,852,132.87</b>	<b>0.44</b>
<b>Ending Balance</b>				<u><u>60,101,945.89</u></u>	

Iowa Department of Corrections  
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	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-				
Total Staffing	51				
<b>Resources Available</b>					
04B Balance Brought Forward	557,271	184,608	-	184,608.46	0.33
05A Appropriation	20,797,377	20,797,377	-	20,797,377.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	-	284,576	-	284,575.54	---
202R Local Governments	-	-	-	-	---
204R Intra State Receipts	2,228,859	1,921,462	-	1,921,461.84	0.86
205R Reimbursement from Other Agencies	-	-	-	-	---
234R Transfers - Other Agencies	-	-	-	-	---
301R Interest	-	-	-	-	---
401R Fees, Licenses & Permits	-	198	-	197.62	---
501R Refunds & Reimbursements	40,000	17,183	-	17,182.54	0.43
602R Sale of Equipment & Salvage	-	-	-	-	---
603R Rents & Leases	-	-	-	-	---
604R Agricultural Sales	-	-	-	-	---
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	-	-	-	-	---
<b>Total Resources Available</b>	<b>23,623,507</b>	<b>23,205,403.00</b>		<b>23,205,403.00</b>	<b>0.98</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	7,238,831	3,114,854	-	3,114,853.66	0.43
202 Personal Travel (In State)	21,646	4,535	-	4,534.82	0.21
203 State Vehicle Operation	34,907	16,694	-	16,693.62	0.48
204 Depreciation	1	-	-	-	-
205 Personal Travel (Out of State)	25,002	2,002	-	2,001.76	0.08
301 Office Supplies	14,072	1,117	-	1,116.87	0.08
302 Facility Maintenance Supplies	-	-	-	-	---
303 Equipment Maintenance Supplies	-	-	-	-	---
304 Professional & Scientific Supplies	1	-	-	-	-
306 Housing & Subsistence Supplies	-	-	-	-	---
307 Ag, Conservation & Horticulture Supply	-	-	-	-	---
308 Other Supplies	12,365	9,909	-	9,909.33	0.80
309 Printing & Binding	1	-	-	-	-
310 Drugs & Biologicals	-	-	-	-	---
311 Food	-	-	-	-	---
312 Uniforms & Related Items	-	-	-	-	---
313 Postage	6,606	3,672	-	3,671.71	0.56
401 Communications	142,362	59,005	-	59,005.16	0.41
402 Rentals	3,026	726	-	726.00	0.24
403 Utilities	-	-	-	-	---
405 Professional & Scientific Services	11,002	286,216	-	286,215.97	26.01
406 Outside Services	5,472,665	1,118,777	-	1,118,776.77	0.20
407 Intra-State Transfers	5,905,779	5,905,778	-	5,905,778.00	1.00
408 Advertising & Publicity	-	-	-	-	---
409 Outside Repairs/Service	-	-	-	-	---
412 Auditor of State Reimbursements	-	-	-	-	---
414 Reimbursement to Other Agencies	603,096	131,495	-	131,495.01	0.22
416 ITD Reimbursements	1,836,869	1,228,163	-	1,228,163.25	0.67
417 Worker's Compensation	-	-	-	-	---
418 IT Outside Services	2,075,700	1,160,838	-	1,160,837.66	0.56
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	1,500	-	-	-	-
434 Transfers - Other Agencies Services	5,701	5,962	-	5,962.00	1.05
501 Equipment	1	-	-	-	-
502 Office Equipment	-	-	-	-	---
503 Equipment - Non-Inventory	5,001	70	-	69.75	0.01
510 IT Equipment	81,384	1,588,792	-	1,588,791.60	19.52
601 Claims	-	-	-	-	---
602 Other Expense & Obligations	30,000	4	-	3.73	0.00
604 Securities	-	-	-	-	---
701 Licenses	-	-	-	-	---
702 Fees	-	-	-	-	---
705 Refunds-Other	-	-	-	-	---
901 Capitals	-	-	-	-	---
--- Balance Carry Forward	95,989	-	-	-	-
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>23,623,507</b>	<b>14,638,606.67</b>		<b>14,638,606.67</b>	<b>0.62</b>
<b>Ending Balance</b>				<b>8,566,796.33</b>	

