

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)	
)	
DES MOINES INDEPENDENT COMMUNITY)	
SCHOOL DISTRICT,)	
Public Employer,)	
)	
and)	CASE NO. 7238
)	
AFSCME LOCAL 2048,)	
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. 387 and most recently amended in Case No. 3981, and the certification of AFSCME Local 2048, is amended to provide:

INCLUDED: Transportation Department--Transportation Mechanics which includes: Service Mechanic and Mechanic Assistant; Transportation Drivers which includes: Class 3-full time lead driver, Class 2-full time (12 month) assigned route, Class 2- full time academic and Class 1-part time; and Bus Associates, Special Education which includes: Full time (12 month), Full time (academic) and part time; Operations Department-- Operations Engineer, Chief (class 1 through 9); Operations Engineer, 1st Assistant (class 6 through 9); Operations Engineer, 2nd Assistant (class 6 though 8); Operations Pool (class 0 through 5); Elevator Operator (class 2-Freight); Preventative Maintenance Engineer; Stationary Engineer (class 1-4); Stationary Engineer, Assistant; Security which includes: Lead Security, class 1 through 4 and Security/Utility Pool; Technicians and Repairmen which includes: Lead Technician, Tech 1, Tech 2, Telecommunications installer, and Equipment Processor; Central Stores (class 1 through 3); Media Services (class 2); Food Services Department--Head Cook (class 1 through 4); Head Baker (class 1 though 4); CNC Lead Worker; CNC Nutrition Assistant; Coordinator (Bake-off Kitchen); Head Salad; Second Cook; Second Baker; Satellite Coordinator; Clerk; Floating Clerk; General

Worker; Floating General Worker; Substitute Worker; Site Supervisor; Site Assistant; Drivers, Part Time; Drivers, Substitute; and Warehouse Workers (class 1 through 3).

EXCLUDED: Supervisory, confidential, all employees in other certified bargaining units and all employees excluded by section 20.4.

Dated at Des Moines, Iowa, this 10th day of May, 2006.

PUBLIC EMPLOYMENT RELATIONS BOARD

By: 
James R. Riordan, Chair

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

DES MOINES INDEPENDENT COMMUNITY)
SCHOOL DISTRICT,)
Public Employer,)
and)
AFSCME LOCAL 2048,)
Certified Employee)
Organization/Petitioner.)

CASE NO. 3981

FILED
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PUBLIC EMPLOYMENT
RELATIONS BOARD

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

Upon a petition for clarification of bargaining unit duly filed under section 13 of the Public Employment Relations Act, chapter 20, Code of Iowa (1991) and PERB rule 4.7, the parties filed with the Board a stipulation of bargaining unit. Said stipulation was tentatively approved by the Board, a public notice of the Board's proposed decision to amend the bargaining unit description was posted in conformance with PERB rules, and no objections were filed.

IT IS THEREFORE ORDERED that the bargaining unit previously determined in Case No. 387 and most recently amended in Case No. 4807, and the certification of AFSCME Local 2048, is amended to read as follows:

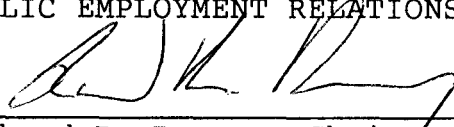
INCLUDED: Operating personnel (custodians), security patrol personnel, food service personnel (including substitute workers), bus drivers and truck drivers, garage mechanics, central stores employees, technicians and repairmen (including telephone, computer, audio-visual and office service technicians), tool crib attendants and bus aides.

EXCLUDED: The transportation bus and truck driver foremen, cafeteria managers, operations engineer chiefs, class 8, and all other district employees, confidential and supervisory personnel, and all other employees excluded by section 4 of the Public Employment Relations Act.

DATED at Des Moines, Iowa this 25th day of November, 1992.

PUBLIC EMPLOYMENT RELATIONS BOARD

By:


Richard R. Ramsey, Chairman

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

DES MOINES INDEPENDENT COMMUNITY)
SCHOOL DISTRICT,)
Public Employer,)
and)
AFSCME LOCAL 2048,)
Petitioner.)

CASE NO. 4807

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PUBLIC EMPLOYMENT
RELATIONS BOARD

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, chapter 20, Code of Iowa (1991) and PERB rule 4.6, the parties filed with the Board a Stipulation of Bargaining Unit. Said Stipulation was tentatively approved by the Board; a public notice of the Board's proposed decision to amend the bargaining unit was posted in conformance with PERB rules, and no objections were filed.

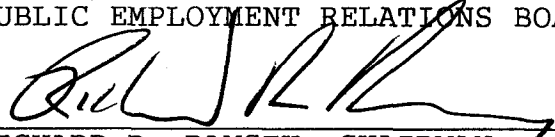
IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 387 and amended in Case No. 2038, and the certification of AFSCME Local 2048, is amended to read as follows:

INCLUDED: Operating personnel (custodians), security patrol personnel, food service personnel, bus drivers and truck drivers, garage mechanics, central stores employees, technicians and repairmen (including telephone, computer, audio visual and office service technicians), tool crib attendants and bus aides.

