

FEB 17 1971

HOUSE FILE 274

STATE GOVERNMENT ^{Passed 3/4}
Sen. " " 3/23, 3/13

By ELLSWORTH and TAYLOR

Passed House, Date 3-23-71 Passed Senate, Date 4-27-71

Vote: Ayes 91 Nays 2 Vote: Ayes 44 Nays 0

Approved May 17, 1971
Passed per Senate amendment 5-10-71
aye 87 nays 2

A BILL FOR

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An Act relating to military leave of absence for civil employees.

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

Section 1. Section twenty-nine A point twenty-eight (29A.28), Code 1971, is amended as follows:

29A.28 LEAVE OF ABSENCE OF CIVIL EMPLOYEES. All officers and employees of the state, or a subdivision thereof, or a municipality ~~therein~~, other than employees in temporary employment, who are members of the national guard, organized reserves or any component part of the military, naval, or air forces or nurse corps of this state or nation, or who are or may be otherwise inducted into the military service of this state or of the United States, shall, when ordered by proper authority to active state or federal service, be entitled to a leave of absence from such civil employment for the period of such active state or federal service, without loss of status or efficiency rating, and without loss of pay during the first thirty days of such leave of absence. The proper appointing authority may make a temporary appointment to fill any vacancy created by such leave of absence.

EXPLANATION

This bill provides that temporary employees of the state, its political subdivisions, or a municipality are not entitled to military leave with pay and without loss of job status. A recent Opinion of the Attorney General stated that temporary

1 and part-time employees are entitled to receive military pay
2 but that there is no payment guideline established by statute.
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8 SENATE AMENDMENT TO HOUSE FILE 274

9 1 Amend House File 274 as passed by the House as follows:
10 2 1. Page 1, lines 8 and 9, by striking the words "in
11 3 temporary employment" and inserting in lieu thereof the
12 words "employed temporarily for six months or less".

13 Received from the Senate.
14 April 27, 1971

House Concurred
5/10/71

15 1 Amend House File 274 as passed by the House as
16 2 follows:
17 3 Page 1, lines 8 and 9, by striking the words "in
18 4 temporary employment" and inserting in lieu thereof the
19 5 words "employed temporarily for six months or less".

20 Filed - *Adopted 4/27*
21 April 14, 1971

By BASS

HOUSE FILE 274

1 Amend House File 274 as follows:

2 1. Page 1, by adding after line 21 the following sec-
3 tions:

4 Sec. 2. Section nineteen A point nine (19A.9), sub-
5 section fourteen (14), Code 1971, is amended as follows:

6 14. For ~~layoffs by reason of lack of funds or work, or~~
7 ~~organization, and for~~ reduction of personnel or re-employ-
8 ~~ment~~ reemployment, of employees so laid off, giving primary
9 consideration in both layoffs and re-employment to
10 competing employees shall be released or reemployed on the
11 basis of their performance record, and secondary considera-
12 tion to seniority in service and length of service. The
13 length of time an employee spent in active service in the
14 armed forces of the United States shall be credited in
15 computing his length of service, except for the purpose of
16 receiving benefits pursuant to any retirement program
17 established by law. Any employee who has been laid off may
18 keep his name on a preferred employment list for one year,
19 which list shall be exhausted by the agency enforcing the
20 layoff reduction before selection of an employee may be
21 made from the register in his classification.

22 Sec. 3. Section nineteen A point nine (19A.19), sub-
23 section twenty-one (21), Code 1971, is amended by adding
Page 2

1 the following new paragraph:

2 "In examinations where experience is included in the
3 qualifications, time spent in active duty in the armed
4 forces of the United States shall be credited in a veteran's
5 rating if he was employed in a similar vocation to that for
6 which he is being examined and his employment was
7 interrupted by service in the armed forces."

8 Sec. 4. Section seventy-nine point one (79.1), Code
9 1971, is amended by adding the following new paragraph:

10 "In computing vacation allowances, and employee of the
11 state who has served in the armed forces of the United
12 States and received an honorable discharge, shall receive
13 credit for the length of time served on active duty."

14 Sec. 5. Chapter seventy (70), Code 1971, is amended by
15 adding the following new section:

16 "A person who has been employed by the state for a period
17 of more than one year and resigns because he has been
18 recalled or has been inducted in the armed forces of the
19 United States for active military duty, shall upon release
20 from such active duty, be reinstated in the employment
21 position he held at the time of being recalled or inducted.
22 The request shall be filed with the appropriate office not
23 more than sixty days following the release from active duty."

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1 2. Page 1, line 2, by adding after the word
2 "employees" the words "and benefits for veterans in state
3 employment".