

70A.29 Reprisals prohibited — political subdivisions — penalty — civil remedies.

1. A person shall not discharge an employee from or take or fail to take action regarding an employee's appointment or proposed appointment to, promotion or proposed promotion to, or any advantage in, a position in employment by a political subdivision of this state as a reprisal for a disclosure of any information by that employee to a member or employee of the general assembly, an official of that political subdivision, a person providing human resource management for that political subdivision, or a state official, or for a disclosure of information to any other public official or law enforcement agency if the employee, in good faith, reasonably believes the information evidences a violation of law or rule, mismanagement, a gross abuse of funds, an abuse of authority, or a substantial and specific danger to public health or safety. This section does not apply if the disclosure of the information is prohibited by statute.

2. A person who violates subsection 1 commits a simple misdemeanor.

3. Subsection 1 may be enforced through a civil action.

a. A person who violates subsection 1 is liable to an aggrieved employee for affirmative relief including reinstatement, with or without back pay, civil damages in an amount not to exceed three times the annual wages and benefits received by the aggrieved employee prior to the violation of subsection 1, and any other equitable relief the court deems appropriate, including attorney fees and costs.

b. When a person commits, is committing, or proposes to commit an act in violation of subsection 1, an injunction may be granted through an action in district court to prohibit the person from continuing such acts. The action for injunctive relief may be brought by an aggrieved employee, the county attorney, or the person providing human resource management for the political subdivision.

4. Each political subdivision of this state subject to the requirements of this section shall provide procedures for notifying new employees of the authority of the office of ombudsman to investigate complaints under chapter 2C and shall provide information to all employees of the political subdivision, including the toll-free telephone number of the ombudsman.

85 Acts, ch 60, §1

CS85, §79.29

89 Acts, ch 124, §3

C93, §70A.29

2019 Acts, ch 109, §2 – 4

Referred to in §20.8, 279.51A, 279.73

Reprisals relating to state merit system prohibited, see §8A.417