

House File 902 - Enrolled

House File 902

AN ACT

RELATING TO COVID-19 VACCINATION REQUIREMENTS BY EMPLOYERS
AND UNEMPLOYMENT INSURANCE AND INCLUDING EFFECTIVE DATE
PROVISIONS.

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

Section 1. NEW SECTION. 94.1 Definitions.

As used in this chapter, unless the context otherwise
requires:

1. "COVID-19" means the same as defined in section 686D.2.
2. "Employee" means an individual who is employed in
this state for wages by an employer. "Employee" includes an
applicant for employment.

3. "*Employer*" means a person, as defined in chapter 4, who employs an individual in this state for wages.

Sec. 2. NEW SECTION. 94.2 COVID-19 vaccination requirements by employers — waiver.

An employer that requires an employee to receive a COVID-19 vaccine shall waive the requirement if the employee, or, if the employee is a minor, the employee's parent or legal guardian, requests a waiver and submits either of the following to the employer:

1. A statement that receiving the vaccine would be injurious to the health and well-being of the employee or an individual residing with the employee.

2. A statement that receiving the vaccine would conflict with the tenets and practices of a religion of which the employee is an adherent or member.

Sec. 3. NEW SECTION. 96.5A Refusal of COVID-19 vaccination — no disqualification.

Notwithstanding any other provision of this chapter to the contrary, an individual who is discharged from employment for refusing to receive a vaccination against COVID-19, as defined in section 686D.2, shall not be disqualified for benefits on account of such discharge.

Sec. 4. Section 96.7, Code 2022, is amended by adding the following new subsection:

NEW SUBSECTION. 12. *Discharge for refusal of COVID-19 vaccination — effect on experience and rating — limitation on actions.* If an employee is discharged from employment for refusing to receive a vaccination against COVID-19, as defined in section 686D.2, the contribution rate and unemployment experience of any employer employing the employee, or an employer that previously employed the employee other than the employer that so discharged the employee, shall be unaffected by such discharge. The department shall not impose any penalty on, or take any other action otherwise permitted under this chapter against, any employer employing the employee, or an employer that previously employed the employee other than the employer that so discharged the employee, as a result of such discharge.

Sec. 5. EFFECTIVE DATE. This Act, being deemed of immediate importance, takes effect upon enactment.

PAT GRASSLEY
Speaker of the House

JAKE CHAPMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 902, Eighty-ninth General Assembly.

MEGHAN NELSON
Chief Clerk of the House

Approved _____, 2021

KIM REYNOLDS
Governor