

**Senate File 485 - Introduced**

SENATE FILE 485  
BY COMMITTEE ON LABOR AND  
BUSINESS RELATIONS

(SUCCESSOR TO SSB 1029)

**A BILL FOR**

1 An Act requiring employers to provide reasonable accommodations  
2 to employees based on pregnancy or childbirth and providing  
3 civil penalties.

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

1 Section 1. Section 84A.5, subsection 4, Code 2021, is  
2 amended to read as follows:

3 4. The division of labor services is responsible for the  
4 administration of the laws of this state under [chapters 88,](#)  
5 [88A, 88B, 89, 89A, 89B, 90A, 91, 91A, 91C, 91D, 91E, 91F, 92,](#)  
6 [and 94A,](#) and [sections 73A.21 and 85.68.](#) The executive head of  
7 the division is the labor commissioner, appointed pursuant to  
8 section 91.2.

9 Sec. 2. Section 91.4, subsection 2, Code 2021, is amended  
10 to read as follows:

11 2. The director of the department of workforce development,  
12 in consultation with the labor commissioner, shall, at the  
13 time provided by law, make an annual report to the governor  
14 setting forth in appropriate form the business and expense of  
15 the division of labor services for the preceding year, the  
16 number of remedial actions taken under [chapter 89A,](#) the number  
17 of disputes or violations processed by the division and the  
18 disposition of the disputes or violations, and other matters  
19 pertaining to the division which are of public interest,  
20 together with recommendations for change or amendment of the  
21 laws in [this chapter](#) and [chapters 88, 88A, 88B, 89, 89A, 89B,](#)  
22 [90A, 91A, 91C, 91D, 91E, 91F, 92,](#) and [94A,](#) and [section 85.68,](#)  
23 and the recommendations, if any, shall be transmitted by the  
24 governor to the first general assembly in session after the  
25 report is filed.

26 Sec. 3. NEW SECTION. **91F.1 Reasonable accommodations to**  
27 **employees — pregnancy or childbirth.**

28 1. An employer shall provide reasonable accommodations  
29 to an employee based on medical conditions related to the  
30 employee's pregnancy or childbirth if the employee so requests  
31 with the advice of the employee's health care provider.

32 2. For purposes of this section, "*reasonable accommodations*"  
33 means actions which would permit an employee with a medical  
34 condition relating to the employee's pregnancy or childbirth to  
35 perform in a reasonable manner the activities involved in the

1 employee's specific occupation and include but are not limited  
2 to the provision of an accessible worksite, acquisition or  
3 modification of equipment, job restructuring, and a modified  
4 work schedule. "Reasonable accommodations" does not mean any  
5 action that would impose an undue hardship on the business of  
6 the employer from whom the action is requested.

7 Sec. 4. NEW SECTION. **91F.2 Penalties.**

8 1. An employer who violates section 91F.1 is subject to a  
9 civil penalty of up to seven hundred fifty dollars.

10 Sec. 5. NEW SECTION. **91F.3 Duties and authority of the**  
11 **commissioner.**

12 1. The commissioner shall adopt rules to implement and  
13 enforce this chapter and shall provide exemptions from the  
14 provisions of this chapter where reasonable.

15 2. In order to carry out the purposes of this chapter,  
16 the commissioner or the commissioner's representative, upon  
17 presenting appropriate credentials to the owner, operator, or  
18 agent in charge, may:

19 a. Inspect employment records relating to the total number  
20 of employees and pregnant employees or employees recovering  
21 from childbirth, and the services provided to pregnant  
22 employees or employees recovering from childbirth.

23 b. Interview an employer, owner, operator, agent, or  
24 employee, during working hours or at other reasonable times.

25 Sec. 6. NEW SECTION. **91F.4 Collective bargaining**  
26 **agreements.**

27 Compliance with the minimum standards required in this  
28 chapter shall not be subject to or considered in collective  
29 bargaining.

30 EXPLANATION

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

33 This bill requires employers to provide reasonable  
34 accommodations to employees based on pregnancy or childbirth.

35 The bill requires an employer to provide reasonable

1 accommodations to an employee based on medical conditions  
2 related to the employee's pregnancy or childbirth if the  
3 employee requests reasonable accommodations with the advice of  
4 the employee's health care provider.

5 The bill defines "reasonable accommodations" as actions  
6 which would permit an employee with a medical condition  
7 relating to the employee's pregnancy or childbirth to  
8 perform in a reasonable manner the activities involved in  
9 the employee's specific occupation and include but are not  
10 limited to the provision of an accessible worksite, acquisition  
11 or modification of equipment, job restructuring, and a  
12 modified work schedule. The bill provides that "reasonable  
13 accommodations" does not mean any action that would impose an  
14 undue hardship on the business of the employer from whom the  
15 action is requested.

16 The bill provides that an employer who violates the bill is  
17 subject to a civil penalty of up to \$750. The commissioner  
18 shall adopt rules to enforce the bill and provide exemptions  
19 where reasonable. The commissioner or commissioner's  
20 representative upon presenting appropriate credentials to  
21 the person in charge may inspect employment records relating  
22 to the total number of employees and pregnant employees or  
23 employees recovering from childbirth and the services provided  
24 to pregnant employees or employees recovering from childbirth,  
25 as well as interview an employer, operator, owner, agent, or  
26 employee during working hours or at other reasonable times.

27 The bill provides that compliance with minimum standards  
28 required by the bill shall not be subject to or considered in  
29 collective bargaining.