

Senate File 134 - Introduced

SENATE FILE 134

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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:

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1 Section 1. NEW SECTION. **216.23 Reasonable accommodations to**
2 **employees — pregnancy or childbirth.**

3 1. An employer shall provide reasonable accommodations to an
4 employee based on medical conditions related to the employee's
5 pregnancy or childbirth if the employee so requests with the
6 advice of the employee's health care provider.

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

17 Sec. 2. NEW SECTION. **216.24 Penalties.**

18 An employer who violates section 216.23 is subject to a civil
19 penalty of up to seven hundred fifty dollars.

20 Sec. 3. NEW SECTION. **216.25 Duties and authority of the**
21 **director.**

22 1. The director shall adopt rules to implement and enforce
23 section 216.23 and shall provide exemptions from the provisions
24 of section 216.23 where reasonable.

25 2. In order to carry out the purposes of section 216.23,
26 the director or the director's representative, upon presenting
27 appropriate credentials to the owner, operator, or agent in
28 charge, may:

29 a. Inspect employment records relating to the total number
30 of employees and pregnant employees or employees recovering from
31 childbirth, and the services provided to pregnant employees or
32 employees recovering from childbirth.

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

35 Sec. 4. NEW SECTION. **216.26 Collective bargaining**

1 **agreements.**

2 Compliance with the minimum standards required in section
3 216.23 shall not be subject to or considered in collective
4 bargaining.

5 EXPLANATION

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

8 This bill requires employers to provide reasonable
9 accommodations to employees based on pregnancy or childbirth.

10 The bill requires an employer to provide reasonable
11 accommodations to an employee based on medical conditions related
12 to the employee's pregnancy or childbirth if the employee
13 requests reasonable accommodations with the advice of the
14 employee's health care provider.

15 The bill defines "reasonable accommodations" as actions which
16 would permit an employee with a medical condition relating
17 to the employee's pregnancy or childbirth to perform in a
18 reasonable manner the activities involved in the employee's
19 specific occupation and include but are not limited to the
20 provision of an accessible worksite, acquisition or modification
21 of equipment, job restructuring, and a modified work schedule.
22 The bill provides that "reasonable accommodations" does not mean
23 any action that would impose an undue hardship on the business of
24 the employer from whom the action is requested.

25 The bill provides that an employer who violates the bill is
26 subject to a civil penalty of up to \$750. The director of the
27 Iowa office of civil rights shall adopt rules to enforce the
28 bill and provide exemptions where reasonable. The director or
29 director's representative upon presenting appropriate credentials
30 to the person in charge may inspect employment records relating
31 to the total number of employees and pregnant employees or
32 employees recovering from childbirth and the services provided
33 to pregnant employees or employees recovering from childbirth,
34 as well as interview an employer, operator, owner, agent, or
35 employee during working hours or at other reasonable times.

1 The bill provides that compliance with minimum standards
2 required by the bill shall not be subject to or considered in
3 collective bargaining.

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