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Employment in Iowa: Guide to Employment Laws, Regulations and Practices

Publication 81058

Release 41

April 2018

HIGHLIGHTS

OSHA Record Keeping.

- On November 22, 2017, OSHA announced that the deadline for electronic submissions of illness and injury logs was extended to December 15, 2017 (extended from July 1, 2017). *See* Chapter 6, § 6-2[b].

Establishing Discrimination Under the ADEA.

- In age discrimination cases, the Eighth Circuit recognizes that it is unlikely that a supervisor would hire and then, “within a relatively short period of time,” fire the same employee based on age, so such “evidence creates a presumption against discrimination.” *See* Chapter 8, § 8-4[a][3].

Discrimination in Termination.

- The Iowa Supreme Court, in *Haskenhoff v. Home Energy Solutions, LLC*, 897 N.W.2d 553 (Iowa

2017), held that the “motivating factor” causation standard applicable in ICRA discrimination claims also applied in ICRA retaliation claims. *See* Chapter 8, § 8-12.

Scope and Coverage of the NLRA.

- On December 14, 2017, the NLRB held that the standard for determining if two or more entities are joint employers is proof that one entity actually exercised control over essential employment terms of the another entity’s employees. The control actually exercised must be direct (not indirect) and immediate in a way that is not just routine. *See* Chapter 10.

Disability or Death of An Employee.

- Chapter 11 has been revised given the numerous 2017 changes to the Iowa Code.

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