

# House Amendment 1159

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1 1 Amend House File 647 as follows:

1 2 #1. Page 1, by inserting after line 1 the  
1 3 following:

1 4 1 5 to read as follows:

1 6 29A.43 DISCRIMINATION PROHIBITED == LEAVE OF  
1 7 ABSENCE == CONTINUATION OF HEALTH COVERAGE.

1 8 1. A person shall not discriminate against any  
1 9 officer or enlisted person of the national guard or  
1 10 organized reserves of the armed forces of the United  
1 11 States because of that membership. An employer, or  
1 12 agent of an employer, shall not discharge a person  
1 13 from employment because of being an officer or  
1 14 enlisted person of the military forces of the state,  
1 15 or hinder or prevent the officer or enlisted person  
1 16 from performing any military service the person is  
1 17 called upon to perform by proper authority. A member  
1 18 of the national guard or organized reserves of the  
1 19 armed forces of the United States ordered to temporary  
1 20 duty, as defined in section 29A.1, subsection 1, 3, or  
1 21 11, for any purpose is entitled to a leave of absence  
1 22 during the period of the duty or service, from the  
1 23 member's private employment, other than employment of  
1 24 a temporary nature, and upon completion of the duty or  
1 25 service the employer shall restore the person to the  
1 26 position held prior to the leave of absence, or employ  
1 27 the person in a similar position. However, the person  
1 28 shall give evidence to the employer of satisfactory  
1 29 completion of the training or duty, and that the  
1 30 person is still qualified to perform the duties of the  
1 31 position. The period of absence shall be construed as  
1 32 an absence with leave, and shall in no way affect the  
1 33 employee's rights to vacation, sick leave, bonus, or  
1 34 other employment benefits relating to the employee's  
1 35 particular employment. A person violating a provision  
1 36 of this section is guilty of a simple misdemeanor.

1 37 2. An officer or enlisted person of the national  
1 38 guard or organized reserves of the armed forces of the  
1 39 United States who has coverage under a group policy  
1 40 for accident or health insurance as an employee or  
1 41 member or as the spouse or covered dependent child of  
1 42 an employee or member, whose coverage under the group  
1 43 policy would otherwise terminate while the officer or  
1 44 enlisted person was on a leave of absence during a  
1 45 period of temporary duty or service, for any purpose,  
1 46 as defined in section 29A.1, subsection 1, 3, or 11,  
1 47 shall be considered to have been continuously insured  
1 48 under the group policy for the purpose of obtaining  
1 49 coverage under the group policy upon a return to  
1 50 employment or to status as a full-time student who is  
2 1 twenty-five years of age or less. This subsection  
2 2 does not apply to coverage of an injury suffered or a  
2 3 disease contracted by a member of the national guard  
2 4 or organized reserves of the armed forces of the  
2 5 United States in the line of duty.>

2 6 #2. By renumbering as necessary.

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2 10 PETERSEN of Polk

2 11 HF 647.301 80

2 12 jj/cf