

**House File 76 - Introduced**

HOUSE FILE 76

BY ALONS, CHAMBERS, SODERBERG,  
DE BOEF, SWEENEY, WATTS,  
KOESTER, HAGENOW, HUSEMAN,  
LUKAN, DRAKE, RAYHONS,  
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BRANDENBURG, DEYOE,  
HELLAND, UPMEYER, SCHULTE,  
J. TAYLOR, and PETTENGILL

**A BILL FOR**

1 An Act relating to state employee overtime pay.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8.6, subsection 9, paragraph i, Code  
2 2011, is amended by adding the following new subparagraph:  
3 NEW SUBPARAGRAPH. (07) The amount of overtime pay reported  
4 by any agency or department under section 70A.1, subsection 8A,  
5 for the last completed fiscal year.

6 Sec. 2. Section 70A.1, Code 2011, is amended by adding the  
7 following new subsection:

8 NEW SUBSECTION. 8A. A state employer shall not permit  
9 an employee eligible to receive payment for overtime work to  
10 work hours that would allow the employee to accumulate annual  
11 overtime pay greater than twenty-five percent of the employee's  
12 gross annualized salary. However, agency or department  
13 directors may apply to the department of management to exceed  
14 this limit. An agency or department may also exceed this  
15 limit for overtime work related to a catastrophic or natural  
16 disaster, other disaster, or emergency, but shall be required  
17 to provide a report on the necessary overtime to the department  
18 of management.

19 EXPLANATION

20 This bill provides a limitation on the amount of work hours  
21 a state employee, covered by the overtime pay requirements of  
22 the federal Fair Labor Standards Act, may work so that the  
23 employee may only receive overtime pay up to 25 percent of the  
24 employee's gross annualized salary.

25 The bill allows for an agency or department to apply for a  
26 waiver of this rule through the department of management. The  
27 bill also allows for an agency or department to exceed this  
28 cap in the event of a disaster or emergency, provided that  
29 the agency or department report the necessary overtime to the  
30 department of management.

31 The bill also requires that the department of management  
32 include within its budget report a statement on any overtime  
33 exceeding this cap as a result of either a waiver, disaster,  
34 or emergency.