



STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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BLACK HAWK COUNTY,  
Public Employer,  
and  
TEAMSTERS, LOCAL NO. 238,  
Certified Employee Organization.)

RECEIVED  
PUBLIC EMPLOYMENT  
RELATIONS BOARD  
CASE NO. 3915

\*RE-ISSUED 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,

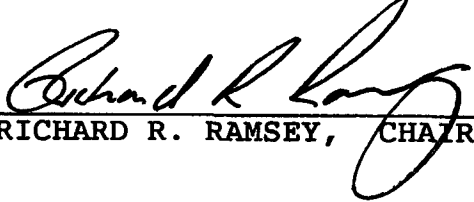
ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 505 and amended in Case Nos. 906, 2301, & 3556, and the certification of Teamsters Local No. 238, is amended to read as follows:

INCLUDED: Patrol Deputies, Jail Deputies and Civilian Dispatchers, if covered by Chapter 341A of the Code of Iowa, Civil Service Act, Process Servers and Jail Security Guards.

EXCLUDED: Chief Deputy, Lieutenants, Sergeants, Jail Matron and all other persons excluded under Section 4 of the Act.

DATED at Des Moines, Iowa this 5th day of July, 1989.

  
RICHARD R. RAMSEY, CHAIRMAN

cc: Tom Pounds  
Neil Barrick

\*This Re-issued Amendment of Bargaining Unit and Certification corrects and replaces the previous order dated March 23, 1989 which contained an incorrect reference.

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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BLACK HAWK COUNTY,	)	
	)	
PUBLIC EMPLOYER,	)	
	)	
and	)	
	)	CASE NO. 3556
OVER THE ROAD & CITY CARTAGE DRIVERS,	)	
HELPERS & DOCK WORKERS, LOCAL NO. 844,	)	
	)	
CERTIFIED EMPLOYEE ORGANIZATION	)	

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AMENDMENT OF CERTIFICATION

Upon a petition for amendment of certification duly filed under Rule 4.8 of the Public Employment Relations Board's Rules and Regulations, and the petition having been tentatively approved by the Board and posted in conformance with the Board's Rules and Regulations, and no objections having been filed;

ORDER

IT IS HEREBY ORDERED that the certification of OVER THE ROAD & CITY CARTAGE DRIVERS, HELPERS & DOCK WORKERS, LOCAL NO. 844, issued in Case No. 2301 be and hereby is amended to read as follows: CHAUFFEURS, TEAMSTERS & HELPERS, LOCAL NO. 238.

DONE at Des Moines, Iowa this 20th day of November, 1987.

  
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 JAMES A. McCLIMON, BOARD MEMBER

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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BLACK HAWK COUNTY,	)	
	)	
PUBLIC EMPLOYER	)	
	)	
AND	)	CASE NO. 2301
	)	
TEAMSTERS UNION LOCAL NO. 844,	)	
	)	
CERTIFIED EMPLOYEE ORGANIZATION	)	

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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, Iowa Code §20.13, (1981), and 660 Iowa Admin. Code §4.6(20), the parties waived hearing and filed with the Public Employment Relations Board a stipulation of bargaining unit amending a previously determined bargaining unit.

Said stipulation having been tentatively approved by the Board and posted in conformance with the Board's Rules and Regulations, no objections having been filed thereto and the Board having no objections:

ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 505 and amended in Case No. 1299, and the certification of Teamsters Local Union No. 844 be, and hereby is, amended to read as follows:

INCLUDED: Patrol Deputies, Patrol Sergeants, Jail Deputies and Jail Sergeants, if covered by Chapter 341A of the Code of Iowa Civil Service Act, Process Servers and Jail Security Guard

EXCLUDED: Chief Deputy Lieutenants, Jail Matron and all persons excluded under Section 4 of the Act.

DONE by the Public Employment Relations Board this 17th day of November, 1982.

*John E. Beamer*  
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 JOHN E. BEAMER, CHAIRMAN

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:  
BLACK HAWK COUNTY  
PUBLIC EMPLOYER  
  
AND  
  
PAINTERS AND ALLIED TRADES,  
LOCAL NO. 246, AFL-CIO  
EMPLOYEE ORGANIZATION  
  
AND  
  
TEAMSTERS, LOCAL NO. 844  
INTERVENOR

FILED  
OCT 25 1978 - 1.00 PM  
PUBLIC EMPLOYMENT RELATIONS BOARD

CASE NO. 1299

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 PERA] and Rule 4.6 of the Rules and Regulations of the Public Employment Relations Board [hereafter Board], a hearing was held before me on August 31, 1978. Appearing on behalf of Black Hawk County was Geoffrey P. Marsh; on behalf of Painters and Allied Trades Local #246, AFL-CIO, Walter G. Raftery; on behalf of Teamsters Local #844, Robert E. Conley, 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 Black Hawk County is a public employer, that both Painters Local #246 and Teamsters Local #844 are employee organizations, and that the Board has jurisdiction over the instant case. It was agreed that the issue presented in this case is whether the job classification of process server is (a) already included within the bargaining unit represented by the Teamsters, or (b) if not, which bargaining unit is appropriate for inclusion of that job classification.

