

House File 516 - Introduced

HOUSE FILE 516

BY CAHILL

A BILL FOR

1 An Act providing a state minimum hourly wage for education
2 support professionals.

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

1 Section 1. Section 91D.1, subsection 1, paragraph b, Code
2 2023, is amended to read as follows:

3 b. Every employer, as defined in the federal Fair Labor
4 Standards Act of 1938, as amended to ~~January 1, 2007~~ July 1,
5 2023, shall pay to each of the employer's employees, as defined
6 in the federal Fair Labor Standards Act of 1938, as amended to
7 ~~January 1, 2007~~ July 1, 2023, the state hourly wage ~~stated in~~
8 ~~paragraph "a"~~ provided in this chapter, or the current federal
9 minimum wage, pursuant to 29 U.S.C. §206, as amended, whichever
10 is greater.

11 Sec. 2. Section 91D.1, subsections 4, 5, and 6, Code 2023,
12 are amended to read as follows:

13 4. For purposes of this chapter section, "employee" does
14 not include an independent contractor as described in section
15 85.61, subsection 12, paragraph "c", subparagraph (3).

16 5. The labor commissioner shall adopt rules to implement and
17 administer this section chapter.

18 6. This section chapter shall be enforced pursuant to
19 chapter 91A.

20 Sec. 3. NEW SECTION. 91D.2 Minimum wage — education
21 support professionals.

22 1. For purposes of this section, "education support
23 professional" means an employee of a public, nonpublic, or
24 charter school who meets the needs of the whole student,
25 promotes quality education, and fosters a positive learning
26 environment, including an employee who provides the following
27 services or functions:

- 28 a. Clerical services.
- 29 b. Custodial, building grounds, and maintenance services.
- 30 c. Food services.
- 31 d. Health service providers other than school nurses.
- 32 e. Para-educators.
- 33 f. Security services.
- 34 g. Skilled trade work.
- 35 h. Technical services including information technology

1 specialists.

2 *i.* Transportation services including school bus drivers.

3 2. Notwithstanding section 91D.1, the state hourly wage for
4 an employee employed as an education support professional shall
5 be at least \$17.00 as of July 1, 2023.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill provides that the state minimum hourly wage for
10 education support professionals, as defined in the bill, shall
11 be \$17.00 as of July 1, 2023.