Iowa Department of Corrections  
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	Department Revised Budget	Actual Revenues and Expenditures	Encumbrances	Actual + Encumbrances	Percent (Actual of Budget)
<b>FTE Positions</b>					
Correctional Officer	-	-	-	-	-
Total Staffing	-	-	-	-	-
<b>Resources Available</b>					
04B Balance Brought Forward	8,679,431	8,679,432	-	8,679,431.79	1.00
05A Appropriation	4,163,847	4,163,847	-	4,163,847.00	1.00
--- Appropriation Transfer	-	-	-	-	---
--- Legislative Adjustments	-	-	-	-	---
201R Federal Support	-	-	-	-	---
202R Local Governments	-	-	-	-	---
204R Intra State Receipts	-	-	-	-	---
205R Reimbursement from Other Agencies	-	-	-	-	---
234R Transfers - Other Agencies	-	-	-	-	---
301R Interest	-	-	-	-	---
401R Fees, Licenses & Permits	-	-	-	-	---
501R Refunds & Reimbursements	-	-	-	-	---
602R Sale of Equipment & Salvage	-	-	-	-	---
603R Rents & Leases	-	-	-	-	---
604R Agricultural Sales	-	-	-	-	---
606R Other Sales & Services	-	-	-	-	---
701R Unearned Receipts	-	-	-	-	---
<b>Total Resources Available</b>	<b>12,843,278</b>	<b>12,843,278.79</b>		<b>12,843,278.79</b>	<b>1.00</b>
<b>Funds Expended and Encumbered</b>					
101 Personal Services-Salaries	-	-	-	-	---
202 Personal Travel (In State)	-	-	-	-	---
203 State Vehicle Operation	-	-	-	-	---
204 Depreciation	-	-	-	-	---
205 Personal Travel (Out of State)	-	-	-	-	---
301 Office Supplies	-	-	-	-	---
302 Facility Maintenance Supplies	-	397,461	-	397,461.39	---
303 Equipment Maintenance Supplies	-	-	-	-	---
304 Professional & Scientific Supplies	-	-	-	-	---
306 Housing & Subsistence Supplies	-	-	-	-	---
307 Ag, Conservation & Horticulture Supply	-	-	-	-	---
308 Other Supplies	-	-	-	-	---
309 Printing & Binding	-	-	-	-	---
310 Drugs & Biologicals	-	-	-	-	---
311 Food	-	-	-	-	---
312 Uniforms & Related Items	-	-	-	-	---
313 Postage	-	-	-	-	---
401 Communications	-	-	-	-	---
402 Rentals	-	-	-	-	---
403 Utilities	-	-	-	-	---
405 Professional & Scientific Services	-	-	-	-	---
406 Outside Services	3,394,995	2,276	-	2,276.00	0.00
407 Intra-State Transfers	4,163,847	-	-	-	-
408 Advertising & Publicity	-	-	-	-	---
409 Outside Repairs/Service	-	45,000	-	45,000.00	---
412 Auditor of State Reimbursements	-	-	-	-	---
414 Reimbursement to Other Agencies	-	-	-	-	---
416 ITD Reimbursements	-	-	-	-	---
417 Worker's Compensation	-	-	-	-	---
418 IT Outside Services	-	-	-	-	---
419 Intra Agency Reimbursement	-	-	-	-	---
433 Transfers - Auditor of State	-	-	-	-	---
434 Transfers - Other Agencies Services	2,523,470	6,750,338	-	6,750,337.76	2.68
501 Equipment	393,067	439,226	-	439,226.16	1.12
502 Office Equipment	-	-	-	-	---
503 Equipment - Non-Inventory	210,582	172,600	-	172,600.03	0.82
510 IT Equipment	-	83,885	-	83,885.46	---
601 Claims	-	-	-	-	---
602 Other Expense & Obligations	-	-	-	-	---
604 Securities	-	-	-	-	---
701 Licenses	-	-	-	-	---
702 Fees	-	-	-	-	---
705 Refunds-Other	-	-	-	-	---
901 Capitals	2,157,317	2,157,317	-	2,157,317.29	1.00
--- Balance Carry Forward	-	-	-	-	---
--- Reversion	-	-	-	-	---
<b>Total Expenses and Encumbrances</b>	<b>12,843,278</b>	<b>10,048,104.09</b>		<b>10,048,104.09</b>	<b>0.78</b>
<b>Ending Balance</b>				<b>2,795,174.70</b>	