Although the employer raises the spectre of fair representation questions in his brief ("unloved step-child"), that issue is only tangentially related to a unit determination procedure. If such a problem arises in the future, PERA provides adequate remedies. However, in light of Teamsters' energetic intervention in this hearing, the problem appears to be unlikely.

The employer also emphasized that in the jail division female employees perform some duties similar to those performed by civil service employees assigned to the jail division, and yet were excluded from the Teamsters unit and assigned to a unit composed of service and maintenance employees (unit determined in PERB Case Nos. 48 & 57). In this manner the employer analogized jail matrons to process servers. Nevertheless, I find that the strong community of interest in this particular case overrides the analogy.

This decision recognizes the public employer's right to "determine and implement methods, means, assignments and personnel, by which the public employer's operations are to be conducted," Section 20.7, The Code (1977). The County has the right to establish the new classification of civilian process server; Teamsters cannot force the County to hire another sworn deputy to serve papers. However, because the new classification properly belongs in the unit represented by Teamsters, the County must bargain over the terms and conditions of employment enumerated in §20.9, The Code (1977). Thus, the motives behind creating a new classification are not a relevant concern to this unit amendment proceeding.

Based on the foregoing Findings of Fact and Conclusions of Law, I hereby issue the following recommended:

ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in PERB Case No. 505 and the certification of the Teamsters Local #844 in that case be amended to read as follows:

INCLUDED: Patrol Deputies, Patrol Sergeants, Jail Deputies and Jail Sergeants, if covered by Chapter 341A of the 1975 Code of Iowa Civil Service Act, and Process Servers.

EXCLUDED: Chief Deputy Lieutenants, Jail Matron and all persons excluded under Section 4 of the Act.

DATED at Des Moines, Iowa the 25<sup>th</sup> day of October, 1978.

PUBLIC EMPLOYMENT RELATIONS BOARD

*N. Morrison Torrey*  
N. MORRISON TORREY, HEARING OFFICER

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF  
BLACK HAWK COUNTY,  
PUBLIC EMPLOYER

AND

OVER THE ROAD AND CITY CARTAGE DRIVERS,  
HELPERS AND DOCK WORKERS, AND CONSTRUCTION  
DRIVERS AND HELPERS AND ALLIED EMPLOYEES,  
LOCAL 844,  
PETITIONER

CASE NO 906

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

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 505 and the certification of the Teamsters Local #844, Over the Road and City Cartage Drivers, Helpers and Dock Workers and Construction Drivers and Helpers and Allied Employees in that case be and hereby are amended to read as follows

INCLUDED All civil service employees of the Black Hawk County Sheriff's Department including but not limited to all Deputy Sheriffs and Sergeants

EXCLUDED Office clerical employees, confidential employees and other excluded by Section 4 of the Act

DONE by the Public Employment Relations Board this 23rd day of February, 1977

  
JOHN R. LOIHL, BOARD MEMBER



STATE OF IOWA  
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:	)	
BLACK HAWK COUNTY,	)	
PUBLIC EMPLOYER	)	
AND	)	CASE NO 505
TEAMSTERS LOCAL #844 OVER THE ROAD AND	)	
CITY CARTAGE DRIVERS, HELPERS & DOCK	)	
WORKERS & CONSTRUCTION DRIVERS &	)	
HELPERS & ALLIED EMPLOYEES,	)	
PETITIONER	)	ORDER OF CERTIFICATION

NOW on this 11th day of December, 1975, the Board being advised that an election was conducted pursuant to Order of the Board, and that Teamsters Local #844 Over the Road and City Cartage Drivers, Helpers and Dock Workers and Construction Drivers and Helpers and Allied Employees, and employee organization, received an affirmative vote of the majority of employees in the bargaining unit, and the Board having 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 Teamsters Local #844 Over the Road and City Cartage Drivers, Helpers and Dock Workers and Construction Drivers and Helpers and Allied Employees should be, and hereby is designated and certified by this Board to be the exclusive bargaining representative for the employees of Black Hawk County a public employer, in the following bargaining unit.

INCLUDED: Patrol Deputies, Patrol Sergeants, Jail Deputies and Jail Sergeants, if covered by Chapter 341A of the 1975 Code of Iowa Civil Service Act

EXCLUDED Chief Deputy, Lieutenants, Jail Matron and all persons excluded under Section 4 of the Act.

DONE by the Public Employment Relations Board

