

**Senate File 355 - Introduced**

SENATE FILE 355  
BY COMMITTEE ON STATE  
GOVERNMENT

(SUCCESSOR TO SSB 1024)

**A BILL FOR**

1 An Act relating to fees charged to employees by employers for  
2 copies of personnel files and including effective date and  
3 retroactive applicability provisions.

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

1 Section 1. Section 91B.1, subsection 2, paragraph c, Code  
2 2021, is amended to read as follows:

3 c. An employer shall provide an employee with one copy of  
4 the employee's personnel file at no charge upon request. For  
5 each subsequent copy requested by the employee, an employer may  
6 charge a reasonable fee for each page of a copy made by the  
7 employer for an employee of an item in the employee's personnel  
8 file. An employer may provide the first or subsequent copies  
9 electronically. For purposes of this paragraph, "*reasonable*  
10 *fee*" means an amount equivalent to an amount charged per page  
11 for copies made by a commercial copying business.

12 Sec. 2. REIMBURSEMENT BY EMPLOYERS. An employer who charged  
13 an employee, including a former employee, a fee to obtain an  
14 initial copy of the employee's personnel file pursuant to  
15 section 91B.1, subsection 2, paragraph "c", on or after January  
16 1, 2021, shall reimburse the employee for the amount of the  
17 fee.

18 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate  
19 importance, takes effect upon enactment.

20 Sec. 4. RETROACTIVE APPLICABILITY. This Act applies  
21 retroactively to copies of personnel files obtained by  
22 employees pursuant to section 91B.1 on or after January 1,  
23 2021.

24 EXPLANATION

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

27 This bill requires employers to provide employees with  
28 one copy of the employee's personnel file at no charge  
29 upon request. Under current law, an employer may charge a  
30 reasonable fee for each page of a copy made by the employer for  
31 an employee of an item in the employee's personnel file. The  
32 bill permits employers to charge such fees for any subsequent  
33 copies requested. The bill permits employers to provide first  
34 or subsequent copies electronically.

35 The bill requires an employer who charged an employee,

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1 including a former employee, a fee to obtain an initial copy of  
2 the employee's personnel file on or after January 1, 2021, to  
3 reimburse the employee for the amount of the fee.

4 The bill takes effect upon enactment and applies  
5 retroactively to copies of personnel files obtained by  
6 employees on or after January 1, 2021.