

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF IOWA,)
Public Employer,)
and)
AFSCME/IOWA COUNCIL 61,)
Certified Employee)
Organization/Petitioner.)

CASE NO. 4852

FILED
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PUBLIC EMPLOYMENT
RELATIONS BOARD

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Upon a petition for amendment of bargaining unit duly filed under Section 13 of the Public Employment Relations Act [Act], Chapter 20, Iowa Code (1993) and Rule 4.6 of the Public Employment Relations Board [Board or PERB], the parties filed with the Board a Stipulation of Bargaining Unit. Said Stipulation was tentatively approved by the Board; a Public Notice of Proposed Decision of Amendment of Bargaining Unit was posted in conformance with PERB Rules; and no objections were filed, therefore:

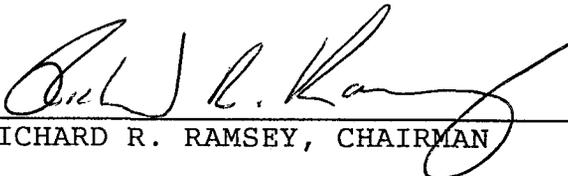
IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 1225 and amended in Cases No. 1247, 1304 and 2068, and the certification of AFSCME/Iowa Council 61, is amended to read as follows:

INCLUDED: Park Attendant.

EXCLUDED: All employees excluded by Section 4 of the Act and all other employees of the State of Iowa.

DATED at Des Moines, Iowa this 22nd day of June, 1993.

PUBLIC EMPLOYMENT RELATIONS BOARD



RICHARD R. RAMSEY, CHAIRMAN

cc: Fae Brown-Brewton
Donald McKee

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)
)
 STATE OF IOWA,)
)
 Public Employer)
)
 and)
)
 AFSCME, COUNCIL 61,)
)
 Certified Employee)
 Organization)

CASE NO. 2068

(Amending Case No. 1225)

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Upon a petition for amendment of bargaining unit duly filed under Section 13 of the Public Employment Relations Act and Rule 4.6 of the Public Employment Relations Board's Rules and Regulations, the parties waived hearing and filed with the Public Employment Relations Board a stipulation of bargaining unit including the job classification of Maintenance Worker I (30565) in the bargaining unit consisting of all blue collar and related employees of the State of Iowa.

Said stipulation having been tentatively approved by the Board and the Board having no objections:

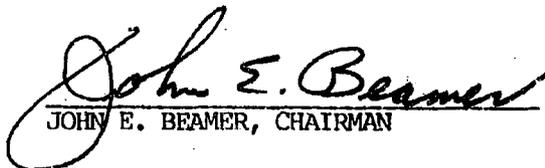
ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 1225 and the certification of AFSCME, Council 61 in those cases are hereby amended to read as follows:

INCLUDED: To include the job classification of Maintenance Worker I (30565) in the bargaining unit consisting of all blue collar and related employees of the State of Iowa (PERB Case No. 1225)

EXCLUDED: All employees excluded in PERB Case No. 1225.

DONE by the Public Employment Relations Board this 6th day of November, 1981.


 JOHN E. BEAMER, CHAIRMAN

STATE OF IOWA
 BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)
 STATE OF IOWA,)
 Public Employer/Petitioner)
 and)
 AMERICAN FEDERATION OF STATE, COUNTY)
 AND MUNICIPAL EMPLOYEES, AFL-CIO,)
 COUNCIL 61,)
 Certified Employee Organization)

FILED

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PUBLIC EMPLOYMENT RELATIONS BOARD

CASE NO. 1304

RECOMMENDED DECISION AND ORDER

N. Morrison Torrey, Hearing Officer. Upon a petition duly filed pursuant to Section 13 of the Public Employment Relations Act, Chapter 20, The Code (1977) [hereafter the Act] and Rule 4.6 of the Rules and Regulations of the Public Employment Relations Board [hereafter the Board], a hearing was begun before me on January 9, 1979. Appearing on behalf of the State of Iowa was Steve Watson, Esq.; on behalf of the American Federation of State, County and Municipal Employees, AFL-CIO, Council No. 61 [hereafter AFSCME], John Ayers, Esq. All parties were present at hearing and had full opportunity to present evidence and cross-examine witnesses on all issues.

STATEMENT OF THE CASE

All parties stipulated that the State of Iowa is a public employer, that AFSCME is an employee organization, and that the Board has jurisdiction over the instant case. It was agreed that the issue presented in this case is whether the job classifications of Liquor Store Manager I [hereafter LSM I] and Liquor Store Manager II [hereafter LSM II] are supervisory as defined by the Act and thus should be excluded from the state-wide blue collar unit determined in State of Iowa, PERB Case No. 1225 (1978).

On March 26, 1979, after the commencement of the hearing, both parties jointly submitted the following stipulations:

(1) Employees in the job classifications of LSM I (Merit Class Code No. 00225) and LSM II (Merit Class Code No. 00226) are all employees of the Iowa Beer and Liquor Control Department;

(2) Employees in the foregoing job classifications who are charged with the responsibility of managing a liquor store perform supervisory responsibilities as those responsibilities are defined in Section 20.4(2), The Code (1977);

(3) Employees in the foregoing job classifications who are assistant managers of larger liquor stores are not supervisory employees as defined in Section 20.4(2), The Code (1977).

Based upon the above stipulations, the parties requested that the blue collar bargaining unit and AFSCME's certification be amended to exclude as supervisory those employees in the classifications LSM I and LSM II who are in charge of their own liquor store; and, that the existing unit and certification include those managers who are assistant managers and the classifications be designated as follows: Liquor Store Manager I (Assistant) and Liquor Store Manager II (Assistant).

FINDINGS OF FACT

Although the hearing was continued and not fully heard prior to the joint stipulations of the parties, evidence submitted during the hearing supports the above stipulated facts and I adopt them as requested by the parties.

CONCLUSIONS OF LAW

I approve the parties' request for unit amendment as being entirely appropriate and proper under the Act. Therefore, I issue the following recommended:

ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in State of Iowa, PERB Case No. 1225 (1978), and the certification in that case be amended in the following manner:

INCLUDED: Liquor Store Manager I (Assistant) and Liquor Store Manager II (Assistant)

EXCLUDED: Liquor Store Manager I and Liquor Store Manager II.

DATED at Des Moines, Iowa this 5th day of April, 1979.

N. Morrison Torrey
N. MORRISON TORREY, HEARING OFFICER

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PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

STATE OF IOWA,
PUBLIC EMPLOYER

AND

AFSCME, COUNCIL 61,
CERTIFIED EMPLOYEE ORGANIZATION

AND

DENNIS SHACKELFORD,
PETITIONER

CASE NO. 1247

Amending Case No. 1225

DECISION AND ORDER

Upon a petition for clarification of bargaining unit duly filed pursuant to Board Rule 4.7(20), the parties waived hearing and filed with the Public Employment Relations Board a Stipulation of Bargaining Unit.

Said Stipulation having been tentatively approved by the Board and posted in conformance with the Board's Rules and Regulations, and no objections having been filed thereto, and the Board having no objections, the Board finds that the job classification of Park Attendant (05205) is supervisory within the meaning of Section 4.2 of the Public Employment Relations Act and is excluded from the bargaining unit found appropriate in PERB Case No. 1225.

FURTHER, IT IS HEREBY ORDERED that the certification of AFSCME, Council 61, in PERB Case No. 1225, is amended to exclude the position of Park Attendant (05205).

DONE by the Public Employment Relations Board this 4th day of August, 1978.

