

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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PUBLIC EMPLOYMENT
RELATIONS BOARD

WEST HARRISON COMMUNITY SCHOOL DISTRICT)	
Public Employer)	
And)	CASE NO. 5771
WEST HARRISON EDUCATION ASSOCIATION)	
Certified Employee)	
Organization/Petitioner)	

PROPOSED DECISION AND ORDER

Statement Of The Case

James A. McClimon, Administrative Law Judge. This case concerns an amendment of bargaining unit petition filed by the West Harrison Education Association (Association). The Association seeks to include the school nurse in an existing teachers and counselors' bargaining unit represented by the Association.

The West Harrison Community School District (District) and Association waived a public hearing and, instead, submitted a Stipulation Of Facts. The Stipulation Of Facts, and the Association's brief, were received on November 18, 1997.

FINDINGS OF FACT

The relevant stipulated facts are:

* * *

That the Public Employment Relations Board certified the West Harrison Education Association as the exclusive bargaining agent in PERB Case No. 4450 on May 1, 1991.

That PERB Case No. 4450 reflected a bargaining unit definition that had been stipulated by the Association and the District

of including a school nurse in a teacher bargaining unit, within the meaning of Section 13.2 of the Public Employment Relations Act.

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


ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in PERB Case No. 4450, and the certification of the West Harrison Education Association in that case, is amended to read:

INCLUDED: All professional employees including teachers, counselors, and school nurse.

EXCLUDED: Superintendent, principals, athletic directors, and all others excluded by Section 4 of the PERA.

DATED at Des Moines, Iowa, this 26th day of November, 1997.



James A. McClimon
Administrative Law Judge

cc: William Unger
Larry Molacek

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WEST HARRISON COMMUNITY SCHOOL)
DISTRICT,)
Public Employer,)
and)
WEST HARRISON EDUCATION)
ASSOCIATION,)
Petitioner.)

CASE NO. 4450

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PUBLIC EMPLOYMENT
RELATIONS BOARD

FILED

ORDER OF CERTIFICATION

The Public Employment Relations Board [Board or PERB] has been advised that an election was conducted pursuant to Order of the Board; that a majority of the ballots were cast for West Harrison Education Association, an employee organization; that no objections to the election have been filed, and that said employee organization has complied with all requirements of the Public Employment Relations Act, Chapter 20, Iowa Code (1991) and the Rules thereunder:

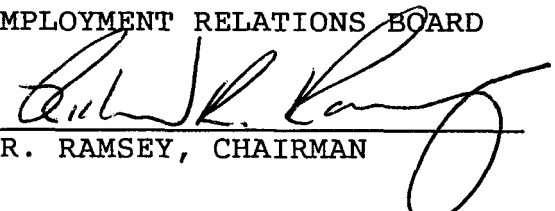
IT IS HEREBY ORDERED that West Harrison Education Association, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for employees of the West Harrison Community School District, a public employer, in the following bargaining unit:

INCLUDED: All professional employees including teachers and counselors.

EXCLUDED: Superintendent, principals, athletic directors, nurse and all others excluded by Section 4 of the PERA.

DATED at Des Moines, Iowa this 13th day of August, 1991.

PUBLIC EMPLOYMENT RELATIONS BOARD


RICHARD R. RAMSEY, CHAIRMAN

cc: Gerald Hammond
James Kerns
D.R. Franck
Bev Hutchison
Roy Shaw