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FILED MAR 5 1984

SENATE FILE 2295

BY COMMITTEE ON LABOR AND INDUSTRIAL RELATIONS

(FORMERLY SSB 2219)

Approved 3/5 (p. 671)

Passed Senate, Date 3-15-84 (p. 845) Passed House, Date 3-28-84 (p. 1381)

Vote: Ayes 42 Nays 0 Vote: Ayes 84 Nays 5

Approved April 11, 1984 (p. 1493)

A BILL FOR

1 An Act prohibiting reductions in sick leave, vacation leave, or
2 compensatory time entitlements while an employee is receiving
3 weekly workers' compensation benefits.

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

S-5255

SENATE FILE 2295

1 Amend Senate File 2295 as follows:
2 1. Page 1, line 6, by striking the words "
3 vacation leave,".
4 2. Page 1, line 13, by striking the word "limits"
5 and inserting in lieu thereof the word "prohibits".
6 3. Page 1, line 14, by inserting after the figure
7 "1982." the following: "An employer which supplemented
8 an employee's workers' compensation with such
9 entitlements in 1982 or 1983 shall credit the employee
10 with any reductions made in such entitlements due
11 to the supplementation; however, the employee is not
12 required to reimburse the employer for, to forfeit
13 present or future entitlements, or to otherwise
14 compensate the employer for or forego such entitlements
15 due to such a credit."

S-5255 FILED

MARCH 6, 1984

W/10 3/15 (p. 845)

BY TED ANDERSON

SENATE FILE 2295

S-5416

1 Amend Senate File 2295 as follows:
2 1. Page 1, line 4, by striking the word "An" and
3 inserting in lieu thereof the words "A public".
4 2. Page 1, line 7, by inserting after the word
5 "entitlements" the words ", unless the employer first
6 notifies the employee of the employee's option to
7 supplement and the employee elects to so supplement".
8 3. Page 1, by striking lines 12 through 14 and
9 inserting in lieu thereof the words "in Waterloo,
10 Iowa."

S-5416 FILED & ADOPTED

MARCH 15, 1984 (p. 845)

BY TED ANDERSON

1 Section 1. Section 85.38, Code Supplement 1983, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 3. PROHIBITION OF SUPPLEMENTATION OF
4 WORKERS' COMPENSATION BENEFITS. An employer shall not
5 supplement an employee's workers' compensation benefits by
6 reducing the employee's sick leave, vacation leave, or earned
7 compensatory time entitlements.

8 Sec. 2. PUBLICATION. This Act, being deemed of immediate
9 importance, takes effect from and after its publication in
10 The Sioux City Journal, a newspaper published in Sioux City,
11 Iowa, and in the Waterloo Courier Record, a newspaper published
12 in Waterloo, Iowa, and is retroactive to January 1, 1982 and
13 limits any reductions in entitlements made on or after January
14 1, 1982.

15 EXPLANATION

16 This bill prohibits an employer from reducing the sick
17 leave, vacation leave, or compensatory time entitlement of
18 an employee who is temporarily disabled due to a work-related
19 injury. The bill takes effect upon publication and is
20 retroactive to January 1, 1982 in order to limit reductions
21 in entitlements made on or after that date.

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1 Section 1. Section 85.38, Code Supplement 1983, is amended
2 by adding the following new subsection:

3 NEW SUBSECTION. 3. PROHIBITION OF SUPPLEMENTATION OF
4 WORKERS' COMPENSATION BENEFITS. A public employer shall not
5 supplement an employee's workers' compensation benefits by
6 reducing the employee's sick leave, vacation leave, or earned
7 compensatory time entitlements, unless the employer first noti-
8 fies the employee of the employee's option to supplement and the
9 employee elects to so supplement.

10 Sec. 2. PUBLICATION. This Act, being deemed of immediate
11 importance, takes effect from and after its publication in
12 The Sioux City Journal, a newspaper published in Sioux City,
13 Iowa, and in the Waterloo Courier Record, a newspaper published
14 in Waterloo, Iowa.

SENATE FILE 2295
FISCAL NOTE

REQUESTED BY REPRESENTATIVE COREY

In compliance with a written request received March 22, 1984, there is hereby submitted a Fiscal Note for Senate File 2295 pursuant to Joint Rule 17. Background information used in developing this Fiscal Note is available from the Legislative Fiscal Bureau, to members of the General Assembly upon request.

Senate File 2295, as passed by the Senate, prohibits public employers from supplementing an employee's workers' compensation benefits by reducing the employee's sick leave, vacation leave or earned compensatory time entitlements, unless the employer first notifies the employee of the employee's option to supplement and the employee elects to do so.

The state's centralized payroll system currently follows the procedures required by the bill, so it would not incur any additional expense. This bill will cause a minimal increase in administrative expenses for the Regents payroll system, as notice is not currently given and employees are not required to agree to supplementation.

Sources: Comptroller's Centralized Payroll
Board of Regents

(4074S, 84-289B, JMN)

FILED MARCH 27, 1984

BY DENNIS PROUTY, FISCAL DIRECTOR

Iowa, and in the Waterloo Courier Record, a newspaper published in Waterloo, Iowa.

SENATE FILE 2295

AN ACT

PROHIBITING REDUCTIONS IN SICK LEAVE, VACATION LEAVE, OR COMPENSATORY TIME ENTITLEMENTS WHILE AN EMPLOYEE IS RECEIVING WEEKLY WORKERS' COMPENSATION BENEFITS.

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

Section 1. Section 85.38, Code Supplement 1983, is amended by adding the following new subsection:

NEW SUBSECTION. 3. PROHIBITION OF SUPPLEMENTATION OF WORKERS' COMPENSATION BENEFITS. A public employer shall not supplement an employee's workers' compensation benefits by reducing the employee's sick leave, vacation leave, or earned compensatory time entitlements, unless the employer first notifies the employee of the employee's option to supplement and the employee elects to so supplement.

Sec. 2. PUBLICATION. This Act, being deemed of immediate importance, takes effect from and after its publication in The Sioux City Journal, a newspaper published in Sioux City,

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2295, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved *[Signature]*, 1984

TERRY E. BRANSTAD
Governor