John E. Beamer

JOHN E. BEAMER, CHAIRMAN

John R. Loihl

JOHN R. LOIHL, BOARD MEMBER

Vernon C. Cook

VERNON C. COOK, BOARD MEMBER

FILED
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PERB

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

| | | |
|----------------------------------|---|---------------|
| IN THE MATTER OF: |) | |
| |) | |
| STATE OF IOWA, |) | |
| PUBLIC EMPLOYER |) | |
| |) | |
| AND |) | |
| |) | |
| AFSCME, PUBLIC EMPLOYEES COUNCIL |) | CASE NO. 1225 |
| NO. 61, AFL-CIO, |) | |
| CERTIFIED EMPLOYEE |) | |
| ORGANIZATION |) | |
| |) | |

DECISION AND ORDER

The above-named parties jointly petitioned the Public Employment Relations Board on February 24, 1978, to amend by consolidation the bargaining units previously found appropriate in Case Nos. 930 and 1131. A stipulation to that effect has been submitted. A hearing was conducted on March 14, 1978, at which time all interested persons and parties had opportunity to present testimony or other evidence.

There are currently two bargaining units for blue collar employees of the State of Iowa. One of those units (Case No. 930) has resulted from previous consolidations of smaller units and now includes all but about 600 of the State's blue collar workforce. As to the remaining 600, we previously refused to include them in the larger unit because they had not voted for bargaining representation; State of Iowa, PERB Case No. 930 (1976). An election (Case No. 1131) for those employees was subsequently conducted, however, and AFSCME is now the certified representative of both units. The parties have, therefore, renewed their request that all blue collar employees be included in a single bargaining unit.

We have reviewed the stipulation of the parties in light of the statutory criteria in Section 13(2) of the Act. It is our judgment that the requested consolidation should be granted and that the consolidated unit, as hereinafter set forth, constitutes an appropriate unit for the purposes of collective bargaining within the meaning of Section 13(2) of the Act:

All blue collar and related employees of the State of Iowa as set forth in Case Nos. 291, 996, 1015 and 1131 (See Appendix A hereto); but excluding all persons excluded by Section 4 of the Act and all other employees of the State of Iowa.

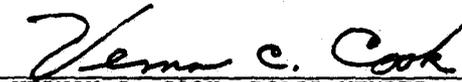
ORDER

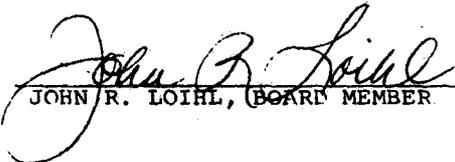
IT IS HEREBY ORDERED that the certifications previously issued in Case Nos. 930 and 1131 be, and the same hereby are, amended consistent with the bargaining unit described above.^{1/}

DATED at Des Moines, Iowa this 31st day of March, 1978.

PUBLIC EMPLOYMENT RELATIONS BOARD


JOHN E. BEAMER, CHAIRMAN


VERNON C. COOK, BOARD MEMBER


JOHN R. LOIHL, BOARD MEMBER

^{1/} Several persons appeared at hearing to object to the inclusion of park attendants in this unit, alleging that this job classification is supervisory within the meaning of Section 4(2) of the Act. A petition for unit clarification (Case No. 1247) was subsequently filed and is an appropriate means of resolving that issue. It has not, therefore, been further considered in this proceeding.

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

| <u>Code No.</u> | <u>Classification</u> |
|-----------------|-------------------------------|
| 00220 | Liquor Store Clerk |
| 00225 | Liquor Store Manager I |
| 00226 | Liquor Store Manager II |
| 00235 | Storekeeper I |
| 00236 | Storekeeper II |
| 00237 | Storekeeper III |
| 00245 | Warehouse Dispatcher |
| 00251 | Warehouse Worker |
| 00252 | Forklift Operator |
| 00253 | Warehouse Coordinator |
| 00260 | Mail Clerk I |
| 00261 | Mail Clerk II |
| 01360 | Capitol Guide Aide |
| 01361 | Capitol Guide |
| 02010 | Student Residence Coord. |
| 04730 | Comm. Tower Worker |
| 05005 | Nursery Worker I |
| 05006 | Nursery Worker II |
| 05010 | Farm Worker |
| 05015 | Farm Leader |
| 05025 | Herd Leader |
| 05030 | Farm Manager I |
| 05032 | Corrections Farm Manager |
| 05205 | Park Attendant |
| 05301 | Conservation Worker |
| 05410 | Forestry Leader I |
| 05411 | Forestry Leader II |
| 07005 | Custodial Worker |
| 07010 | Custodial Leader |
| 07015 | Custodial Asst. |
| 07030 | Elevator Operator |
| 07200 | Food Service Worker |
| 07210 | Food Service Leader |
| 07215 | Ingredient Room Worker I |
| 07216 | Ingredient Room Worker II |
| 07220 | Cook I |
| 07221 | Cook II |
| 07225 | Baker I |
| 07226 | Baker II |
| 07230 | Meatcutter I |
| 07231 | Meatcutter II |
| 07237 | Corrections Food Serv. Coord. |
| 07240 | Canteen Clerk |
| 07245 | Canteen Operator I |
| 07246 | Canteen Operator II |
| 07305 | Laundry Worker I |
| 07306 | Laundry Worker II |

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

| <u>Code</u> <u>No.</u> | <u>Classification</u> |
|---------------------------|-------------------------------------|
| 07313 | Corr. Bldg. Serv. Coord. |
| 07315 | Linen Room Attendant I |
| 07316 | Linen Room Attendant II |
| 07320 | Sewing Room Attendant I |
| 07321 | Sewing Room Attendant II |
| 08005 | Maintenance Worker I |
| 08006 | Maintenance Worker II |
| 08010 | Maintenance Leader |
| 08012 | Facilities Maint. Coord. |
| 08015 | Trades Helper |
| 08016 | Maintenance Repairer |
| 08020 | Maintenance Repairs Leader |
| 08039 | Furniture Upholsterer |
| 08040 | Carpenter I |
| 08041 | Carpenter II |
| 08042 | Mason |
| 08043 | Painter I |
| 08044 | Painter II |
| 08045 | Plumber I |
| 08046 | Plumber II |
| 08099 | Restoration Painter |
| 08105 | Rest Area Attendant |
| 08110 | Equipment Operator I |
| 08111 | Equipment Operator II |
| 08112 | Asphalt Paving Mach. Operator |
| 08113 | Equipment Operator III |
| 08120 | Highway Maint. Spec. |
| 08130 | Suspension Bridge Maint. Worker |
| 08131 | Suspension Bridge Maint. Supervisor |
| 08140 | Parts Worker |
| 08141 | Parts Leader |
| 08205 | Driver |
| 08210 | Transport Driver |
| 08215 | Vehicle Dispatcher |
| 08230 | Heavy Equipment Operator |
| 08305 | Machinist |
| 08310 | Welder |
| 08315 | Heating Plant Mechanic |
| 08323 | Air Conditioning Mechanic |
| 08325 | Electrician I |
| 08326 | Electrician II |
| 08335 | Equipment Repairer |
| 08340 | Lab. Equip. Tech. |
| 08346 | Sign Shop Worker |
| 08347 | Silk Screen Fabricator |
| 08355 | Truck Body Installer |
| 08360 | Automotive Electrician |
| 08365 | Auto Service Worker |

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

| <u>Code No.</u> | <u>Classification</u> |
|-----------------|--------------------------------|
| 08370 | Auto Mechanic Helper |
| 08375 | Automotive Mechanic |
| 08380 | Auto Mechanic Leader |
| 08390 | District Mechanic |
| 08405 | Water & Disposal Plant Opr. I |
| 08406 | Water & Disposal Plant Opr. II |
| 08410 | Power Plant Eng. I |
| 08415 | Power Plant Eng. II |
| 08416 | Power Plant Eng. III |
| 08420 | Ch. Power Plant Eng. |
| 08510 | Bindery Worker |
| 08525 | Rep. Equipment Operator I |
| 08526 | Rep. Equipment Operator II |
| 08530 | Rep. Equipment Leader |
| 08635 | Locksmith |
| 08639 | Aircraft Mechanic |
| 08672 | Electronics Tech. |
| 08675 | Office Machine Repairer I |
| 08677 | Office Machine Repairer II |

