

House File 2526

H-8615

1 Amend the Senate amendment, H-8568, to House File
2 2526, as amended, passed, and reprinted by the House,
3 as follows:

4 1. Page 7, after line 32 by inserting:

5 <____. Page 113, after line 17 by inserting:

6 <Sec. _____. NEW SECTION. 135.30B **Expressing breast**
7 **milk in the workplace.**

8 1. For the purpose of this section, unless the
9 context otherwise requires:

10 a. "*Employer*" means a person engaged in a business
11 that has one or more employees and also includes the
12 state of Iowa, a department or agency thereof, and any
13 political subdivision of the state.

14 b. "*Reasonable efforts*" means any effort that would
15 not impose an undue hardship on the operation of the
16 employer's business.

17 c. "*Undue hardship*" means any action that requires
18 significant difficulty, compromises the safety of other
19 employees, requires temporary facility closure, or
20 results in expenditures exceeding five hundred dollars,
21 exclusive of the costs of additional labor or unpaid
22 leave costs.

23 2. a. An employer shall provide reasonable unpaid
24 break time or permit an employee to use paid break
25 time, meal time, or both, each day, to allow the
26 employee to express breast milk for the employee's
27 nursing child for up to two years after the child's
28 birth.

29 b. The employer shall make reasonable efforts
30 to provide a place, other than a toilet stall, which
31 is shielded from view and free from intrusion from
32 coworkers and the public, that may be used by an
33 employee to express breast milk in privacy.

34 c. The department of public health shall provide
35 on its internet site information and links to other
36 internet sites where employers can access information
37 regarding methods to accommodate employees who express
38 breast milk in the workplace. The department shall
39 consult with appropriate organizations or associations
40 to determine the appropriate information and internet
41 site links so as to provide employers with the most
42 accurate and useful information available.

43 d. (1) An employee shall provide notice to an
44 employer of the employee's need for time and a location
45 to express breast milk at least sixty days prior to the
46 anticipated date that the employee will give birth.

47 (2) If an employee gives birth more than sixty days
48 prior to the employee's anticipated date of delivery,
49 or the employee is hired while breast-feeding, the
50 employee shall notify the employer within a reasonable

1 time about the employee's need for time and a location
2 to express breast milk.

3 e. (1) At least thirty days prior to the
4 anticipated date that the employee will give birth,
5 the employer and employee shall establish a written
6 agreement pursuant to the provisions of this
7 subsection. The agreement shall be signed by the
8 employer or the employer's designee and the employee
9 and shall be notarized by a third party, who may
10 be another employee of the employer. A copy of the
11 agreement shall be given to the employee and a copy
12 placed in the employee's personnel file.

13 (2) If an employee gives birth more than
14 thirty days prior to the employee's anticipated
15 date of delivery, or the employee is hired while
16 breast-feeding, the employer and employee shall
17 establish a written agreement pursuant to the
18 provisions of this subsection as soon as practicable.
19 The agreement shall be signed by the employer or
20 the employer's designee and the employee and shall
21 be notarized by a third party, who may be another
22 employee of the employer. A copy of the agreement
23 shall be given to the employee and a copy placed in the
24 employee's personnel file.

25 (3) If an employer and employee are unable to agree
26 on the amount of time, the location, or both for the
27 employee to express breast milk, the employee may file
28 a written or electronic complaint using a form provided
29 by the Iowa civil rights commission on its internet
30 site.

31 3. A person who knowingly violates any provision
32 of this section, the rules adopted to implement this
33 section, or a lawful order, written or oral, of the
34 department or authorized agents of the department,
35 commits a simple misdemeanor.>

36 _____. Title page, line 3, after <appropriations> by
37 inserting: <providing a penalty,>>

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