CHAPTER 37  
IOWA STATE INDUSTRIES

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

~~201—37.1(904) Mission and function~~ **Function.** Iowa state industries, ~~which is~~ established by Iowa Code chapter 904, ~~consists of a policy board, is administered by a state director, and operates~~ manufacturing, farming, surplus and private sector work programs. Each business is entirely self-funded and receives no state appropriation.

~~37.1(1) The mission of Iowa state industries is to employ staff and offenders who are dedicated to providing exceptional service, reasonable prices and quality products.~~

~~—37.1(2)—37.1(1)~~ Iowa state industries is charged with making available to offenders of the state correctional institutions opportunities for work in meaningful jobs that will ensure the offenders' chances of a successful return to society as law-abiding and self-supporting members of the community upon the offenders' release. Iowa state industries is further charged with enabling offenders to work in order to provide financial assistance to their dependents, make restitution, pay the cost of board and maintenance in a correctional institution, and accumulate savings upon their eventual return to the community.

~~This rule is intended to implement Iowa Code section 904.804.~~

**201—37.2(904) Sale of products.**

**37.2(1)** Iowa state industries ~~shall~~ may sell products ~~to any tax supported institution or governmental subdivision in any level of government, including state, county, city or school. Iowa state industries may sell products to employees of such entities as outlined in Iowa Code section 904.815.~~

~~37.2(2) Iowa state industries may sell products to nonprofit organizations such as parochial schools, churches, or fraternal organizations.~~

~~—37.2(3)—Iowa state industries may sell products to nonprofit health care facilities serving Medicaid or social security patients.~~

~~37.2(4)—37.2(2)~~ Iowa state industries may sell products to a general contractor when the products purchased will be sold to a public entity as provided in ~~subrules 37.2(1) to 37.2(3)~~ Iowa Code section 904.815. The public entity ~~shall~~ will submit a written request to Iowa state industries specifying the products and quantities to be purchased. Such sales ~~shall~~ will be limited to contractors involved in construction, renovation, and remodeling projects. Sales to a general contractor above \$50,000 ~~shall~~ will be approved by the ~~Iowa prison industries advisory board~~ state director.

~~This rule is intended to implement Iowa Code section 904.815.~~

~~201—37.3(904) Catalogs.~~ **37.2(3)** Catalogs are available online at ~~the Iowa state industries Internet home page~~ www.iaprisoinind.com, or at the Iowa state industries showroom ~~and main office~~, located at 1445 East Grand Avenue, Des Moines, Iowa 50316. ~~Requests for mailed copies may be sent to the Iowa state industries showroom address. For inquiries or to request a mailed catalog call (800)332-7922.~~

~~201—37.4(904) Offices.~~ The showroom and main office for Iowa state industries are located at 1445 East Grand Avenue, Des Moines, Iowa 50316; telephone (515)242-5778. Office hours are 8 a.m. to 4:30 p.m., Monday through Friday, excluding holidays.

**201—37.5(904) Obtaining information from or reporting information to Iowa state industries.**

**37.2(4)** Persons wishing to To obtain information from or report information to Iowa state industries, may contact the ~~Iowa State Industries Business Office, P.O. Box 430, at 406 North High Street, Anamosa, Iowa 52205; telephone (319)462-3504~~ (319)462-3706. Office hours are ~~7:30 a.m.~~

Commented [JR1]: Aligns with Code - states "may".

Commented [JR2]: 37.2(2) & 37.2(3) - repeats statutory language, cited Code directly.

Commented [JR3]: SF2385 eliminated/repealed the advisory board.

~~to 4 p.m., Monday through Friday, excluding holidays. Information may also be found on the Iowa state industries website, available online at [www.iaprisoinind.com](http://www.iaprisoinind.com).~~

~~201—37.6(904) Internet website. Iowa state industries Internet home page is located at [www.iaprisoinind.com](http://www.iaprisoinind.com).~~

~~This rule is intended to implement Iowa Code section 904.815.~~

**201—37.7(904) Procurement of goods and services.** The provisions of ~~11—Chapter 117~~ are hereby adopted by reference with the following amendments.

