

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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PUBLIC EMPLOYMENT
RELATIONS BOARD

IN THE MATTER OF:)	
)	
CITY OF MARION,)	
Public Employer,)	
)	
and)	CASE NO. 7327
)	
AMERICAN FEDERATION OF STATE,)	
COUNTY AND MUNICIPAL EMPLOYEES,)	
AFL-CIO, LOCAL #231,)	
Petitioner/Certified)	
Employee Organization.)	

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Upon a petition for amendment of bargaining unit duly filed pursuant to Iowa Code section 20.13 and PERB rule 621-4.6(20), the parties filed with the Board a stipulation of bargaining unit as amended, which was tentatively approved by the Board. A public notice of the Board's proposed decision to amend the bargaining unit in accordance with the parties' stipulation was posted in conformance with PERB's rules, and no objections to the proposed decision were filed.

IT IS THEREFORE ORDERED that the bargaining unit initially determined in PERB Case No. 24 and subsequently amended in Case Nos. 591 and 5669, and the certification of the American Federation of State, County and Municipal Employees, AFL-CIO, Local #231, are amended to provide:

INCLUDED: All city employees except as noted below.

EXCLUDED: Police officers, fire fighters, police department records clerk, administrative secretaries, financial clerk, employees of the Board of Trustees of the Marion Municipal Water Department, employees of the Marion Library Board of Trustees, and all other supervisory employees of the City of Marion as defined by Section 4 of the Act.

Dated at Des Moines, Iowa, this 14th day of September, 2006.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: James R. Riordan
James R. Riordan, Chair

Copies to: City Clerk
Tom Anthony
Jeff Schout
Gary Ray

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

RECEIVED
STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD
DES MOINES, IOWA
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CITY OF MARION,
Public Employer/Petitioner,
and
AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES,
AFL-CIO, LOCAL #231,
Certified Employee
Organization.

CASE NO. 5669

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 adds the positions of administrative secretaries and financial clerk to 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:

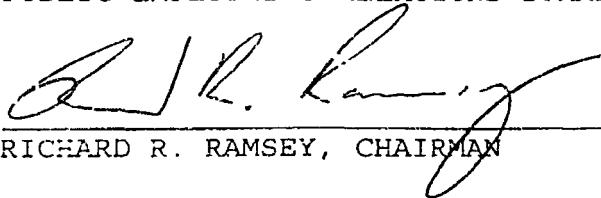
IT IS THEREFORE ORDERED that the bargaining unit previously determined in Case No. 24, and amended in Case No. 591, and the certification of American Federation of State, County and Municipal Employees, AFL-CIO, Local #231, is amended to read as follows:

INCLUDED: All city employees except as noted below.

EXCLUDED: Police officers, fire fighters, administrative secretaries, financial clerk, employees of the Board of Trustees of the Marion Municipal Water Department, employees of the Marion Library Board of Trustees, and all other supervisory employees of the City of Marion as defined by Section 4 of the Act.

DATED at Des Moines, Iowa this 29th day of August, 1997.

PUBLIC EMPLOYMENT RELATIONS BOARD



A handwritten signature in cursive script, appearing to read "R. R. Ramsey", is written over a horizontal line.

RICHARD R. RAMSEY, CHAIRMAN

cc: Doug Peters
Brian Gruhn

Iowa Public Employment Relations Board Decisions

CASE NO. 591

MARION PUBLIC LIBRARY BOARD OF TRUSTEES,
PETITIONER
AND
AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, AFL-CIO,
LOCAL NO. 231,
INTERESTED PARTY
AND
CITY OF MARION,
INTERESTED PARTY

DECISION AND ORDER

The above-entitled matter came on for argument before the full Board on May 17, 1976, pursuant to a Notice of Review issued by the Board on May 18, 1976.

STATEMENT OF THE CASE

On February 10, 1975, the American Federation of State, County and Municipal Employees, (AFSCME) filed a combined unit determination and certification petition with the Board, which proposed a bargaining unit of employees of the City of Marion. The City of Marion and AFSCME then stipulated to a bargaining unit and, upon completion of the necessary procedures required by the rules and regulations of the Board, a bargaining unit was determined which included in the unit employees of the Marion Public Library. A representation election was conducted on April 22, 1975, and by order dated November 14, 1975, as amended by order dated November 17, 1975, AFSCME Local No. 231 was certified as the exclusive bargaining representative of the employees in the bargaining unit. These proceedings were in PERB Case No. 24.

