

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF BETTENDORF, )  
Public Employer, )  
and )  
AMERICAN FEDERATION OF STATE, )  
COUNTY AND MUNICIPAL EMPLOYEES/ )  
IOWA COUNCIL 61, )  
Certified Employee )  
Organization/Petitioner. )

CASE NO. 5655

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PUBLIC EMPLOYMENT  
RELATIONS BOARD

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 [Act], Chapter 20, Iowa Code (1997) and Rule 4.6 of the Public Employment Relations Board [Board or PERB], the parties filed with the Board a Stipulation of Bargaining Unit. Said Stipulation was tentatively approved by the Board and includes the positions of Club House Supervisor in the existing list of positions specifically excluded from 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, therefore:

**IT IS THEREFORE ORDERED** that the bargaining unit previously determined in Case No. 3845, and amended in Case Nos. 4533, and the certification of AFSCME/Iowa Council 61, is amended to read as follows:

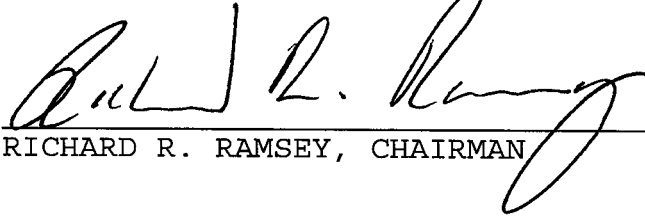
**INCLUDED:** All regular full-time and regular part-time employees classified as: Public Works - Inspector, Engineering Technician, Survey Chief, Lead Equipment Operator, Heavy Equipment Operator, Light Equipment Operator, Sanitation Worker, Sign Technician, Recycling Coordinator, Operations Assistant, Operations Coordinator, Mass Transit Driver, Substitute Mass Transit Driver, Lead Mechanic, Laborer, Parts/ Inventory Control Clerk, Mechanic, Mechanic's Helper; Parks & Recreation

Department - Office Coordinator, Facility Coordinator, Equipment Operator, Maintenance Worker, Maintenance Foreman, Foreman, Recreation Supervisor, Secretary (Life Fitness Center), Clerk (Life Fitness Center); Community Development - Plumbing & Heating Inspector, City Electrician, Building Inspector, Secretary, Code Enforcement Official, Electrician, Custodian; Finance - Account Clerk, General Ledger Clerk; Clerical - Account Clerk, Secretary; Police Department - Data Entry Clerk, Animal Control Officer, Kennel Worker, Social Worker, Secretary. In the event the city authorizes the filling of the classifications Sanitation Laborer or Lead Maintenance Worker, such employees shall be deemed a part of the unit as defined herein, and shall be subject to the rights and privileges of the contract herein.

**EXCLUDED:** Public Works - Director, Manager of Operations, Supervisor or Street & Sanitation, Manager of Transit, City Engineer, Civil Engineer, Engineer, Construction Supervisor, Administrative Secretary; Parks & Recreation Department - Director, Clubhouse Supervisor, Manager of Recreation, Manager of Golf Course, Manager of Parks, Secretary to Director, Gymnastics Directors, Softball Instructors, Aerobic Instructors, Gymnastic Instructors, Life Fitness Center Leaders (working less than 20 hrs per week), Babysitter, Pool Clerk, Camp Lagoon Supervisor, Volleyball Instructors, Manager of Business Office; Finance - Director, Assistant Director, Information Systems Coord.; Community Development - Director, Executive Secretary, Building Maint. Supervisor; Chief Building Official, Assistant Planners; Police - All employees except as included; Lincoln Center - All employees; Fire - All employees; Children's Museum - All employees.

DATED at Des Moines, Iowa this 20th day of March, 1997.

PUBLIC EMPLOYMENT RELATIONS BOARD



RICHARD R. RAMSEY, CHAIRMAN

cc: Gregory Jager  
Tyrone Cutkomp

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF BETTENDORF	)	
Public Employer	)	
and	)	CASE NO. 4533
	)	
AFSCME/IOWA COUNCIL 61	)	
Petitioner/Certified	)	
Employee Organization	)	

RECEIVED  
PUBLIC EMPLOYMENT  
RELATIONS BOARD  
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PROPOSED DECISION AND ORDER

Statement of the Case

James A. McClimon, Administrative Law Judge. This case concerns an amendment of bargaining unit petition filed by AFSCME/Iowa Council 61 (AFSCME) pursuant to Rule 4.6 of the Public Employment Relations Board (Board). AFSCME seeks to amend an existing bargaining unit represented by AFSCME to include secretary (police department); survey chief (public works); and the following job classifications in the parks and recreation department: business office manager, golf course manager, recreation manager, parks manager, and club house supervisor.

A public hearing was held in Bettendorf, Iowa, on August 18, 1992, at which time AFSCME and the City of Bettendorf (City) had full opportunity to present written evidence and testimony. The parties did not file post-hearing briefs.

