

April 20, 1965.
Placed on File

Senate File 554
By GOVERNMENTAL AFFAIRS COMMITTEE.

Passed Senate, Date 5/4 Passed House, Date 5/17

Vote: Ayes 54 Nays 0 Vote: Ayes 102 Nays 0

Approved May 26, 1965

motion to reconsider not prevailed 5/4 sifting committee 5/7

A BILL FOR

adopted as amended 5/4 (55-0)

An Act to permit the interchange of federal, state and local government employees.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Declaration of policy. The state of Iowa recog-
2 nizes that intergovernmental co-operation is an essential factor
3 in resolving problems affecting this state and that the inter-
4 change of personnel between and among governmental agencies at
5 the same or different levels of government is a significant
6 factor in achieving such co-operation.

1 Sec. 2. Definitions. For the purposes of this Act:

2 1. "Sending agency" means any department or agency of the
3 federal government or a state or local government which sends
4 any employee thereof to another government agency under this Act.

5 2. "Receiving agency" means any department or agency of the
6 federal government or a state or local government which receives
7 an employee of another government under this Act.

1 Sec. 3. Authority to interchange employees.

2 1. Any department, agency, or instrumentality of the state,
3 county, city, municipality, land-grant college, or college or
4 university operated by the state or any local government is
5 authorized to participate in a program of interchange of em-
6 ployees with departments, agencies, or instrumentalities of the
7 federal government, another state or locality, or other agencies,

8 municipalities, or instrumentalities of this state as a sending
9 or receiving agency.

10 2. The period of individual assignment or detail under an
11 interchange program shall not exceed twelve months, nor shall
12 any person be assigned or detailed for more than twelve months
13 during any thirty-six month period. Details relating to any
14 matter covered in this Act may be the subject of an agreement
15 between the sending and receiving agencies. Elected officials
16 shall not be assigned from a sending agency nor detailed to a
17 receiving agency.

1 Sec. 4. Status of employees of this state.

2 1. Employees of a sending agency participating in an ex-
3 change of personnel as authorized in section three (3) may be
4 considered during such participation to be

5 a. on detail to regular work assignments of the sending
6 agency, or

7 b. in a status of leave of absence from their positions
8 in the sending agency.

9 2. Employees who are on detail shall be entitled to the same
10 salary and benefits to which they would otherwise be entitled
11 and shall remain employees of the sending agency for all other
12 purposes except that the supervision of their duties during the
13 period of detail may be governed by agreement between the sending
14 agency and the receiving agency.

15 3. Employees who are in a leave of absence status as provided
16 herein shall be carried on leave without pay; except they may
17 be granted annual leave or other time off pay to the extent
18 authorized by law and may be granted authorized sick leave in

19 circumstances considered by the sending agency to justify such
20 leave. Except as otherwise provided in this Act, employees who
21 are in a leave of absence status shall have the same rights,
22 benefits, and obligations as employees generally who are in such
23 leave status but notwithstanding any other provision of law such
24 employees may be entitled to credit the period of such assign-
25 ment toward benefits as employees of the sending agency.

26 4. Any employee who participates in an exchange under the
27 terms of this section who suffers disability or death as a re-
28 sult of personal injury arising out of and in the course of an
29 exchange, or sustained in performance of duties in connection
30 therewith, shall be treated, for the purposes of the sending
31 agency's employee compensation program, as an employee, as de-
32 fined in such Act, who has sustained such injury in the perform-
33 ance of such duty, but shall not receive benefits under that Act
34 for any period for which he is entitled to and elects to receive
35 similar benefits under the receiving agency's employee compensa-
36 tion program.

1 Sec. 5. Travel expenses of employees of this state. A send-
2 ing agency in this state may, in accordance with the travel reg-
3 ulations of such agency, pay the travel expenses of employees
4 assigned to a receiving agency on either a detail or leave basis,
5 but shall not pay the travel expenses of such employees incurred
6 in connection with their work assignments at the receiving agency.
7 If the assignment or detail will be for a period of time exceeding
8 eight months, travel expenses may include expenses of transporta-
9 tion of immediate family, household goods, and personal effects
10 to and from the location of the receiving agency. If the period

11 of assignment is less than eight months, the sending agency may
12 pay a per diem allowance to the employee on assignment or detail.

1 Sec. 6. Status of employees of other governments.

2 1. When any unit of government of this state acts as a
3 receiving agency, employees of the sending agency who are assign-
4 ed under authority of this Act may be given appointments in the
5 receiving agency covering the periods of such assignments, with
6 compensation to be paid from receiving agency funds or without
7 compensation, or be considered to be on detail to the receiving
8 agency.

9 2. Appointments of persons so assigned may be made without
10 regard to the laws or regulations governing the selection of
11 employees of the receiving agency.

12 3. Employees who are detailed to the receiving agency shall
13 not by virtue of such detail be considered to be employees there-
14 of, except as provided in subsection four (4), nor shall they
15 be paid a salary or wage by the receiving agency during the
16 period of their detail. The supervision of the duties of such
17 employees during the period of detail may be governed by agree-
18 ment between the sending agency and the receiving agency.

19 4. Any employee of a sending agency assigned in this state
20 who suffers disability or death as a result of personal injury
21 arising out of and in the course of such assignment, or sus-
22 tained in the performance of duties in connection therewith,
23 shall be treated for the purpose of receiving agency's employee
24 compensation program, as an employee, as defined in such Act,
25 who has sustained such injury in the performance of such duty,
26 but shall not receive benefits under that Act for any period

27 for which he elects to receive similar benefits as an employee
28 under the sending agency's employee compensation program.

1 Sec. 7. Travel expenses of employees of other governments.
2 A receiving agency in this state may, in accordance with the
3 travel regulations of such agency, pay travel expenses of persons
4 assigned thereto under this Act during the period of such assign-
5 ments on the same basis as if they were regular employees of the
6 receiving agency.

1 Sec. 8. Administration. The state personnel director is
2 hereby directed to explore means of implementing this Act and
3 to assist departments, agencies, and instrumentalities of the
4 state and its political subdivisions in participating in
5 employee interchange programs.

1 Sec. 9. Effective date. This Act, being deemed of immediate
2 importance, shall take effect and be in force from and after
3 its publication in, a newspaper published in
4, Iowa, and in, a newspaper published
5 in, Iowa.

SENATE FILE 554

1 Amend Senate File 554, section 3, paragraph 2, by
2 inserting after the period in line 13 the following
3 sentence: "No employee shall be assigned or detailed
4 without his expressed consent or by using undue coercion
5 to obtain said consent."

Filed and adopted
May 4, 1965.

By MAIN.

SENATE FILE 554

1 Amend Senate File 554 by striking all of section 9 and inserting
2 in lieu thereof the following:
3 Sec. 9. Effective date. This Act, being deemed of
4 immediate importance, shall take effect and be in force from
5 and after its publication in the New Hampton Tribune, a newspaper
6 published in New Hampton, Iowa and The West Des Moines Express,
7 a newspaper published in West Des Moines, Iowa.

Filed and adopted
May 4, 1965.

By RIGLER and REPERT.