1. Strike “Department of Administrative Services” and insert in lieu thereof “Iowa State Industries” in all rules ~~except rule [\\_\\_\\_\\_\\_](#)), which pertains to procurement of information technology devices and services.~~

2. In lieu of the definitions of “Department” and “Director,” insert the following:  
“Department” means the division of Iowa state industries.

“Director” means the director of the division of Iowa state industries or the director’s designee.

3. Rules ~~11—117.7(8A)~~ and ~~11—117.15(8A)~~ and subrule ~~117.4(3)~~ are not adopted.

4. In lieu of the text of ~~11—subrule 117.14(1)~~, insert the following: “Purchase of goods. An agency may acquire goods not otherwise available through a master agreement in accordance with the procurement threshold guidelines in ~~11—subrule 117.5(3)~~.”

5. In lieu of the text of rule ~~11—117.20(8A)~~, insert the following: “Appeal process. Vendors may appeal actions by Iowa state industries under these rules as follows:

“Step 1. Appeals ~~shall will~~ be filed in writing to the Business Manager, Iowa State Industries, 406 North High Street, Anamosa, Iowa 52205, within 5 working days of notification of the action being appealed. The appeal ~~shall is to~~ state the specific grounds upon which the vendor is challenging the action. The business manager, Iowa state industries, ~~shall will~~ notify the vendor in writing of the decision within 10 working days.

“Step 2. If the appeal is not resolved, it may be further appealed by the vendor to the Director of Iowa State Industries, Jessie Parker State Office Bldg., 510 East 12th Street, Des Moines, Iowa 50319, within 10 working days of the notification of the Step 1 appeal response. The director of Iowa state industries ~~shall will~~ notify the vendor in writing of the decision within 15 working days.

“Step 3. An unresolved appeal to the Director of Iowa State Industries ~~shall will~~ be referred to the Director of the Department of Corrections, Jessie Parker State Office Bldg., 510 East 12th Street, Des Moines, Iowa 50319, within 10 working days of the notification of the Step 2 appeal response. The director of the department of corrections ~~shall will~~ notify the vendor in writing of the decision within 15 working days.”

This rule is intended to implement Iowa Code section ~~904.813~~.

~~201—37.8(904) [\\_\\_\\_\\_\\_](#). The state director of Iowa state industries has, by statute, the advice and counsel of the prison industries advisory board.~~

~~—37.8(1) Rules of procedure. The seven member prison industries advisory board is represented by five appointees of the governor, one appointee of the parole board, and one appointee of the director, department of corrections. The principal duties of the advisory board are to promulgate and adopt rules and to advise the director, Iowa state industries, regarding the management of Iowa state industries.~~

~~—a. A quorum shall consist of five members.~~

~~—b. When a quorum is present, a position is carried by a majority of the members of the board.~~

~~—c. The board shall meet at least once per calendar quarter. The meetings will be held at the seat of government unless notification is given otherwise. Other meetings shall be held at the call of the chairperson or of any three members when necessary for the board to discharge its duties.~~

Commented [JR4]: Rule rescinded 6/11/25.

Commented [JR5]: SF2385 eliminated/repealed board.

~~(1) Notice of the meetings shall be given pursuant to Iowa Code chapter 21.~~  
~~(2) When it is necessary to hold an emergency meeting, the communications media shall be notified as far in advance of the meeting as time allows. The nature of the emergency shall be stated in the minutes.~~  
~~d. Copies of the minutes are kept on file in the office of the director, Iowa state industries. Minutes are available from the director's office to interested persons upon request. Organizations may request to be placed on a mailing list. Copies of administrative rules and other materials considered are made a part of the minutes by reference.~~  
~~e. In cases not covered by these rules, Robert's Rules of Order shall govern.~~  
~~37.8(2) Meetings. All meetings will be open to the public unless specifically allowed to be closed under Iowa Code chapter 21.~~  
~~a. Persons wishing to make a presentation shall make such request to the director, Iowa state industries, or to any member of the board at least one week in advance of the scheduled meeting.~~  
~~b. Persons requesting to make a presentation are requested to submit one written copy of their remarks for the record. Presentations may be made at the discretion of the chairperson and only upon matters appearing on the agenda.~~  
~~c. Persons who have not made previous arrangements to speak at a meeting may be given the floor at the discretion of the chairperson.~~  
~~37.8(3) The chairperson may appoint committees of the board as necessary to conduct the business of the board. Committee meetings shall comply with Iowa Code chapter 21.~~  
~~37.8(4) The board shall:~~  
~~a. Promulgate and adopt rules.~~  
~~b. Advise the state director of Iowa state industries regarding the management of Iowa state industries.~~  
This rule is intended to implement Iowa Code section 904.803.

