

**THE EMPLOYER SHALL PROMPTLY POST THIS ORDER IN THE MANNER AND LOCATIONS CUSTOMARILY USED FOR THE POSTING OF INFORMATION TO EMPLOYEES. THIS ORDER SHALL REMAIN POSTED FOR 10 DAYS.**

**IF THE EMPLOYER CUSTOMARILY DISTRIBUTES INFORMATION TO EMPLOYEES BY ADDITIONAL MEANS, SUCH AS BY E-MAIL OR HARD COPY, THE EMPLOYER SHALL PROMPTLY DISTRIBUTE THIS ORDER TO THE AFFECTED EMPLOYEES THROUGH THOSE MEANS AS WELL.**

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:	)	
	)	
City of Guttenberg, Public Employer,	)	BU-0846
	)	
and	)	
	)	
AFSCME Local 1127 (Mixed), Certified Employee Organization.	)	

ORDER OF RECERTIFICATION

Following the filing of an order directing an election, the Public Employment Relations Board (Board) conducted a retention and recertification election pursuant to Iowa Code section 20.15(2). The Board, having subsequently reviewed the file and being fully advised in the premises, finds that a majority of the employees in the bargaining unit voted in favor of retaining and recertifying AFSCME Local 1127 (Mixed) as the exclusive bargaining representative of the bargaining unit described below.

No objections to the election were filed as provided for in Iowa Code section 20.15(4) and PERB rule 621–15.4 and no postelection challenges were filed pursuant to PERB subrule 15.2(4). Therefore, the Board finds that an order of recertification should be issued.

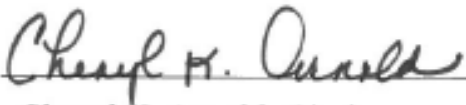
IT IS THEREFORE ORDERED that AFSCME Local 1127 (Mixed) is hereby recertified as the exclusive bargaining representative of the following bargaining unit of employees of City of Guttenberg:

INCLUDED: Billing Clerk, Clerk/Typist, Recreation Worker, Custodian, Police Dispatcher, Police Officer, Police Sergeant, Electrical Assistant/Public Works, Electrical Superintendent/Public Works, Mechanic Laborer, Street Superintendent/Public Works, Street Laborer/Public Works, Water Superintendent/Public Works, Flood Control Operator/Public Works and Wastewater Superintendent Public Works.

EXCLUDED: City Clerk, Chief of Police, Deputy City Clerk, Director of Public Works and all others excluded by section 4 of the Act.

DATED at Des Moines, Iowa, this 12th day of November, 2019.

PUBLIC EMPLOYMENT RELATIONS BOARD

By:  \_\_\_\_\_  
Cheryl K. Arnold, Chairperson

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

RECEIVED  
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PUBLIC EMPLOYMENT  
RELATIONS BOARD

IN THE MATTER OF: )  
 )  
CITY OF GUTTENBERG, )  
Petitioner/Public Employer, )  
 )  
and ) CASE NO. 8020  
 )  
AFSCME LOCAL 1127, )  
Certified Employee Organization. )

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Upon a petition for amendment of bargaining unit duly filed pursuant to Iowa Code section 20.13 and PERB rule 621-4.6(20), the parties filed with the Board a stipulation of bargaining unit as amended, which was tentatively approved by the Board. A public notice of the Board's proposed decision to amend the bargaining unit in accordance with the parties' stipulation was posted in conformance with PERB's rules, and no objections to the proposed decision were filed.

IT IS THEREFORE ORDERED that the bargaining unit initially determined in PERB Case Nos. 2471 and amended in Case Nos. 3628, 4089, 4366, 4741 & 4742 and the amendment of certification in PERB Case No. 3628 to AFSCME Local 1127, is amended to provide:

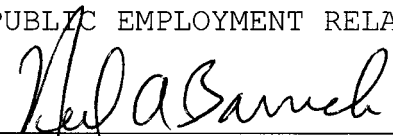
INCLUDED: Billing Clerk, Clerk/Typist, Recreation Worker, Custodian, Police Dispatcher, Police Officer, Police Sergeant, Electrical Assistant/Public Works, Electrical Superintendent/Public Works, Mechanic Laborer, Street Superintendent/Public Works, Street Laborer/Public Works, Water Superintendent/Public Works, Flood Control Operator/Public Works and Wastewater Superintendent Public Works.

EXCLUDED: City Clerk, Chief of Police, Deputy City Clerk, Director of Public Works and all others excluded by section 4 of the Act.

Dated at Des Moines, Iowa, this 6th day of August, 2008.

PUBLIC EMPLOYMENT RELATIONS BOARD

By:

  
Neil A. Barrick, Board Member

Original Filed.

