SENATE FILE 2248
BY DONAHUE

A BILL FOR

1 An Act providing for paid family and medical leave to certain
2 employees who have a child receiving inpatient care in a
3 neonatal intensive care unit.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

unofficial

Section 1. Section 10A.202, subsection 2, Code 2026, is amended to read as follows:

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

Sec. 2. Section 10A.204, subsection 3, Code 2026, is amended to read as follows:

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

Sec. 3. NEW SECTION. **91F.1 Definitions.**

As used in this chapter, unless the context otherwise requires:

1. *"Director"* means the director of the department of inspections, appeals, and licensing.

2. *"Employee"* means an individual employed for wages in this state.

3. *"Employer"* means a person who employs ten or more full-time employees in this state.

Sec. 4. NEW SECTION. **91F.2 Paid family and medical leave — neonatal intensive care unit.**

An employer shall provide an employee who has a child

unofficial

receiving inpatient care in a neonatal intensive care unit with paid family and medical leave for the duration the child is receiving care in the unit, up to twelve weeks. Such leave shall be compensated at the same hourly rate or salary and with the same benefits, including health care benefits, as the employee normally earns during hours worked.

Sec. 5. NEW SECTION. **91F.3 Civil penalty.**

An employer who violates section 91F.2 is liable to an employee for back pay and any other equitable relief the court deems appropriate, including attorney fees and costs.

Sec. 6. NEW SECTION. **91F.4 Enforcement.**

The director shall have the authority to enforce this chapter and investigate alleged violations of this chapter.

Sec. 7. NEW SECTION. **91F.5 Rules.**

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

EXPLANATION

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

This bill requires an employer who employs 10 or more full-time employees in Iowa to provide an employee who has a child receiving inpatient care in a neonatal intensive care unit with paid family and medical leave for the duration the child is receiving care in the unit, up to 12 weeks. Such leave shall be compensated at the same hourly rate or salary and with the same benefits, including health care benefits, as the employee normally earns during hours worked.

An employer who violates this requirement is liable to an employee for back pay and any other equitable relief the court deems appropriate, including attorney fees and costs.

The bill provides the director of the department of inspections, appeals, and licensing the authority to enforce and investigate alleged violations of the bill.

unofficial