

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF)	
)	
NORTHWEST IOWA COMMUNITY COLLEGE)	
Public Employer)	
)	
and)	CASE NO 7372
)	
AREA 4 COMMUNITY COLLEGE SUPPORT)	
STAFF ASSOCIATION/ISEA)	
Petitioner/Certified)	
Employee Organization)	
)	

RECEIVED
2007 MAR 29 PM 12:28
PUBLIC EMPLOYMENT
RELATIONS BOARD

PROPOSED DECISION AND ORDER

Statement of the Case

Area 4 Community College Support Staff Association/ISEA (Association) filed a petition for amendment of bargaining unit with the Public Employment Relations Board (Board) The Association seeks to amend an existing Association-represented bargaining unit to include the job classification of accounting assistant Northwest Iowa Community College (College) resists the Association's petition contending that the accounting assistant is a "confidential employee" within the meaning of sections 3.3 and 4.3 of the Public Employment Relations Act (Act)

The parties waived a public hearing and, instead, submitted as the record the verbatim Sworn Statement of Accounting Assistant Jennifer Van Regenmorten. Counsels for the Association and the College were present during the Sworn Statement. Based on the Sworn Statement and the parties' briefs, I make the following.

unit because there is no link in the working relationship between the accounting assistant and Vice-President of Administration with the College's proposals presented at the bargaining table

Based on the foregoing, I conclude that the accounting assistant is not a "confidential employee" within the meaning of sections 3 3 and 4 3 of the Act, and I issue the following:

ORDER

The Association-represented bargaining unit's Order of Certification in Board Case No 5818 is amended to read

INCLUDED· All support staff, full-time and regular part-time including but not limited to custodians, bookstore clerks, graphics technician, ICN scheduler, library assistant, maintenance technicians, parts technician, printing technician, secretaries, receptionists, bookstore operator, and accounting assistant.

EXCLUDED· Certified staff, president, vice-presidents, division deans, their secretaries, bookstore coordinator and others excluded by section 4 of Public Employment Relations Act.

DATED at Des Moines, Iowa, this 29th day of March, 2007


James A. McClimon,
Administrative Law Judge

cc Gerald L. Hammond
Thomas J Whorley

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

NORTHWEST IOWA COMMUNITY COLLEGE)		
Public Employer,)		
)		
and)	CASE NO	5818
)		
AREA 4 COMMUNITY COLLEGE SUPPORT)		
STAFF ASSOCIATION/ISEA,)		
Petitioner)		

ORDER OF CERTIFICATION

The Public Employment Relations Board [Board or PERB] has been advised that an election was conducted pursuant to Order of the Board, that a majority of the ballots were cast for Area 4 Community College Support Staff Association/ISEA, an employee organization, that no objections to the election have been filed, and that said employee organization has complied with all requirements of the Public Employment Relations Act, Chapter 20, Code of Iowa (1997) and the Rules thereunder

IT IS THEREFORE ORDERED that Area 4 Community College Support Staff Association/ISEA, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for employees of Northwest Iowa Community College, a public employer, in the following bargaining unit

INCLUDED All support staff, full-time and regular part-time including, but not limited to custodians, book store clerks, graphics technician, ICN scheduler, library assistant, maintenance technicians, parts technician, printing technician, secretaries and receptionists

EXCLUDED Certified staff, president, vice-presidents, division deans, their secretaries and other excluded by section 4 of Public Employment Relations Act

DATED at Des Moines, Iowa this 4th day of August, 1998

PUBLIC EMPLOYMENT RELATIONS BOARD


RICHARD P MOORE, CHAIR

cc Steve King
Tom Whorley
Vern Schoeneman
Dr Carl Rolf