

**House File 675 - Introduced**

HOUSE FILE 675

BY COOLING, WILBURN, JAMES,  
LEVIN, B. MEYER, KONFRST,  
MATSON, KRESSIG, BAGNIEWSKI,  
MADISON, CROKEN, R. JOHNSON,  
AMOS JR., SRINIVAS,  
EHLERT, OLSON, SCHOLTEN,  
WESSEL-KROESCHELL, and  
NIELSEN

**A BILL FOR**

1 An Act requiring employers to provide employees with meal periods  
2 and rest periods and providing penalties.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 10A.202, subsection 2, Code 2025, is  
2 amended to read as follows:

3 2. The department is responsible for the administration of  
4 the laws of this state under chapters 88A, 88B, 89, 89A, 90A,  
5 91A, 91C, 91D, 91E, 91F, 92, and such other labor-services duties  
6 assigned to the department or director.

7 Sec. 2. Section 10A.204, subsection 3, Code 2025, is amended  
8 to read as follows:

9 3. The director, in consultation with the labor commissioner,  
10 shall, at the time provided by law, make an annual report to  
11 the governor setting forth in appropriate form the business and  
12 expense of the division and department under this subchapter for  
13 the preceding year, the number of remedial actions taken under  
14 chapter 89A, the number of disputes or violations processed by  
15 the division or department and the disposition of the disputes  
16 or violations, and other matters pertaining to the division or  
17 department under this subchapter which are of public interest,  
18 together with recommendations for change or amendment of the  
19 laws in this chapter and chapters 88, 88A, 88B, 89, 89A, 89B,  
20 90A, 91A, 91C, 91D, 91E, 91F, and 92, and sections 85.67A and  
21 85.68, and the recommendations, if any, shall be transmitted by  
22 the governor to the first general assembly in session after the  
23 report is filed.

24 Sec. 3. NEW SECTION. **91F.1 Meal and rest periods —**  
25 **requirements.**

26 1. As used in this chapter, unless the context otherwise  
27 requires:

28 a. "Director" means the director of the department of  
29 inspections, appeals, and licensing.

30 b. "Employee" means a natural person who is employed in this  
31 state for wages by an employer.

32 c. "Employer" means a person, as defined in section 4.1, who  
33 in this state employs for wages a natural person. An employer  
34 does not include a client, patient, customer, or other person who  
35 obtains professional services from a licensed person providing

1 the services on a fee service basis or as an independent  
2 contractor.

3 2. An employer shall provide an employee with appropriate  
4 meal periods and appropriate rest periods.

5 a. An appropriate meal period shall be a period of not less  
6 than thirty minutes during an employee's work period in which an  
7 employee works at least seven hours. The meal period shall be  
8 taken between the second and fifth hours. If an employee works  
9 more than seven hours, the meal period shall be taken between the  
10 third and sixth hours.

11 b. An appropriate rest period shall be a paid period of not  
12 less than ten minutes during every consecutive four-hour period  
13 of work taken by an employee approximately in the middle of each  
14 four-hour period. The rest period is in addition to a meal  
15 period, if applicable, and shall not be added to a meal period  
16 or deducted from the work period to reduce the overall length of  
17 the total work period.

18 3. An employer is not required to pay for a meal period if  
19 an employee is free from work duties during the employee's entire  
20 meal period. An employee shall be paid for the meal period if  
21 any of the following occur:

22 a. The employee is required or allowed to remain on duty.

23 b. The employee is required to be on-call at the work  
24 premises or designated worksite in order to be available to  
25 return to duty even if the employee is not called back to duty.

26 c. The employee is called back to duty during the employee's  
27 meal period even though the employee is not usually on-call  
28 during the meal period.

29 Sec. 4. NEW SECTION. **91F.2 Meal and rest periods —**  
30 **exemptions.**

31 1. Meal and rest period requirements may be modified by the  
32 terms of a collective bargaining agreement if the collective  
33 bargaining agreement entered into by the employees prescribes  
34 specific terms concerning meal periods and rest periods.

35 2. Meal and rest period requirements apply to hourly paid

1 and salary-paid employees. Management or employees involved  
2 in agricultural jobs are not required to have breaks or meal  
3 breaks. For the purposes of this section, agricultural jobs do  
4 not include work in the production of seed, limited to removal  
5 of off-type plants and corn tassels and hand-pollinating during  
6 the months of June, July, and August by persons ages fourteen and  
7 older.

8 3. Meal period requirements may be waived if an employer  
9 shows that the ordinary nature and circumstance of the work  
10 prevented the employer from establishing and maintaining a  
11 regularly scheduled meal period. The factors that may be  
12 considered regarding the waiver of the requirements are limited  
13 to the following:

14 a. The safety and health needs of employees, patients,  
15 clients, and the public.

16 b. The lack of other employees available to provide relief to  
17 an employee.

18 c. The cost involved in shutdown and startup of machinery in  
19 continuous operation of the industrial process.

20 d. The intermittent and unpredictable workflow not controlled  
21 by the employer or employee.

22 e. Unforeseeable equipment failures, emergencies, or acts of  
23 nature that require immediate and uninterrupted attention by an  
24 employee.

