

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF IOWA,)
Public Employer,)
and)
AFSCME/IOWA COUNCIL 61,)
Certified Employee)
Organization/Petitioner.)

CASE NO. 4852

FILED
93 JUN 22 AM 10:39
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 [Act], Chapter 20, Iowa Code (1993) 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; a Public Notice of Proposed Decision of Amendment of Bargaining Unit was posted in conformance with PERB Rules; and no objections were filed, therefore:

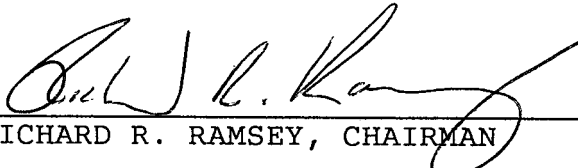
IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 1225 and amended in Cases No. 1247, 1304 and 2068, and the certification of AFSCME/Iowa Council 61, is amended to read as follows:

INCLUDED: Park Attendant.

EXCLUDED: All employees excluded by Section 4 of the Act and all other employees of the State of Iowa.

DATED at Des Moines, Iowa this 22nd day of June, 1993.

PUBLIC EMPLOYMENT RELATIONS BOARD


RICHARD R. RAMSEY, CHAIRMAN

cc: Fae Brown-Brewton
Donald McKee

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF IOWA,
Public Employer/Petitioner
and
AFSCME COUNCIL 61,
Certified Employee Organization

CASE NOS. 2600, 2601,
2602 & 2603

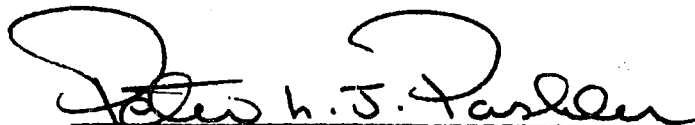
ORDER GRANTING WITHDRAWAL

The above-entitled petitions were filed with the Public Employment Relations Board on November 15, 1983. On December 19, 1985, Petitioner filed a Request for Withdrawal of the above petitions with the Board.

The Board, having reviewed the files in these matters, consents to the withdrawal of said petitions.

IT IS HEREBY ORDERED that the petitions in the above matters be, and hereby are dismissed without prejudice.

DATED at Des Moines, Iowa, this 30th day of December, 1985.


PETER L.J. PASHLER, BOARD MEMBER

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD
PETITION FOR AMENDMENT OF BARGAINING UNIT

FILED
NOV 15 1983 - 4.10 PM
PUBLIC EMPLOYMENT RELATIONS BOARD

INSTRUCTIONS—Submit an original and two (2) copies of this Petition to the Board. If more space is required, attach additional sheets.	DO NOT WRITE IN THIS SPACE	
	Case No.	2600
	Date Filed	

The Petitioner alleges that the following circumstances exist and requests that the Board proceed, under its proper authority pursuant to the Public Employment Relations Act, to amend the unit appropriate for collective bargaining.

1. Case Number where unit was previously determined by Board, if known. #1225

Description of Existing Unit:
Included: All Blue Collar and related employees of the State of Iowa as set forth in Appendix A

Excluded:

2. Description of proposed amended unit:
Included: See Appendix B

Excluded:

3. The affected job classifications and the number of employees involved in each classification:
See Appendix C

4. Reason for seeking amendment of unit: To conform the PERB units and certifications to the current job classifications utilized by the State of Iowa.

5. Name and Address of Public Employer:	Office of Employment Relations State of Iowa State Capitol Des Moines, Iowa 50319	
Employer's representative	William C. Snyder	Phone No. 281-3883

6. Certified Employee Organization (if none, so state):	AFSCME Council 61 2000 Walker Street Des Moines, Iowa 50317	
Representative:	Don McKee	Phone No. 266-2622

7. Names and Addresses of Other Individuals or Organizations Which May Claim to Represent the Employees in the Bargaining Unit (If none, so state):
NONE

8. Name and Address of Petitioner:	Office of Employment Relations State of Iowa State Capitol Des Moines, Iowa 50319	
Petitioner's representative:	William C. Snyder	Phone No. 281-3883

I hereby declare that I have read the contents of the instant Petition and that the statements contained herein are true and accurate to the best of my knowledge and belief.

William C. Snyder
NAME AND TITLE

November 15, 1983
DATE

BLUE COLLAR UNITCLASSES ADDED

<u>State Merit Classifications</u>		<u># of Employees Currently in Class</u>
00222	Assist. Liquor Store Manager 1	12
00223	Assist. Liquor Store Manager 2	18
00252	Warehouse Operations Worker	34
08355	Automotive Body Repairer	1
08420	Power Plant Engineer 4	9
<u>State Non-Merit Classifications</u>		
30473	Assistant Maintenance Engineer	0
<u>Regents Classifications</u>		
7076	Food Service Coordinator 1	33
7074	Food Service Coordinator 2	11
5501	Power Plant Fireman/Utilityman	8
5512	Water Plant Operator II	9

CLASSES DELETEDState Merit Classifications

00225	Liquor Store Manager I
00226	Liquor Store Manager II
00245	Warehouse Dispatcher
00251	Warehouse Worker
00252	Forklift Operator
00253	Warehouse Coordinator
02010	Student Residence Coordinator
05010	Farm Worker
05205	Park Attendant
07231	Meatcutter II
07321	Sewing Room Attendant II
08120	Highway Maintenance Specialist
08130	Suspension Bridge Maint. Worker
08131	Suspension Bridge Maint. Supervisor
08355	Truck Body Installer
08420	Chief Power Plant Engineer

BLUE COLLAR UNIT

CLASSES DELETED

State Non-Merit Classifications

14985 Reproduction Equipment Operator

Regents Classifications

07074 Food Worker IV
08061 Laundry Checker
05461 Power Plant-Assistant Superintendent
05221 Shops, Utilityman

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

STATE OF IOWA,

Public Employer

and

AFSCME, COUNCIL 61,

Certified Employee
Organization

CASE NO. 2068

(Amending Case No. 1225)

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 including the job classification of Maintenance Worker I (30565) in the bargaining unit consisting of all blue collar and related employees of the State of Iowa.

