

**REGULATORY PLAN  
OF THE  
PUBLIC EMPLOYMENT RELATIONS BOARD  
for Fiscal Year 2017**

Pursuant to Executive Order No. 9 issued by Governor Vilsack on September 14, 1999, the Public Employment Relations Board ("PERB" or "Board") submits the following regulatory plan concerning the regulatory action it presently expects to issue in proposed or final form during Fiscal Year 2017 or thereafter.

PERB's agency rules administrator, Diana S. Machir, may be contacted for additional information about any of the contemplated actions discussed in this plan--by mail at the Board's offices at 510 E. 12<sup>th</sup> Street, Suite 1B, Des Moines, Iowa 50319, by telephone at 515/281-4414 or by email at [Diana.Machir@iowa.gov](mailto:Diana.Machir@iowa.gov).

***Current Regulatory Objectives and Priorities***

PERB's function, broadly stated, is to administer the provisions of the Iowa Public Employment Relations Act, Iowa Code chapter 20. Iowa Code section 20.6(5) requires the Board to adopt rules in accordance with the provisions of chapter 17A as it may deem necessary to carry out the purposes of the Act.

The Act contemplates that the Board, in performing many of its statutory functions, will serve as a neutral, quasi-judicial forum for the adjudication of certain types of cases involving employee organizations, public employees and public employers. In this role, the Board seeks to maintain a concise, coherent and complete set of procedural rules governing the processing and adjudication of the various types of cases which may come before the agency, as well as rules addressing nuts-and-bolts details of the collective bargaining and bargaining impasse-resolution processes.

A regulatory objective is to comply in all respects with the provisions of Executive Orders 9 and 80. In compliance with Executive Order 9, PERB's current regulatory objectives are to (1) continue its comprehensive review of the agency's rules; (2) identify desired amendments to its rules, and (3) formalize proposed amendments identified. PERB's ongoing comprehensive regulatory review is for the purpose of improving the clarity and accuracy of PERB rules by identifying areas where the rules are incomplete, unnecessary, or unclear. In compliance with Executive Order 80 issued by Governor Branstad on August 20, 2012, which requires the appointment of a stakeholder group, PERB will continue its current process of obtaining feedback from all constituents.

These objectives and priorities also relate to the Governor's priorities. Comprehensive review of PERB rules, and PERB's specific rulemaking objectives may help reduce the cost of government. Clarifying rules may reduce confusion among constituents, thereby reducing queries made to agency staff and saving agency resources spent responding to queries.

### ***Anticipated Regulatory Actions During FY 2017***

As part of its comprehensive rules review, the Board has identified the following areas as priorities for rulemaking action during FY 2017:

- (1) The adoption of rules of a procedural nature to implement Iowa Code section 70A.28(6), a provision which creates an administrative “whistleblower” action before PERB for certain State employees who allege they have suffered adverse employment action due to their having made a disclosure of information which was authorized by Iowa Code section 70A.28(2).
- (2) The amendment of rules in 621–chapter 8 to require electronic filing of employee organizations’ annual reports, which are required pursuant to Iowa Code section 20.25.

### ***Anticipated Regulatory Actions after FY 2017***

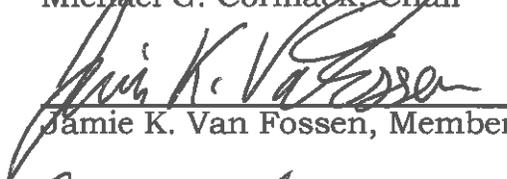
The Board presently has no plan to take any particular regulatory action after FY 2017, except to the extent it may be necessary to complete the adoption of the rules discussed above, and to implement rulemaking action identified through PERB’s comprehensive rules review.

APPROVED this 24th day of August, 2016.

#### **PUBLIC EMPLOYMENT RELATIONS BOARD**



Michael G. Cormack, Chair



Jamie K. Van Fossen, Member



Mary T. Gannon, Member