

Iowa Employment Laws Quick Reference Guide

NOTE TO EMPLOYER: This reference guide provides a brief summary of important provisions and obligations of a number of employment laws and regulations affecting employers. It is not intended to be nor should it be viewed as an all-inclusive listing of all laws and regulations or the provisions and obligations associated with them. Because provisions and requirements are subject to change, this information will need to be reviewed to be certain it remains current. Always refer to specific laws or regulations for detailed descriptions of provisions and obligations and seek professional advice and counsel when further information or clarification is needed and when notified of any pending agency investigation or potential charges claiming to be a violation of law.

NOTE: The topic of firearms restrictions in the workplace is not addressed by Iowa firearms law. Therefore, Iowa employers can decide whether or not to have a specific weapons policy in their workplace.

NOTE: Bone Marrow and Organ Donation Leave is available to state employees, pursuant to 70A.39.

Iowa Law	Summary of Basic Provisions and Obligations	Compliance Thresholds
Access to Personnel Files	Requires employers to provide current employees access to the contents of their personnel file, except for references. Employee and employer agree on a time for the file review and the employee can have a representative present. Employer can charge reasonable copying fees.	1 or more employees
Background Checks	Iowa state law requires healthcare providers to undergo criminal and child and dependent adult abuse record checks prior to employment. Employers must obtain the applicant's consent prior to conducting background checks done by a third party. Consent forms must be separate from all other forms presented during the application process. If a certified copy of a criminal history report is requested, the employer must pay any associated fees.	1 or more employees
Child Labor	Requires employers hiring minors to adhere to restrictions. General prohibition of child labor if under 10 years. All children under 16 must have a work permit while working in a "permitted industry." Specific schedules and guidelines apply.	1 or more employees
Civil Rights Act	Prohibits discrimination based on age (over 18), race, creed, color, sex, sexual orientation, gender identity, pregnancy, national origin, religion, or disability. poster .	1 or more employees

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Contingent Workforce – Independent Contractors	Establishes the circumstances under which certain delivery/logistics contractors are not considered employees for purposes of various laws. Requires employers specify the relationship between employer and contractor as such and outline the details and expectations of the work to be performed. Does not apply to agricultural workers.	1 or more employees
Drug Testing	<p>NOTE: Workplace drug testing is <i>optional</i> for Iowa private sector employers. If an employer chooses to test employees and applicants, Iowa has extensive laws regarding drug and alcohol testing policies and practices which must be followed. An employer must comply with Iowa Code 730.5, which requires approved testing methodology of testing, testing protocols, written testing policy, and consequences of a positive test.</p> <p>All supervisors involved in drug testing must receive two hours of initial training and one hour of additional training every year thereafter. Training must include: (1) information concerning the recognition of evidence of employee alcohol and drug abuse, (2) documentation and corroboration of employee alcohol and other drug abuse, (3) EAP referral procedures.</p>	1 or more employees
Health Insurance and Continuation Rights (IA-COBRA)	Requires that employers offer nine months continuation of health care coverage to covered employees who have been continuously covered for three months prior to any qualifying event occurring. In addition, an employee's eligible dependents have the right to continue coverage upon the employee's death or upon dissolution or annulment of marriage. Specific requirements are outlined in the law.	Less than 20 employees (not covered by Federal COBRA)
Jury Duty Leave	Prohibits employers from taking adverse employment action against an employee who is serving on a jury.	1 or more employees
Military Leave	Similar to USERRA, provides Iowa employees who are members of the Guard, reserves, military forces of the state, or civil air patrol to take unpaid leave when called to federal or state temporary duty or service. Employers may not discriminate against these employees or discharge them due to their military affiliations. Upon their return, these employees must be reinstated to their former positions or to jobs with similar seniority, status, and pay.	1 or more employees

