

85.20 Rights of employee exclusive.

The rights and remedies provided in [this chapter](#), [chapter 85A](#), or [chapter 85B](#) for an employee, or a student participating in a work-based learning opportunity as provided in [section 85.61](#), on account of injury, occupational disease, or occupational hearing loss for which benefits under [this chapter](#), [chapter 85A](#), or [chapter 85B](#) are recoverable, shall be the exclusive and only rights and remedies of the employee or student, the employee's or student's personal or legal representatives, dependents, or next of kin, at common law or otherwise, on account of such injury, occupational disease, or occupational hearing loss against any of the following:

1. Against the employee's employer.
2. Against any other employee of such employer, provided that such injury, occupational disease, or occupational hearing loss arises out of and in the course of such employment and is not caused by the other employee's gross negligence amounting to such lack of care as to amount to wanton neglect for the safety of another.
3. For a student participating in a work-based learning opportunity as provided in [section 85.61](#), against the student's school district of residence, receiving school district if the student is participating in open enrollment under [section 282.18](#), accredited nonpublic school, community college, and directors, officers, authorities, and employees of the applicable school district.

[S13, §2477-m2; C24, 27, 31, 35, 39, §1380; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §85.20]

[97 Acts, ch 37, §1](#); [2016 Acts, ch 1108, §12, 13](#)

Referred to in [§85.22](#), [§258.10](#), [§670.12](#)

Unnumbered paragraph 1 amended

Subsection 3 amended