



MEANINGFUL CONNECTIONS

EXTENSION COUNCIL CONFERENCE

GATEWAY HOTEL & CONFERENCE CENTER | AMES

March 5, 2022



Is this Legal??

Handling Tough Employment Issues

Iowa Extension Council Association

Information Effective to our Knowledge as of March 5, 2022

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OUTLINE

- Hiring, Firing, Discipline
- Staffing and Documentation
- Grant Programs; Third-Party Relationships
- Powers of the Council
- Employment Investigations
- Closed Sessions, Real Estate, and COVID-19 Challenges
- **Q&A**



“IS THIS LEGAL?”

- Often: Yes.
- The next questions are: what are your options? What are the risks with those options? What do you want to do? What are the next steps to help you achieve those goals?



HIRING, FIRING, AND DISCIPLINE

- Next Session! 😊 Scenario-based.
- Highlights:
 - Feedback should be specific, timely, and documented.
 - Do not assume people know the expectations. Where are the expectations written down? Do they know where to find those resources?
 - Councils make tough decisions, including budget-driven choices.



STAFFING – STRUCTURE AND OPTIONS



- Image source: <https://baseballhall.org/discover/short-stops/whos-on-first>



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STAFFING – STRUCTURE AND OPTIONS

- Can the Council change an employee's duties?
- Can the Council change an employee's location of work?
- Can the Council change or “re-establish” expectations?
- Can the Council address workplace culture issues?



DOCUMENTATION



- Image source: <https://www.rgbstock.com/photo/mflfn0l/Paper+Pile/>



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DOCUMENTATION BEST PRACTICES; INFORMATION PRIVACY/SECURITY

- Who is in charge of electronic files? Hard copy files?
- Where are personnel files saved? Who has the key/passcode?
- Who signs contracts? Where does the signed contract go?
- Who is the custodian of public records? (And, who responds to requests for public records?)



GRANT PROGRAMS

- When are the deadlines for renewing/applying for future funding?
- Who is responsible for applying? (Double calendar)
- Which employees' wages/salaries are partially or fully funded from this grant?
- Where is the paperwork?



VENDOR RELATIONSHIPS

- Fair Boards, schools, formal and informal educational presenters
- Does the Council have an MOU or contract? (Does the Council *have* to have an MOU or contract?)
- When does it 'expire' or need to be revisited?
- Is the Council happy with how things are going?



POWERS OF THE COUNCIL

- Iowa code 176A.8(5)
 - To employ all necessary extension professional personnel from qualified nominees furnished to it and recommended by the director of extension and not to terminate the employment of any such without first conferring with the director of extension, and to employ such other personnel as it shall determine necessary for the conduct of the business of the extension district, and to fix the compensation for all such personnel in cooperation with the extension service and in accordance with the memorandum of understanding entered into with such extension service.



POWERS OF THE COUNCIL, cont.

- Iowa Code 176A.8(12)
 - To expend the “county agricultural extension education fund” for salaries and travel, expense of personnel, rental, office supplies, equipment, communications, office facilities and services, and in payment of such other items as shall be necessary to carry out the extension district program



COMPLAINTS AND CONCERNS

- Employment – office turmoil/culture; behaviors
- Employment – violations of policies
 - Fiscal policies
 - Respectful Workplace policies (bullying, harassment, discrimination)
- Public or Parent/Child complaints



INVESTIGATING COMPLAINTS

- Every situation is different. We can help outline next steps, and risks, involved with the scenario.
- Are there any conflicts of interest?
- Who investigates?
- What does this cost?



CLOSED SESSIONS

- NOTE: Open records training last fall.
- Iowa Code Chapter 21 – Official Meetings Open to the Public
- Watch Quorum
- Some employment matters and other legal matters are best held in closed session.



LEASES AND REAL ESTATE QUESTIONS

- I am not the attorney you want for this – but Alecia is!



**Reminder: Contact
Whitfield & Eddy Law
via Jennifer Vit**



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COVID-19 CHALLENGES

- Unemployment programs, filings, and updates
- OSHA, EEOC, IRS, SEC, and other regulatory updates
- Remote work transitions and challenges
- Vaccination Availability and Policies
- ADA and Title VII FAQs



THANK YOU/Q&A PERIOD

If you have specific Council questions, or want to confirm whether an answer applies to your specific Council or situation, pre-clear it with Jennifer Vit and then contact Kay at:

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