

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)	
DES MOINES INDEPENDENT)	
COMMUNITY SCHOOL DISTRICT,)	
Public Employer,)	
and)	CASE NOS. 102279 & 102280
DES MOINES EDUCATION)	
ASSOCIATION,)	
Certified Employee Organization/ Petitioner.)	

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Upon two petitions for amendment of bargaining units duly filed pursuant to Iowa Code section 20.13 and PERB rule 621—4.6(20), the parties filed with the Board stipulations of the amended bargaining units as proposed, which were tentatively approved by the Board. The petitions sought to amend two existing bargaining units of employees of the Des Moines Independent Community School District, which are both represented by the Des Moines Education Association.

The petitions sought to amend the unit of secretarial and clerical employees by removing the employees from the unit and, simultaneously, to amend the “mixed” unit consisting of teacher associates, family advocates, and campus monitors to include the secretarial and clerical employees. Therefore, the secretarial and clerical employees would be merged into the “mixed” bargaining unit of teacher associates, family advocates, and campus monitors for purposes of collective bargaining. A public notice of the Board’s proposed decision to amend the bargaining units in accordance with the parties’ stipulations was posted in conformance with PERB’s rules and no objections to

the proposed decision were filed.

A representative certification election was subsequently conducted among the secretarial and clerical employees and a majority of the valid votes were cast in favor of their representation by the Des Moines Education Association. Accordingly, the Board finds that an order amending the bargaining units should be entered.

IT IS THEREFORE ORDERED that the bargaining unit of secretarial and clerical employees of the Des Moines Independent Community School District, initially described in PERB Case No. 2812, and the certification of the Des Moines Education Association, are amended to remove the secretarial and clerical employees from the bargaining unit so that they can be merged into the “mixed” bargaining unit of employees represented by the Des Moines Education Association. In effect, this amendment leaves a bargaining unit that no longer has any employees.

IT IS FURTHER ORDERED that the “mixed” bargaining unit of employees of the Des Moines Independent Community School District consisting of teacher associates, family advocates, and campus monitors, initially described in PERB Case Nos. 35 & 65, with subsequent changes reflected in Case Nos. 2498, 6086, 8062, and 100697, and the certification of the Des Moines Education Association are amended to read as follows:

INCLUDED: Teacher Associates, Family Advocates, Campus Monitors, and Secretarial and Clerical Employees.

EXCLUDED: All other school district employees, confidential and supervisory personnel, and all other employees excluded by Iowa Code section 20.4.

DATED at Des Moines, Iowa, this 26th day of March, 2019.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: Mary T. Gannon
Mary T. Gannon, Board Member

Electronically filed.

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:)
Des Moines Independent Community School District,)
Public Employer,)	BU-0206
and)	
Des Moines Education Association (Associates),)
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 Des Moines Education Association (Associates) 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 621-5.4, and no postelection challenges were filed pursuant to PERB subrule 621-5.2(1)(b)(2) and PERB rule 621-5.6(8). Therefore, the Board finds that an order of recertification should be issued.

IT IS THEREFORE ORDERED that Des Moines Education Association (Associates) is hereby recertified as the exclusive bargaining representative of the following bargaining unit of employees of Des Moines Independent Community School District:

INCLUDED: Teacher Associates, Family Advocates and Campus Monitors.

EXCLUDED: All other school district employees, confidential and supervisory personnel as excluded by Iowa Code section 20.4.

DATED at Des Moines, Iowa, this 13th day of November, 2018.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: 

Jamie Van Fossen, Interim Chair

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

DES MOINES INDEPENDENT
COMMUNITY SCHOOL DISTRICT,

Public Employer,

and

DES MOINES EDUCATION ASSOCIATION,

Certified Employee
Organization/Petitioner.

CASE NO. 100697

AMENDMENT OF BARGAINING
UNIT AND CERTIFICATION

Upon a petition for amendment of a bargaining unit duly filed pursuant to Iowa Code section 20.13 and PERB rule 621-4.6, 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.

