

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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PUBLIC EMPLOYMENT  
RELATIONS BOARD

IN THE MATTER OF	)	
	)	
CITY OF WEST DES MOINES,	)	
Public Employer,	)	
	)	
and	)	CASE NO 7923
	)	
CHAUFFEURS, TEAMSTERS AND HELPERS,	)	
LOCAL UNION NO. 238,	)	
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 Nos. 459 and amended in Case Nos 1742, 1983, and 6214 and the amendment of certification in PERB Case Nos 1742 and 6981 of the Chauffeurs, Teamsters and Helpers, Local Union No 238, is amended to provide

INCLUDED Police Officers, Jailer, Civilian Property Officer, Animal Control Officer, Evidence Technician, and Clerical Employees

EXCLUDED Chief of Police, Captains, Lieutenants, Sergeants, Administrative Secretary to the Chief of Police, Administrative Assistant to the Chief's Executive Officer, Dispatchers, Lead Dispatchers, Dispatch Supervisor, and all those excluded by Section 4 of the Act

Dated at Des Moines, Iowa, this 17th day of July, 2007

PUBLIC EMPLOYMENT RELATIONS BOARD

By James R. Riordan  
James R. Riordan, Chair

Copies to James Hanks  
Michael Stanfill

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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PUBLIC EMPLOYMENT  
RELATIONS BOARD

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IN THE MATTER OF	)	
	)	
CITY OF WEST DES MOINES (POLICE),	)	
Public Employer,	)	
	)	
and	)	CASE NO 6981
	)	
TEAMSTERS LOCAL UNION #147,	)	
Petitioner/Certified	)	
Employee Organization	)	

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**AMENDMENT OF CERTIFICATION**

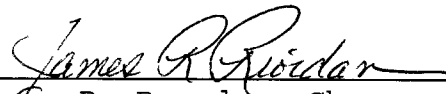
A petition for amendment of certification was duly filed under Rule 4 8 of the Public Employment Relations Board [Board or PERB] Rules Said petition has been tentatively approved by the Board, a Public Notice of Proposed Decision of Amendment of Certification has been posted in conformance with PERB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

**IT IS THEREFORE ORDERED** that the certification of Teamsters Local Union #147, issued in Case No 459, and amended in Case Nos 1742, 1983 and 6214, is amended to read as follows

CHAUFFEURS, TEAMSTERS AND HELPERS, LOCAL UNION NO 238

DATED at Des Moines, Iowa this 10th day of November, 2004

PUBLIC EMPLOYMENT RELATIONS BOARD

  
\_\_\_\_\_  
James R Riordan, Chair

cc Employer Representative  
Mike Stanfill  
Gary Dunham

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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PUBLIC EMPLOYMENT  
RELATIONS BOARD

CITY OF WEST DES MOINES,	)	
Public Employer,	)	
	)	
and	)	CASE NO 6214
	)	
OVER THE ROAD AND CITY TRANSFER	)	
DRIVERS, LOCAL NO 147,	)	
Certified Employee Organization/	)	
Petitioner	)	
	)	

PROPOSED DECISION AND ORDER

Charles E Boldt, Administrative Law Judge On July 25, 2000, the Over the Road and City Transfer Drivers, Local No 147 (Teamsters or Union) filed a petition for amendment of bargaining unit pursuant to Section 13 of the Public Employment Relations Act (Act), Chapter 20, Code of Iowa (1999), with the Public Employment Relations Board (PERB or Board) seeking to amend the positions of Dispatch Supervisor, Animal Control Officer, Jailer, Property Custodian, Evidence Technician, and Clerical Employees into the bargaining unit and remove the position of Humane Officer from the positions presently identified as included in a bargaining unit of employees of the City of West Des Moines (City or Employer) comprised of Patrol Officer, Dispatcher and Humane Officer

The City resisted the petition asserting that clerical employees either lacked a community of interest with other bargaining unit employees or were confidential employees under the Act and that the Dispatch Supervisor was a supervisory employee under the Act.

A hearing was conducted by the undersigned on September 28, 2000 The City was represented by James Hanks and the Union was represented by Dennis Francis Both parties had full opportunity

services has had any responsibilities relating to collective bargaining. Additionally, the working relationship between the support services captain and the secretary for support services is not so close as to be preclusive to the inclusion of the position into the bargaining unit.

I conclude that the secretary for support services is not a confidential employee pursuant to section 4 of the Act and is properly included in the bargaining unit as a clerical employee.

For all the foregoing reasons, I issue the following recommended:

ORDER

IT IS HEREBY ORDERED that the following constitutes an appropriate unit for the purpose of collective bargaining.

INCLUDED Police Officers, Dispatchers, Jailer, Civilian Property Officer, Animal Control Officer, Evidence Technician, and Clerical Employees

EXCLUDED Chief of Police, Captains, Lieutenants, Sergeants, Dispatch Supervisor, Administrative Secretary to the Chief of Police, Administrative Assistant to the Chief's Executive Officer, and all those excluded by Section 4 of the Act

DATED at Des Moines, Iowa, this 16th day of November, 2000.