State Non-Merit Classification

| <u>Code No.</u> | <u>Classification</u> |
|-----------------|------------------------------|
| 14985 | Reproduction Equip. Operator |
| 30168 | Chief Supply Officer |
| 30263 | Mail Clerk |
| 30269 | Maintenance Worker III |
| 30364 | Cook I |
| 30451 | Maintenance Engineer |
| 30463 | Kitchen Helper |
| 30467 | Housekeeper |
| 30565 | Maintenance Worker I |
| 30567 | Maintenance Assistant II |
| 30666 | Cook II |

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

| <u>Code</u> <u>No.</u> | <u>Classification</u> |
|---------------------------|--------------------------------|
| 07611 | Animal Caretaker I |
| 07612 | Animal Caretaker II |
| 05671 | Arborist |
| 05051 | Automotive Mechanic |
| 07331 | Bindery Operator I |
| 07332 | Bindery Operator II |
| 07333 | Bindery Operator III |
| 05611 | Building Services Coordinator |
| 05061 | Carpenter |
| 05271 | Carpet Maintenance Worker |
| 07301 | Compositor |
| 07311 | Copy Center Operator |
| 05701 | Custodian I |
| 05702 | Custodian II |
| 05811 | Driver-Mechanic |
| 05071 | Electrician |
| 05081 | Elevator Mechanic |
| 05091 | Environmental Systems Mechanic |
| 05101 | Equipment Operator |
| 06301 | ERD Machinist |
| 06311 | ERD Machinist, Senior |
| 06321 | ERD Welder |
| 05861 | Farm Equipment Mechanic |
| 05901 | Farm Equipment Operator I |
| 05902 | Farm Equipment Operator II |
| 05903 | Farm Equipment Operator III |
| 05281 | Farrier |
| 07071 | Food Worker I |
| 07072 | Food Worker II |
| 07073 | Food Worker III |
| 07074 | Food Worker IV |
| 05741 | Gardener |
| 05361 | Glazier |
| 05771 | Golf Course Attendant |
| 05621 | Golf Course Maintenance Worker |
| 05731 | Groundskeeper |
| 05291 | Insulator |
| 07081 | Kitchen Helper I |
| 07082 | Kitchen Helper II |
| 05721 | Laborer |
| 08061 | Laundry Checker |
| 08071 | Laundry Coordinator |
| 08081 | Laundry Machine Operator |
| 08051 | Laundry Press Operator |
| 07981 | Motor Vehicle Operator I |
| 07982 | Motor Vehicle Operator II |
| 07983 | Motor Vehicle Operator III |
| 07984 | Motor Vehicle Operator IV |
| 05501 | Power Plant Fireman/Utilityman |
| 05911 | Athletic Facilities Attendant |
| 07061 | Cook I |
| 07062 | Cook II |

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

| <u>Code No.</u> | <u>Classification</u> |
|---------------------|--------------------------------------|
| 07371 | Linotype Operator |
| 05111 | Locksmith |
| 05121 | Machinist |
| 05311 | Maintenance Mechanic |
| 05301 | Maintenance Repairman I |
| 05302 | Maintenance Repairman II |
| 05131 | Mason |
| 07091 | Meatcutter |
| 05321 | Mechanics Assistant |
| 05141 | Mechanic, Preventative Maintenance |
| 07711 | Milker |
| 07321 | Offset Equipment Operator I |
| 07322 | Offset Equipment Operator II |
| 07323 | Offset Equipment Operator III |
| 07381 | Offset Platemaker |
| 05151 | Painter |
| 05851 | Parking Maintenance Worker I |
| 05852 | Parking Maintenance Worker II |
| 08241 | Patient Transport Driver |
| 05241 | Pest Control Operator |
| 05161 | Pipefitter |
| 05171 | Plasterer |
| 05331 | Plumber |
| 05431 | Power Plant-Assistant Chief Operator |
| 05461 | Power Plant-Assistant Superintendent |
| 05421 | Power Plant-Boiler Operator |
| 05401 | Power Plant-Larryman |
| 05441 | Power Plant-Repairman |
| 05411 | Power Plant-Utilityman |
| 07401 | Pressman |
| 07341 | Printer |
| 05181 | Rofer |
| 07841 | Safety Technician |
| 05191 | Sheet Metal Mechanic |
| 05221 | Shops, Utilityman |
| 05341 | Sign Painter |
| 05351 | Steamfitter |
| 07761 | Storekeeper I |
| 07762 | Storekeeper II |
| 07763 | Storekeeper III |
| 05751 | Tree Trimmer |
| 07931 | Trimmer |
| 07781 | Typewriter Serviceman |
| 05211 | Upholsterer |
| 05251 | Vending Machine Mechanic |
| 08281 | Vending Routeman |
| 05511 | Water Plant Operator |
| 05521 | Water Systems Operator |
| 05201 | Welder |
| 05261 | Aircraft Mechanic - Auth. Inspector |
| 05231 | Aircraft Mechanic - Licensed (A & P) |

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

| <u>Code</u> <u>No.</u> | <u>Classification</u> |
|---------------------------|------------------------------------|
| 07681 | Mail Distributor |
| 07691 | Mail Carrier |
| 07971 | Mail Room Coordinator |
| 01231 | Mail Clerk |
| 07731 | Fire Safety Inspector |
| 07051 | Baker I |
| 07052 | Baker II |
| | Supervisor, Facilities Maintenance |

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)
STATE OF IOWA,)
Public Employer)
AND)
AFSCME, IOWA PUBLIC EMPLOYEES)
COUNCIL 61)
Petitioner)
_____)

CASE NO. 1131

ORDER OF CERTIFICATION

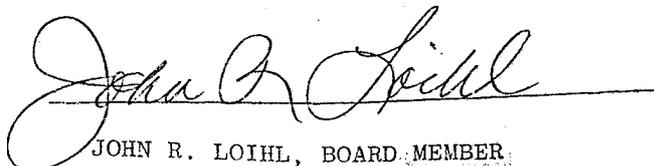
NOW, on this 6th day of January 1978, the Board being advised that an election was conducted pursuant to Order of the Board, and that a majority of the ballots were cast for AFSCME, Iowa Public Employees Council 61, an employee organization; and the Board being further advised that said employee organization has complied with all requirements of the Act and the rules and regulations thereunder;

IT IS HEREBY ORDERED that AFSCME, Iowa Public Employees Council 61, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of State of Iowa, a public employer, in the following bargaining unit:

INCLUDED: All blue collar employees of the State of Iowa which are not currently in a bargaining unit and are in the classifications set forth in Appendix A.

