

House File 243
Labor and Industrial
Relations
Redmond, Chairman
Rabedeaux
Glenn

FEB 18 1975

Rebuilt - up 1/76

HOUSE FILE 243

Labor and Industrial Relations, *Pass per 3251 3/7* BY PATCHETT, BRANDT, O'HALLORAN,
BINA, DYRLAND, HINES, MONROE,
MENNENGA, KOOGLER, MIDDLETON,
JOCHUM, DUNTON and HOWELL

House File 243
Labor and Industrial
Relations
Horn, Chairman
Gilloon
Daggett

*Sen. Labor 4/6 Pass 5/6
Repl " 1/12/76, Pass 1/15*

Passed House, Date 4-7-75 (966) Passed Senate, Date 1-20-76 (p. 105)

Vote: Ayes 73 Nays 14 Vote: Ayes 46 Nays 3

Approved 2-20-76

*Motion to reconsider filed 4-7 (975) Prevalued 4-14 (1099) Motion to reconsider filed 1/20, w.d. 1/27
Repassed House 4-14-75 (1100)
85-4*

A BILL FOR

- 1 An Act relating to absences of public employees for
- 2 pregnancy and recovery from pregnancy and to provide
- 3 a penalty.

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

- 5
- 6 * *Re-passed House per Senate amendment H-5058*
- 7 2-9-76 (p. 307)
- 8 81-6

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1 Section 1. NEW SECTION. ABSENCE DUE TO PREGNANCY. An
2 absence from employment by an individual employed by the state
3 of Iowa or its political subdivisions, including school
4 districts and other special purpose districts, due to pregnancy
5 and the recovery from pregnancy when supported by the
6 verification of the attending physician that such absence
7 is necessary in the best interest of the health and well-being
8 of the individual, shall be deemed an absence for medically
9 related work interruption and the absence shall be deducted
10 from any leave of absence for sickness or sick leave which
11 the individual may have accumulated.

12 Sec. 2. NEW SECTION. It is unlawful for any department,
13 commission, board, or agency of the state of Iowa or its
14 political subdivisions, including school districts and other
15 special purpose districts, to discharge, demote, or suspend
16 an employee because of absence due to pregnancy and the
17 recovery from pregnancy.

18 EXPLANATION

19 This bill provides that public employees may use sick leave
20 for absences due to pregnancy and recovery from pregnancy.

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LSB 279
db/rh/31

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Amend House File 243 as follows:
1. Page 1, line 4, by inserting after the word "to" the words "illness related to".
2. Page 1, line 5, by inserting after the word "from" the words "illness related to".
3. Page 1, line 16, by inserting after the word "to" the words "illness related to".
4. Page 1, line 17, by inserting after the word "from" the words "illness related to".

H-3385 FILED - *Ruled out of order with adoption of 3390 4/7* BY WYCKOFF of Benton
APRIL 1, 1975

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Amend the Patchett et al amendment, H-3390 to House File 243, page 1 by inserting after line 49 the following new section:
"Sec. _____. Section two hundred seventy-nine point forty (279.40), Code 1975, is amended by adding the following new paragraph.

NEW PARAGRAPH. Any amounts due an employee under this section shall be reduced by benefits payable under chapter eighty-five (85), or eighty-five A (85A), of the Code."

H-3441 FILED - *Adopted 4/7 (966)* BY BROCKETT of Marshall
APRIL 3, 1975 *and withdrawn 4/14 (1100)*

House File 243

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Amend House File 243, page 1, by inserting after line 17 the following new section:

"Sec.---. Section two hundred seventy-nine point forty (279.40), Code 1975, is amended by adding the following new paragraph.

NEW PARAGRAPH. Any amounts due an employee under this section shall be reduced by benefits payable under chapter eighty-five (85), or eighty-five A (85A), of the Code."

