

● IOWA CIVIL RIGHTS ACT OF 1965

STATUTORY CITATION: Iowa Code §§ 216.1 – 216.21

RELATED REGULATIONS: Iowa Admin. Code 161.1.1 – 161.15.3

GENERAL SUMMARY: The Iowa Civil Rights Act defines certain unfair employment practices which, among other forms of discriminatory activity, are declared unlawful. The Act's employment discrimination provisions generally apply to all employers who regularly employ 4 or more individuals, without regard to industry or occupation.

SPECIFIC TERMS AND CONDITIONS

PROHIBITED PRACTICES — Among other discriminatory practices, it is illegal for any employer who regularly employs 4 or more workers to refuse to hire a job applicant, to discharge an employee, or to otherwise discriminate in employment because of the age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability of the applicant or employee, unless such action is based on the nature of the occupation. Comparable acts of discrimination by employment agencies and labor organizations are also prohibited.

Employers, employment agencies and labor organizations may not, through advertising or in any other manner, indicate that individuals of any particular age, race, creed, color, sex, sexual orientation, gender identity, national origin, religion or disability are unwelcome, objectionable, not acceptable or not solicited for employment or membership, unless such qualification is based on the nature of the occupation.

COMPLAINTS — Anyone claiming to be aggrieved by an unlawful discriminatory employment practice may file a written complaint with the state agency, no later than 300 days after the alleged practice occurred. After notifying the respondent, the state agency staff must make a prompt investigation and issue a recommendation on the case to an agency hearing officer. If the hearing officer concurs that probable cause exists regarding the allegation, the staff must try to eliminate the discrimination or unfair practice informally. Failure to resolve the matter within 30 days thereafter will lead to a formal hearing by the state agency, which may order binding remedial action by the employer if it finds that a violation has in fact occurred.

ADMINISTRATION AND ENFORCEMENT

PRIMARY ENFORCEMENT AGENCY — *Iowa Civil Rights Commission, Des Moines, Iowa 50319 (515-281-4121; toll-free 800-457-4416)*. The Commission is charged with receiving, investigating and determining the merits of complaints alleging unfair or discriminatory practices.

SECONDARY OR ASSOCIATED ENFORCEMENT AGENCY — *None*.

PRIVATE CIVIL ACTION — After 60 days following the timely filing of a complaint, the complainant may request a right-to-sue letter from the Commission and file a private civil suit for relief in state district court, using a private attorney or a public legal service provider. However, the Commission is barred from issuing a right-to-sue letter if, on the date of the request, (1) the Commission has issued a finding of "no probable cause," (2) a conciliation agreement has been entered into, (3) the Commission has served a notice of hearing on the respondent, or (4) the complaint has been administratively closed and 2 years have elapsed since the date of closure. In all cases, private civil action must commence within 90 days after the right-to-sue letter is mailed, and once a letter is issued, the Commission is barred from further action on the complaint.