Said stipulation having been tentatively approved by the Board and the Board having no objections:

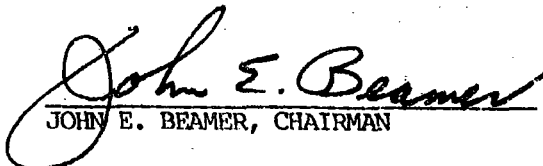
ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in Case No. 1225 and the certification of AFSCME, Council 61 in those cases are hereby amended to read as follows:

INCLUDED: To include the job classification of Maintenance Worker I (30565) in the bargaining unit consisting of all blue collar and related employees of the State of Iowa (PERB Case No. 1225)

EXCLUDED: All employees excluded in PERB Case No. 1225.

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


JOHN E. BEAMER, CHAIRMAN

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

507 TENTH STREET • DES MOINES, IOWA 50309 • (515) 281-4414

HON. ROBERT D. RAY
Governor

John E. Beamer
Chairman
John R. Lohr
Member
Peter L. J. Pashler
Member

October 20, 1981

Ms. Donna Hylarides
Office of Employment Relations
Room 14
Capitol Building
Des Moines, IA 50319

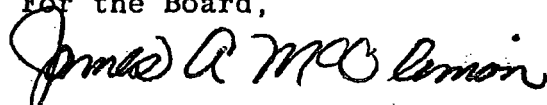
RE: Case No. 2068

Dear Ms. Hylarides:

Enclosed are ten copies of the Public Notice of Proposed Decision. The Employer is required to post and to make available copies of this Notice in a prominent place accessible to the general public in the main office of the Employer for not less than one calendar week. This Notice must also be posted in conspicuous places customarily used for the posting of information to employees.

Any inquiry concerning this matter may be directed to me at the address and phone number above.

For the Board,



James A. McClimon, Director
Fact-Finding/Arbitration Services

JAM/cmr

Enclosures
CC Gene Vernon
Raymond Conley

CERTIFIED MAIL

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

PUBLIC NOTICE OF PROPOSED DECISION
FOR AMENDMENT OF BARGAINING UNIT

IN THE MATTER OF:

STATE OF IOWA,
Public Employer

and

AFSCME, Council 61,
Certified Employee Organization

Case No. 2068

YOU ARE HEREBY NOTIFIED that the Public Employment Relations Board has given tentative approval to the following described bargaining unit as being appropriate under the provisions of the Public Employment Relations Act:

INCLUDED: To include the job classification of Maintenance Worker I (30565) in the bargaining unit consisting of all blue collar and related employees of the State of Iowa (PERBCase No. 1225).

EXCLUDED: All employees excluded in PERB Case No. 1225.

Persons desiring further information may contact the parties named above or the Public Employment Relations Board. Persons having objections to the proposed decision must file same in writing with the Public Employment Relations Board at the address set forth below not later than November 3, 1981. Objecting parties must identify themselves, provide a mailing address and telephone number, and set out their specific grounds for objecting. If no objections are filed, the Public Employment Relations Board shall endorse the proposed decision as final.

Gene A. Vernon
Name of Employer Representative

Office of Employment Relations
Capitol, Des Moines, Iowa

Address

515/281-3883

Phone: (Area Code) Number

Raymond W. Conley
Name of Employee Representative

2000 Walker Street, Suite C
Des Moines, Iowa

Address

515/266-2622

Phone: (Area Code) Number

PUBLIC EMPLOYMENT RELATIONS BOARD
507 10th Street
Des Moines, Iowa 50309
Phone: (515) 281-3621

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD
STIPULATION OF BARGAINING UNIT

FILED
SEP 24 1981 - 2:45 PM
PUBLIC EMPLOYMENT RELATIONS BOARD

Pursuant to a Petition duly filed under the Public Employment Relations Act, and subject to the approval of the Public Employment Relations Board, the undersigned parties hereby AGREE AS FOLLOWS:

1. The employer is a public employer within the meaning of Section 3(1) of the Public Employment Relations Act.
2. The employee organization is an employee organization within the meaning of Section 3(4) of the Public Employment Relations Act.
3. The following constitutes an appropriate unit for purposes of collective bargaining within the meaning of Section 13 of the Public Employment Relations Act:

INCLUDED: To include the job classification of Maintenance Worker I (30565) in the bargaining unit consisting of all blue collar and related employees of the State of Iowa (PERB Case No. 1225).

EXCLUDED: All employees excluded in PERB Case No. 1225.

State of Iowa
(Employer)

State Capitol
(Address)

By Anna L. Nylarides 09/10/81
(Name and Title) (Date)

Tentative Approval:

For PERB:
By [Signature] 10-29-81
(Board Member) (Date)

Final Approval

For PERB:
By _____
(Board Member)

AFSCME, Council 61
Certified ~~(Public Employer)~~ Employee Organ.

