

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 Perry,)	
Public Employer,)	BU-0905
)	
and)	
)	
AFSCME Iowa Council 61 (Public Works),)	
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 Iowa Council 61 (Public Works) 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 AFSCME Iowa Council 61 (Public Works) is hereby recertified as the exclusive bargaining representative of the following bargaining unit of employees of City of Perry:

INCLUDED: All City employees in the Public Works Department (including its waste water, cemetery, streets and garbage divisions) and the Parks & Recreation Department, including Assistant Public Works Director, Disposal Plant Manager, Assistant Recreation Director, Aquatic/Recreation Supervisor and Building and Grounds Maintenance Person.

EXCLUDED: Department Directors, all employees of the Police and Fire Departments, City Clerk, Deputy City Clerk and all other persons 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

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.

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STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)	
)	
City of Perry Library, Public Employer,)	BU-0979
)	
and)	
)	
AFSCME Iowa Council 61, Certified Employee Organization.)	

ORDER OF RECERTIFICATION

Following the filing of an order directing an election, a retention and recertification election pursuant to Iowa Code section 20.15(2) was conducted under the supervision of the Board. 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 Iowa Council 61 as the exclusive bargaining representative of the bargaining unit described below.

No objections to the election having been filed as provided for in Iowa Code section 20.15(4) and PERB rule 621-5.4, the Board finds that an order of recertification should be issued.

IT IS THEREFORE ORDERED that AFSCME Iowa Council 61 is hereby recertified as the exclusive bargaining representative of the following bargaining unit of employees of City of Perry Library:

INCLUDED: Library Worker II, Library Worker I, Assistant Library Director/Adult Services Librarian, Children's Librarian and Seasonal Worker.

EXCLUDED: Board of Trustees, Library Director, the Student Library Worker/Library Aide, and all other persons excluded by Section 4 of the Act.

DATED at Des Moines, Iowa, this 7th day of November, 2017.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: Michael G. Cormack

Michael G. Cormack, Chair

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

FILED
JAN 12 PM 3:46
PUBLIC EMPLOYMENT
RELATIONS BOARD

CITY OF PERRY WATER WORKS,)	
Public Employer,)	
and)	
AFSCME/IOWA COUNCIL 61,)	CASE NO. 4099
Certified Employee)	
Organization,)	
and)	
JEFF STEWART,)	
Petitioner.)	

RULING ON OBJECTION TO ELECTION

On October 30, 1989, Petitioner filed with the Public Employment Relations Board [PERB or Board] a petition for representative decertification pursuant to PERB Rule 4.3(1)(b) (Ch. 621, IA. Admin. Code). A decertification election was ordered by the Board on the 5th day of January, 1990, and notice was provided to the parties and the members of the bargaining unit, pursuant to Rule 3.1(1) that such election would be conducted at a site in Perry, Iowa on January 19, 1990.

The election was conducted as scheduled on January 19, 1990. The voting resulted in 3 votes in favor of AFSCME Council 61's decertification and 3 votes in opposition thereto.

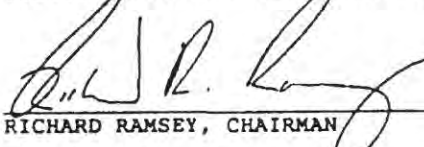
On January 25, 1990, the Petitioner filed a timely objection to the conduct of the election pursuant to Rule 5.4(2), alleging that at least one voter had misunderstood the ballot and voted contrary to his intention to support the decertification of AFSCME

consistent with their intent. We do not believe that voter indifference or carelessness, which was apparently the problem here, should cause us to depart from the general rule and policy to give conclusive effect to the results of an election.

IT IS THEREFORE ORDERED that the objection to the conduct of election filed herein by the Petitioner be, and is hereby overruled. Pursuant to PERB Rule 5.4(1)(g), notice of AFSCME/Council 61's continued certification as exclusive bargaining representative for the affected bargaining unit shall be issued contemporaneously with issuance of this ruling.

DATED at Des Moines, Iowa this 12th day of June, 1990.

PUBLIC EMPLOYMENT RELATIONS BOARD


RICHARD RAMSEY, CHAIRMAN


M. SUE WARNER, BOARD MEMBER


DAVE KNOCK, BOARD MEMBER

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

90 FEB - 2 PM 1:50
PUBLIC EMPLOYMENT
RELATIONS BOARD

CITY OF PERRY,)	
)	
Petitioner/Public Employer,)	
)	
and)	CASE NO. 3888
)	
AFSCME/IOWA COUNCIL 61,)	
)	
Certified Employee)	
Organization.)	

PROPOSED DECISION AND ORDER

Jan V. Berry, Administrative Law Judge. This proceeding arises as a result of a Petition for Amendment of Bargaining Unit filed by the City of Perry (City) pursuant to rule 4.6 of the Rules of the Public Employment Relations Board (PERB or Board), 621 Ia. Admin. Code 4.6(20). By its petition the City sought the amendment of a Board-determined bargaining unit composed of certain City employees.¹ The effect of the amendments sought by the City would have been to remove Library, Water Department, Cemetery, Airport/Lifeguard, and Court Clerk employees from the previously-determined bargaining unit.

