

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF)	
)	
KEOKUK MUNICIPAL WATER WORKS)	
Public Employer)	
)	
and)	CASE NO 7246
)	
TEAMSTERS LOCAL 238)	
Petitioner/Certified)	
Employee Organization)	
)	

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IOWA

PROPOSED DECISION AND ORDER

Statement of the Case

Teamsters Local 238 (Teamsters) filed a petition for amendment of bargaining unit with the Public Employment Relations Board (Board) pursuant to Board Rule 4 6 The Teamsters seek to amend an existing Teamsters-represented bargaining unit to include Manager Trainee as a Working Lead Person Keokuk Municipal Water Works (Water Works) resists the Teamsters' petition contending that the Manager Trainee should be excluded from the bargaining unit as a supervisor within the meaning of section 4 2 of the Public Employment Relations Act (Act)

A public hearing was held in Des Moines, Iowa, on April 26, 2006, at which the Water Works and Teamsters were provided an opportunity to present testimony and other evidence

Based on the record presented at hearing and the parties' post-hearing briefs which were received by June 6, 2006, I make the following

FINDINGS OF FACT¹

In November, 1977, the Board certified the Teamsters to represent the following stipulated bargaining unit

INCLUDED All blue collar employees of the Keokuk Municipal Water Works including operators, meter readers, laborers, maintenance personnel, and working foremen

EXCLUDED All office clerical employees, plant chemists, manager, office manager, and others excluded by the Act

At hearing, the Water Works and Teamsters agreed to the following description as the current Teamsters-represented bargaining unit

INCLUDED All Plant Operator Trainees, Plant Operators Grade 1, 2, 3 and 4, Plant Maintenance Employee, Working Lead Person, Utility Worker, Meter Reading and Maintenance Employee, and Utility Worker Distribution Grade 1, 2 and 3

EXCLUDED All office clerical employees, plant chemists, manager, office manager, and others excluded by the Act

¹ At hearing, I advised the parties pursuant to Iowa Code section 17A 14(4) that I would take official notice of the Board's administrative files in Case Nos 992 and 5514. In Case No 992, Teamsters Local 218 was certified to represent a stipulated bargaining unit of certain Keokuk Board of Water Works Trustees' employees. In Case No 5514, the Teamsters' certification was amended from Local 218 to Local 238. Also at hearing, it was clarified that the public employer is the Keokuk Municipal Water Works.

Clearly, this training is intended to develop Johnston's technical skills and professional knowledge to meet the demands of the Water Works' distribution system. Nonetheless at this stage of his training, I conclude that Johnston possesses duties and responsibilities related to the section 4 2 statutory criteria to assign and direct public employees.

Based on the foregoing, I issue the following


ORDER

Consistent with the parties' stipulation at hearing, the Teamsters-represented bargaining unit certified by the Board in Case No 992 and amended in Case No 5514 is further amended as follows

INCLUDED All Plant Operator Trainees, Plant Operators Grade 1, 2, 3 and 4, Plant Maintenance Employee, Working Lead Person, Utility Worker, Meter Reading and Maintenance Employee, and Utility Worker Distribution Grade 1, 2 and 3

EXCLUDED All office clerical employees, plant chemists, manager, office manager, manager trainee, and others excluded by the Act

DATED at Des Moines, Iowa, this 16th day of June, 2006



James A. McClimon,
Administrative Law Judge

cc Timothy C Hall
Toby J Gordon

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

KEOKUK MUNICIPAL UTILITIES,)
 Public Employer,)
 and)
 CHAUFFEURS, TEAMSTERS AND HELPERS,)
 LOCAL UNION NO 218,)
 Certified Employee)
 Organization)

CASE NO 5514

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 PUBLIC EMPLOYMENT RELATIONS BOARD

AMENDMENT OF CERTIFICATION

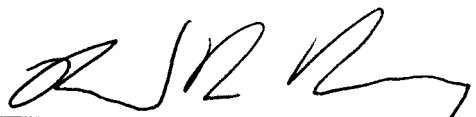
A petition for amendment of certification was duly filed under Rule 4 8 of the Public Employment Relations Board [Board or PERB] Rules Said petition has been tentatively approved by the Board, a Public Notice of Proposed Decision of Amendment of Certification has been posted in conformance with PERB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

IT IS THEREFORE ORDERED that the certification of Chauffeurs, Teamsters & Helpers, Local Union #218, issued in Case No 992, is amended to read as follows

Chauffeurs, Teamsters & Helpers, Local Union #238

DATED at Des Moines, Iowa this 7th day of June, 1996

PUBLIC EMPLOYMENT RELATIONS BOARD



 Richard R Ramsey, Chairman

cc Bill Cole
 Neil Barrick
 Gary I Mika

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF)
KEOKUK BOARD OF WATER WORKS TRUSTEES,)
Public Employer)
and)
GENERAL DRIVERS, WAREHOUSEMEN AND)
HELPERS, LOCAL UNION NO 218,)
Petitioner)

CASE NO. 992

ORDER OF CERTIFICATION

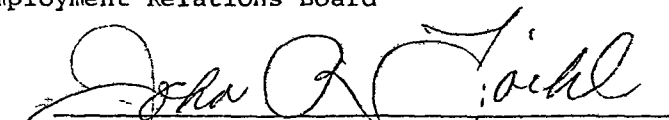
NOW, on this 1st day of November, 1977, the Board being advised that an election was conducted pursuant to Order of the Board, and that a majority of the ballots were cast for General Drivers, Warehousemen & Helpers, #218, an employee organization; and the Board being further advised that said employee organization has complied with all requirements of the Act and the rules and regulations thereunder;

IT IS HEREBY ORDERED that General Drivers, Warehousemen & Helpers, Local Union No 218, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of Keokuk Water Works, a public employer, in the following bargaining unit:

INCLUDED: All blue collar employees of the Keokuk Municipal Water Works, including operators, meter readers, laborers, maintenance personnel, and working foremen.

EXCLUDED: All office clerical employees, plant chemists, manager, office manager, and others excluded by the Act

DONE by the Public Employment Relations Board



JOHN R LOIHL, BOARD MEMBER