

Senate File 2012 - Introduced

SENATE FILE 2012

BY NUNN, GUTH, SHIPLEY, GREEN,
KLIMESH, LOFGREN, REICHMAN,
SWEENEY, ZAUN, and COSTELLO

A BILL FOR

1 An Act prohibiting the labor commissioner from implementing,
2 enforcing, or conforming to certain federal occupational
3 safety and health standards relating to COVID-19 and
4 including effective date provisions.

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

1 Section 1. Section 88.5, Code 2022, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 12. *Standards relating to COVID-19 —*
4 *limitation.* Notwithstanding any other provision of this chapter
5 to the contrary, the commissioner shall not implement, enforce,
6 or conform to any federal occupational safety and health
7 standard relating to COVID-19, as defined in section 686D.2,
8 that would require an employer to do any of the following:

9 a. Determine whether or not an employee or prospective
10 employee has received a COVID-19 vaccine.

11 b. Determine whether or not an employee or prospective
12 employee has received a test for current or past COVID-19
13 infection or inquire about the results of such a test.

14 c. Conduct a test to determine whether or not an employee or
15 prospective employee has or has ever had a COVID-19 infection.

16 Sec. 2. EFFECTIVE DATE. This Act, being deemed of immediate
17 importance, takes effect upon enactment.

18 EXPLANATION

19 The inclusion of this explanation does not constitute agreement with
20 the explanation's substance by the members of the general assembly.

21 This bill prohibits the labor commissioner from
22 implementing, enforcing, or conforming to any federal
23 occupational safety and health standard relating to COVID-19
24 that would require an employer to carry out certain actions
25 relating to COVID-19. The actions are determining whether or
26 not an employee or prospective employee has received a COVID-19
27 vaccine, determining whether or not an employee or prospective
28 employee has received a test for current or past COVID-19
29 infection or inquiring about the results of such a test, or
30 conducting a test to determine whether or not an employee or
31 prospective employee has or has ever had a COVID-19 infection.

32 The bill takes effect upon enactment.