## **201—37.9(904) Private sector employment projects.**

### **37.9(1) Definitions.**

*"Advisory board"* means the prison industries advisory board.

*"Deputy director of prison industries"* means the department of corrections deputy director responsible for the day-to-day operations of prison industries including private sector individuals.

*"Director"* means the ~~chief executive officer of the department of corrections~~ same as defined in Iowa Code 904.101(5).

*"Wage range"* means the ~~wage paid that is commensurate to wages paid to persons in similar jobs outside the correctional institution~~ same as defined in Iowa Code 904.809(1) "c".

*"Workforce development board"* means the ~~state workforce development board~~ created in Iowa Code 84A.1A.

*"Workforce development director"* means the ~~chief executive officer of the department of workforce development~~ same as defined in Iowa Code 84A.1(2).

~~37.9(2) Preapplication requirement. Prior to submitting an application to the deputy director of prison industries for a private sector employment project, the employer shall place a job order with a duration of at least 30 days with the nearest workforce development center. The job order will contain the prevailing wage determined by workforce development. The job order shall be listed statewide in all centers and on the department of workforce development's jobs Internet website.~~

~~37.9(3)~~ 37.9(2) Employer application. Private sector employers requesting offender labor will submit an application to the deputy director of prison industries or designee. Required application information will be provided in accordance with Iowa state industries policies and procedures.

**Commented [JR6]:** Removed regulatory burden. No legal mandate to maintain. Process not required by the Bureau of Justice Assistance (U.S. Department of Justice) nor aligns with federal approval guidelines.

~~a. Private sector employers requesting offender labor must submit the following to the deputy director of prison industries:~~

- ~~— (1) Work program, including job description;~~
- ~~— (2) Proposed wage rate;~~
- ~~— (3) Description of job site;~~
- ~~— (4) Duration of the work; and~~
- ~~— (5) A copy of the job order listing with workforce development.~~

~~b. a.~~ Upon receiving a ~~written proposal an application~~ to use offenders in a private sector work program, the deputy director of prison industries or designee shall will provide a copy of the private sector work proposal including job descriptions and proposed wages to the workforce development director, [redacted].

~~c. b.~~ The deputy director of prison industries or designee shall will send a letter to the department of workforce development requesting ~~verification of the employer's 30 day job listing,~~ the average wage rate for the job(s) the offenders will perform, the current unemployment rate in the county where the ~~employer is located,~~ [redacted] being performed, and the current employment level of the company that will employ the offenders.

~~d. c.~~ The deputy director of prison industries or designee and the warden/~~superintendent~~ at the proposed institution shall will review the proposed projects with the board of supervisors and the sheriff in the county where the project will be located.

~~37.9(4) — 37.9(3)~~ *Verification.* Upon written request from the deputy director of prison industries or designee. The the workforce development ~~director division administrator~~ shall verify the employment levels and prevailing wages paid for similar jobs in the area and provide to the deputy director of prison industries or designee, in writing:

- ~~a. Verification of the employer's 30 day job listing;~~
- ~~b. The number of qualified applicant referrals and hires made as a result of the job order;~~
- ~~e. a.~~ The average wage rate for the proposed job(s);
- ~~d. b.~~ The wage range;
- ~~e. c.~~ The current unemployment rate for the county where the ~~employer is located~~ work is being performed; and
- ~~f. d.~~ The current employment levels of the company that will employ the offenders based upon the most recent quarter for which data is available.