EXCLUDED: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

DONE by the Public Employment Relations Board


JOHN R. LOIHL, BOARD MEMBER

BLUE COLLAR UNIT
State Merit Classification

| <u>Code</u> <u>No.</u> | <u>Classification</u> |
|---------------------------|-----------------------------|
| 01360 | Capitol Guide Aide |
| 01361 | Capitol Guide |
| 01363 | Tourism Guide |
| 04730 | Communications Tower Worker |
| 05005 | Nursery Worker I |
| 05165 | Laboratory Aide |
| 05205 | Park Attendant |
| 05301 | Conservation Worker |
| 05410 | Forestry Leader I |
| 05411 | Forestry Leader II |
| 07030 | Elevator Operator |
| 07240 | Canteen Clerk |
| 08099 | Restoration Painter |
| 08140 | Parts Worker |
| 08141 | Parts Leader |
| 08310 | Welder |
| 08315 | Heating Plant Mechanic |
| 08323 | Air Conditioning Mechanic |
| 08335 | Equipment Repairer |
| 08340 | Laboratory Equipment Rech. |
| 08346 | Sign Shop Worker |
| 08347 | Silk Screen Fabricator |
| 08365 | Auto Service Worker |
| 08510 | Bindery Worker |
| 08526 | Rep. Equip. Operator II |
| 08530 | Rep. Equip. Leader |
| 08675 | Office Machine Repairer I |
| 08677 | Office Machine Repairer II |
| 00235 | Storekeeper I |
| 00236 | Storekeeper II |
| 00237 | Storekeeper III |
| 00260 | Mail Clerk I |
| 00261 | Mail Clerk II |
| 05006 | Nursery Worker II |
| 07005 | Custodial Worker |
| 07010 | Custodial Leader |
| 07015 | Custodial Assistant |
| 07220 | Cook I |
| 08005 | Maint. Worker I |
| 08006 | Maintenance Leader |
| 08012 | Facilities Maint. Coord. |
| 08015 | Trades Helper |
| 08016 | Maintenance Repairer |
| 08040 | Carpenter I |
| 08041 | Carpenter II |
| 08042 | Mason |

BLUE COLLAR UNITState Merit Classification

| <u>Code No.</u> | <u>Classification</u> |
|---------------------|-------------------------------|
| 08043 | Painter I |
| 08044 | Painter II |
| 08045 | Plumber I |
| 08046 | Plumber II |
| 08205 | Driver |
| 08210 | Transport Driver |
| 08215 | Vehicle Dispatcher |
| 08230 | Heavy Equipment Operator |
| 08305 | Machinist |
| 08325 | Electrician I |
| 08326 | Electrician II |
| 08376 | Auto Mechanic Helper |
| 08375 | Auto Mechanic |
| 08380 | Auto Mechanic Leader |
| 08390 | District Mechanic |
| 08406 | Water & Disposal Plant Op. II |
| 08410 | Power Plant Eng. I |
| 08415 | Power Plant Eng. II |
| 08416 | Power Plant Eng. III |
| 08420 | Chief Power Plant Eng. |
| 08525 | Rep. Equip. Operator I |
| 08635 | Locksmith |

State Non-Merit Classification

| <u>Code No.</u> | <u>Classification</u> |
|---------------------|------------------------------|
| 14985 | Reproduction Equip. Operator |
| 30168 | Supply Officer |
| 30263 | Mail Clerk |
| 30269 | Maintenance Worker III |
| 30364 | Cook I |
| 30451 | Maintenance Engineer |
| 30463 | Kitchen Helper |
| 30467 | Housekeeper |
| 30565 | Maintenance Worker I |
| 30567 | Maintenance Assistant II |
| 30666 | Cook II |

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:
 STATE OF IOWA,
 PUBLIC EMPLOYER
 AND
 AFSCME, PUBLIC EMPLOYEE COUNCIL
 NO. 61, AFL-CIO,
 CERTIFIED EMPLOYEE ORGANIZATION

Case No. 930

DECISION AND ORDER

A petition for amendment of a board determined bargaining unit and certification ^{1/} in the above entitled matter was filed with the Public Employment Relations Board on January 27, 1977, and amended by joint application dated July 8, 1977. Hearing was held on July 22, 1977. The State of Iowa (State) appeared by Mr. Gene Vernon and AFSCME, Public Employees Council No. 61, AFL-CIO (hereinafter AFSCME) appeared by Mr. Raymond E. Conley.

The parties jointly seek consolidation of several previously determined bargaining units, consisting of groups of employees generally denominated "blue collar," as well as all other "blue collar" classifications into a single statewide unit. Further, the parties request amendment of AFSCME's certification to conform to this proposed amended unit.

BACKGROUND

On August 10, 1976, we conducted a public hearing on petitions for unit determination for state "blue collar" employees. At that time the State and AFSCME stipulated that two units of

^{1/} Filed by Petitioners as a "Petition for Consolidation of Bargaining units," this matter has been considered by us as an action under Section 4.6(20) of our Rules and Regulations (Iowa Administrative Code, Chapter 660).

blue collar employees were appropriate for purposes of collective bargaining, a unit consisting of all blue collar employees of the Board of Regents and a unit of all blue collar employees engaged in highway maintenance operations for the Department of Transportation. In a decision and order dated August 16, 1976, we approved those stipulations and found those units appropriate for purposes of collective bargaining within the meaning of Section 13.2 of the Public Employment Relations Act (hereinafter the Act). In response to the issue raised at hearing concerning the possibility of later consolidation of those bargaining units, we said:

The stipulation of the parties included a statement of future intent to consolidate the above bargaining units under certain circumstances. In determining that the above two units constitute appropriate units within the meaning of Section 13.2 the Board is not holding that such consolidation, or a fewer number of units, would be inappropriate under the Act. 2/

Thereafter, two additional units of state blue collar employees were found appropriate by us: a unit of all blue collar employees within the Department of Social Services (State of Iowa, PERB Case No. 996, 1977) and the Beer and Liquor Control Commission (State of Iowa, PERB Case No. 1015, 1977).

Representation elections have been conducted by this agency in each of the above four bargaining units and pursuant to those elections AFSCME has in each case been certified as the exclusive bargaining representative of those employees. In addition to the employees included in these bargaining units, there are approximately 450 blue collar employees who have neither been included in a bargaining unit nor had an opportunity to vote for exclusive bargaining representation.

POSITIONS OF THE PARTIES

The parties are agreed that the four previously determined units should be consolidated into a single unit. Additionally,

2/ State of Iowa, PERB Case No. 291 (1976).

they request that the remaining unrepresented employees, numbering approximately 450 in 30 different departments at over 200 locations, also be included in that unit. In support of that position, it is argued that the unrepresented group has a substantially similar community of interest with the larger unit, that AFSCME's negotiating team has included certain employees from this unrepresented group, and that there have been no objections from any of those employees to their inclusion. In addition, it is noted that if all previous election results were combined and these employees included in the number of eligible voters, AFSCME has received the affirmative votes of a substantial majority of the employees in this all-inclusive unit. Finally, the state contends that leaving these employees in their present unrepresented status causes administrative difficulties for it.

DISCUSSION

Two issues are presented for our determination in this case. The first is whether to accept the stipulation of the parties and permit consolidation of the four currently existing bargaining units of state blue collar employees into a single unit. The second, assuming the aforementioned consolidation is granted, is whether that unit should also include the remaining blue collar employees, for whom no unit has previously been determined and who have not voted for bargaining representation.

1. The certified units.

As we have previously stated, a proceeding on a petition to amend a bargaining unit is essentially a determination of an appropriate bargaining unit or units, and the legislative mandate of Section 13.2 of the Act applies. City of Des Moines, PERB Case No. 559 (1976). Section 13.2 states:

In defining the unit, the Board shall take into consideration, along with other relevant factors, the principles of efficient administration of government, the existence of a community of interest among public employees, the history and extent of public employee organization, geographical location and recommendations of the parties involved.

It is our judgment that an application of these statutory criteria supports acquiescence to the stipulation of the parties and approval of a consolidated bargaining unit. We have previously defined "principles of efficient administration of government" to require for any one employer the smallest number of bargaining units consistent with meaningful and effective representation of the employees involved, Des Moines Independent Community School District, PERB Case Nos. 21, 125 & 126 (1975). Consolidation of these units is consistent with that principle.

With regard to the existence of a community of interest among these employees, we note that all of them perform what has generally been described as "blue collar" functions. And we have previously stated our belief that for large multifunctional employers general occupational groupings of employees meet the community of interest requirement, and indeed such units provide a closer community of interest for purposes of collective bargaining than do departmental units comprised of employees of diverse occupations. Blackhawk County, PERB Case Nos. 48 & 57 (1975); Woodbury County, PERB Case Nos. 46, 118 & 470 (1975).