2000 Walker Street, Des Moines, Iowa
(Address)

By [Signature] 9/23/81
(Name and Title) (Date)

(Name of other Organization)

(Address)

By _____
(Name and Title) (Date)

INSTRUCTIONS FOR COMPLETING FORM:

1. Complete item 3 by completely defining the bargaining unit setting forth those job classifications or job titles included and those job titles excluded. Names of employees should not be used. Where the size of the unit precludes the listing of each job classification, a more general description may be given; for instance naming the departments or divisions of the employer which are involved. Or in some instances a combination of job titles and work areas might be appropriate.

Additional sheets may be attached if necessary, but such sheets should be signed by all parties. In addition to any other exclusions listed, the description should exclude "all other persons excluded by Section 4 of the Act."

The following are given as EXAMPLES of unit descriptions, but are NOT intended to be a statement of the appropriateness of the units described:

Example 1.

Included: All employees of the ABC Municipal Utility, including linemen, apprentices, tree trimmers, groundmen, truck drivers, equipment operators, meter repairmen, meter readers, power plant operators, dispatchers, maintenance men, and office clerical employees;

Excluded: Superintendent of utilities, power plant supervisor, assistant line supervisor, and all other persons excluded by Section 4 of the Act.

Example 2.

Included: All non-professional employees of the ABC Hospital, including nurses aides, orderlies, lab technicians, maintenance personnel, and office clerical employees.

Excluded: Administrator, assistant administrator, lab supervisor, maintenance superintendent, professional employees, bookkeeper, and all other persons excluded by Section 4 of the Act.

Example 3.

Included: All city employees in the following departments: utilities department, public works department, parks department, and sanitation department;

Excluded: Department superintendents, all employees of the police and fire departments, and all other persons excluded by Section 4 of the Act.

2. All parties must sign and date the form in the spaces provided. In the case of the employer, the signature of the highest elected official is required; for example, the mayor of a city, chairman of a board of supervisors or board of directors, president of a board of education, etc.

3. Send the completed, signed form to the Public Employment Relations Board, 507 -10th Street, Des Moines, Iowa, 50309. Upon tentative approval by the Board, the employer will be sent copies of a Public Notice of Proposed Decision for public posting. If no objections are filed to the proposed unit within the time period described, the Board will issue a final order defining the bargaining unit as agreed-upon by the parties.

OCT 13 1981 - 10.10 AM

STATE OF IOWA PUBLIC EMPLOYMENT RELATIONS BOARD
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

PETITION FOR AMENDMENT OF BARGAINING UNIT

INSTRUCTIONS—Submit an original and two (2) copies of this Petition to the Board. If more space is required, attach additional sheets.

DO NOT WRITE IN THIS SPACE

Case No.

Date Filed

The Petitioner alleges that the following circumstances exist and requests that the Board proceed, under its proper authority pursuant to the Public Employment Relations Act, to amend the unit appropriate for collective bargaining.

1. Case Number where unit was previously determined by Board, if known. 1225

Description of Existing Unit:

Included: All Blue Collar and related employees of the State of Iowa (PERB Case No. 1225)

Excluded: All employees excluded in PERB Case No. 1225

2. Description of proposed amended unit:

Included: All Blue Collar employees of the State of Iowa as determined in PERB Case No. 1225 with the addition of the job classification of Maintenance Worker I (30565)

Excluded: All employees excluded in PERB Case No. 1225

3. The affected job classifications and the number of employees involved in each classification:

Maintenance Worker I (30565) - four employees

4. Reason for seeking amendment of unit: To clarify included status of the job classification

5. Name and Address of Public Employer: State of Iowa, Capitol Building, Room 14, Office of Employment Relations, Des Moines, Iowa 50319

Employer's representative Gene A. Vernon, Director Employment Relations

Phone No. 281-3883

6. Certified Employee Organization (if none, so state): AFSCME/Iowa Public Employees Council 61
2000 Walker Street, Suite C, Des Moines, Iowa 50317

Representative: Raymond W. Conley, Attorney

Phone No. 266-2622

7. Names and Addresses of Other Individuals or Organizations Which May Claim to Represent the Employees in the Bargaining Unit (if none, so state): None

8. Name and Address of Petitioner: Same as No. 5.

Petitioner's representative: Donna L. Hylarides Attorney

Phone No. 281-5290

I hereby declare that I have read the contents of the instant Petition and that the statements contained herein are true and accurate to the best of my knowledge and belief.

Donna L. Hylarides, Atty.
NAME AND TITLE

10/12/81
DATE

On March 26, 1979, after the commencement of the hearing, both parties jointly submitted the following stipulations:

(1) Employees in the job classifications of LSM I (Merit Class Code No. 00225) and LSM II (Merit Class Code No. 00226) are all employees of the Iowa Beer and Liquor Control Department;

(2) Employees in the foregoing job classifications who are charged with the responsibility of managing a liquor store perform supervisory responsibilities as those responsibilities are defined in Section 20.4(2), The Code (1977);

(3) Employees in the foregoing job classifications who are assistant managers of larger liquor stores are not supervisory employees as defined in Section 20.4(2), The Code (1977).

Based upon the above stipulations, the parties requested that the blue collar bargaining unit and AFSCME's certification be amended to exclude as supervisory those employees in the classifications LSM I and LSM II who are in charge of their own liquor store; and, that the existing unit and certification include those managers who are assistant managers and the classifications be designated as follows: Liquor Store Manager I (Assistant) and Liquor Store Manager II (Assistant).