Based on the record presented at hearing, I make the following:

FINDINGS OF FACT

AFSCME/Iowa Council 61 represents a "general" City bargaining unit which includes approximately fifty (50) employees who work in

necessarily acting as a line supervisor, nonetheless acts as a representative of the employer in the promulgation and implementation of policy. In this case it is clear that the golf course manager, and not the club house supervisor, is responsible for the overall operation of the golf course, and it is my considered opinion that the club house supervisor's recent participation in the budget-making process does not establish that the club house supervisor is a managerial employee within the meaning of Davenport Community School District.

Based on the foregoing, and the preliminary proposed decision and order issued in this case, I issue the following:

ORDER

The "general" City bargaining unit and the certification of AFSCME/Iowa Council 61, in PERB Case No. 3845 are amended to include the job classifications contained in Appendix A (attached), and the bargaining unit and certification are amended to exclude the job classifications contained in Appendix B (attached). Appendix C contains the job classifications which the City and AFSCME agreed at hearing to exclude from the "general" City bargaining unit.

DATED at Des Moines, Iowa this 19th day of October, 1992.



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James A. McClimon  
Administrative Law Judge

cc: Greg Jager  
Ty Cutkomp

Appendix A

Included

Police Department

Data Entry Clerk  
Animal Control Officer  
Kennel Worker  
Social Worker  
Secretary

Public Works

Inspectors  
Engineering Technician  
Lead Mechanic  
Recycling Coordinator  
Survey Chief

Community Development

Plumbing and Heating Inspector  
City Electrician  
Custodian  
Building Inspector

Park and Recreation

Life Fitness Center Clerk  
Club House Supervisor

Clerk's Office

General Ledger Clerk  
Account Clerk

Garage

Mechanic's Helpers

Appendix B

Excluded

Community Development

Building Maintenance Supervisor  
Chief Building Inspector  
Executive Secretary

Public Works

Public Works Construction Supervisor  
Supervisor, Street and Sanitation  
Administrative Secretary

Police Department

Executive Secretary

Park and Recreation

Secretary  
Parks Manager  
Recreation Manager  
Golf Course Manager  
Business Office Manager

Clerk's Office

Information System Coordinator

Appendix C

Excluded

Employees excluded by 20.4 of the Act.

Police Department officers and communications/computer specialist

Fire Department employees

Lincoln Center employees

Children's Museum employees

Gymnastics Director and Gymnastics Instructors

Aerobics instructors

Camp Lagoon Supervisor

Babysitter

Pool Clerk

Softball, Volleyball instructor

Police Department Records Supervisor

Police Department School Crossing Guards

Police Department Captain of School Crossing Guards

Assistant Planner

Life Fitness Center Leader (working less than 20 hours per week)

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

FILED

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PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF BETTENDORF,  
Public Employer,

and

AFSCME/IOWA COUNCIL 61,  
Petitioner.

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CASE NO. 3845

ORDER OF CERTIFICATION

NOW, on this 15th day of May, 1989, the Board being advised than an election was conducted pursuant to Order of the Board, and that a majority of the ballots were cast for AFSCME/Iowa 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 Bettendorf, a public employer, in the following bargaining unit:

INCLUDED: Street & Sanitation: Sanitation & Street Service Coordinator, Equipment Operator II, Equipment Operator I, Sanitation Truck Driver, and Sanitation Laborer

Sign Department: Traffic Technician

City Garage: Sanitation & Street Operator Coordinator, Mechanic, and Laborer

Transit: Transit Coordinator/Dispatcher, Transit Operator, and Substitute Transit Operator

Clerical: Sewer Account Clerk, Cashier, Clerk/Typist/Receptionist, and Secretary II's not working for a Department Head

Electrician: Assistant Electrician



Park Board: Administrative Secretary not working for Department Head, Facility Supervisor, Clerk Typist, Operator/Laborer, Maintenance I, Maintenance II, Working Foreman, and Foreman

EXCLUDED: Street & Sanitation: Street Commissioner and Assistant Superintendent

City Garage: Director of Vehicle Maintenance

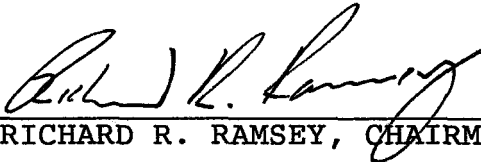
Transit: Director of Mass Transit

Clerical: Secretary II's working for Department Heads, Data Processing Coordinator, and Account Clerk (Payroll)

Electrician: City Electrician

Park Board: Superintendent of Parks & Recreation, Director of Parks, Director of Recreation, Greens Superintendent, Administrative Secretary for Department Head, Business Manager, and all employees excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board

  
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RICHARD R. RAMSEY, CHAIRMAN