The history and extent of public employee organization in these units is predominately the same, and consists of representation by AFSCME for the past one year or less. Bargaining between the State and these units occurred on a coordinated basis, and the employees in all four units are covered by the same collective bargaining agreement.

With regard to geographic location, it is noted that either unit structure, i.e. separate units or a single consolidated unit, results in a statewide geographic distribution of employees.

Finally, the recommendations of the parties favor the requested consolidation. Notwithstanding notice of the hearing in this matter which, pursuant to Chapter 17A, set forth the issues herein addressed, no other person or party expressed objection.

In view of all the above factors, we believe consolidation

of the previously determined bargaining units constitutes a more appropriate unit structure for purposes of collective bargaining between the State and its employees, is consistent with our prior decisions, and appropriate under Section 13.2 of the Act. For those reasons, the consolidation is granted, the amended unit found appropriate, and amended certifications ordered.

2. Remaining unrepresented classifications.

The second issue for our consideration is whether the remaining unrepresented blue collar employees should also be included within this single consolidated unit. There are approximately 450 such employees, distributed among 30 departments and in over 200 locations throughout the state. Both the State and AFSCME request their inclusion in the consolidated statewide unit. No unit determination for these employees has previously been petitioned for or made, nor has any employee organization ever sought a representation election for the employees in this group.

Under the terms of the National Labor Relations Act, the National Labor Relations Board (NLRB) has recognized only one situation in which a group of employees may be included in a represented bargaining unit without a representation election. That situation has been described by the NLRB as an accretion, and occurs where a new employee complement comes into existence and is totally merged into the fabric and network of an existing bargaining unit. NLRB v. Horn and Hardart Co., 76 LRRM 2443 (CA-2, 1971). In such a case, as we recognized in City of Des Moines, PERB Case No. 559 (1976), the new group is so submerged into the existing unit structure that a separate unit would be undefinable and inappropriate.

This case, obviously, does not fit that classification. The employees at issue herein are not a "new" group, but were in existence at all times material to these unit determinations.

Thus, these employees may not be included in the larger unit as an "accretion" to it.

AFSCME argues that these employees would be considered by the NLRB as a "fringe group," one which belongs with the larger unit and cannot properly be designated a separate unit. In such cases the NLRB has included such employees in the existing unit without allowing them an opportunity to vote on that inclusion. The NLRB has not, however, included them in such a unit without allowing them to vote on union representation. The distinction is significant: unit determination is a matter within the province of the NLRB, and the decision as to whether under given circumstances employees are permitted to choose a separate unit or inclusion in a larger unit resides with the NLRB. Bargaining representation, however, is a matter to be decided by the employees themselves, and absent an accretion is not an appropriate determination for any administrative body. Hence, whether these employees would constitute a "residual" unit or a "fringe group" as those terms are applied by the NLRB is of little consequence here. In either instance they could not be given represented status without having designated a representative in an election under Section 15 of the Act.

For the above reasons it is our judgment that such an inclusion is unwarranted and inappropriate under the Act. First, these employees clearly do not constitute an accretion to the existing bargaining unit. They are not a new group of employees which came into existence after the other elections and certifications; indeed, all parties to this proceeding had full knowledge that the successive unit determinations for state blue collar employees would result in a group of unrepresented employees.

And secondly, but of primary significance, is the right of this group of employees to determine for themselves whether they wish to be represented for purposes of collective bargaining. Section 1 of the Act declares the State's public policy to be

promoting harmonious and cooperative relationships between government and its employees by permitting public employees to organize and bargain collectively. Section 8 gives public employees the right to organize, form, join or assist an employee organization or to refuse to participate in those activities. And Sections 14 and 15 provide for certification of an exclusive bargaining representative only upon demonstration in a Board-conducted election that the employee organization is in fact the majority representative of the unit employees. These employees must be given that opportunity.

For these reasons, and specifically because we believe these employees have a right to vote whether they wish to be represented by any employee organization, and in the absence of an accretion or other compelling circumstance which would require their inclusion in the represented unit, the request of petitioners for such inclusion is denied.

ORDER

IT IS HEREBY ORDERED THAT the bargaining units previously found appropriate in Case Nos. 291, 996 and 1015 be, and the same hereby are, amended by consolidation, and that the following unit is appropriate for purposes of collective bargaining within the meaning of Section 13.2 of the Act:

All blue collar employees of the State of Iowa in the following departments and as set forth in Case Nos. 291, 996 and 1015: Board of Regents; highway maintenance employees in the Department of Transportation; Beer and Liquor Control Department; and Department of Social Services.

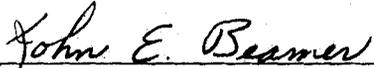
But excluding all classifications previously excluded in Case Nos. 291, 996 and 1015, and all other employees of the State of Iowa.

It is further ordered that the certifications previously issued in Case Nos. 823, 824, 995 and 1015 be, and the same hereby are, amended consistent with the bargaining units set forth above.

It is further ordered that the petitioners' request to include in the unit described above other unrepresented blue collar employees of the State of Iowa be, and the same hereby is, denied.

DATED at Des Moines, Iowa this 23rd day of August, 1977.

PUBLIC EMPLOYMENT RELATIONS BOARD



JOHN E. BEAMER, CHAIRMAN



VERNON C. COOK, BOARD MEMBER



JOHN R. LOIHL, BOARD MEMBER

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:
STATE OF IOWA,
PUBLIC EMPLOYER
AND
AFSCME IOWA PUBLIC EMPLOYEES
COUNCIL 61, AFL-CIO
PETITIONER

CASE NO. 1015

ORDER OF CERTIFICATION

NOW on this 30th day of June, 1977, the Board being advised that an election was conducted pursuant to Order of the Board, and that AFSCME Iowa Public Employees Council 61, AFL-CIO, an employee organization, received an affirmative vote of the majority of employees in the bargaining unit, and the Board having further found that the employee organization has fully complied with all regulations of the Act and the rules and regulations thereunder,

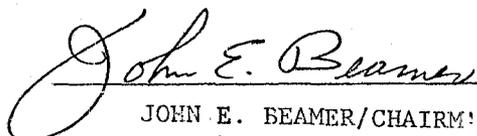
IT IS HEREBY ORDERED BY THE BOARD that AFSCME Iowa Public Employees Council 61, AFL-CIO should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of State of Iowa, a public employer, in the

following bargaining unit:

INCLUDED: All Beer & Liquor Control Department blue collar employees of the State of Iowa including Liquor Store Clerk, Liquor Store Manager I, Liquor Store Manager II, Storekeeper II, Warehouse Dispatcher, Warehouse Worker, Forklift Operator, Custodial Worker, Maintenance Repairer, Transport Driver, Automotive Mechanic, Automotive Mechanic Leader, Warehouse Coordinator, and Carpenter I.