FINDINGS OF FACT

Although the hearing was continued and not fully heard prior to the joint stipulations of the parties, evidence submitted during the hearing supports the above stipulated facts and I adopt them as requested by the parties.

CONCLUSIONS OF LAW

I approve the parties' request for unit amendment as being entirely appropriate and proper under the Act. Therefore, I issue the following recommended:

ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in State of Iowa, PERB Case No. 1225 (1978), and the certification in that case be amended in the following manner:

INCLUDED: Liquor Store Manager I (Assistant) and Liquor Store Manager II (Assistant)

EXCLUDED: Liquor Store Manager I and Liquor Store Manager II.

DATED at Des Moines, Iowa this 5th day of April, 1979.


N. MORRISON TORREY, HEARING OFFICER

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)
 STATE OF IOWA,)
 PUBLIC EMPLOYER)
 AND)
 AFSCME, COUNCIL 61,)
 CERTIFIED EMPLOYEE ORGANIZATION)
 AND)
 DENNIS SHACKELFORD,)
 PETITIONER)

CASE NO. 1247

Amending Case No. 1225

DECISION AND ORDER

Upon a petition for clarification of bargaining unit duly filed pursuant to Board Rule 4.7(20), the parties waived hearing and filed with the Public Employment Relations Board a Stipulation of 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, the Board finds that the job classification of Park Attendant (05205) is supervisory within the meaning of Section 4.2 of the Public Employment Relations Act and is excluded from the bargaining unit found appropriate in PERB Case No. 1225.

FURTHER, IT IS HEREBY ORDERED that the certification of AFSCME, Council 61, in PERB Case No. 1225, is amended to exclude the position of Park Attendant (05205).

DONE by the Public Employment Relations Board this 4th day of August, 1978.

John E. Beamer

 JOHN E. BEAMER, CHAIRMAN

John R. Loihl

 JOHN R. LOIHL, BOARD MEMBER

Vernon C. Cook

 VERNON C. COOK, BOARD MEMBER

FILED
MAR 1 1978

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)	
STATE OF IOWA,)	
PUBLIC EMPLOYER)	
AND)	
AFSCME, PUBLIC EMPLOYEES COUNCIL)	CASE NO. 1225
NO. 61, AFL-CIO,)	
CERTIFIED EMPLOYEE)	
ORGANIZATION)	

DECISION AND ORDER

The above-named parties jointly petitioned the Public Employment Relations Board on February 24, 1978, to amend by consolidation the bargaining units previously found appropriate in Case Nos. 930 and 1131. A stipulation to that effect has been submitted. A hearing was conducted on March 14, 1978, at which time all interested persons and parties had opportunity to present testimony or other evidence.

There are currently two bargaining units for blue collar employees of the State of Iowa. One of those units (Case No. 930) has resulted from previous consolidations of smaller units and now includes all but about 600 of the State's blue collar workforce. As to the remaining 600, we previously refused to include them in the larger unit because they had not voted for bargaining representation; State of Iowa, PERB Case No. 930 (1976). An election (Case No. 1131) for those employees was subsequently conducted, however, and AFSCME is now the certified representative of both units. The parties have, therefore, renewed their request that all blue collar employees be included in a single bargaining unit.

We have reviewed the stipulation of the parties in light of the statutory criteria in Section 13(2) of the Act. It is our judgment that the requested consolidation should be granted and that the consolidated unit, as hereinafter set forth, constitutes an appropriate unit for the purposes of collective bargaining within the meaning of Section 13(2) of the Act:

All blue collar and related employees of the State of Iowa as set forth in Case Nos. 291, 996, 1015 and 1131 (See Appendix A hereto); but excluding all persons excluded by Section 4 of the Act and all other employees of the State of Iowa.

ORDER

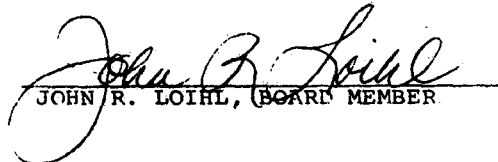
IT IS HEREBY ORDERED that the certifications previously issued in Case Nos. 930 and 1131 be, and the same hereby are, amended consistent with the bargaining unit described above.^{1/}

DATED at Des Moines, Iowa this 31st day of March, 1978.

PUBLIC EMPLOYMENT RELATIONS BOARD


JOHN E. BEAMER, CHAIRMAN


VERNON C. COOK, BOARD MEMBER


JOHN R. LOIHL, BOARD MEMBER

^{1/} Several persons appeared at hearing to object to the inclusion of park attendants in this unit, alleging that this job classification is supervisory within the meaning of Section 4(2) of the Act. A petition for unit clarification (Case No. 1247) was subsequently filed and is an appropriate means of resolving that issue. It has not, therefore, been further considered in this proceeding.

