

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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CITY OF CLINTON,	)	
Public Employer	)	
and	)	CASE NO 4615
CLINTON POLICE DEPARTMENT	)	
BARGAINING UNIT,	)	
Certified Employee Org.	)	

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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 [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 No. 560 and amended in Cases No 4375, and the certification of Clinton Police Department Bargaining Unit, is amended to read as follows:

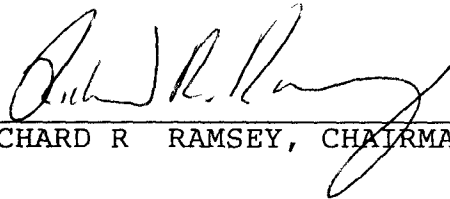
**INCLUDED:** Patrol Officers, Corporals, Sergeants, Records Clerk, Office Secretary, full and part-time Animal Control Warden, Public Service Officer, Front Desk Clerk and Receptionist and Computer Systems Manager

**EXCLUDED:** Chief of Police, Captains, Lieutenants, Departmental Secretary, and all others excluded by Section 4 of the Act.

CEO 162

DATED at Des Moines, Iowa this 29th day of June, 1992

PUBLIC EMPLOYMENT RELATIONS BOARD

  
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RICHARD R RAMSEY, CHAIRMAN

cc: Bruce Johansen  
G Wylie Pillers

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

CITY OF CLINTON,  
Public Employer. )  
and )  
CLINTON POLICE BARGAINING UNIT,  
Petitioner, )

CASE NO. 4375

11/11/91  
11/11/91  
11/11/91  
11/11/91

PROPOSED DECISION AND ORDER

Diane Tvrdik, Administrative Law Judge. This proceeding arises from an amendment of unit petition filed with the Public Employment Relations Board [PERB or Board] by the Clinton Police Bargaining Unit [Union or CPBU] on January 25, 1991 pursuant to Iowa Code §20 13 (1989), and Rule 4.6(20) of the Public Employment Relations Board Rules. The original petition was incomplete as to excluded positions and an amended petition was filed on May 30, 1991, without objection by the City

A hearing was held at the Clinton Law Enforcement Center on March 20, 1991. The Union was represented by G. Wylie Pillers and the City was represented by City Attorney, Bruce D. Johansen. Both parties had full opportunity to present evidence. The Union filed its post-hearing brief on April 15, 1991, and the City filed its post-hearing brief on April 16, 1991. Based upon the entire record in this case, I issue the following proposed Findings of Fact, Conclusions of Law and Recommended Order.

FINDINGS OF FACT

The City of Clinton is a public employer within the meaning of §20.3(1) of the Public Employment Relations Act [PERA or Act], Iowa Code Ch. §20 (1989), and the Union is an employee organization

conclude, however, that the position of lieutenant is a supervisory position and therefore excluded, and that the position of departmental secretary is a confidential employee and consequently excluded under the Act.

Based upon the above Findings of Fact and Conclusions of Law, I issue the following:

RECOMMENDED ORDER

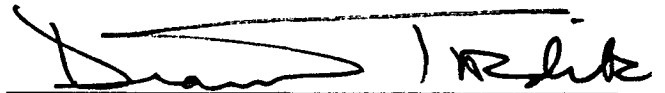
IT IS HEREBY ORDERED that the bargaining unit previously determined in Case #560, and the certification of the Clinton Police Department Bargaining Unit is amended to read as follows:

**INCLUDED:** Patrolmen, Corporals, Sergeants, Record Clerk, Office Secretary, full and part-time Animal Control Warden, Public Service Officer and full & part-time Front Desk Clerk & Receptionist.

**EXCLUDED:** Chief of Police, Captains, Lieutenants, Departmental Secretary and all others excluded by Section 4 of the Act

DATED at Des Moines, Iowa this 17<sup>th</sup> day of June, 1991.

PUBLIC EMPLOYMENT RELATIONS BOARD



Diane Tvrdik,  
Administrative Law Judge

STATE OF IOWA  
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF  
CITY OF CLINTON,  
PUBLIC EMPLOYER

AND

CLINTON POLICE DEPARTMENT BARGAINING  
UNIT,  
PETITIONER

Case No. 560

ORDER OF CERTIFICATION

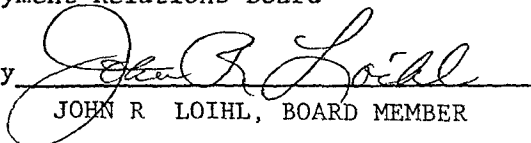
Now on this 17th day of May , 1976, the Board being advised that an election was conducted on May 4, 1976 , pursuant to order of the Public Employment Relations Board and that Clinton Police Department Bargaining Unit, an employee organization, received an affirmative vote of a majority of employees 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 Clinton Police Department Bargaining Unit should be and hereby is designated and certified by this Board to be the exclusive bargaining representative for the employees of the City of Clinton, a public employer, in the following bargaining unit

INCLUDED Sergeants, corporals and patrolmen

EXCLUDED The chief of police, captains, and all others excluded by Section 4 of the Act

DONE by the Public Employment Relations Board

By   
JOHN R LOIHL, BOARD MEMBER

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF  
CITY OF CLINTON,  
PUBLIC EMPLOYER

AND

CLINTON POLICE DEPARTMENT BARGAINING  
UNIT,  
PETITIONER

CASE NO 560

ERRATUM

The Hearing Officer in the above captioned case having found a scrivener's error in its Recommended Decision and Order dated April 2, 1976,

IT IS HEREBY ORDERED that said Recommended Decision and Order is amended, at page 8 The last citation in footnote #3 now reads City of Cedar Rapids (Fire fighters), PERB Case No 267, (1975) aff'd by Board (February 19, 1976)

DATED at Des Moines, Iowa this 7th day of April, 1976

  
James A McClimon/Hearing Officer