

## Responses from Iowa OSHA Concerning United Faculty's Aug. 13, 2021 Complaint about "Unsafe Working Conditions" at the University of Northern Iowa

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August 13, 2021, 2:21 p.m.

On Aug 13, 2021, at 2:21 PM, Rustan, Douglas [IWD] <Douglas.Rustan@iwd.iowa.gov> wrote:

Your complaint has been received by IOWA OSHA. At this time , your employer does have the right to establish their own policies for employees to follow.

Respectfully,

Douglas Rustan

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August 13, 2021, 3:21 p.m.

Mr. Ruston,

Thank you for your reply. I understand your point on the employer's right to establish policy. But, could you address the safety of the working conditions outlined?

Best wishes,

Christopher R. Martin  
United Faculty

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August 16, 2021, 10:50 a.m.

Hi Mr. Martin, A recent statute addresses this matter. Iowa Code § 280.31 deals with "facial coverings" as follows:

The board of directors of a school district, the superintendent or chief administering officer of a school or school district, and the authorities in charge of each accredited nonpublic school *shall not adopt, enforce, or implement a policy that requires its employees, students, or members of the public to wear a facial covering* for any purpose while on the school district's or accredited nonpublic school's property unless the facial covering is necessary for a specific extracurricular or instructional purpose, or is required by section 280.10 or 280.11 or any other provision of law.

The CDC offers COVID-19 guidance that you may consult for other measures that do not conflict with state law.

Respectfully,

Douglas Rustan

From: **Rustan, Douglas [IWD]** <[Douglas.Rustan@iwd.iowa.gov](mailto:Douglas.Rustan@iwd.iowa.gov)>  
Date: Fri, Sep 17, 2021 at 1:23 PM  
Subject: Iowa OSHA1805323  
To: [becky.hawbaker@uni.edu](mailto:becky.hawbaker@uni.edu) <[becky.hawbaker@uni.edu](mailto:becky.hawbaker@uni.edu)>

Hi Ms. Hawbaker, Please see the attached letter and let me know if you have any questions. You are receiving this communication because you have been identified as a representative of a union that has members at the business that is being inquired.

Respectfully,

Douglas Rustan