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

<u>Code No.</u>	<u>Classification</u>
00220	Liquor Store Clerk
00225	Liquor Store Manager I
00226	Liquor Store Manager II
00235	Storekeeper I
00236	Storekeeper II
00237	Storekeeper III
00245	Warehouse Dispatcher
00251	Warehouse Worker
00252	Forklift Operator
00253	Warehouse Coordinator
00260	Mail Clerk I
00261	Mail Clerk II
01360	Capitol Guide Aide
01361	Capitol Guide
02010	Student Residence Coord.
04730	Comm. Tower Worker
05005	Nursery Worker I
05006	Nursery Worker II
05010	Farm Worker
05015	Farm Leader
05025	Herd Leader
05030	Farm Manager I
05032	Corrections Farm Manager
05205	Park Attendant
05301	Conservation Worker
05410	Forestry Leader I
05411	Forestry Leader II
07005	Custodial Worker
07010	Custodial Leader
07015	Custodial Asst.
07030	Elevator Operator
07200	Food Service Worker
07210	Food Service Leader
07215	Ingredient Room Worker I
07216	Ingredient Room Worker II
07220	Cook I
07221	Cook II
07225	Baker I
07226	Baker II
07230	Meatcutter I
07231	Meatcutter II
07237	Corrections Food Serv. Coord.
07240	Canteen Clerk
07245	Canteen Operator I
07246	Canteen Operator II
07305	Laundry Worker I
07306	Laundry Worker II

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

<u>Code</u> <u>No.</u>	<u>Classification</u>
07313	Corr. Bldg. Serv. Coord.
07315	Linen Room Attendant I
07316	Linen Room Attendant II
07320	Sewing Room Attendant I
07321	Sewing Room Attendant II
08005	Maintenance Worker I
08006	Maintenance Worker II
08010	Maintenance Leader
08012	Facilities Maint. Coord.
08015	Trades Helper
08016	Maintenance Repairer
08020	Maintenance Repairs Leader
08039	Furniture Upholsterer
08040	Carpenter I
08041	Carpenter II
08042	Mason
08043	Painter I
08044	Painter II
08045	Plumber I
08046	Plumber II
08099	Restoration Painter
08105	Rest Area Attendant
08110	Equipment Operator I
08111	Equipment Operator II
08112	Asphalt Paving Mach. Operator
08113	Equipment Operator III
08120	Highway Maint. Spec.
08130	Suspension Bridge Maint. Worker
08131	Suspension Bridge Maint. Supervisor
08140	Parts Worker
08141	Parts Leader
08205	Driver
08210	Transport Driver
08215	Vehicle Dispatcher
08230	Heavy Equipment Operator
08305	Machinist
08310	Welder
08315	Heating Plant Mechanic
08323	Air Conditioning Mechanic
08325	Electrician I
08326	Electrician II
08335	Equipment Repairer
08340	Lab. Equip. Tech.
08346	Sign Shop Worker
08347	Silk Screen Fabricator
08355	Truck Body Installer
08360	Automotive Electrician
08365	Auto Service Worker

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

<u>Code No.</u>	<u>Classification</u>
08370	Auto Mechanic Helper
08375	Automotive Mechanic
08380	Auto Mechanic Leader
08390	District Mechanic
08405	Water & Disposal Plant Opr. I
08406	Water & Disposal Plant Opr. II
08410	Power Plant Eng. I
08415	Power Plant Eng. II
08416	Power Plant Eng. III
08420	Ch. Power Plant Eng.
08510	Bindery Worker
08525	Rep. Equipment Operator I
08526	Rep. Equipment Operator II
08530	Rep. Equipment Leader
08635	Locksmith
08639	Aircraft Mechanic
08672	Electronics Tech.
08675	Office Machine Repairer I
08677	Office Machine Repairer II

State Non-Merit Classification

<u>Code No.</u>	<u>Classification</u>
14985	Reproduction Equip. Operator
30168	Chief Supply Officer
30263	Mail Clerk
30269	Maintenance Worker III
30364	Cook I
30451	Maintenance Engineer
30463	Kitchen Helper
30467	Housekeeper
30565	Maintenance Worker I
30567	Maintenance Assistant II
30666	Cook II

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

<u>Code</u> <u>No.</u>	<u>Classification</u>
07611	Animal Caretaker I
07612	Animal Caretaker II
05671	Arborist
05051	Automotive Mechanic
07331	Bindery Operator I
07332	Bindery Operator II
07333	Bindery Operator III
05611	Building Services Coordinator
05061	Carpenter
05271	Carpet Maintenance Worker
07301	Compositor
07311	Copy Center Operator
05701	Custodian I
05702	Custodian II
05811	Driver-Mechanic
05071	Electrician
05081	Elevator Mechanic
05091	Environmental Systems Mechanic
05101	Equipment Operator
06301	ERD Machinist
06311	ERD Machinist, Senior
06321	ERD Welder
05861	Farm Equipment Mechanic
05901	Farm Equipment Operator I
05902	Farm Equipment Operator II
05903	Farm Equipment Operator III
05281	Farrier
07071	Food Worker I
07072	Food Worker II
07073	Food Worker III
07074	Food Worker IV
05741	Gardener
05361	Glazier
05771	Golf Course Attendant
05621	Golf Course Maintenance Worker
05731	Groundskeeper
05291	Insulator
07081	Kitchen Helper I
07082	Kitchen Helper II
05721	Laborer
08061	Laundry Checker
08071	Laundry Coordinator
08081	Laundry Machine Operator
08051	Laundry Press Operator
07981	Motor Vehicle Operator I
07982	Motor Vehicle Operator II
07983	Motor Vehicle Operator III
07984	Motor Vehicle Operator IV
05501	Power Plant Fireman/Utilityman
05911	Athletic Facilities Attendant
07061	Cook I
07062	Cook II