¹On August 17, 1987, the Board certified AFSCME Council 61 as the exclusive bargaining representative for employees of the City of Perry in the following bargaining unit:

INCLUDED: All city employees in the following departments:
Library, Community Center, Water, Waste Water, Cemetery,
Airport/Lifeguard, Court Clerk, Park, Street and Garbage.

EXCLUDED: Department Superintendent, all employees of the Police and Fire Departments, and all other persons excluded by Section 4 of the Act.

provisions of the Act, and consequently I conclude that the Deputy City Clerk is a confidential employee properly excluded from the bargaining unit.

Based upon the foregoing Findings of Fact and Conclusions of Law, I issue the following proposed:

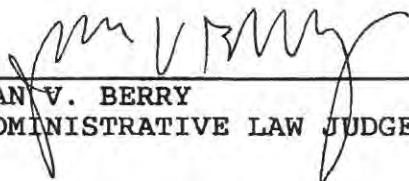
ORDER

IT IS THEREFORE ORDERED that the parties' stipulation concerning exclusion of the Airport and Court Clerk employees be and is hereby approved, and that the bargaining unit previously determined in Case No. 3416, and the certification of AFSCME/Iowa Council 61, be and is hereby amended to read as follows:

INCLUDED: All City employees in the Public Works Department (including its waste water, cemetery, streets and garbage divisions) and the Parks & Recreation Department, including Assistant Public Works Director, Disposal Plant Manager, Assistant Recreation Director, Aquatic/Recreation Supervisor and Building and Grounds Maintenance Person.

EXCLUDED: Department Directors, all employees of the Police and Fire Departments, City Clerk, Deputy City Clerk and all other persons excluded by section 4 of the Act.

DATED at Des Moines, Iowa this 2nd day of February, 1990.



JAN V. BERRY
ADMINISTRATIVE LAW JUDGE

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD


CITY OF PERRY LIBRARY, Public Employer,)	
)	
and)	
)	
AFSCME/COUNCIL 61, Certified Employee Organization,)	CASE NO. 4095
)	
VIRGINIA PETERS, Petitioner.)	

CERTIFICATION OF RESULTS

A decertification election having been conducted under the supervision and direction of the Public Employment Relations Board in accordance with the Rules of the Board, and it appearing from the Tally of Ballots that AFSCME/Council 61 has been retained as the exclusive bargaining representative in the unit found appropriate by the Board, and no objections to the election having been filed, therefore:

IT IS HEREBY CERTIFIED that a majority of the employees voting have cast ballots for retaining AFSCME/Council 61 as the exclusive representative of the employees in said unit within the meaning of the Public Employment Relations Act, and that AFSCME/Council 61 continues to be the exclusive bargaining representative for such employees.

DATED at Des Moines, Iowa this 31st day of January, 1990.



RICHARD R. RAMSEY, CHAIRMAN

cc: Virginia Peters
Michael Williams
Jim Lynch
Tracy Connors
Mary Emm Franson

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF PERRY LIBRARY BOARD and)
CITY OF PERRY WATER UTILITY BOARD,)
Public Employer,)
and)
AFSCME/IOWA COUNCIL 61,)
Certified Employee)
Organization/Petitioner.)

CASE NO. 3888

FILED
PUBLIC EMPLOYMENT
RELATIONS BOARD

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FILED

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 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:

ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 3416 and the certification of AFSCME/Iowa Council 61 is amended into three units; the City of Perry, City of Perry Library Board and City of Perry Water Utility Board. Two of the units to read as follows:

FOR THE CITY OF PERRY LIBRARY BOARD --

INCLUDED: Library Worker II, Library Worker I, Assistant Library Director/Adult Services Librarian, Children's Librarian and Seasonal Worker.

EXCLUDED: Board of Trustees, Library Director, the Student Library Worker/Library Aide, and all other persons excluded by Section 4 of the Act.

FOR THE CITY OF PERRY WATER UTILITY BOARD --

INCLUDED: Water Department Workers and the Leadman.

EXCLUDED: Board of Trustees, Water Superintendent, the Water Clerk, and all other persons excluded by Section 4 of the Act.

DATED at Des Moines, Iowa this 31st day of July, 1989.



RICHARD R. RAMSEY, CHAIRMAN

cc: Mike Hansen
Jim Lynch
Mary Franson
Butch Neibuhr
G. Robert Sackett

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

FILED
AUG 17 1987 - 11 25 AM
PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF PERRY,)	
Public Employer,)	CASE NO. 3416
)	
and)	
)	ORDER OF CERTIFICATION
AFSCME COUNCIL 61,)	
)	
Petitioner.)	

NOW, on this 17th day of August, 1987, 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 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 Council 61, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for employees of the City of Perry, a public employer, in the following bargaining unit:

INCLUDED: All city employees in the following departments:
Library, Community Center, Water, Waste Water,
Cemetery, Airport/Life Guard, Court Clerk, Park,
Street and Garbage.

EXCLUDED: Department Superintendent, all employees of the
Police and Fire Departments, and all other
persons excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board.


RICHARD R. RAMSEY, CHAIRMAN