

Iowa

Employment Law Workbook Addendum

(Update on legislation enacted from Jan. 1, 2015- Dec. 31, 2016)

Topics

I. Discrimination

No new laws or regulations enacted in 2015 or 2016.

II. Pre-Employment Inquiry Guidelines

No new laws or regulations enacted in 2015 or 2016.

III. Family and Medical Leave

No new laws or regulations enacted in 2015 or 2016.

IV. Wage and Hour Laws

No new laws or regulations enacted in 2015 or 2016.

V. Drug Testing

No new laws or regulations enacted in 2015 or 2016.

VI. Noncompete and Other Employment Agreements

No new laws or regulations enacted in 2015 or 2016.

VII. Workplace Safety

No new laws or regulations enacted in 2015 or 2016.

VIII. Workers' Compensation

No new laws or regulations enacted in 2015 or 2016.

IX. Miscellaneous

A. Child Labor Application/Work Permits

Iowa law provides that the Department of Transportation may issue an instruction permit to an applicant between the ages of 14 and 18 years. The instruction permit allows the permittee to operate a motor vehicle other than a commercial motor vehicle under certain restrictions. In addition, Iowa law provides that the parent, guardian, or custodian of a child must apply to the state labor commissioner for the child's work permit. The application must include evidence that the child is 14 years or older. The new law allows a driver's instruction permit to be used as proof that a child is 14 years or older in order to obtain a work permit.

Iowa Code § 92.11 (Effective Date 07/01/2016).

B. Child Labor Application/Work Permits

Iowa has amended its child labor regulations to conform them to amendments to the state child labor statutes scheduled to take effect in 2016. These statutory amendments concern the requirements for a work permit for child workers, including migrant workers.

Iowa law defines an issuing officer as a person with a statutory obligation to issue work permits, migrant labor permits, street trade permits, and certificates of age. Prior to the amended regulations, the issuing officer was responsible for reviewing work permit applications (the Iowa Child Labor Form) and issuing work permits according to the Labor Commissioner's instructions. Under the amended regulations, work permit applicants must complete their portion of the form and submit it along with age verification documents to the employer. The employer must review, copy, sign, and file the form with the Labor Commissioner. An employer must file the form with the Labor Commissioner within three days after the day the minor begins work. The day after the minor begins work is the first day. If the third day is a Sunday, the form may be filed on the fourth day.

The amendments to the regulations provide that an employer who violates the Child Labor Code is subject to a civil penalty of not more than \$10,000 per violation. In addition, the amendments set forth the method for counting the number of violations. Each item of inaccurate information on each Iowa Child Labor Application/Work Permit is a separate violation. Each day that a child works without a permit or on a prohibited day, time, or occupation is a separate violation. If an employer fails to file the Iowa Child Labor Application/Work Permit by the deadline, each day after the deadline that the minor works is a separate violation.

875 IAC 32.1, 875 IAC 32.2, 875 IAC 32.5, 875 IAC 32.7, 875 IAC 32.11, 875 IAC 32.12, and 875 IAC 32.17 (Effective Date 10/07/2015).