EXCLUDED: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

DONE by the Public Employment Relations Board


JOHN E. BEAMER/CHAIRMAN

STATE OF IOWA
 BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

| | | |
|-------------------------------|---|------------------------|
| IN THE MATTER OF: |) | |
| STATE OF IOWA, |) | |
| PUBLIC EMPLOYER |) | |
| AND |) | CASE NO. 995 |
| AFSCME, IOWA PUBLIC EMPLOYEES |) | |
| COUNCIL 61, AFL-CIO, |) | ORDER OF CERTIFICATION |
| PETITIONER |) | |

NOW on this 26th day of May, 1977, the Board being advised that an election was conducted pursuant to Order of the Board, and that AFSCME, Iowa Public Employees Council 61, AFL-CIO, an employee organization, received an affirmative vote of the majority of employees in the bargaining unit, and the Board having further found that the employee organization has fully complied with all regulations of the Act and the rules and regulations thereunder;

IT IS HEREBY ORDERED BY THE BOARD that AFSCME, Iowa Public Employees Council 61, AFL-CIO, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of State of Iowa [Social Services, Blue Collar], in the following bargaining unit:

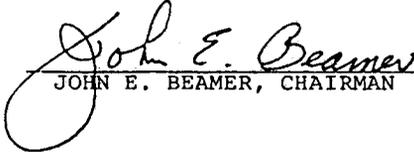
INCLUDED: All Department of Social Services blue collar employees as follows: Automotive mechanic, Automotive mechanic helper, Automotive mechanic leader, Canteen Operator I & II, Carpenter I & II, Chief power plant engineer, Cook I & II, Corrections farm manager, Corrections food steward, Custodial leader, Custodial workers, Custodial assistant, Dormitory supervisor, Driver, Electrician I & II, Electronics technician, Facilities maintenance coordinator, Farm manager I, Farm worker, Farm leader, Food service leader, Food service worker, Furniture upholsterer, Heavy equipment operator, Herd leader, Ingredient room workers, Ingredient room worker II, Laundry worker I & II, Correctional building service coordinator, Linen room attendant I & II,

Locksmith, Machinist, Maintenance leader, Maintenance repairs leader, Meatcutter I & II, Trades helper, Maintenance repairer, Maintenance worker I & II, Mason, Nursery worker I & II, Nurses residence supervisor, Painter I & II, Plumber I & II, Power plant engineer I, II & III, Reproduction equipment operator I, Sewing room attendant I & II, Storekeeper I, II & III, Transport driver, Vehicle dispatcher, Water & disposal plant operator I & II.

EXCLUDED: Building services supervisor I & II, Buildings and grounds supervisor, Chief power plant engineer (supv.), Farm manager II, Food production supervisor, Laundry supervisor I & II, Maintenance repairs supervisor, Warehouse leader; Managerial, supervisory, confidential, part-time employees, and all other employees of the State of Iowa.

DONE by the Public Employment Relations Board this 26th day of May, 1977.

PUBLIC EMPLOYMENT RELATIONS BOARD


JOHN E. BEAMER, CHAIRMAN

IT IS FURTHER ORDERED that an election be conducted, under the supervision and direction of the Public Employment Relations Board at a time and place to be determined by the Board. Eligible to vote are all employees in the above defined bargaining unit who were employed during the payroll period immediately preceding the date below and who are also employed in the bargaining unit on the date of the election.

IT IS FURTHER ORDERED that the public employer in this case submit to the Board within seven days an alphabetical list of the names, addresses and job classifications of all the eligible voters in the unit described above.

DATED at Des Moines, Iowa, this 21st day of April, 1977.

PUBLIC EMPLOYMENT RELATIONS BOARD



JOHN R. LOIHL, BOARD MEMBER



VERNON C. COOK, BOARD MEMBER

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PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

| | |
|---------------------------------|---|
| IN THE MATTER OF: |) |
| |) |
| STATE OF IOWA, |) |
| PUBLIC EMPLOYER |) |
| |) |
| AND |) |
| |) |
| AMERICAN FEDERATION OF STATE, |) |
| COUNTY AND MUNICIPAL EMPLOYEES, |) |
| COUNCIL NO. 61, |) |
| PETITIONER/CERTIFIED |) |
| EMPLOYEE ORGANIZATION |) |
| |) |

CASE NO. 1086

RECOMMENDED DECISION AND ORDER

Ronald Hoh, Hearing Officer. This proceeding arises pursuant to a petition filed under Rules 4.6 and 4.7 of the Rules and Regulations of the Public Employment Relations Board (hereinafter the Board), and requests an amendment and clarification of a blue collar bargaining unit within the Board of Regents Merit System previously determined by the Board in State of Iowa, PERB Case No. 291 (1976). That bargaining unit was described as follows:

INCLUDED: All blue collar and related employees of the State of Iowa located within the Regents System, as set forth in Appendix B hereto.

EXCLUDED: All persons whose job classifications are set forth in Appendix C hereto; managerial, supervisory, confidential and all other employees of the State of Iowa and all persons excluded by Section 4 of the Act.

Subsequent to that determination, a dispute arose between the parties as to the supervisory status of the job classifications of "chief power plant operator" and "supervisor of skilled trades", and the instant petition was filed. At hearing, the parties stipulated that the only issue in this matter was the supervisory status of the classification of chief power plant operator. All parties had full

Although not determinative per se of supervisory standing, another significant factor is the ratio of supervisory to non-supervisory employees. If I were to conclude that chief power plant operators were not supervisors, there would only be three supervisors and 48 employees (and more importantly, no supervisors on any shift except the day shift). A finding that chief power plant operators are supervisors makes the supervisory/non-supervisory ratio one supervisor for every five employees.

Based upon the above, I find that the chief power plant operators exercise independent judgment in certain of their daily plant-level functions, and are thus supervisory employees as defined in Section 4.2 of the Act.

Upon the basis of the foregoing, I hereby issue the following:

ORDER

IT IS HEREBY ORDERED that the classification of chief power plant operator be excluded from the blue collar unit within the Board of Regents System.

DATED at Des Moines, Iowa this 18th day of November, 1977.


RONALD HOH/HEARING OFFICER

Case No. 824:

INCLUDED: All blue collar and related employees of the State of Iowa located within the Regents system, as set forth in Appendix B hereto;

EXCLUDED: All persons whose job classifications are set forth in Appendix C hereto; managerial, supervisory, confidential and all other employees of the State of Iowa; and all persons excluded by Section 4 of the Act.

Case No. 883:

INCLUDED: All professional employees of the State of Iowa engaged in social services, as set forth under "Inclusions" in Appendix D;

EXCLUDED: All persons holding job classifications as set forth under "Exclusions" in Appendix D, managerial, supervisory, confidential, part-time and all other employees of the State of Iowa; and all other persons excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board.



JOHN R. LOIHL, BOARD MEMBER

APPENDIX A

INCLUDED:

| <u>Code</u> <u>No.</u> | <u>State Merit Classifications</u> |
|---------------------------|--|
| 08105 | Rest Area Attendant |
| 08110 | Highway Maintenance Worker I |
| 08111 | Highway Maintenance Worker II |
| 08113 | Highway Maintenance Worker III |
| 08112 | Asphalt Paving Machine Operator |
| 08120 | Highway Maintenance Specialist |
| 08130 | Suspension Bridge Maintenance Worker |
| 08131 | Suspension Bridge Maintenance Supervisor |
| 08355 | Truck Body Installer |
| 08360 | Auto Electrician |
| 08370 | Auto Mechanic Helper |
| 08375 | Auto Mechanic |
| 08380 | Auto Mechanic Supervisor |
| 08390 | District Mechanic |

EXCLUDED:

| <u>Code</u> <u>No.</u> | <u>State Merit Classifications</u> |
|---------------------------|------------------------------------|
| 08115 | Highway Maintenance Supervisor I |
| 08116 | Highway Maintenance Supervisor II |
| 08117 | Highway Maintenance Supervisor III |
| 08125 | Highway Maintenance Supervisor IV |
| 08385 | Automotive Shop Supervisor |