Copies to: Barry Dykhuizen  
Tom Anthony

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF GUTTENBERG,	)	
Public Employer,	)	
	)	
and	)	CASE NO. 4741
	)	
AFSCME/COUNCIL 61,	)	
Certified Employee	)	
Organization.	)	

CITY OF GUTTENBERG,	)	
Public Employer,	)	
	)	
and	)	CASE NO. 4742
	)	
AFSCME/COUNCIL 61,	)	
Certified Employee	)	
Organization.	)	

PROPOSED DECISION AND ORDER

Diane Tvrdik, Administrative Law Judge. This matter involves two separate petitions filed by the public employer, the City of Guttenberg (City) with the Public Employment Relations Board (PERB or Board).

Case No. 4741 concerns a petition for bargaining unit clarification filed pursuant to PERB Rule 4.7, in which the City seeks a determination as to whether the position of Assistant Police Chief is an included or excluded bargaining unit position.

Case No. 4742 concerns an amendment of bargaining unit petition filed pursuant to PERB Rule 4.6(1), in which the City seeks to exclude the position of Deputy City Clerk from the previously-determined bargaining unit.

A public hearing was scheduled and conducted before me on October 14, 1992, at PERB's offices in Des Moines, Iowa, at which

excluded as a "representative of the public employer", or as a supervisor.

SUMMARY

CASE NO. 4741: The existing bargaining unit is clarified to add the position of Assistant Police Chief to the list of positions which are specifically excluded.

CASE NO. 4742: The existing bargaining unit is amended to add the position of Assistant City Manager/Deputy Clerk to the list of positions which are specifically excluded. Based on the foregoing, I propose the following;

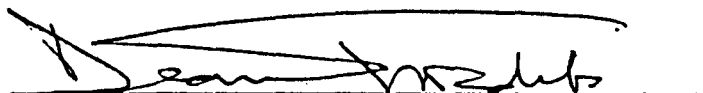
ORDER

The makeup of the bargaining unit is clarified and amended to read:

**INCLUDED:** Wastewater Superintendent and Public Works, Police Dispatcher (full and part-time), Electrical Assistant and Public Works, Billing Clerk, Patrolmen, Police Sergeant, Clerk/Typist, Flood Control Operator and Public Works, Water Superintendent and Public Works, Electrical Superintendent and Public Works, Street Laborer (Leadworker) and Public Works, Head Custodian, Custodian, Mechanic Laborer, Street Laborer and Public Works and other such non-supervisory positions as the City shall originate.

**EXCLUDED:** City Clerk, Assistant City Manager/Deputy Clerk, Chief of Police, Assistant Chief of Police, and all others excluded by Section 4 of the Act.

DATED at Des Moines, Iowa this 31<sup>st</sup> day of December, 1992.



Diane Tvrdik,  
Administrative Law Judge

cc: Lloyd Peterson  
Tom Anthony

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

JAN 28 PM 2:48  
PUBLIC EMPLOYMENT  
RELATIONS BOARD

CITY OF GUTTENBERG, )  
Public Employer, )  
and )  
AFSCME/LOCAL NO. 1127, )  
Certified Employee )  
Organization/Petitioner. )

CASE NO. 4366

**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 (1989) 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 has been tentatively approved by the Board; a Public Notice of Proposed Decision of Amendment of Bargaining Unit has been posted in conformance with PERB Rules; and no objections have been filed, therefore:

**IT IS HEREBY ORDERED** that the bargaining unit previously determined in Case No. 2471 and amended in Cases No. 3628 and 4089, and the certification of AFSCME/Local No. 1127, is amended to read as follows:

**INCLUDED:** Wastewater Superintendent and Public Works, Police Dispatcher (Full & Part Time), Electrical Assistant and Public Works, Billing Clerk, Patrolman, Police Sargent, Clerk/Typist, Flood Control Operator and Public Works, Water Superintendent and Public Works, Electrical Superintendent and Public Works, Street Laborer (Lead Worker) and Public Works, Head Custodian, Custodian, Mechanic Laborer, Street Laborer and Public Works, Deputy City Clerk and other such other non-supervisory positions as the City shall originate.

**EXCLUDED:** City Clerk, Chief of Police, and all others excluded by Section 4 of the Act.

DATED at Des Moines, Iowa this 28<sup>th</sup> day of January, 1991.