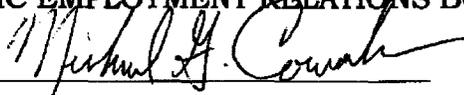
IT IS THEREFORE ORDERED that the bargaining unit of employees of the Des Moines Independent Community School District, initially determined in Case Nos. 35 and 66, and amended in 6086 and 8062 and the certification of the Des Moines Education Association, are amended to read as follows:

INCLUDED: Teacher Associates, Family Advocates and Campus Monitors.

EXCLUDED: All other school district employees, confidential and supervisory personnel as excluded by Iowa Code section 20.4.

DATED at Des Moines, Iowa, this 12th day of February, 2016.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: 

Michael G. Cormack, Chair

IN THE MATTER OF:)
)
 DES MOINES INDEPENDENT COMMUNITY)
 SCHOOL DISTRICT,)
 Public Employer,)
)
 and)
)
 DES MOINES EDUCATION ASSOCIATION,)
 Petitioner/Certified)
 Employee Organization.)

CASE NO. 8062

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 PUBLIC EMPLOYMENT
 RELATIONS BOARD

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. 35 and 66, and amended in Case Nos. 2498 and 6086 and the certification of the Des Moines Education Association, is amended to provide:

INCLUDED: Teacher Associates and Family Advocates.

EXCLUDED: All other school district employees, confidential and supervisory personnel as excluded by Section 4 of the Act.

Dated at Des Moines, Iowa, this 21st day of November, 2008.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: Neil A. Barrick
 Neil A. Barrick, Board Member

Original filed.

Copies to: Greg Harris
 Marinus Van Kuilenburg
 Peter Pashler
 Doug Willyard

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

DES MOINES INDEPENDENT COMMUNITY)
SCHOOL DISTRICT,)
Public Employer,)
and)
DES MOINES EDUCATION ASSOCIATION,)
Petitioner.)

CASE NO. 6086

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PUBLIC EMPLOYMENT
RELATIONS BOARD

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Th above named parties jointly filed a petition for amendment of bargaining unit pursuant to Section 13 of the Public Employment Relations Act [Act], Chapter 20, Code of Iowa (1999) and Rule 4.6 of the Public Employment Relations Board [Board or PERB]. The stipulated amendment was tentatively approved by the Board and deletes the position(s) of hearing interpreters from the existing list of positions specifically included in the bargaining unit; a Public Notice of Proposed Decision of Amendment of Bargaining Unit was posted in conformance with PERB Rules; and no objections were filed:

IT IS THEREFORE ORDERED that the bargaining unit previously determined in Case Nos. 35 and 66, and amended in Case No. 2498, and the certification of the Des Moines Education Association, is amended to read as follows:

INCLUDED: Teacher associates.

EXCLUDED: All other school district employees, confidential and supervisory personnel as excluded by Section 4 of the Act.

DATED at Des Moines, Iowa this 21st day of September, 1999.

PUBLIC EMPLOYMENT RELATIONS BOARD

Richard P. Moore
RICHARD P. MOORE, CHAIR

cc: Don Prine
John Vint
Peter Pashler

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

DES MOINES INDEPENDENT COMMUNITY)	
SCHOOL DISTRICT,)	
)	
Public Employer,)	
)	
and)	CASE NO. 2498
)	
DES MOINES EDUCATION ASSOCIATION,)	
)	
Certified Employee)	
Organization/ Petitioner.)	