EXCLUDED: The transportation bus and truck driver foremen, cafeteria managers, operations engineer chiefs, class 8, and all other district employees, confidential and supervisory personnel, and all other employees excluded by section 4 of the Public Employment Relations Act.

DATED at Des Moines, Iowa this 2nd day of November, 1992.

PUBLIC EMPLOYMENT RELATIONS BOARD


RICHARD R. RAMSEY, CHAIRMAN

cc: Elizabeth G. Kennedy

STATE OF IOWA
 BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

DES MOINES INDEPENDENT SCHOOLS,
 PUBLIC EMPLOYER,
 AND
 AMERICAN FEDERATION OF STATE, COUNTY
 & MUNICIPAL EMPLOYEES, LOCAL NO. 2048,
 PETITIONER.

CASE NO. 2038
 ORDER AMENDING BARGAINING UNIT

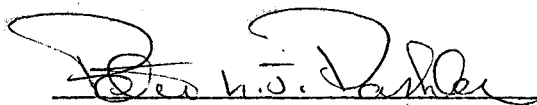
The Board being advised that an election was conducted wherein certain employees of the Des Moines Independent Schools voted to be amended into a bargaining unit currently represented by AFSCME Local 2048, an employee organization; and the Board being further advised that said employee organization has complied with all requirements of the Act and the Rules and Regulations thereunder;

IT IS HEREBY ORDERED that the bargaining unit determined in PERB Case No. 387 is amended as follows:

INCLUDED: Operating personnel (custodians), security patrol personnel, food service personnel, bus drivers and truck drivers, garage mechanics, central stores employees, technicians and repairmen, tool crib attendants, and bus aides.

EXCLUDED: The transportation bus and truck driver foremen, cafeteria managers, operations engineer chiefs, class 8, and all other district employees, confidential and supervisory personnel, and all other employees excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board this 6th day of November, 1981.



PETER L.J. PASHLER, BOARD MEMBER

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)	
DES MOINES INDEPENDENT COMMUNITY)	
SCHOOL DISTRICT,)	
PUBLIC EMPLOYER)	
AND)	CASE NOS. 1720 & 1733
AMERICAN FEDERATION OF STATE, COUNTY)	(AMENDING CASE NOS.
& MUNICIPAL EMPLOYEES, LOCAL NO. 2048,)	21, 125 & 126)
PETITIONER/CERTIFIED)	
EMPLOYEE ORGANIZATION)	

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 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 adding the job classification of tool crib attendants and excluding the job classification of operation engineer chiefs - class 8 in the previously determined bargaining unit.

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

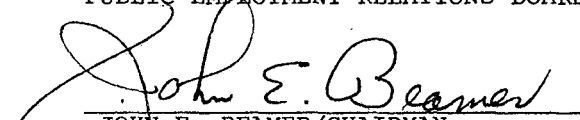
IT IS HEREBY ORDERED that the bargaining unit previously determined in Case Nos. 21, 125 & 126 and the certification of the American Federation of State, County & Municipal Employees, Local No. 2048, be, and hereby is, amended to read as follows:

INCLUDED: Custodians, security patrol personnel, food service personnel, bus drivers and truck drivers, garage mechanics, central stores employees, technicians and repairmen, and tool crib attendants.


EXCLUDED: Transportation bus and truck driver foreman, cafeteria managers, operation engineer chiefs - class 8, all other district employees, confidential and supervisory personnel, and all other employees excluded by Section 4 of the Act.

DATED at Des Moines, Iowa this 30th day of June, 1980.

PUBLIC EMPLOYMENT RELATIONS BOARD



JOHN E. BEAMER/CHAIRMAN



JOHN R. LOIHL/BOARD MEMBER

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

FILED

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PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

EVELYN COCKING, FLORENCE FOX AND
MAXINE SINNARD,
Petitioners

and

DES MOINES INDEPENDENT COMMUNITY SCHOOL
DISTRICT,
Public Employer/Intervenor

and

AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, LOCAL NO. 2048,
Certified Employee Organization
and Intervenor

CASE NO. 1512

DES MOINES INDEPENDENT COMMUNITY SCHOOL
DISTRICT,
Public Employer/Petitioner

and

AMERICAN FEDERATION OF STATE, COUNTY
AND MUNICIPAL EMPLOYEES, LOCAL NO. 2048,
Certified Employee Organization

CASE NO. 1557

RECOMMENDED DECISION AND ORDER

Steven F. McDowell, Hearing Officer. These cases arise from Amendment of Unit petitions filed pursuant to Section 13 of the Public Employment Relations Act, Chapter 20 Code (1979), and Rule 4.6(20) of the Rules and Regulations of the Public Employment Relations Board, I.A.C. 660.

They were ordered consolidated for hearing. Pursuant to appropriate notice, a hearing was held before me on September 14, 1979. The Public Employer appeared in both matters through its counsel, Terry Monson. The Certified Employee Organization appeared in both matters through its counsel, John L. Ayers.