PUBLIC EMPLOYMENT RELATIONS BOARD



---

RICHARD R. RAMSEY, CHAIRMAN

cc: Loyce Dumke  
Lloyd Peterson  
Doug Peters

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

FILED  
PUBLIC EMPLOYMENT RELATIONS BOARD  
DUTY

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CITY OF GUTTENBERG, )  
 )  
 Petitioner, )  
 )  
 and )  
 )  
 AFSCME, LOCAL NO. 1127, )  
 )  
 Certified Employee )  
 Organization. )

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CASE NO. 4089

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, the parties waived hearing and filed with the 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 no objections having been filed thereto:

ORDER

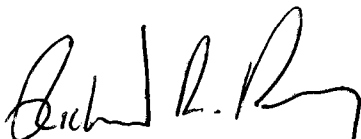
IT IS HEREBY ORDERED that the bargaining unit previously determined in Case Number 3628 should be and hereby is, amended to read as follows:

INCLUDED: Wastewater Superintendent and Public Works, Police Dispatcher, Electrical Assistant and Public Works, Billing Clerk, Patrolman, Police Sargent, Clerk/Typist, Flood Control Operator and Public Works, Water Superintendent and Public Works, Electrical Superintendent and Public Works, Street Laborer (Lead Worker) and Public Works, Head Custodian, Custodian, Mechanic Laborer, Street Laborer and Public Works, Deputy City Clerk and such other non-supervisory positions as the City shall originate.



EXCLUDED: City Clerk, Chief of Police, and all others excluded by  
Section 4 of the Act.

DATED at Des Moines, Iowa this 20<sup>th</sup> day of November, 1989.

  
\_\_\_\_\_  
RICHARD R. RAMSEY, CHAIRMAN

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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CITY OF GUTTENBERG,	)	
	)	
Public Employer	)	
	)	
and	)	CASE NO. 3628
	)	
AFSCME LOCAL 1127,	)	
	)	
Certified Employee	)	
Organization/Petitioner	)	

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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,

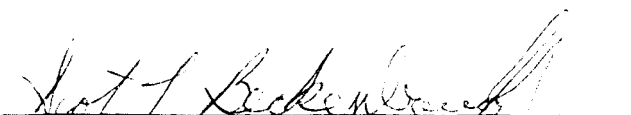
ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 2471 and the certification of AFSCME Local 1127, is amended to read as follows:

INCLUDED: Patrolmen, Sergeant, Dispatchers, Street Laborers, Wastewater, Water Department Superintendent, Electrical Assistant, Head Custodian, Park Supervisor, Building Custodian, Billing Clerk, Clerk Typist, Electrical Superintendent, Street Superintendent, Flood Control Operator, Mechanic Laborer, City Clerk, Deputy City Clerk and such other non-supervisory positions as the City shall originate.

EXCLUDED: Chief of Police and all others excluded by Section 4 of the Act, probationary employees.

Dated at Des Moines, Iowa this 11th day of February, 1988.

  
SCOT L. BECKENBAUGH, BOARD MEMBER

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

8 - 9 AM  
PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF GUTTENBERG,  
PUBLIC EMPLOYER  
AND  
AFSCME/IOWA COUNCIL 61,  
PETITIONER

CASE NO. 2471

ORDER OF CERTIFICATION

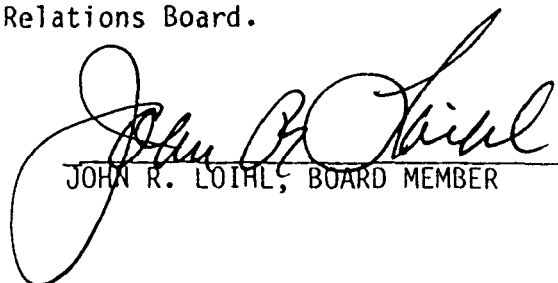
NOW, on this 22nd day of August, 1983, the Board being advised that an election was conducted pursuant to Order of the Board, and that a majority of the ballots were cast for AFSCME/Iowa Council 61, an employee organization; and the Board being further advised that said employee organization has complied with all requirements of the Act and the Rules and Regulations thereunder;

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

INCLUDED: Street Laborer, Wastewater, Water Dept. Superintendent, Electrical Assistant, Head Custodian, Park Supervisor, Building Custodian, Billing Clerk, Clerk Typist, Electrical Superintendent and Street Superintendent, Electrical Assistant, Wastewater Superintendent and Flood Control Operator.

EXCLUDED: All others excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board.

  
JOHN R. LOTHL, BOARD MEMBER

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

*J. R. A.M.*  
PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF GUTTENBERG,	)	
PUBLIC EMPLOYER	)	
AND	)	CASE NO. 2471
AFSCME/IOWA COUNCIL 61,	)	
PETITIONER	)	

ORDER OF CERTIFICATION

NOW, on this 22nd day of August, 1983, 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 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 Council 61 should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of the City of Guttenberg, a public employer, in the following bargaining unit:

INCLUDED: Patrolmen, Sergeant and Dispatchers.

EXCLUDED: Chief of Police and all others excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board.

*John R. Lohal*  
 \_\_\_\_\_  
 JOHN R. LOHAL, BOARD MEMBER