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

<u>Code</u> <u>No.</u>	<u>Classification</u>
07371	Linotype Operator
05111	Locksmith
05121	Machinist
05311	Maintenance Mechanic
05301	Maintenance Repairman I
05302	Maintenance Repairman II
05131	Mason
07091	Meatcutter
05321	Mechanics Assistant
05141	Mechanic, Preventative Maintenance
07711	Milker
07321	Offset Equipment Operator I
07322	Offset Equipment Operator II
07323	Offset Equipment Operator III
07381	Offset Platemaker
05151	Painter
05851	Parking Maintenance Worker I
05852	Parking Maintenance Worker II
08241	Patient Transport Driver
05241	Pest Control Operator
05161	Pipefitter
05171	Plasterer
05331	Plumber
05431	Power Plant-Assistant Chief Operator
05461	Power Plant-Assistant Superintendent
05421	Power Plant-Boiler Operator
05401	Power Plant-Larryman
05441	Power Plant-Repairman
05411	Power Plant-Utilityman
07401	Pressman
07341	Printer
05181	Roofer
07841	Safety Technician
05191	Sheet Metal Mechanic
05221	Shops, Utilityman
05341	Sign Painter
05351	Steamfitter
07761	Storekeeper I
07762	Storekeeper II
07763	Storekeeper III
05751	Tree Trimmer
07931	Trimmer
07781	Typewriter Serviceman
05211	Upholsterer
05251	Vending Machine Mechanic
08281	Vending Routeman
05511	Water Plant Operator
05521	Water Systems Operator
05201	Welder
05261	Aircraft Mechanic - Auth. Inspector
05231	Aircraft Mechanic - Licensed (A & P)

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

<u>Code</u> <u>No.</u>	<u>Classification</u>
07681	Mail Distributor
07691	Mail Carrier
07971	Mail Room Coordinator
01231	Mail Clerk
07731	Fire Safety Inspector
07051	Baker I
07052	Baker II
	Supervisor, Facilities Maintenance

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

FILED

FEB 21 1983 10:00 AM

<p>In the Matter of:</p> <p>STATE OF IOWA, Public Employer</p> <p>And</p> <p>AFSCME, PUBLIC EMPLOYEES COUNCIL #61, AFL-CIO, Certified Employee Organization</p>	<p>CASE NO. <u>1-2-83</u></p> <p>JOINT APPLICATION FOR AMENDMENT AND CONSOLIDATION OF BARGAINING UNITS: AMENDMENT OF CERTIFICA- TIONS AND STIPULATION</p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------

COMES NOW the Public Employer and the Certified Employee Organization and jointly make application to this Board to amend the bargaining units relating to blue collar employees of the Public Employer established in PERB Case Nos. 930 and 1131 and to consolidate said bargaining units into one statewide bargaining unit encompassing all blue collar and related employees of the Public Employer.

The parties further jointly make application to this Board to amend the certifications presently in force for the Employee Organization and to certify the Employee Organization as the exclusive bargaining representative for the employees of the amended bargaining unit.

The parties further stipulate that the amended bargaining unit should be comprised of the classifications set forth in Appendix A.

The parties further state to the Board as follows:

1. That the name and address of the Public Employer is:

State of Iowa
Gene Vernon
Comptroller's Office
State Capitol
Des Moines, Iowa 50319

2. That the name and address of the Employee Organization is:

AFSCME, Public Employee Council #61,
AFL-CIO
2000 Walker, Suite C
Des Moines, Iowa 50317

3. That the proposed bargaining unit would be identified and described as:

Included: All blue collar and related employees of the State of Iowa as set forth in Appendix A.

Excluded: Management, supervisory, confidential, part-time and all other employees of the State of Iowa.

4. That the parties further state that the unit as described is the most appropriate unit for collective bargaining and no further reason remains to continue the existence of the two individual units. That the Employee Organization is presently certified as the exclusive representative of a majority of the employees of the proposed unit.

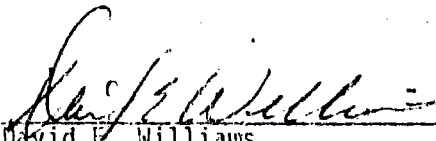
WHEREFORE, these parties jointly request this Board to consolidate the bargaining units comprised of blue collar employees and to amend the certification of the Employee Organization.

Respectfully submitted,

Date _____

Gene Vernon, Attorney-At-Law
Director, Employment Relations
State of Iowa
State Capitol
Des Moines, Iowa 50319

Date 2/23/78


David E. Williams
American Federation of State, County
and Municipal Employees, Public
Employee Council #61, AFL-CIO
2000 Walker, Suite C
Des Moines, Iowa 50317

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)
STATE OF IOWA,)
Public Employer)
AND)
AFSCME, IOWA PUBLIC EMPLOYEES)
COUNCIL 61)
Petitioner)

CASE NO. 1131

ORDER OF CERTIFICATION

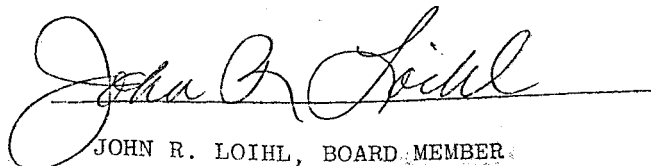
NOW, on this 6th day of January 1978, the Board being advised that an election was conducted pursuant to Order of the Board, and that a majority of the ballots were cast for AFSCME, Iowa Public Employees Council 61, an employee organization; and the Board being further advised that said employee organization has complied with all requirements of the Act and the rules and regulations thereunder;

IT IS HEREBY ORDERED that AFSCME, Iowa Public Employees Council 61, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of State of Iowa, a public employer, in the following bargaining unit:

INCLUDED: All blue collar employees of the State of Iowa which are not currently in a bargaining unit and are in the classifications set forth in Appendix A.

