

STATE GOVERNMENT: Carr, Chair; Corning and Mann

MAR 22 1985

HOUSE FILE 713

Place On Calendar

BY COMMITTEE ON STATE GOVERNMENT

(Formerly House File 470)

Passed House, Date 3-27-85 (p. 1113) Passed Senate, Date 4-16-85 (p. 1406)

Vote: Ayes 87 Nays 9 Vote: Ayes 39 Nays 4

Approved May 29, 1985

## A BILL FOR

1 An Act relating to educational leave and educational  
2 assistance for state employees.

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

HOUSE FILE 713

FISCAL NOTE

REQUESTED BY REPRESENTATIVE LLOYD-JONES

In compliance with a written request received March 25, 1985, a fiscal note for HOUSE FILE 713 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

1 House File 713 rewrites current Code provisions allowing educational leave for state  
1 employees. Educational assistance is allowed only when the course work will contribute to  
1 the employee's growth and development in the employee's present position. Leave may also  
1 be granted to prepare the employee to assume another position as needed by the particular  
1 state agency. The bill requires state agencies to report the indirect and direct costs of  
1 leave and assistance annually to the State Comptroller and the Legislative Council. This  
1 information shall be used in a cost/benefit analysis of the program and therefore agencies  
1 should include their assessment of the benefits achieved. The state comptroller must  
1 periodically and at least annually review the implementation of educational leave and  
1 assistance programs by state agencies.

### Assumptions:

- 1 1. Approximately 25 state agencies will have employees taking educational leave and  
1 and 45 agencies will provide educational assistance.
- 19 2. Preparing the Annual Report will require an average of 4 hours work  
20 per agency for educational leave and an average of 2 hours work per  
21 agency for educational assistance.
- 22 3. Average hourly wage of the persons preparing the Annual Report is \$10.00 per hour.

23 Fiscal Impact: The current procedures of the Comptroller's Office provide for educational  
24 leave, so the salaries, benefits, and other expenses are currently being incurred.  
25 Additional cost would result from the agencies having to compile the annual report to the  
Comptroller and the Legislative Council. Based upon the above assumptions, the total  
annual cost to the general fund would be approximately \$2000.

1 Section 1. Section 79.1, unnumbered paragraph 8, Code  
2 1985, is amended to read as follows:

3 The head of any department, agency, or commission may grant  
4 an educational leave to employees for whom the head of the  
5 department, agency, or commission is responsible pursuant to  
6 section 79.25 and funds appropriated by the general assembly  
7 may be used for such purposes. The head of such department,  
8 agency, or commission shall notify the legislative council and  
9 the state comptroller of all educational leaves granted within  
10 fifteen days of the granting of the educational leave. If the  
11 head of a department, agency or commission fails to notify the  
12 legislative council and state comptroller of an educational  
13 leave the expenditure of funds appropriated by the general  
14 assembly for the educational leave shall not be allowed.

15 Sec. 2. NEW SECTION. 79.25 EDUCATIONAL LEAVE --  
16 EDUCATIONAL ASSISTANCE.

17 1. DEFINITIONS. As used in this section, unless the con-  
18 text otherwise requires:

19 a. "Educational assistance" means reimbursement for  
20 tuition, fees, books or other expenses incurred by a state  
21 employee in taking coursework at an educational institution or  
22 attending a workshop, seminar or conference without a  
23 reduction in ordinary job responsibilities and that the  
24 appointing authority determines contributes to the growth and  
25 development of the employee in the employee's present  
26 position.

27 b. "Educational leave" means full or partial absence from  
28 an employee's ordinary job responsibilities either with full  
29 or partial pay or without pay, to attend a course of study at  
30 an educational institution or a course of study conducted by a  
31 reputable sponsor on behalf of an educational institution.  
32 Educational leave may include reimbursement for all or a  
33 portion of educational expenses incurred.

34 c. "Educational leave and educational assistance" do not  
35 apply to job training and employee development programs and

1 departmental seminars that are conducted or sponsored by a  
2 state agency for the exclusive benefit of employees of that  
3 state agency.

4 2. GENERAL APPLICABILITY. The purpose of educational  
5 leave with full or partial pay and educational assistance is  
6 to assist state employees to develop skills that will improve  
7 their ability to perform their present job responsibilities or  
8 in the case of educational leave to also provide training and  
9 educational opportunities for employees of a state agency that  
10 will enable the agency director to better meet the staffing  
11 needs of the state agency.

12 The state comptroller shall not allow the payment of  
13 expenses for courses unless the department, agency or  
14 commission can demonstrate a relationship between the  
15 employee's job responsibilities and the courses to be taken or  
16 that the employee is required to learn new skills for which  
17 the department, agency or commission has a need.

18 3. REPORTING AND REVIEW.

19 a. The state comptroller shall periodically and at least  
20 annually review the implementation of educational leave and  
21 educational assistance programs by state agencies.

22 b. The head of each state agency, department or commission  
23 shall report to the state comptroller and the legislative  
24 council not later than October 1 of each year the direct and  
25 indirect costs to the agency of educational leave and  
26 educational assistance granted to agency employees during the  
27 preceding fiscal year. The report shall include an estimate  
28 of costs saved by the state agency, department or commission  
29 through the use of educational leave and educational  
30 assistance. As used in this subsection "indirect costs"  
31 includes but is not limited to, adjustments in employee work  
32 assignments and agency operations necessitated by educational  
33 leave or assistance.