25 Sec. 5. NEW SECTION. **91F.3 Civil penalties.**

26 1. Any employer who violates the provisions of this chapter  
27 or the rules adopted pursuant to this chapter is subject to  
28 a civil penalty of not more than one hundred dollars for each  
29 violation. The director may recover the civil penalty according  
30 to subsections 2 through 5. Any civil penalty recovered shall be  
31 deposited in the general fund of the state.

32 2. The director may propose that an employer be assessed  
33 a civil penalty by serving the employer with notice of such  
34 proposal in the same manner as an original notice is served under  
35 the rules of civil procedure. Upon service of such notice, the

1 proposed assessment shall be treated as a contested case under  
2 chapter 17A. However, to remain a contested case, an employer  
3 must request a hearing within thirty days of being served.

4 3. If an employer does not request a hearing pursuant to  
5 subsection 2 or if the director determines, after an appropriate  
6 hearing, that an employer is in violation of this chapter or  
7 the rules adopted pursuant to this chapter, the director shall  
8 assess a civil penalty which is consistent with the provisions of  
9 subsection 1 and which is rendered with due consideration for the  
10 penalty amount in terms of the size of the employer's business,  
11 the gravity of the violation, the good faith of the employer, and  
12 the history of previous violations.

13 4. An employer may seek judicial review of any assessment  
14 rendered under subsection 3 by instituting proceedings for  
15 judicial review pursuant to chapter 17A. However, such  
16 proceedings must be instituted in the district court of the  
17 county in which the violation or one of the violations occurred  
18 and within thirty days of the day on which the employer was  
19 notified that an assessment has been rendered. Also, an employer  
20 may be required, at the discretion of the district court and  
21 upon instituting such proceedings, to deposit the amount assessed  
22 with the clerk of the district court. Any moneys so deposited  
23 shall either be returned to the employer or be forwarded to the  
24 director for deposit in the general fund of the state, depending  
25 on the outcome of the judicial review, including any appeal to  
26 the supreme court.

27 5. After the time for seeking judicial review has expired or  
28 after all judicial review has been exhausted and the director's  
29 assessment has been upheld, the director shall request the  
30 attorney general to recover the assessed penalties in a civil  
31 action.

32 **Sec. 6. NEW SECTION. 91F.4 Duties and authority of**  
33 **director.**

34 1. The director shall provide further exemptions from the  
35 provisions in this chapter by rule when reasonable.

1 2. In order to carry out the purposes of this chapter, the  
2 director or the director's designee, upon presenting appropriate  
3 credentials to the employer or agent of the employer, may do any  
4 of the following:

5 a. Inspect employment records relating to meal and rest  
6 periods for employees.

7 b. Interview an employer or employee or an agent of the  
8 employer or employee, during working hours or at other reasonable  
9 times.

10 3. The director shall adopt rules pursuant to chapter 17A to  
11 administer this chapter.

12 EXPLANATION

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

15 This bill requires an employer to provide an employee with  
16 appropriate meal periods and appropriate rest periods.

17 The bill states that an appropriate meal period shall be not  
18 less than 30 minutes during an employee's work period of at least  
19 seven hours. The meal period is to be taken between the second  
20 and fifth hours of the work or, if the employee works more than  
21 seven hours, between the third and sixth hours.

22 The bill states that an appropriate rest period shall be a  
23 paid period of not less than 10 minutes during every four-hour  
24 work period. The rest period is taken in the middle of the work  
25 period. The rest period is in addition to the meal period and  
26 cannot be added to the meal period or deducted from the work  
27 period to reduce the overall length of the total work period.

28 The bill defines an "employee" as a natural person who is  
29 employed in this state for wages by an employer. An "employer"  
30 is defined as a person, as defined in Code section 4.1, who  
31 employs a natural person for wages.

32 The bill provides that an employer is not required to pay for  
33 a meal period if an employee is free from work duties during the  
34 employee's entire meal period.

35 The bill allows three exemptions to the meal and rest period

1 requirements. The first exemption is if the meal and rest  
2 period requirements are modified by the terms of a collective  
3 bargaining agreement. However, the exemption is valid only  
4 if the collective bargaining agreement entered into by the  
5 employees prescribes specific terms concerning meal periods and  
6 rest periods.

7 The second exemption states that meal and rest period  
8 requirements apply to hourly paid and salary-paid employees.  
9 However, management or employees involved in certain agricultural  
10 jobs are not required to have breaks or meal breaks.

11 The third exemption is if an employer shows that the ordinary  
12 nature and circumstance of the work prevented the employer from  
13 establishing and maintaining a regular scheduled meal period.

14 The bill provides civil penalties for violating the new Code  
15 chapter. An employer who violates the provisions shall be  
16 subject to a penalty of up to \$100 for each violation. The  
17 director of the department of inspections, appeals, and licensing  
18 may recover the penalties under Code chapter 17A contested case  
19 procedures. Any penalties recovered shall be deposited in the  
20 general fund of the state.

21 The director may propose that an employer be assessed a  
22 penalty by serving the employer with notice of a penalty in the  
23 same manner as an original notice is served under the rules of  
24 civil procedure.

25 The bill provides the director with the authority to provide  
26 further exemptions from the requirements of the bill by rule when  
27 reasonable. Also, the director or the director's designee may  
28 inspect employment records relating to rest periods for employees  
29 and interview an employer or employee or an agent of the employer  
30 or employee, during working hours or at other reasonable times.