Regulatory Analysis

Notice of Intended Action to be published: 661—Chapter 41
"Payment of Small Claims to Employees"

Iowa Code section(s) or chapter(s) authorizing rulemaking: 80.18
State or federal law(s) implemented by the rulemaking: Iowa Code section 80.18

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

December 22, 2025 2:30 to 3 p.m.	Public Conference Room 125 Oran Pape State Office Building Des Moines, Iowa

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department of Public Safety no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

Josie Wagler
215 East 7th Street
Des Moines, Iowa 50319
Email: wagler@dps.state.ia.us

Purpose and Summary

Pursuant to Executive Order 10, the Department proposes to rescind Chapter 41 and adopt a new chapter in lieu thereof. The proposed chapter outlines the process and requirements for an employee to file a small claim with the Department for payment as reimbursement for replacement or repair of personal items that were damaged or destroyed during the course of employment pursuant to Iowa Code section 80.18.

Analysis of Impact

1. **Persons affected by the proposed rulemaking:**

- **Classes of persons that will bear the costs of the proposed rulemaking:**

The Department will bear the cost of the proposed rule.

- **Classes of persons that will benefit from the proposed rulemaking:**

Department employees who have had personal items damaged or destroyed during the course of employment will benefit.

2. **Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:**

- **Quantitative description of impact:**

The Department is authorized to expend up to $150 per item, or any other amount authorized by a collective bargaining agreement to which an individual employee is subject, as reimbursement for replacement or repair of personal items pursuant to Iowa Code section 80.18.

- **Qualitative description of impact:**

Department employees can be reimbursed for replacement or repair of personal items that were destroyed or damaged during the course of employment.

3. **Costs to the State:**

- **Implementation and enforcement costs borne by the agency or any other agency:**

The Department is authorized to expend up to $150 per item, or any other amount authorized by a collective bargaining agreement to which an individual employee is subject, as reimbursement for replacement or repair of personal items pursuant to Iowa Code section 80.18.

- **Anticipated effect on State revenues:**

There is no anticipated effect on State revenues.

4. **Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:**

Inaction would make the process and requirements to file a claim for reimbursement unclear to employees or anyone attempting to understand the process as outlined in Iowa Code section 80.18.

5. **Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:**

The Department has determined that this is the least costly and least intrusive method for achieving the purpose of the proposed rulemaking.

6. **Alternative methods considered by the agency:**

- **Description of any alternative methods that were seriously considered by the agency:**

None were identified.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

Not applicable.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking will not have a substantial impact on small business.

Text of Proposed Rulemaking

ITEM 1. Rescind 661—Chapter 41 and adopt the following **new** chapter in lieu thereof:

CHAPTER 41
PAYMENT OF SMALL CLAIMS TO EMPLOYEES

661—41.1(17A,80) Authorization to reimburse. The department is authorized to expend up to $150 per item, or any other amount authorized by a collective bargaining agreement to which an individual employee is subject, as reimbursement for replacement or repair of personal items pursuant to Iowa Code section 80.18. The following requirements apply for filing such claims with the department:

41.1(1) An employee making a claim for reimbursement will provide the employee's immediate supervisor with a detailed written account of the circumstances under which the loss occurred, a description of the nature and ownership of the item destroyed or damaged and any available information, including the names and other identifiers of any witness, that can be used to verify the loss.

41.1(2) An employee filing a claim for reimbursement pursuant to this rule will also provide the employee's immediate supervisor with vendors' estimates of replacement costs and with estimates of repair costs of damaged items.

41.1(3) Reimbursement shall be based on a determination of the most economical and adequate compensation for the loss, taking into account the extent of the damage, the feasibility of repair and the cost of replacement.

This rule is intended to implement Iowa Code section 80.18.