AMENDMENT OF DECISION ON APPEAL

We issued a "Decision on Appeal" in the above-captioned case on October 15, 1984. On November 2, 1984, the Des Moines Education Association (hereinafter Association) filed an Application for Rehearing in the case, and on November 6, 1984, the Des Moines Independent Community School District (hereinafter District) filed a Resistance to that application. Thereafter, the Association and the District agreed that the issues raised in the Association's Application for Rehearing could be resolved without further hearing if we would grant their mutual request to amend a portion of our previous decision. In accordance with that mutual request, and without determining the merits of any issues raised in the Association's Application for Rehearing, the "ORDER" set out in our Decision on Appeal is hereby stricken and replaced with the following language:

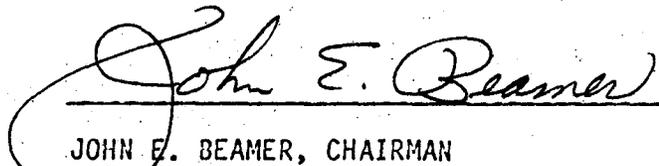
ORDER

IT IS HEREBY ORDERED that for the reasons stated herein, the hearing officer's recommended decision and order is reversed. The job classification of hearing interpreters shall not be included in the existing "professional" bargaining unit.

The Association and the District also entered into a Stipulation of

Bargaining Unit as Amended, agreeing that the teacher associate bargaining unit should be amended to include hearing interpreters. We hereby approve the Stipulation of the parties. Accordingly, the teacher associate bargaining unit found appropriate in Des Moines Independent Community School District, 75 PERB 35 & 66, is amended to include the job classification of hearing interpreter. Further, since the hearing interpreter classification did not exist at the time the associate unit was determined, the inclusion of interpreters in the associate bargaining unit does not raise a question of representation under board Rule 4.6, or Muscatine Power and Water, 82 PERB 2327.

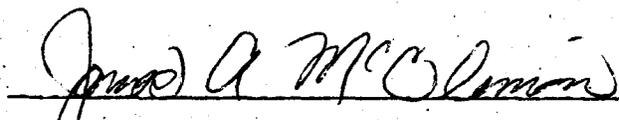
DATED at Des Moines, Iowa this 30th day of November, 1984.



JOHN E. BEAMER, CHAIRMAN



PETER L.J. PASHLER, BOARD MEMBER



JAMES A. McCLIMON, BOARD MEMBER

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

FILED
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PUBLIC EMPLOYMENT RELATIONS BOARD

DES MOINES INDEPENDENT COMMUNITY)
SCHOOL DISTRICT,)
)
PUBLIC EMPLOYER)
)
AND)
)
DES MOINES EDUCATION ASSOCIATION,)
)
)
CERTIFIED EMPLOYEE)
ORGANIZATION/PETITIONER)

CASE NO. 2498

ORDER

IT IS HEREBY ORDERED that the District's professional bargaining unit be amended to include the classification hearing interpreters.

DATED at Des Moines, Iowa this 10th day of February, 1984.

Susan K. Schreurs

SUSAN K. SCHREURS, HEARING OFFICER

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

DES MOINES INDEPENDENT SCHOOL
DISTRICT,
PUBLIC EMPLOYER

AND

DES MOINES EDUCATION ASSOCIATION,
PETITIONER

Case No. 35 & 65

ORDER OF CERTIFICATION

Now on this 14th day of October, 1975, the Board being advised that an election was conducted on September 26, 1975, pursuant to order of the Public Employment Relations Board and that Des Moines Education Association

an employee organization, received an affirmative vote of a majority of employees in the bargaining unit, and the Board having further found that the aforesaid employee organization has fully complied with all regulations of the Public Employment Relations Act and the rules and regulations thereunder,

IT IS HEREBY ORDERED BY THE BOARD that Des Moines Education Association

should be and hereby is designated and certified by this Board to be the exclusive bargaining representative for the employees of Des Moines Independent School District

a public employer, in the following bargaining unit:

INCLUDED: Teacher Associates

EXCLUDED: All other school district employee confidential and supervisory personnel as defined by the Act.

DONE by the Public Employment Relations Board

By Edward F. Kolker
Edward F. Kolker, Chairman