On September 16, 1975, the Board issued a decision that the Cedar Rapids Public Library Board was the employer of library employees for purposes of collective bargaining under the Public Employment Relations Act (Act).^{1/} However, because the bargaining unit description approved for employees of the City of Marion did not specifically set out employees of the Library, it was apparently assumed that those employees were included in that unit. In any event, Library employees were placed on the eligibility list for the election in the City of Marion bargaining unit, and AFSCME commenced to represent those employees along with all other City of Marion employees, excepting those specifically excluded from the unit.

On December 15, 1975, the Marion Public Library Board of Trustees (Library Board) filed a petition requesting a reconsideration of the bargaining unit, alleging that the Library Board was the public employer of Library employees, and further requesting that those employees be severed from the original City of

^{1/} Cedar Rapids Public Library Board and Cedar Rapids Library Staff Association, PERB Case No. 260 (1975).

following constitutes an appropriate unit for purposes of collective bargaining:

INCLUDED: Children's Librarian, Assistant Librarian I, Assistant Librarian II, Library Clerk, and Custodian.

EXCLUDED: Head Librarian/Director, Library Board of Trustees and all those excluded by Section 4 of the Act.

IT IS FURTHER ORDERED that the unit found appropriate in Case No. 24 be amended to read as follows:

INCLUDED: All city employees except as excluded below.

EXCLUDED: Police officers, fire fighters, employees of the Board of Trustees of the Marion Municipal Water Department, employees of the Marion Library Board of Trustees, and all other supervisory employees of the City of Marion as defined by Section 4 of the Act.

IT IS FURTHER ORDERED that the Order of Certification in Case No. 24 be amended to show AFSCME Local No. 231 as the exclusive bargaining representative for the employees of the City of Marion in the unit as amended by this Order.

DATED at Des Moines, Iowa this 15th day of July, 1976.

PUBLIC EMPLOYMENT RELATIONS BOARD

EDWARD F. KOLKER, CHAIRMAN

VERNON C. COOK, MEMBER

JOHN R. LOIHL, MEMBER

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:
CITY OF MARION,
PUBLIC EMPLOYER

AND

(AFSCME) AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,
LOCAL #231,
PETITIONER

CASE NO. 24

AMENDED
ORDER OF CERTIFICATION

Whereas on November 14, 1975, the Public Employment Relations Board certified through error, AFSCME Local #620 in this unit, the Board now issues this amended certification.

NOW on this 17th day of November, 1975, the Board being advised that an election was conducted pursuant to Order of the Board, and that American Federation of State, County & Municipal Employees, #231, 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 American Federation of State County, & Municipal Employees, Local #231, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of the City of Marion, a public employer, in the following bargaining unit:

INCLUDED: All city employees except as noted below.

EXCLUDED: Police Officers, Firefighters, employees of the Board of Trustees of Marion Municipal Water Department and all other supervisory and confidential employees of the City of Marion as defined by Section 4 of the Act.

DONE by the Public Employment Relations Board

Edward J. ...

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

CITY OF MARION,
PUBLIC EMPLOYER

AND

(AFSCME) AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,
LOCAL #620,
PETITIONER

CASE NO. 24

ORDER OF CERTIFICATION

NOW on this 14th day of November, 1975, the Board being advised that an election was conducted pursuant to Order of the Board, and that American Federation of State, County & Municipal Employees, #620, 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 American Federation of State, County & Municipal Employees, Local #620, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of the City of Marion,

a public employer, in the

following bargaining unit:

INCLUDED: All city employees except as noted below.

EXCLUDED: Police Officers, Firefighters, employees of the Board of Trustees of Marion Municipal Water Department and all other supervisory and confidential employees of the City of Marion as defined by Section 4 of the Act.

DONE by the Public Employment Relations Board

Edward F. Kolker
EDWARD F. KOLKER, CHAIRMAN