

JAN 3 1 2005

COMMERCE, REGULATION & LABOR

HOUSE FILE 150
BY HUNTER

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the applicability of federal overtime pay
2 regulations.

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

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24

HF 150

1 Section 1. NEW SECTION. 91D.2 OVERTIME PAY REQUIREMENTS
2 -- EXEMPTIONS.

3 The requirements of the federal Fair Labor Standards Act of
4 1938, as stated in 29 U.S.C. § 201, et seq., and the
5 regulations adopted under 29 C.F.R. pt. 541, subpart G, shall
6 apply to employers and employees in this state, except that
7 the definitions set forth and in place in 29 C.F.R. pt. 541 on
8 March 30, 2003, shall be used in otherwise determining whether
9 an employee is exempt or nonexempt for purposes of overtime
10 pay requirements.

11 EXPLANATION

12 This bill requires employers to comply with the overtime
13 pay requirements of the federal Fair Labor Standards Act of
14 1938 by using the new salary-based federal requirements for
15 qualification as an exempt executive, administrative, or
16 professional employee, but using the definitions set forth in
17 the federal register prior to March 30, 2003, when otherwise
18 determining whether an employee is exempt or nonexempt.

19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35