~~37.9(5) — 37.9(4)~~ *Prevailing wages.* The deputy director of prison or designee industries shall will obtain employment levels in the locale of the proposed job(s) and the prevailing wages for the job(s) in question from the department of workforce development prior to authorizing any private sector work program. The deputy director of prison industries or designee will consider the average wage rate and wage range from the department of workforce development for the appropriate geographic area for which occupational wage information is available. The appropriate geographic area may be statewide. To reduce possible displacement of civilian workers, the deputy director of prison industries or designee shall will advise prospective employers and eligible offenders of the following requirements:

- a. Offenders shall will not be eligible for unemployment compensation while incarcerated.
- b. Before the employer initiates work utilizing offender labor, the deputy director of prison industries or designee shall will provide the baseline number of jobs as established by the department of workforce development.
- c. ~~In January and July of each year,~~ [redacted], the deputy director of prison industries or designee shall receive will request from the department of workforce development the actual number of civilian workers by employer and shall will compile a side-by-side comparison for each employer. A copy of

**Commented [JR7]:** Aligns with IWD rules reference 877-1

**Commented [JR8]:** Federal guidelines define "locality" as the geographic area impacted by the presence of a PIECP CAC operation, which is not always where the employer is located.

**Commented [JR9]:** Removing regulatory burden. Allign with Federal guidelines, which require wage updates annually.

the side-by-side comparison will be provided to the ~~advisory board and~~ workforce development director ~~division administrator~~ ~~semiannually~~ annually.

~~37.9(6) 37.9(5) Ineligible projects.~~ The deputy director of prison industries ~~or designee shall will~~ evaluate the information from the department of workforce development to verify nondisplacement of civilian workers consistent with Iowa Code 904.809(1) "d". ~~Employment of offenders in private industry shall not displace employed workers, apply to skills, crafts, or trades in which there is a local surplus of labor, or impair existing contracts for employment or services.~~

~~37.9(7) 37.9(6) Notification and review.~~

a. The deputy director of prison industries ~~or designee shall will~~ provide a copy of the private sector work proposal and the department of workforce development review of the private sector work proposal to the following:

- ~~(1) Governor's office;~~
- ~~(2) Speaker of the house;~~
- ~~(3) President of the senate;~~
- ~~(4) (1) Warden/superintendent at the proposed work site;~~
- ~~(5) (2) Local labor organization(s); and~~
- ~~(6) Director of workforce development; and~~
- ~~(7) (3) Department of Justice, Washington, DC.~~

b. Within 14 calendar days of receiving the department of workforce development review, the deputy director of prison industries ~~or designee~~ will consolidate the recommendations for review and approval by the director of corrections.

~~37.9(8) Prison industries advisory board review.~~

~~a. Following approval by the director of corrections, the deputy director of prison industries shall forward the final proposal to the prison industries advisory board with the recommendation to approve or disapprove the work program, including all correspondence from the department of workforce development, the Department of Justice, and any local official who has offered comments.~~

~~b. The deputy director of prison industries shall provide written documentation to the prison industries advisory board confirming that the proposed work project will not displace civilian workers. If displacement occurs, the deputy director of prison industries shall advise the private employer that the employer will be given 30 days to become compliant or the department of corrections will terminate the use of offender labor.~~

~~37.9(9) 37.9(7) Disputes.~~

a. Anyone who believes that the private sector work program violates this rule shall advise the department of workforce development. A written complaint may be filed in accordance with workforce development board rule ~~877—1.5~~(84A). The workforce development director shall consult with the deputy director of prison industries before the workforce development board makes a final recommendation(s) to resolve any complaint.

b. The deputy director of prison industries will assist the department of workforce development in compiling all information necessary to resolve the dispute. The workforce development board shall notify the deputy director of prison industries and interested parties in writing of the recommended action to resolve a complaint, which will be binding on all parties.

This rule is intended to implement Iowa Code section ~~904.809~~.

## **201—37.10(904) Utilization of offender labor in construction and maintenance projects.**

### **37.10(1) Definitions.**

"Director" means the ~~chief executive officer of the department of corrections same as defined in~~ Iowa Code section 904.101(5).