PUBLIC EMPLOYMENT RELATIONS BOARD

*Charles E. Boldt*

Charles E Boldt  
Administrative Law Judge Member

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CITY OF WEST DES MOINES,	)	PUBLIC EMPLOYMENT RELATIONS BOARD
	)	
Public Employer,	)	
	)	
and	)	
	)	CASE No. 1983
OVER THE ROAD AND CITY TRANSFER	)	
DRIVERS, LOCAL NO. 147,	)	
	)	
Certified Employee	)	
Organization.	)	

ORDER

The recommended decision and order of the hearing officer is reversed, and the unit set forth in PERB Case No. 459 is amended to read as follows

INCLUDED: Patrol Officer, Dispatcher, and Humane Officer.

EXCLUDED Chief of Police, Captain, Lieutenants, Sergeants Clerical Employees, and all those excluded by Section 4 of the Act.

DATED at Des Moines, Iowa, this 7<sup>th</sup> day of February, 1983

*John E. Beamer*  
JOHN E. BEAMER, CHAIRMAN

*John R. Lohrl*  
JOHN R. LOHRL, BOARD MEMBER

*Peter L.J. Pashlfr*  
PETER L.J. PASHLFR, BOARD MEMBER

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF.	)	
	)	
CITY OF WEST DES MOINES, IOWA,	)	
Public Employer	)	CASE NO. 1742
and	)	
	)	
IOWA STATE POLICEMAN'S ASSOCIATION,	)	
LOCAL #55,	)	
Certified Employee	)	(Amending Case No. 459)
Organization/Petitioner	)	
and	)	
	)	
OVER THE ROAD & CITY TRANSFER	)	
DRIVERS, LOCAL UNION 147,	)	
Petitioner	)	

AMENDMENT OF CERTIFICATION

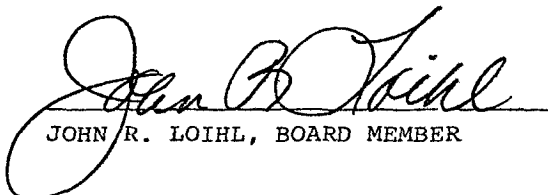
Upon a petition for amendment of certification duly filed under Section 13 of the Public Employment Relations Act and Rule 4.6 of the Public Employment Relations Board's Rules and Regulations, the parties waived hearing and filed with the Public Employment Relations Board stipulation of amendment of certification.

Said stipulation having been tentatively approved by the Board, posted in conformance with the Board's Rules and Regulations, no objections having been filed thereto, and the Board having no objections,

ORDER

IT IS HEREBY ORDERED that the certification previously issued in Case No 459, be amended to substitute "Over the Road and City Transfer Drivers, Local Union 147" for "Iowa State Police Officers Association, Local #55" as the Certified Employee Organization.

DONE by the Public Employment Relations Board this 20th day of March, 1981



JOHN R. LOIHL, BOARD MEMBER

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF	)	
	)	
CITY OF WEST DES MOINES, IOWA,	)	
Public Employer	)	
	)	CASE NO 1742
and	)	
	)	
IOWA STATE POLICEMAN'S ASSOCIATION,	)	
LOCAL #55,	)	
Certified Employee	)	
Organization/Petitioner	)	(Amending Case No. 459)
	)	
and	)	
	)	
OVER THE ROAD & CITY TRANSFER	)	
DRIVERS, LOCAL UNION 147,	)	
Petitioner	)	
	)	

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Upon a petition for amendment of certification duly filed under Section 13 of the Public Employment Relations Act and Rule 4.6 of the Public Employment Relations Board's Rules and Regulations, the parties waived hearing and filed with the Public Employment Relations Board a stipulation of bargaining unit changing the certification of the previously determined bargaining unit. The Board tentatively approved the stipulation although a petition for amendment of bargaining unit had not been filed.

Said stipulation having been tentatively approved by the Board and posted in conformance with the Board's Rules and Regulations, and no objections having been filed thereto, and the Board having no objections,

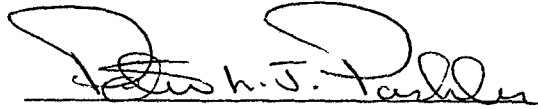
ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No 459 and the certification of Over the Road & City Transfer Drivers, Local Union 147 previously amended in this case be and hereby are amended to read as follows

INCLUDED: All employees of the following classifications in and forming a part of the West Des Moines Police Department Sergeant, Patrol officers, Dispatcher, and Humane Officer.

EXCLUDED. Chief of Police, Lieutenants, Clerical Employees, and all those excluded by Section 4 of the Act

DONE by the Public Employment Relations Board this 8th day of April, 1981.

A handwritten signature in black ink, appearing to read "Peter L.J. Pashler", written over a horizontal line.

PETER L.J. PASHLER, MEMBER



