

FILED MAR 17 '03

SENATE FILE 420

BY HOLVECK

Passed Senate, Date _____ Passed House, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act concerning state employees who are volunteer fire fighters
2 or reserve peace officers.

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

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SF 420 STATE GOVERNMENT

1 Section 1. NEW SECTION. 70A.27 RESERVE PEACE OFFICERS --
2 VOLUNTEER FIRE FIGHTERS -- UNEXPLAINED LEAVE.

3 1. A person shall not discharge an employee from or take
4 or fail to take action regarding an employee's appointment or
5 proposed appointment to, promotion or proposed promotion to,
6 or any advantage in, a position in a state employment system
7 administered by, or subject to approval of, a state agency as
8 a reprisal for a failure by that employee to inform the person
9 that the employee will be absent from work during the
10 employee's normal work hours if the employee had been serving
11 as a reserve peace officer as defined in section 80D.1A, or as
12 a volunteer fire fighter, as defined in section 85.61, within
13 four hours of the time the employee's normal work schedule is
14 to start.

15 2. A state employee shall be required to inform the person
16 who is the employee's employer that the employee is a reserve
17 peace officer or volunteer fire fighter subject to duty during
18 hours that may make this section applicable and may also be
19 required to provide documentation verifying the duty to which
20 this section applies.

21 3. This section may be enforced through a civil action and
22 a person who violates this section is liable to an aggrieved
23 employee for affirmative relief including reinstatement, with
24 or without back pay, or any other equitable relief the court
25 deems appropriate, including attorney fees and costs.

26 EXPLANATION

27 This bill provides that no adverse employment action shall
28 be taken against a state employee who serves as a reserve
29 peace officer or volunteer fire fighter within four hours of
30 the employee's normal start of work and who is absent from
31 work for that workday and fails to notify the employee's
32 employer about the absence. The bill provides that the state
33 employee shall inform the employee's employer concerning the
34 employee's service as a reserve peace officer or volunteer
35 fire fighter and the employee may be required to submit

1 documentation concerning an unexplained absence from work due
2 to the requirements of this bill. The bill provides that this
3 new Code section can be enforced through a civil action.

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