

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF CLINTON, Public Employer)	
)	
and)	CASE NO 4592
)	
AFSCME/IOWA COUNCIL 61, CEO/Petitioner)	

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 (1991) 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 has been tentatively approved by the Board; a Public Notice of Proposed Decision of Amendment of Bargaining Unit has been posted in conformance with PERB Rules; and no objections have been filed, therefore:

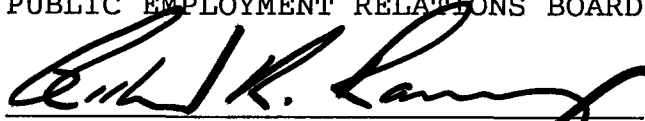
IT IS HEREBY ORDERED that the bargaining unit previously determined in Case Nos. 436, 518 & 2841 and the certification of AFSCME/IOWA COUNCIL 61, is amended to read as follows:

INCLUDED: All of the employees of the Water Pollution Control and Street Divisions of the Public Works Department. All employees of the Parks and Recreation Department, all employees of the Municipal Transit Administration.

EXCLUDED: All elected officials, members of boards or commissions, supervisory personnel, confidential employees, parking control officers, program supervisor, program coordinator, engineering aide, survey foreman, draftsman and clerical employees.

DATED at Des Moines, Iowa this 28th day of February, 1992.

PUBLIC EMPLOYMENT RELATIONS BOARD


RICHARD R. RAMSEY, CHAIRMAN

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

CLINTON INDEPENDENT TRANSIT EMPLOYEES,) Certified Employee) Organization/Petitioner,)) and)) CLINTON MUNICIPAL TRANSIT) AUTHORITY,) Public Employer,)) and)) AFSCME LOCAL 888, COUNCIL 61,) Respondent.)	CASE NO. 2841 AMENDMENT OF CERTIFICATION
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The Clinton Independent Transit Employees filed a Petition for Amendment of Certification with the Public Employment Relations Board (hereafter the Board), seeking to change its certification to "American Federation of State, County, and Municipal Employees, Local 888". The petition alleges that a majority of employees in the unit have voted in favor of the amendment of certification and alleges other facts to indicate that no question concerning representation exists.

On December 11, 1984, the Board issued a Public Notice of Proposed Decision of Amendment of Certification, noting that the Clinton Municipal Transit Authority had not stipulated to the proposed amendment, but had not filed a statement of position or any grounds for objection with the Board. The Public Notice further stated that the Board would approve the requested amendment and issue an order amending the certification without hearing unless the Clinton Municipal Transit Authority filed a Request for Hearing and specific written grounds for objection to the amendment with the Board no later than December 27, 1984. The notice also stated that other persons having objections should file them by December 27, 1984. The notice stated that if no request for hearing or specific objections were filed, or if the Board determined any objections filed to be without merit, the Board would issue an order amending the certification as requested in the petition.

On December 24, 1984, the Clinton Municipal Transit Authority filed written objections to the proposed amendment of certification, but did not request a hearing. In addition, the Attorney for the Transit Authority orally waived hearing on the objections raised.

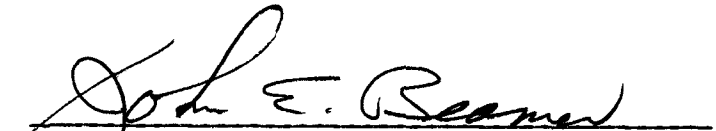
We have reviewed the written objections filed, and note that they essentially involve the Transit Authority's concern that AFSCME will take the position that part-time bus drivers are included in the bargaining unit, whereas the Transit Authority believes only full-time drivers are included. We conclude that the objections filed are primarily related to the make-up of the bargaining unit and not to the identity of the certified representative. Accordingly, the concerns of the Transit Authority would appropriately be addressed by the filing of a Petition for Clarification of Bargaining Unit, and are not valid objections as to the requested amendment of certification.

Accordingly, we hereby issue the following:


ORDER

It is hereby ordered that the certification of Independent Clinton Transit Employees Organization, originally certified in PERB Case No. 518, is amended to "American Federation of State, County and Municipal Employees, Local 888".

DATED at Des Moines, Iowa this 31st day of January, 1985.



JOHN E. BEAMER, CHAIRMAN



PETER L.J. PASHLER, BOARD MEMBER



JAMES McCLIMON, BOARD MEMBER

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF·)	
CLINTON MUNICIPAL TRANSIT AUTHORITY,)	
PUBLIC EMPLOYER)	
AND)	CASE NO 518
INDEPENDENT CLINTON TRANSIT EMPLOYEES)	
ORGANIZATION,)	
PETITIONER)	
)	ORDER OF CERTIFICATION

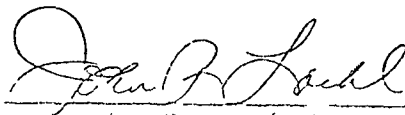
NOW on this 22nd day of January, 1976, the Board being advised that an election was conducted pursuant to Order of the Board, and that Independent Clinton Transit Employees Organization, an employee organization, received an affirmative vote of the majority of employees in the bargaining unit, and the Board having further 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 Independent Clinton Transit Employees Organization, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of Clinton Municipal Transit Authority, a public employer, in the following bargaining unit·

INCLUDED: All employees of the Municipal Transit Authority of the City of Clinton, Iowa, including bus operators, mechanics, and servicemen.

EXCLUDED: Municipal Transit Authority Board, Transit Manager, all City employees, and all others excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board



Earl J. Humber

STATE OF IOWA

PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF)
CLINTON BOARD OF PARK COMMISSIONERS,)
PUBLIC EMPLOYER)
AND)
AFSCME (AMERICAN FEDERATION OF STATE,)
COUNTY AND MUNICIPAL EMPLOYEES),)
AFL-CIO, LOCAL #888,)
PETITIONER)

CASE NO. 436

ORDER OF CERTIFICATION

NOW on this 6th day of February 1976, the Board being advised that an election was conducted pursuant to Order of the Board, and that AFSCME, AFL-CIO, LOCAL #888 an employee organization, received an affirmative vote of the majority of employees in the bargaining unit, and the Board having further 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 AFSCME, AFL-CIO, Local #888 should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of Clinton Board of Park Commissioners a public employer, in the following bargaining unit:

INCLUDED All full-time maintenance workers, labor II workers, labor I workers, custodian of the Erickson Center, the EPP caretaker, the center director, program director and park maintenance foreman

EXCLUDED The director of parks and recreation, the superintendent of parks, the director of recreation, all clerical employees and all others excluded by Section 4 of the Act

DONE by the Public Employment Relations Board

by 
 John R. Loehl, Board Member