H-3442 FILED - *Ruled out of order with passage of 3390 4/7 (966)* BY BROCKETT of Marshall
APRIL 3, 1975

FISCAL NOTE
HOUSE FILE 243

Date Prepared January 30, 1975

Requested by Representative Patchett
Prepared in regard to H.F. 243, An Act relating to pregnancy/
childbirth absences. Following is the fiscal effect in dollars of
the legislative proposal as required by Joint Rule 16:

This bill provides that public employees may use sick leave
for absences due to pregnancy and recovery.

There is no estimate available.

This proposed bill is essentially the same as Merit Employment
Department Rules 14.3(1) and 14.12 which have been in effect
for about three years.

Information on policies of other political subdivisions indicate
different applications of pregnancy leave. Some deny the use
of pregnancy leave to pregnant employees, while others limit
its use to cover only part of the absence due to pregnancy.

Source: Iowa Merit Employment Department

FILED
FEBRUARY 27, 1975

GERRY D. RANKIN
Legislative Fiscal Director

SENATE AMENDMENT TO HOUSE FILE 243

H-5058

- 1 Amend House File 243, as amended and passed by
- 2 the House, as follows:
- 3 1. Page 1, line 30, by striking the word
- 4 "included".
- 5 2. Page 1, by striking lines 31, 32, and 33.
- 6 3. Page 1, line 34, by striking the words "absence
- 7 shall not be".

H-5058 FILED
RECEIVED FROM SENATE JANUARY 28, 1976

Same concurred 2/9 (p. 307)

H-3251

- 1 Amend House File 243 as follows:
- 2 1. Page 1, line 17, by inserting after the word
- 3 "pregnancy" the words "when supported by the
- 4 verification of the attending physician that such
- 5 absence is necessary in the best interest of the
- 6 health and well-being of the individual".
- 7 2. Amend the title page, by striking lines 2 and
- 8 3 and inserting in lieu thereof the following:
- 9 "pregnancy and recovery from pregnancy."

H-3251 FILED - *Filed out of order with* BY COMMITTEE ON LABOR AND
MARCH 7, 1975 *adoption of 3390 4/7* INDUSTRIAL RELATIONS
CONNORS of Polk, Chairman

H-3390

1 Amend House File 243 as follows:

2 1. By striking everything after the enacting clause
3 and inserting in lieu thereof the following:

4 "Section 1. Section seventy-nine point one (79.1),
5 unnumbered paragraph four (4), Code 1975, is amended
6 to read as follows:

7 Leave of absence of two and one-half working days
8 each month with pay may be granted in the discretion
9 of the head of any department, agency or commission
10 to employees of such department, agency or commission
11 when necessary ~~by reason of sickness or injury for~~
12 medically-related disability; unused portions of such
13 leave for any one year may be accumulative to a total
14 of ninety working days. Leave of absence in excess
15 of two and one-half working days each month may be
16 granted on recommendation of the head of any
17 department, agency, or commission and with the approval
18 of the executive council for an employee when unusual
19 circumstances resulting from employment are present
20 which will cause hardship for the employee. It is
21 further provided that employees of institutions under
22 the state board of regents who are employed for nine
23 months or more in any twelve-month period shall be
24 entitled, in the discretion of the board, to a leave
25 of absence with pay of two and one-half working days
26 for each month of employment when necessary ~~by reason~~
27 of sickness or injury for medically-related disability,
28 and such portion as is unused may be accumulated to
29 a total of ninety working days.

30 Sec. 2. Chapter seventy-nine (79), Code 1975,
31 is amended by adding the following new section:

32 NEW SECTION. When supported by the verification
33 of the attending physician that an absence is necessary
34 in the best interest of the health and well-being
35 of the employee, an absence for medically-related
36 disability shall not be included in the service or
37 employment records of an individual employed by the
38 state of Iowa or its political subdivisions, including
39 school districts and other special purpose districts,
40 and the absence shall not be considered in actions
41 for promotion, discharge, demotion, or suspension
42 of the employee.