EXCLUDED: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

DONE by the Public Employment Relations Board


JOHN R. LOIHL, BOARD MEMBER

BLUE COLLAR UNITState Merit Classification

<u>Code No.</u>	<u>Classification</u>
01360	Capitol Guide Aide
01361	Capitol Guide
01363	Tourism Guide
04730	Communications Tower Worker
05005	Nursery Worker I
05165	Laboratory Aide
✓ 05205	Park Attendant
05301	Conservation Worker
05410	Forestry Leader I
05411	Forestry Leader II
07030	Elevator Operator
07240	Canteen Clerk
08099	Restoration Painter
08140	Parts Worker
08141	Parts Leader
08310	Welder
08315	Heating Plant Mechanic
08323	Air Conditioning Mechanic
08335	Equipment Repairer
08340	Laboratory Equipment Rech.
08346	Sign Shop Worker
08347	Silk Screen Fabricator
08365	Auto Service Worker
08510	Bindery Worker
08526	Rep. Equip. Operator II
08530	Rep. Equip. Leader
08675	Office Machine Repairer I
08677	Office Machine Repairer II
00235	Storekeeper I
00236	Storekeeper II
00237	Storekeeper III
00260	Mail Clerk I
00261	Mail Clerk II
05006	Nursery Worker II
07005	Custodial Worker
07010	Custodial Leader
07015	Custodial Assistant
07220	Cook I
08005	Maint. Worker I
08006	Maintenance Leader
08012	Facilities Maint. Coord.
08015	Trades Helper
08016	Maintenance Repairer
08040	Carpenter I
08041	Carpenter II
08042	Mason

BLUE COLLAR UNITState Merit Classification

<u>Code No.</u>	<u>Classification</u>
08043	Painter I
08044	Painter II
08045	Plumber I
08046	Plumber II
08205	Driver
08210	Transport Driver
08215	Vehicle Dispatcher
08230	Heavy Equipment Operator
08305	Machinist
08325	Electrician I
08326	Electrician II
08370	Auto Mechanic Helper
08375	Auto Mechanic
08380	Auto Mechanic Leader
08390	District Mechanic
08406	Water & Disposal Plant Op. II
08410	Power Plant Eng. I
08415	Power Plant Eng. II
08416	Power Plant Eng. III
08420	Chief Power Plant Eng.
08525	Rep. Equip. Operator I
08635	Locksmith

State Non-Merit Classification

<u>Code No.</u>	<u>Classification</u>
14985	Reproduction Equip. Operator
30168	Supply Officer
30263	Mail Clerk
30269	Maintenance Worker III
30364	Cook I
30451	Maintenance Engineer
30463	Kitchen Helper
30467	Housekeeper
30565	Maintenance Worker I
30567	Maintenance Assistant II
30666	Cook II

PETITION

PUBLIC EMPLOYMENT RELATIONS

INSTRUCTIONS-Submit an original and two (2) copies of this Petition to the Board. If more space is required, attach additional sheets.

DO NOT WRITE IN THIS SPACE

Case No. 1129
Date Filed 10-20-77

The Petitioner alleges that the following circumstances exist and requests that the Board proceed, under its proper authority pursuant to the Public Employment Relations Act, to determine the appropriate unit for collective bargaining and/or whether the public employees in such unit wish to be represented by an employee organization for purposes of collective bargaining.

1. Purpose of this Petition:

a. Check one

- UD - Unit Determination - Petitioner, an employer, employee, or employee organization, requests that the appropriate unit for collective bargaining be determined by the Board pursuant to Section 13 of the Act.
UR - Unit Reconsideration - Petitioner, an employee or employee organization, alleges that a previous unit determination is no longer valid and requests that the Board review said determination.
Unit has previously been determined by the Board. Identify Case No., if known. Case No. 930

b. If an election is also requested by this Petition, check the appropriate box.

- RC - Certification - Petitioner, an employee organization, has submitted to a public employer a request to bargain collectively and 30 percent of the employees in an appropriate unit are members of the Petitioner or have authorized it to bargain on their behalf.
RD - Decertification - Petitioner, a public employee, alleges that a certified representative does not represent a majority of the employees in an appropriate unit and that the employees do not wish to be represented by an employee organization.
RM - Representation - Petitioner, a public employer, alleges that one or more employee organizations have requested bargaining, and that no such organization has been certified by the Board as the bargaining representative of the employees in an appropriate unit.

2. Name and Address of Public Employer: State of Iowa, State Capitol, Des Moines, Iowa

Employer's representative Gene Vernon

Phone No. 281-3883

3. Description of Unit Claimed Appropriate by the Petitioner

Included: All blue collar employees of the State of Iowa as set forth in Appendix A.

3a. Approximate Number of Employees in Said Unit 6,100

Excluded: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

4. Certified Employee Organization (if none, so state): American Federation of State, County and Municipal Employees, AFL-CIO, Council 61, 2550 Harding Road, Suite D, Des Moines, Iowa 50310

Representative: David E. Williams

Phone No. 255-2196

5. Names and Addresses of Other Individuals or Organizations Which May Claim to Represent the Employees in the Bargaining Unit (If none, so state): International Union of Operating Engineers - Local 268 4910 Urbandale Avenue, Suite 203, Des Moines, Iowa 50310

Duane W. Mayo - International Rep.

277-5398

6. Name and Address of Petitioner: State of Iowa % Gene A. Vernon Comptroller's Office State Capitol Des Moines, Iowa 50319

Phone No. 281-3893

I hereby declare that I have read the contents of the instant Petition and that the statements contained herein are true and accurate to the best of my knowledge and belief.