APPENDIX B

INCLUDED:

| <u>Code No.</u> | <u>Regents Merit Classification</u> |
|---------------------|--------------------------------------|
| 07371 | Linotype Operator |
| 05111 | Locksmith |
| 05121 | Machinist |
| 05311 | Maintenance Mechanic |
| 05301 | Maintenance Repairman I |
| 05302 | Maintenance Repairman II |
| 05131 | Mason |
| 07091 | Meat Cutter |
| 05321 | Mechanics Assistant |
| 05141 | Mechanic, Preventative Maintenance |
| 07711 | Milker |
| 07321 | Offset Equipment Operator I |
| 07322 | Offset Equipment Operator II |
| 07323 | Offset Equipment Operator III |
| 07381 | Offset Platemaker |
| 05151 | Painter |
| 05851 | Parking Maintenance Worker I |
| 05852 | Parking Maintenance Worker II |
| 08241 | Patient Transport Driver |
| 05241 | Pest Control Operator |
| 05161 | Pipefitter |
| 05171 | Plasterer |
| 05331 | Plumber |
| 05431 | Power Plant-Assistant Chief Operator |
| 05461 | Power Plant-Assistant Superintendent |
| 05421 | Power Plant-Boiler Operator |
| 05401 | Power Plant-Larryman |
| 05441 | Power Plant-Repairman |
| 05411 | Power Plant-Utilityman |
| 07401 | Pressman |
| 07341 | Printer |
| 05181 | Roofer |
| 05191 | Sheet Metal Mechanic |
| 05221 | Shops, Utilityman |
| 05341 | Sign Painter |
| 05351 | Steamfitter |
| 07761 | Storekeeper I |
| 07762 | Storekeeper II |
| 07763 | Storekeeper III |
| 05751 | Tree Trimmer |
| 07921 | Trimmer |
| 07781 | Typewriter Serviceman |
| 05211 | Upholsterer |
| 05251 | Vending Machine Mechanic |
| 08281 | Vending Routeman |
| 05511 | Water Plant Operator |
| 05521 | Water Systems Operator |
| 05201 | Welder |
| 05261 | Aircraft Mechanic - Auth. Inspector |
| 07611 | Animal Caretaker I |
| 07612 | Animal Caretaker II |
| 05671 | Arborist |
| 05051 | Automotive Mechanic |
| 07331 | Bindery Operator I |
| 07332 | Bindery Operator II |
| 05611 | Building Services Coordinator |
| 05061 | Carpenter |
| 05271 | Carpet and Upholsterer Maint. Wkr. |
| 07151 | Cheesemaker |

APPENDIX B (cont.)

INCLUDED:

| <u>Code No.</u> | <u>Regents Merit Classification</u> |
|---------------------|-------------------------------------|
| 07161 | Cheesemaker Assistant |
| 07301 | Compositor |
| 07311 | Copy Center Operator |
| 05701 | Custodian I |
| 05702 | Custodian II |
| 07351 | Cutter Operator |
| 05811 | Driver-Mechanic |
| 05071 | Electrician |
| 05081 | Elevator Mechanic |
| 05091 | Environmental Systems Mechanic |
| 05101 | Equipment Operator |
| 06301 | ERD Machinist |
| 06311 | ERD Machinist, Senior |
| 06321 | ERD Welder |
| 05861 | Farm Equipment Mechanic |
| 05901 | Farm Equipment Operator I |
| 05902 | Farm Equipment Operator II |
| 05903 | Farm Equipment Operator III |
| 05281 | Farrier |
| 07361 | Folding Machine Operator |
| 07071 | Food Worker I |
| 07072 | Food Worker II |
| 07073 | Food Worker III |
| 07074 | Food Worker IV |
| 05741 | Gardener |
| 05361 | Glazier |
| 05771 | Golf Course Attendant |
| 05621 | Golf Course Maintenance Worker |
| 05731 | Groundskeeper |
| 05291 | Insulator |
| 07081 | Kitchen Helper I |
| 07082 | Kitchen Helper II |
| 05721 | Laborer |
| 08061 | Laundry Checker |
| 08071 | Laundry Coordinator |
| 08081 | Laundry Machine Operator |
| 08051 | Laundrey Press Operator |
| 07981 | Motor Vehicle Operator I |
| 07982 | Motor Vehicle Operator II |
| 07983 | Motor Vehicle Operator III |
| 07984 | Motor Vehicle Operator IV |
| 05501 | Power Plant Fireman/Utilities |
| 05911 | Athletic Facilities Attendant |
| 07061 | Cook I |
| 07062 | Cook II |
| 07681 | Mail Distributor |
| 07691 | Mail Carrier |
| 07971 | Mail Coordinator |
| 01231 | Mail Clerk |
| 07731 | Fire Safety Inspector |
| 07051 | Baker I |
| 07052 | Baker II |
| | Supervisor, Facilities Maintenance |

APPENDIX C

EXCLUDED:

| <u>Code</u> <u>No.</u> | <u>Regents Merit Classification</u> |
|---------------------------|---|
| 07613 | Animal Caretaker III |
| 05711 | Custodian, Chief |
| 01221 | Dispatcher |
| 07074 | Food Worker IV |
| 08091 | Laundry Machine Operator, Chief |
| 05451 | Power Plant - Chief Operator |
| 05062 | Structural Technician - Buildings & Grounds |
| 05072 | Structural Technician - Utilityman |
| | Manager, Office |
| | Manager, Parking & Maintenance Service |
| | Manager, Shop Service |
| | Supervisor, Printing Services |
| | Supervisor, Service I |
| | Supervisor, Service II |
| | Supervisor, Stockroom Warehouse |
| | General Supervisor, Animal Care Unit |
| 07075 | Food Service Supervisor |
| 05041 | Supervisor - Skilled Trades |

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STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:
STATE OF IOWA,
PUBLIC EMPLOYER
AND
ALL PETITIONERS AND INTERVENORS IN
CASES NUMBERED HEREIN 1/

CASE NO. 291 2/

DECISION AND ORDER

The above-entitled matter came on for hearing before the Public Employment Relations Board on August 10, 1976, pursuant to prior order of the Board. Mr. Gene A. Vernon appeared on behalf of the State of Iowa; Mr. Raymond Conley appeared on behalf of State of Iowa Employees Association, American Federation of State, County and Municipal Employees (SIEA/AFSCME); and Robert Conley appeared on behalf of the Iowa Conference of Teamsters and certain of its affiliate locals, including petitioners Stagehands Local Union No. 67 and Warehouse, Inside Workers, Drivers and Helpers of Liquor Control Commission, Local No. 394.

The parties presented no sworn testimony or other formal evidence, and stipulated to two appropriate bargaining units of State employees. The first consists essentially of all "blue collar" employees of the State of Iowa within the Regents system; the second, of all highway maintenance employees in the Department of Transportation.

The Board, having reviewed the stipulations and finding no objection thereto, finds that the following units of employees of the State of Iowa are appropriate for purposes of collective bargaining within the meaning of Section 13(2) of the Public Employ-

1/ Also, Case Nos. 39, 44, 402, 403, 406, 481, and 643, which were, with the approval of the Board, withdrawn at hearing.

2/ As amended at hearing.

ment Relations Act:

Unit 1. Highway Maintenance Unit (D.O.T.)

Included: All blue collar highway maintenance employees of the State of Iowa located within the Department of Transportation as set forth under the title "INCLUDED" in Appendix A hereto;

Excluded: All persons whose job classifications are set forth under "EXCLUSIONS" in Appendix A hereto; all managerial, supervisory, confidential and all other employees of the State of Iowa; and all persons excluded by Section 4 of the Act.

Unit 2. Regents Blue Collar Unit

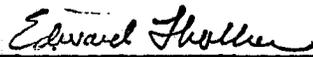
Included: All blue collar and related employees of the State of Iowa located within the Regents system, as set forth in Appendix B hereto;

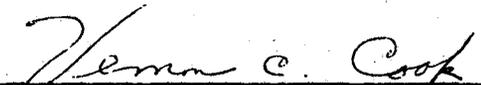
Excluded: All persons whose job classifications are set forth in Appendix C hereto; managerial, supervisory, confidential and all other employees of the State of Iowa; and all persons excluded by Section 4 of the Act.

