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L. J. 2247 substituted H.R. 1847

HOUSE FILE 2436

By COMMITTEE ON BUDGET

L. J. 2247 substituted H.R. 1847

Passed House, Date _____ Passed Senate, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

A BILL FOR

1 An Act relating to the accrual and costs of sick leave.
 2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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2436

1 Section 1. Acts of the Sixty-seventh General Assembly,
2 1977 Extraordinary Session, chapter one (1), section thirty
3 (30), amending section seventy-nine point one (79.1) of the
4 Code, is amended to read as follows:

5 Sec. 30. Section seventy-nine point one (79.1), Code 1977,
6 is amended by striking unnumbered paragraph four (4) and
7 inserting in lieu thereof the following:

8 Commencing July 1, 1977, permanent full-time employees
9 of state departments, boards, agencies, and commissions shall
10 accrue sick leave at the rate of one and one-half days for
11 each full month of employment. Sick leave shall not accrue
12 during any period of absence without pay. Employees may use
13 accrued sick leave for physical or mental personal illness,
14 bodily injury, medically-related disabilities, including
15 disabilities resulting from pregnancy and childbirth, or
16 contagious disease:

17 1. Which require the employee's confinement,

18 2. Which render the employee unable to perform assigned
19 duties, or

20 3. When performance of assigned duties would jeopardize
21 the employee's health or recovery. ~~The first ninety days~~
22 ~~(seven-hundred-twenty-hours) of sick leave which accrue to~~
23 ~~an employee shall be placed in an active sick leave account.~~
24 ~~Any days of sick leave in excess of ninety days which accrue~~
25 ~~to an employee shall be placed in an employee's banked sick~~
26 ~~leave account. The sick leave in an employee's banked sick~~
27 ~~leave account shall not be used by the employee until the~~
28 ~~employee no longer has any days of accrued active sick leave~~
29 ~~and shall only be used if an employee has an extended illness~~
30 ~~of at least five working days in duration.~~

31 Separation from state employment shall cancel all unused
32 accrued sick leave. However, if an employee is laid off and
33 the employee is reemployed by any state department, board,
34 agency, or commission within one year of the date of the lay
35 off, accrued sick leave of the employee shall be restored.

1 Sec. 2. The governor is directed to issue an executive
2 order implementing a policy which would grant additional
3 vacation time to employees of state departments, boards,
4 agencies, and commissions who do not use sick leave during
5 a full month of employment.

6 Sec. 3. The governor shall order the directors of
7 applicable state departments, boards, agencies, and commissions
8 to maintain records which identify the additional costs
9 associated with the absence of employees for illness, which
10 costs shall include overtime pay or other pay for replacement
11 personnel and any other associated costs. The additional
12 costs shall be identified in proposed budget documents
13 presented to the governor and the general assembly.

14 Sec. 4. NEW SECTION. ACCRUAL OF SICK LEAVE BY EMPLOYEES
15 OF POLITICAL SUBDIVISIONS. The governing board of a political
16 subdivision, including school corporations, of this state
17 may adopt the provisions of section one (1) of this Act and
18 may adopt the provisions of the executive order issued pursuant
19 to section two (2) of this Act for its employees.

20 Sec. 5. Section two hundred seventy-nine point forty
21 (279.40), Code 1977, is amended by striking the section and
22 inserting in lieu thereof the following:

23 279.40 SICK LEAVE. The accrual of sick leave by a public
24 school employee pursuant to a policy adopted by the governing
25 board of the school district shall not be affected or
26 terminated by any reorganization of school districts pursuant
27 to chapter two hundred seventy-five (275) of the Code if the
28 employee was employed by a school district which is wholly
29 or partially involved in a reorganization for the school year
30 previous to the reorganization and the employee is employed
31 by one of the districts involved in the reorganization for
32 the first school year following the reorganization.

33 Any amounts due an employee for sick leave shall be reduced
34 by benefits payable under sections eighty-five point thirty-
35 three (85.33) and eighty-five point thirty-four (85.34),

1 subsection one (1), of the Code.

2 Sec. 6. Acts of the Sixty-seventh General Assembly, 1977
3 Extraordinary Session, chapter one (1), section thirty-three
4 (33), is repealed.

5 EXPLANATION

6 This bill allows unlimited accrual of sick leave and deletes
7 and provision of the Code which provided for credit for unused
8 sick leave. It directs the governor to implement a policy
9 granting additional vacation time for employees who do not
10 use their sick leave. It directs the governor to require
11 departments to record personnel replacement costs when
12 employees are not on the job due to illness and present the
13 costs to the governor and the general assembly. It allows
14 political subdivisions to adopt the state policy for accrual
15 of sick leave and for additional vacation time for not using
16 sick leave. It strikes minimum sick leave accrual provisions
17 for public school employees.

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