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Minimum Wage	Guarantees a minimum wage for workers. An Iowa employer is allowed to pay an “initial employment wage” for the first 90 days. Requires posting “Your Rights Under Iowa’s Minimum Wage” poster .	1 or more employees
New Hire Reporting	Requires employers to report new hires to the State Directory of New Hires within 20 days after the employee starts work for the purpose of collecting child support payments.	1 or more employees
Occupational Health and Safety Act (IA-OSHA)	Requires employers to provide safe work area through general duty and statute specific requirements. Requires posting “Job Safety and Health – It’s the Law” poster .	1 or more employees
Payment of Terminated Employees Wages	Requires final pay to be due no later than the next payday from pay period when the wages were earned. Vacation payout can follow organization’s policy.	1 or more employees
Pregnancy Disability Leave	Requires pregnancy accommodation for up to 8 weeks of unpaid leave, if other leave is not available. Pregnancy related disabilities must be treated as favorably as other temporary disabilities and may be treated more favorable.	4 or more employees
References	Employers acting reasonably and in good faith are immune from civil liability for providing work-related information about a current or former employee to prospective employers. Prohibits employers from taking action to reduce the employment opportunities of a current or former employee, other than providing truthful statements to prospective employers.	1 or more employees
Right to Work	Guarantees that no person can be compelled, as a condition of employment, to join or not to join, nor to pay dues to a labor union. Employers may not refuse to employ a person because of membership in a labor organization.	1 or more employees
Smokefree Air Act	Prohibits smoking in any place of employment. “Smoking break rooms” are also banned. Employers should post “no smoking” signs at every entrance, following Iowa’s specific signage requirements.	1 or more employees

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Time Off for Voting	Employees with less than 3 consecutive hours of non-work between the opening and closing of the polls must be given up to 3 hours of paid leave to vote. The employee must provide, in writing, the need for leave prior to the day of the election and the employer can then specify a time.	1 or more employees
Unemployment Insurance/ Employment Security Act	Provides for weekly payments to employees who have lost their jobs through no fault of their own and who have not found suitable re-employment. Requires posting "Unemployment Insurance" poster .	1 or more employees
Veterans Day	Requires employers to allow employees who are military veterans to take holiday time off on Veterans Day. Employers have the discretion of providing paid or unpaid time. Employees must give a month notice of intent to take off. Employers can ask for proof of veteran status.	1 or more employees
Voluntary Emergency Services Providers Job Protection Act	Employers may not terminate or take adverse action against any employee for joining or being a volunteer emergency services provider. Employers are not required to pay for time the employee spends responding to emergency services calls; although employers are able to request written verification of time missed to perform such services.	1 or more employees
Wage Payment and Collection	<p>Employees can be paid at any predictable and reliable pay schedule as long as employees get paid at least monthly and no later than 12 days (excluding Sundays and legal holidays) from the end of the period when the wages were earned. This can be waived by written agreement; employees on commission can have different requirements. An employee who is absent on payday must be paid within seven days after he or she demands payment. Employers can require direct deposit under certain circumstances, otherwise employees must be paid by cash or check. Checks can only be mailed with written consent from the employee.</p> <p>Employers cannot make deductions for certain cash shortages, losses, damages, lost or stolen property, personal protective equipment or moving costs greater than \$20 in most cases.</p> <p>A pay stub must be provided with each payday and should show the hours worked, wages earned, and deductions taken from the pay for the current period.</p>	1 or more employees

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Worker Adjustment and Retraining Notification (IA-WARN)	Requires employers to give 30 days written notice of a business closing or mass layoff exceeding 6 months if the closing or layoff results in an employment loss of more than 25 employees, excluding “part-time” employees. Written notice is given to the Iowa Department of Workforce Development and the affected employees or their union representatives. An employer may pay severance or an employee's regular wages in lieu of providing notice.	25 or more employees (excluding part-time employees defined by the law)
Workers' Compensation	Provides benefits (i.e., care, treatment and wage continuation) to workers resulting from workplace illnesses or injuries, beginning on the eleventh day of disability.	1 or more employees