

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:)	
)	
Wapello County,)	
Public Employer,)	BU-0598
)	
and)	
)	
Teamsters Local 238 (Sheriff),)	
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 Teamsters Local 238 (Sheriff) 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(20), and no postelection challenges were filed pursuant to PERB subrule 621—15.2(4). Therefore, the Board finds that an order of recertification should be issued.

IT IS THEREFORE ORDERED that Teamsters Local 238 (Sheriff) is hereby recertified as the exclusive bargaining representative of the following bargaining unit of employees of Wapello County:

INCLUDED: All employees of the Sheriff's Department.

EXCLUDED: Sheriff, Chief Deputy, Confidential Secretary, Food Coordinator and all those excluded by Section 4 of the Act.

DATED at Des Moines, Iowa, this 9th day of November 2020.

PUBLIC EMPLOYMENT RELATIONS BOARD

By:  _____

Erik M. Helland, Board Member

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

<p>IN THE MATTER OF: WAPELLO COUNTY, Public Employer,</p> <p>And</p> <p>TEAMSTERS LOCAL 238 Certified Employee Organization,</p>	<p>PERB CASE NO. _____</p> <p>PETITION FOR AMENDMENT OF THE BARGAINING UNIT</p>
--	---

COMES NOW the Petitioner, Wapello County, in support of its Petition for Amendment of the Bargaining Units states as follows:

1. The case number where the bargaining unit was originally determined by PERB and case number(s) of any subsequent amendments to the bargaining unit, if applicable, are:

PERB Case No. 900 and 6977, attached as Ex. 1.

2. The description of the existing bargaining unit is from 1977 was:

INCLUDED: All employees of the Sheriff's Department

EXCLUDED: Sheriff, Chief deputy, Confidential Secretary, Food Coordinator and all those excluded by Section 4 of the Act.

3. The description of the proposed bargaining unit is:

The bargaining unit, for the purposes of the Agreement, shall consist of all employees of the Sheriff's Office of Wapello County, Iowa, but excluding the Sheriff, Chief Deputy, confidential secretaries and all others excluded by the Act.

4. The affected job classification and number of employees involved in each

classification are:

Food Service Coordinator, one person.

5. Petitioner is seeking an amendment of unit for the follow reason(s):

Food Service Coordinator is one of 3 kitchen employees and has historically been included in the contracts from 2015 – 2018 and 2018 – 2021. The Food Service

Coordinator is not a supervisor or a confidential employee. That position merely is responsible for ordering food.

6. Is the bargaining unit sought to be amended currently a public safety unit or non-public safety unit? (See PERB subrules 1.6(12) and 1.6(13))

With the exclusion of the Food Service Coordinator, this is a public safety unit. However, with the inclusion of the Food Service Coordinator, this is not a public safety unit.

7. If the amendment sought by this petition is granted, will the current public safety/non-public safety status of the unit change?

Yes.

8. The name and address of the Public Employer is:

Wapello County
c/o Jerry Parker, Chair Board of Supervisors
215 N. Court St.
Ottumwa, IA 52501
Telephone: 641-683-4630
jparker@wapellocounty.org

9. The name, address, telephone number and email of the Public Employer's representative is:

Hugh J. Cain
Hopkins & Huebner, P.C.
2700 Grand Ave., Suite 111
Des Moines, IA 50312
Telephone: 515-244-011
Email: hcain@hhlawpc.com

Brent L. Hinders
Hopkins & Huebner, P.C.
2700 Grand Ave., Suite 111
Des Moines, IA 50312
Telephone: 515-244-0111
Email: bhinders@hhlawpc.com

11. The name, address, telephone number and email of the Certified Employee Organization's representative is:

Richard Hoffman
4905 Hubbell Avenue, Suite 7
Des Moines, IA 50317
Telephone: 319-939-7003
Email: rhoffman@iowalabor.com

Teamsters Local 238
5000 J Street
Cedar Rapids, IA 52404

12. The names and addresses of other organizations which may claim to represent employees in the proposed bargaining unit (if none, so state):

Not applicable

HOPKINS & HUEBNER, P.C.

Respectfully submitted,

HOPKINS & HUEBNER, P.C.

By /s/ Hugh J. Cain

Hugh J. Cain, AT0001379

By /s/ Brent L. Hinders

Brent L. Hinders, AT0003519
2700 Grand Avenue, Suite 111

Des Moines, IA 50312

Telephone: 515-244-0111

Facsimile: 515-244-8935

hcain@hhlawpc.com

bhinders@hhlawpc.com

ATTORNEYS FOR WAPELLO COUNTY

CERTIFICATE OF SERVICE

Per Iowa Administrative Code 621 §4(2)(2), PERB will serve copies upon the interested parties. However, a courtesy copy has been sent via email and US mail to:

Richard Hoffman
4905 Hubbell Avenue, Suite 7
Des Moines, IA 50317
Email: rhoffman@iowalabor.com

/s/ Hugh J. Cain

Hugh J. Cain

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

PERB 11-10
2004 NOV 10 PM 12:51
PUBLIC EMPLOYMENT
RELATIONS BOARD

IN THE MATTER OF)	
)	
WAPELLO COUNTY (SHERIFF),)	
Public Employer,)	
)	
and)	CASE NO 6977
)	
TEAMSTERS LOCAL UNION #147,)	
Petitioner/Certified)	
Employee Organization)	

AMENDMENT OF CERTIFICATION

A petition for amendment of certification was duly filed under Rule 4 8 of the Public Employment Relations Board [Board or PERB] Rules Said petition has been tentatively approved by the Board, a Public Notice of Proposed Decision of Amendment of Certification has been posted in conformance with PERB rules, and no objections have been filed, therefore

IT IS THEREFORE ORDERED that the certification of Teamsters Local Union #147, issued in Case No 900, is amended to read as follows

CHAUFFEURS, TEAMSTERS AND HELPERS, LOCAL UNION NO 238

DATED at Des Moines, Iowa this 10th day of November, 2004

PUBLIC EMPLOYMENT RELATIONS BOARD

James R Riordan
James R Riordan, Chair

cc Employer Representative
Mike Stanfill
Gary Dunham

STATE OF IOWA

PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF)
WAPELLO COUNTY BOARD OF SUPERVISORS,)
PUBLIC EMPLOYER)
AND)
OVER THE ROAD AND CITY TRANSFER)
DRIVERS, LOCAL UNION NO 147,)
PETITIONER)

CASE NO. 900

ORDER OF CERTIFICATION

NOW on this 4th day of April 1977 the Board being advised that an election was conducted pursuant to Order of the Board, and that Over the Road and City Transfer Drivers, Local Union No 147, 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 Over the Road and City Transfer Drivers, Local Union No 147 should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of Wapello County Board of Supervisors a public employer, in the following bargaining unit.

INCLUDED: All employees of the Sheriff's Department

EXCLUDED: Sheriff, Chief Deputy, Confidential Secretary, Food Coordinator and all those excluded by Section 4 of the Act

DONE by the Public Employment Relations Board

John R. Loth

 JOHN R. LOHL, BOARD MEMBER