34 c. The report to the state comptroller and legislative  
35 council shall identify the relationship of each course to the

1 employee who is granted educational leave and how the course  
2 may improve the employee's job performance or the task to be  
3 accomplished within the agency.

4 d. The report to the state comptroller and the legislative  
5 council shall also include:

6 (1) The number of employees who were granted educational  
7 leave and the amount of tuition reimbursement allowed by the  
8 department, agency or commission.

9 (2) The number of employees who were granted a leave from  
10 work to attend the classes and who continued to receive their  
11 salary and the number of hours of work which those employees  
12 were excused.

13 (3) The number of employees who were granted a temporary  
14 leave of absence from work to attend the classes without pay  
15 and the amount of time missed.

16 EXPLANATION

17 This bill rewrites current Code provisions allowing  
18 educational leave for state employees.

19 The bill allows educational assistance only when the  
20 coursework will contribute to the employee's growth and  
21 development in the employee's present position. Educational  
22 leave may be granted also to prepare the employee to assume  
23 another position as needed by the particular state agency.

24 The bill requires state agencies to report the indirect and  
25 direct costs of leave and assistance annually to the state  
26 comptroller. It is the intent that this information be used  
27 in a cost/benefit analysis of the program and therefore  
28 agencies are to include in their annual reports their assess-  
29 ment of the benefits achieved (which may include money saved  
30 by training a current employee to perform a certain job rather  
31 than hiring someone new). The state comptroller must  
32 periodically and at least annually review the implementation  
33 of educational leave and educational assistance programs by  
34 state agencies.

35

HOUSE FILE 713

AN ACT

RELATING TO EDUCATIONAL LEAVE AND EDUCATIONAL ASSISTANCE FOR  
STATE EMPLOYEES.

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

Section 1. Section 79.1, unnumbered paragraph 8, Code 1985, is amended to read as follows:

The head of any department, agency, or commission may grant an educational leave to employees for whom the head of the department, agency, or commission is responsible pursuant to section 79.25 and funds appropriated by the general assembly may be used for such purposes. The head of such department, agency, or commission shall notify the legislative council and the state comptroller of all educational leaves granted within fifteen days of the granting of the educational leave. If the head of a department, agency or commission fails to notify the

legislative council and state comptroller of an educational leave the expenditure of funds appropriated by the general assembly for the educational leave shall not be allowed.

Sec. 2. NEW SECTION. 79.25 EDUCATIONAL LEAVE --  
EDUCATIONAL ASSISTANCE.

1. DEFINITIONS. As used in this section, unless the context otherwise requires:

a. "Educational assistance" means reimbursement for tuition, fees, books or other expenses incurred by a state employee in taking coursework at an educational institution or attending a workshop, seminar or conference without a reduction in ordinary job responsibilities and that the appointing authority determines contributes to the growth and development of the employee in the employee's present position.

b. "Educational leave" means full or partial absence from an employee's ordinary job responsibilities either with full or partial pay or without pay, to attend a course of study at an educational institution or a course of study conducted by a reputable sponsor on behalf of an educational institution. Educational leave may include reimbursement for all or a portion of educational expenses incurred.

c. "Educational leave and educational assistance" do not apply to job training and employee development programs and departmental seminars that are conducted or sponsored by a state agency for the exclusive benefit of employees of that state agency.

2. GENERAL APPLICABILITY. The purpose of educational leave with full or partial pay and educational assistance is to assist state employees to develop skills that will improve their ability to perform their present job responsibilities or in the case of educational leave to also provide training and educational opportunities for employees of a state agency that will enable the agency director to better meet the staffing needs of the state agency.

The state comptroller shall not allow the payment of expenses for courses unless the department, agency or commission can demonstrate a relationship between the employee's job responsibilities and the courses to be taken or that the employee is required to learn new skills for which the department, agency or commission has a need.

3. REPORTING AND REVIEW.

a. The state comptroller shall periodically and at least annually review the implementation of educational leave and educational assistance programs by state agencies.

b. The head of each state agency, department or commission shall report to the state comptroller and the legislative council not later than October 1 of each year the direct and indirect costs to the agency of educational leave and educational assistance granted to agency employees during the preceding fiscal year. The report shall include an estimate of costs saved by the state agency, department or commission through the use of educational leave and educational assistance. As used in this subsection "indirect costs" includes but is not limited to, adjustments in employee work assignments and agency operations necessitated by educational leave or assistance.

c. The report to the state comptroller and legislative council shall identify the relationship of each course to the employee who is granted educational leave and how the course may improve the employee's job performance or the task to be accomplished within the agency.

d. The report to the state comptroller and the legislative council shall also include:

(1) The number of employees who were granted educational leave and the amount of tuition reimbursement allowed by the department, agency or commission.

(2) The number of employees who were granted a leave from work to attend the classes and who continued to receive their salary and the number of hours of work which those employees were excused.

(3) The number of employees who were granted a temporary leave of absence from work to attend the classes without pay and the amount of time missed.

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DONALD D. AVENSON  
Speaker of the House

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ROBERT T. ANDERSON  
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 713, Seventy-first General Assembly.

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JOSEPH O'HERN  
Chief Clerk of the House

Approved May 29 1985

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TERRY E. BRANSTAD  
Governor