Statement of the Case

Case No. 1512 stems from an Amendment of Unit petition filed by three cafeteria managers on June 4, 1979. Both the

Public Employer and the Certified Employee Organization intervened in that proceeding. Case No. 1557 arises from an Amendment of Unit petition filed by the Public Employer on August 29, 1979. Both petitions seek exclusion of cafeteria managers from the unit originally found appropriate in Case No. 126, and later amended in Case No. 795, on the ground that cafeteria managers are supervisory employees under Section 4.2 of the Act.

All parties had full opportunity to present evidence on all issues. The individual petitioners in Case No. 1512 did not appear in either Case No. 1512 or Case No. 1557. One of the individual petitioners was present throughout the hearing. She explicitly waived appearance in Case No. 1512, and did not intervene in Case No. 1557. Both the Public Employer and the Certified Employee Organization submitted post-hearing briefs.^{1/}

Based upon my observation of the witnesses and in consideration of the entire record in this matter, I make the following Findings of Fact and Conclusions of Law.

Findings of Fact

The Des Moines Independent Community School District conducts a food service operation which serves between 22,000 and 24,000 meals a day. These meals are prepared in 34 cooking kitchens. They are served in 76 locations. Each cooking kitchen employs a cafeteria manager. The cafeteria manager has responsibility for the cooking kitchen as well as for non-cooking "satellite" serving locations. The 34 cafeteria managers are part of a complement of 438 full and part-time food service employees.

The food service operation is under the direction of

^{1/} On September 21, 1979, the certified employee organization applied for inclusion in the record of Union Exhibits 3, 4 and 5. The public employer objected to the inclusion of Union Exhibit 5 during the hearing. No objections were made to the inclusion of Union Exhibits 3 and 4. In addition, no post-hearing written memorial of the objection to Union Exhibit 5 has been filed.

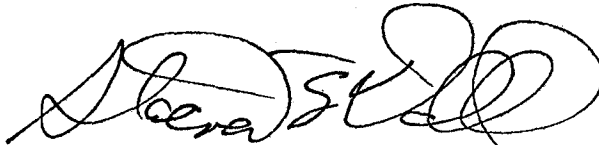
ORDER .

IT IS HEREBY ORDERED that the collective bargaining unit found appropriate and issued in Case No. 126 and amended in Case No. 795 be amended to read in the following manner:

INCLUDED: Custodians, security patrol personnel, food service personnel, bus drivers and truck drivers, garage mechanics, Central Stores employees, technicians and repairman.

EXCLUDED: The transportation bus and truck driver foremen; cafeteria managers, all other district employees, confidential and supervisory personnel, and all other employees excluded by Section 4 of the Act.

DATED at Des Moines, Iowa this 26th day of November, 1979.



STEVEN F. McDOWELL, HEARING OFFICER

STATE OF IOWA
 BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

DES MOINES INDEPENDENT COMMUNITY
 SCHOOL DISTRICT,
 PUBLIC EMPLOYER/PETITIONER

AND

AMERICAN FEDERATION OF STATE, COUNTY
 AND MUNICIPAL EMPLOYEES, LOCAL #2048,
 CERTIFIED EMPLOYEE ORGANIZATION

CASE NO. 795

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, Chapter 20, 1975 Code of Iowa 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 removing the job classification of Transportation Bus and Truck Driver Foreman from the included portion of the previously determined bargaining unit and adding the same classification to the excluded portion of the unit.

Said stipulation having been investigated and approved by the Board in accordance with the Board's Rules and Regulations,

ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 126 and the certification of American Federation of State, County and Municipal Employees, Local

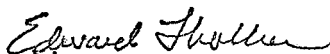
#2048 in that case be and hereby are amended to read as follows :

INCLUDED: Custodians, security patrol personnel, food service personnel, bus drivers and truck drivers, garage mechanics, central stores employees, technicians and repairmen.

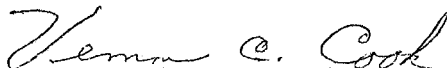
EXCLUDED: The Transportation Bus and Truck Driver Foreman, all other district employees, confidential and supervisory personnel, and all other employees excluded by Section 4 of the Act.

DATED at Des Moines, Iowa this 5th day of August, 1976.

PUBLIC EMPLOYMENT RELATIONS BOARD



EDWARD F. KOLKER, CHAIRMAN



VERNON C. COOK, BOARD MEMBER



JOHN R. LOIHL, BOARD MEMBER

STATE OF IOWA

PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:
 DES MOINES INDEPENDENT COMMUNITY
 SCHOOL DISTRICT,
 PUBLIC EMPLOYER
 AND:
 (AFSCME) AMERICAN FEDERATION OF STATE,
 COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO,
 PETITIONER

CASE NO. 387

ORDER OF CERTIFICATION

NOW on this 24th 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, 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, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of Des Moines Independent Community School District, a public employer, in the following bargaining unit:

INCLUDED: Custodians, security patrol personnel, food service personnel, bus drivers and truck drivers, garage mechanics, central stores employees, technicians and repairmen, and the transportation bus and truck driver foremen.

EXCLUDED: All other district employees, confidential and supervisory personnel, and all other employees excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board