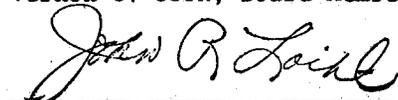
The stipulation of the parties included a statement of future intent to consolidate the above bargaining units under certain circumstances. In determining that the above two units constitute appropriate units within the meaning of Section 13(2), the Board is not holding that such consolidation, or a fewer number of units, would be inappropriate under the Act.

DATED at Des Moines, Iowa, this 16th day of August, 1976.

PUBLIC EMPLOYMENT RELATIONS BOARD


Edward F. Kolker, Chairman


Vernon C. Cook, Board Member


John R. Loihl, Board Member

APPENDIX A

INCLUDED:

| <u>Code</u> <u>No.</u> | <u>State Merit Classifications</u> |
|---------------------------|--|
| 08105 | Rest Area Attendant |
| 08110 | Highway Maintenance Worker I |
| 08111 | Highway Maintenance Worker II |
| 08113 | Highway Maintenance Worker III |
| 08112 | Asphalt Paving Machine Operator |
| 08120 | Highway Maintenance Specialist |
| 08130 | Suspension Bridge Maintenance Worker |
| 08131 | Suspension Bridge Maintenance Supervisor |
| 08355 | Truck Body Installer |
| 08360 | Auto Electrician |
| 08370 | Auto Mechanic Helper |
| 08375 | Auto Mechanic |
| 08380 | Auto Mechanic Supervisor |
| 08390 | District Mechanic |

EXCLUDED:

| <u>Code</u> <u>No.</u> | <u>State Merit Classifications</u> |
|---------------------------|------------------------------------|
| 08115 | Highway Maintenance Supervisor I |
| 08116 | Highway Maintenance Supervisor II |
| 08117 | Highway Maintenance Supervisor III |
| 08125 | Highway Maintenance Supervisor IV |
| 08385 | Automotive Shop Supervisor |

APPENDIX B

INCLUDED:

| <u>Code</u> <u>No.</u> | <u>Regents Merit Classification</u> |
|---------------------------|--------------------------------------|
| 07371 | Linotype Operator |
| 05111 | Locksmith |
| 05121 | Machinist |
| 05311 | Maintenance Mechanic |
| 05301 | Maintenance Repairman I |
| 05302 | Maintenance Repairman II |
| 05131 | Mason |
| 07091 | Meat Cutter |
| 05321 | Mechanics Assistant |
| 05141 | Mechanic, Preventative Maintenance |
| 07711 | Milker |
| 07321 | Offset Equipment Operator I |
| 07322 | Offset Equipment Operator II |
| 07323 | Offset Equipment Operator III |
| 07381 | Offset Platemaker |
| 05151 | Painter |
| 05851 | Parking Maintenance Worker I |
| 05852 | Parking Maintenance Worker II |
| 08241 | Patient Transport Driver |
| 05241 | Pest Control Operator |
| 05161 | Pipefitter |
| 05171 | Plasterer |
| 05331 | Plumber |
| 05431 | Power Plant-Assistant Chief Operator |
| 05461 | Power Plant-Assistant Superintendent |
| 05421 | Power Plant-Boiler Operator |
| 05401 | Power Plant-Larryman |
| 05441 | Power Plant-Repairman |
| 05411 | Power Plant-Utilityman |
| 07401 | Pressman |
| 07341 | Printer |
| 05181 | Roofer |
| 05191 | Sheet Metal Mechanic |
| 05221 | Shops, Utilityman |
| 05341 | Sign Painter |
| 05351 | Steamfitter |
| 07761 | Storekeeper I |
| 07762 | Storekeeper II |
| 07763 | Storekeeper III |
| 05751 | Tree Trimmer |
| 07931 | Trimmer |
| 07781 | Typewriter Serviceman |
| 05211 | Upholsterer |
| 05251 | Vending Machine Mechanic |
| 08281 | Vending Routeman |
| 05511 | Water Plant Operator |
| 05521 | Water Systems Operator |
| 05201 | Welder |
| 05261 | Aircraft Mechanic - Auth. Inspector |
| 07611 | Animal Caretaker I |
| 07612 | Animal Caretaker II |
| 05671 | Arborist |
| 05051 | Automotive Mechanic |
| 07331 | Bindery Operator I |
| 07332 | Bindery Operator II |
| 05611 | Building Services Coordinator |
| 05061 | Carpenter |
| 05271 | Carpet and Upholsterer Maint. Wkr. |
| 07151 | Cheesemaker |

APPENDIX B (cont.)

INCLUDED:

| <u>Code</u> <u>No.</u> | <u>Regents Merit Classification</u> |
|---------------------------|-------------------------------------|
| 07161 | Cheesemaker Assistant |
| 07301 | Compositor |
| 07311 | Copy Center Operator |
| 05701 | Custodian I |
| 05702 | Custodian II |
| 07351 | Cutter Operator |
| 05811 | Driver-Mechanic |
| 05071 | Electrician |
| 05081 | Elevator Mechanic |
| 05091 | Environmental Systems Mechanic |
| 05101 | Equipment Operator |
| 06301 | ERD Machinist |
| 06311 | ERD Machinist, Senior |
| 06321 | ERD Welder |
| 05861 | Farm Equipment Mechanic |
| 05901 | Farm Equipment Operator I |
| 05902 | Farm Equipment Operator II |
| 05903 | Farm Equipment Operator III |
| 05281 | Farrier |
| 07361 | Folding Machine Operator |
| 07071 | Food Worker I |
| 07072 | Food Worker II |
| 07073 | Food Worker III |
| 07074 | Food Worker IV |
| 05741 | Gardener |
| 05361 | Glazier |
| 05771 | Golf Course Attendant |
| 05621 | Golf Course Maintenance Worker |
| 05731 | Groundskeeper |
| 05291 | Insulator |
| 07081 | Kitchen Helper I |
| 07082 | Kitchen Helper II |
| 05721 | Laborer |
| 08061 | Laundry Checker |
| 08071 | Laundry Coordinator |
| 08081 | Laundry Machine Operator |
| 08051 | Laundrey Press Operator |
| 07981 | Motor Vehicle Operator I |
| 07982 | Motor Vehicle Operator II |
| 07983 | Motor Vehicle Operator III |
| 07984 | Motor Vehicle Operator IV |
| 05501 | Power Plant Fireman/Utilities |
| 05911 | Athletic Facilities Attendant |
| 07061 | Cook I |
| 07062 | Cook II |
| 07681 | Mail Distributor |
| 07691 | Mail Carrier |
| 07971 | Mail Coordinator |
| 01231 | Mail Clerk |
| 07731 | Fire Safety Inspector |
| 07051 | Baker I |
| 07052 | Baker II |
| | Supervisor, Facilities Maintenance |

APPENDIX C

EXCLUDED:

| <u>Code</u> <u>No.</u> | <u>Regents Merit Classification</u> |
|---------------------------|---|
| 07613 | Animal Caretaker III |
| 05711 | Custodian, Chief |
| 01221 | Dispatcher |
| 07074 | Food Worker IV |
| 08091 | Laundry Machine Operator, Chief |
| 05451 | Power Plant - Chief Operator |
| 05062 | Structural Technician - Buildings & Grounds |
| 05072 | Structural Technician - Utilityman |
| | Manager, Office |
| | Manager, Parking & Maintenance Service |
| | Manager, Shop Service |
| | Supervisor, Printing Services |
| | Supervisor, Service I |
| | Supervisor, Service II |
| | Supervisor, Stockroom Warehouse |
| | General Supervisor, Animal Care Unit |
| 07075 | Food Service Supervisor |
| 05041 | Supervisor - Skilled Trades |