“Employer” means a contractor or subcontractor providing maintenance or construction services under contract to the department of corrections or under the department of administrative services.

“Workforce development director” means the ~~chief executive officer of the department of workforce development~~ same as defined in Iowa Code 84A.1(2).

**37.10(2) Scope.** Utilization of offender labor applies only to contractors or subcontractors providing construction or maintenance services to the department of corrections. The contract authority for providing construction or maintenance services may be the department of administrative services.

**37.10(3) Employer application.** Employers working under contract with the state of Iowa may submit an application to the department of corrections to employ offenders. Requests for such labor shall not include work release offenders assigned to community-based corrections under Iowa Code chapter ~~905~~ 904.

~~a. Prior to submitting an application, the employer shall place with the nearest workforce development center a job order with a duration of at least 30 days. The job order shall contain the prevailing wage determined by the department of workforce development. The job order shall be listed statewide in all centers and on the department of workforce development’s jobs Internet website.~~

~~b. a.~~ The employer’s application shall include:

- (1) Scope of work, including type of work and required number of workers;
- (2) Proposed wage rate;
- (3) Location;
- (4) Duration; and
- (5) Reason for utilizing offender labor.

~~e. b.~~ The department of corrections ~~shall~~ will verify through the department of workforce development ~~the employer’s 30 day job listing,~~ the average wage rate for the job(s) the offenders will perform, the current unemployment rate in the county where ~~the employer is located~~ work is being performed, and the current employment level of the employer that will employ the offenders.

**37.10(4) Verification.** ~~Upon written request from the department of corrections, the~~ The director of workforce development division administrator shall verify the employment levels and prevailing wages paid for similar jobs in the area and provide to the director, in writing:

~~a. Verification of the employer’s 30 day job listing;~~

~~b. The number of qualified applicant referrals and hires made as a result of the job order;~~

~~e. a.~~ The average wage rate for the proposed job(s);

~~d. b.~~ The wage range;

~~e. c.~~ The prevailing wage as determined by the U.S. Department of Labor;

~~f. d.~~ The current unemployment rate for the county where ~~the employer is located~~ work is being performed;

~~g. e.~~ The current employment levels of the employer that will employ the offenders based upon the most recent quarter for which data is available.

**37.10(5) Safety training.** The employer shall document that all offenders employed in construction and maintenance projects receive ~~a ten hour safety an OSHA 10-Hour outreach~~ course provided free of charge ~~by the department of workforce development or by a trainer with the appropriate authorization from the Occupational Safety and Health Administration Training Institute by an authorized OSHA outreach trainer.~~

**37.10(6) Prevailing wages.**

a. The director will not authorize an employer to employ offenders in hard labor programs without obtaining from the department of workforce development employment levels in the locale of the proposed jobs and the prevailing wages for the jobs in question. The average wage rate and wage range

**Commented [JR10]:** No longer an IWD requirement. Employers provide this training.

from the department of workforce development will be based on the appropriate geographic area for which occupational wage information is available. The appropriate geographic area may be statewide.

b. To reduce any potential displacement of civilian workers, the director ~~shall~~ will advise prospective employers and eligible offenders of the following requirements:

(1) Offenders will not be eligible for unemployment compensation while incarcerated.

(2) Before the employer initiates work utilizing offender labor, the director ~~shall~~ will provide the baseline number of jobs as established by the department of workforce development.

(3) If the contract to employ offender labor exceeds six months, the director ~~shall~~ will:

1. Request and receive from the workforce development ~~director~~ division administrator the average wage rates and wage ranges for jobs currently held by offenders and current employment levels of employers employing offenders; and

2. Compile a side-by-side comparison of each employer.

**37.10(7) Disputes.** Anyone who believes that the employer's application violates this rule shall present concerns in writing to the workforce development board. A written complaint may be filed with the workforce development board for any dispute arising from the implementation of the employer's application in accordance with workforce development board rule ~~877—1.6~~(84A). The workforce development board shall consult with the director prior to making recommendations. The director will assist the workforce development board in compiling all information necessary to resolve the dispute. The workforce development board shall notify the director and interested parties in writing of the corrective action plan to resolve the dispute, which will be binding on all parties. This rule is intended to implement Iowa Code section 904.701.