

Senate Study Bill 1024 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON SMITH)

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. For purposes of this paragraph, "reasonable fee" means an
9 amount equivalent to an amount charged per page for copies made
10 by a commercial copying business.

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

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

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

23 EXPLANATION

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

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

33 The bill requires an employer who charged an employee,
34 including a former employee, a fee to obtain an initial copy of
35 the employee's personnel file on or after January 1, 2021, to

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1 reimburse the employee for the amount of the fee.

2 The bill takes effect upon enactment and applies

3 retroactively to copies of personnel files obtained by

4 employees on or after January 1, 2021.