43 Sec. 3. Section two hundred seventy-nine point
44 forty (279.40), unnumbered paragraph one (1), Code
45 1975, is amended to read as follows:

46 Public school employees are granted leave of absence
47 ~~for personal illness or injury~~ medically-related
48 disability with full pay in the following minimum
49 amounts:"
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2. Amend the title by striking lines 2 and 3 and

Page 2

H-3390

1 inserting in lieu thereof the words "medically-related
2 disability."

H-3390 FILED - *Adopted as amended*
APRIL 2, 1975 *by 3441 4/7 (966)*
Reconsidered and adopted 4/14 (1100)

BY PATCHETT of Johnson
CONNORS of Polk
BRANDT of Black Hawk
O'HALLORAN of Black Hawk
LONERGAN of Boone

H-3553

1 Amend the Patchett et al amendment H-3390 to
2 House File 243, page 1, by inserting after line 49
3 the following new section:
4 "Sec. _____. Section two hundred seventy-nine point
5 forty (279.40), Code 1975, is amended by adding the
6 following new paragraph:
7 NEW PARAGRAPH. Any amounts due an employee under
8 this section shall be reduced by benefits payable
9 under section eighty-five point thirty-three (85.33),
10 and eighty-five point thirty-four (85.34), subsection
11 one (1) of the Code."

H-3553 FILED, ADOPTED (1100)
APRIL 14, 1975

BY CONNORS of Polk
BROCKETT of Marshall
PATCHETT of Johnson

Senate

S-5012

1 Amend House File 243, as amended and passed by
2 the House, as follows:
3 1. Page 1, line 30, by striking the word
4 "included".
5 2. Page 1, by striking lines 31, 32, and 33.
6 3. Page 1, line 34, by striking the words "absence
7 shall not be".

S-5012 FILED & ADOPTED (p. 104) BY MINNETTE F. DODERER
JANUARY 20, 1976 JAMES REDMOND

HOUSE FILE 243

AN ACT

RELATING TO ABSENCES OF PUBLIC EMPLOYEES FOR MEDICALLY-RELATED DISABILITY.

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

Section 1. Section seventy-nine point one (79.1), unnumbered paragraph four (4), Code 1975, is amended to read as follows:

Leave of absence of two and one-half working days each month with pay may be granted in the discretion of the head of any department, agency or commission to employees of such department, agency or commission when necessary ~~by reason of sickness or injury~~ for medically-related disability; unused portions of such leave for any one year may be accumulative to a total of ninety working days. Leave of absence in excess of two and one-half working days each month may be granted on recommendation of the head of any department, agency, or commission and with the approval of the executive council for an employee when unusual circumstances resulting from employment are present which will cause hardship for the employee. It is further provided that employees of institutions under the state board of regents who are employed for nine months or more in any twelve-month period shall be entitled, in the discretion of the board, to a leave of absence with pay of two and one-half working days for each month of employment when necessary ~~by reason of sickness or injury~~ for medically-related disability, and such portion as is unused may be accumulated to a total of ninety working days.

Sec. 2. Chapter seventy-nine (79), Code 1975, is amended by adding the following new section:

NEW SECTION. When supported by the verification of the attending physician that an absence is necessary in the best interest of the health and well-being of the employee, an absence for medically-related disability shall not be considered in actions for promotion, discharge, demotion, or suspension of the employee.

Sec. 3. Section two hundred seventy-nine point forty (279.40), unnumbered paragraph one (1), Code 1975, is amended to read as follows:

Public school employees are granted leave of absence for ~~personal-illness-or-injury~~ medically-related disability with full pay in the following minimum amounts:

Sec. 4. Section two hundred seventy-nine point forty (279.40), Code 1975, is amended by adding the following new paragraph:

NEW PARAGRAPH. Any amounts due an employee under this section shall be reduced by benefits payable under sections eighty-five point thirty-three (85.33), and eighty-five point thirty-four (85.34), subsection one (1) of the Code.

DALE M. COCHRAN
Speaker of the House

ARTHUR A. NEU
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 243, Sixty-sixth General Assembly.

DAVID L. WRAY
Chief Clerk of the House

Approved 2/20, 1976

ROBERT D. RAY
Governor