

70A.39 Blood, bone marrow, and living organ donation incentive program.

1. For the purposes of [this section](#):

- a. “*Blood*” means whole blood, power red, platelets, or plasma.
- b. “*Bone marrow*” means the soft tissue that fills human bone cavities.
- c. “*Living organ*” means one of two kidneys, one of two lobes of a liver, a lung or part of a lung, part of the pancreas, or part of the intestines.

2. State employees, excluding employees covered under a collective bargaining agreement which provides otherwise, shall be granted leaves of absence in accordance with the following:

a. A leave of absence of up to five workdays for an employee who requests a leave of absence to serve as a bone marrow donor if the employee provides written verification from the employee’s physician or the hospital involved with the bone marrow donation that the employee will serve as a bone marrow donor.

b. A leave of absence of up to thirty workdays for an employee who requests a leave of absence to serve as a living organ donor if the employee provides written verification from the employee’s physician or the hospital involved with the living organ donation that the employee will serve as a living organ donor.

c. A leave of absence of up to two consecutive hours in a workday for an employee who requests a leave of absence to serve as a voluntary blood donor if the employee provides written verification from the employee’s physician or the facility involved with the blood donation that the employee will serve as a voluntary blood donor. An employee may submit a request for a leave of absence under this paragraph no more than four times in a year.

3. An employee who is granted a leave of absence under [this section](#) shall receive leave without loss of seniority, pay, vacation time, personal days, sick leave, insurance and health coverage benefits, or earned overtime accumulation. The employee shall be compensated at the employee’s regular rate of pay for those regular work hours during which the employee is absent from work.

4. An employee deemed to be on leave under [this section](#) shall not be deemed to be an employee of the state for purposes of workers’ compensation or for purposes of the Iowa tort claims Act, [chapter 669](#).

[2003 Acts, ch 32, §1](#); [2003 Acts, 1st Ex, ch 2, §37, 209](#); [2014 Acts, ch 1026, §16](#); [2021 Acts, ch 85, §1](#); [2022 Acts, ch 1021, §24](#)

Subsection 2, paragraph c amended