Name and Title

October 19, 1977 Date

Gene Vernon, Director Employment Relations, State of Iowa

The State of Iowa respectfully requests that the Public Employment Relations Board reconsider the appropriateness of the statewide blue collar unit established in Case Number 930 for the following reasons:

1. That the overall bargaining unit structure established by the Board for the State of Iowa embraces units based upon broad occupational groupings of employees.

2. That the bargaining unit established in Case Number 930 contains approximately 5,500 blue collar employees of the State of Iowa.

3. That approximately 600 blue collar employees of the State are not included in the unit established in Case Number 930.

4. That the State of Iowa requests that the Board create one statewide blue collar bargaining unit for the approximately 6,100 blue collar employees of the State.

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

<u>Code No.</u>	<u>Classification</u>
00221	Liquor Store Clerk
00225	Liquor Store Manager I
00226	Liquor Store Manager II
00235	Storekeeper I
00236	Storekeeper II
00237	Storekeeper III
00245	Warehouse Dispatcher
00251	Warehouse Worker
00252	Forklift Operator
00253	Warehouse Coordinator
02010	Nursing Residence Supv.
05005	Nursery Worker I
05006	Nursery Worker II
05010	Farm Worker
05015	Farm Leader
05025	Herd Leader
05030	Farm Manager I
05032	Corrections Farm Manager
07005	Custodial Worker
07010	Custodial Leader
07200	Food Service Worker
07210	Food Service Leader
07215	Ingredient Room Worker I
07216	Ingredient Room Worker II
07220	Cook I
07221	Cook II
07230	Meatcutter I
07231	Meatcutter II
07237	Corrections Food Serv. Coord.
07245	Canteen Operator I
07246	Canteen Operator II
07305	Laundry Worker I
07306	Laundry Worker II
07313	Corr. Bldg. Serv. Coord.
07315	Linen Room Attendant I
07316	Linen Room Attendant II
07320	Sewing Room Attendant I
07321	Sewing Room Attendant II
08005	Maintenance Worker I
08006	Maintenance Worker II
08010	Maintenance Leader
08012	Facilities Maint. Coord.
08015	Trades Helper
08016	Maintenance Repairer
08020	Maintenance Repairs Leader
08039	Furniture Upholsterer
08040	Carpenter I
08041	Carpenter II
08042	Mason

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

State Merit Classification

<u>Code</u> <u>No.</u>	<u>Classification</u>
08043	Painter I
08044	Painter II
08045	Plumber I
08046	Plumber II
08105	Rest Area Attendant
08110	Equipment Operator I
08111	Equipment Operator II
08112	Asphalt Paving Mach. Operator
08113	Equipment Operator III
08120	Highway Maint. Spec.
08130	Suspension Bridge Maint. Worker
08131	Suspension Bridge Maint. Supervisor
08205	Driver
08210	Transport Driver
08215	Vehicle Dispatcher
08230	Heavy Equipment Operator
08305	Machinist
08325	Electrician I
08326	Electrician II
08355	Truck Body Installer
08360	Automotive Electrician
08370	Auto Mechanic Helper
08375	Automotive Mechanic
08380	Auto Mechanic Leader
08390	District Mechanic
08405	Water & Disposal Plant Opr. I
08406	Water & Disposal Plant Opr. II
08410	Power Plant Eng. I
08415	Power Plant Eng. II
08416	Power Plant Eng. III
08420	Ch. Power Plant Eng.
08525	Rep. Equipment Operator I
08635	Locksmith
08672	Electronics Tech.

ACCRETIONS TO THE BLUE COLLAR UNITState Merit Classification

<u>Code No.</u>	<u>Classification</u>
04301	Construction Aide
04730	Communications Tower Worker
05165	Laboratory Aide
05205	Park Attendant
05301	Conservation Worker
05410	Forestry Leader I
05411	Forestry Leader II
07030	Elevator Operator
07240	Canteen Clerk
08099	Restoration Painter
08140	Parts Worker
08141	Parts Leader
08310	Welder
08315	Heating Plant Mechanic
08323	Air Conditioning Mechanic
08335	Equipment Repairer
08340	Laboratory Equipment Tech.
08346	Sign Shop Worker
08347	Silk Screen Fabricator
08365	Auto Service Worker
08510	Bindery Worker
08526	Rep. Equip. Operator II
08675	Office Machine Repairer I
08677	Office Machine Repairer II
01360	Capitol Guide Aide
01361	Capitol Guide
01363	Tourism Guide

State Non-Merit Classification

<u>Code No.</u>	<u>Classification</u>
14985	Reproduction Equip. Operator
30263	Mail Clerk
30269	Maintenance Worker III
30364	Cook I
30451	Maintenance Engineer
30463	Kitchen Helper
30467	Housekeeper
30565	Maintenance Worker I
30567	Maintenance Assistant II
30666	Cook II

AMENDMENTS TO THE BLUE COLLAR UNIT

State Merit Classification

<u>Code No.</u>	<u>Classification</u>
00260	Mail Clerk I
00261	Mail Clerk II
07015	Custodial Assistant
07225	Baker I
07226	Baker II

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

<u>Code No.</u>	<u>Classification</u>
07371	Linotype Operator
05111	Locksmith
05121	Machinist
05311	Maintenance Mechanic
05301	Maintenance Repairman I
05302	Maintenance Repairman II
05131	Mason
07091	Meatcutter
05321	Mechanics Assistant
05141	Mechanic, Preventative Maintenance
07711	Milker
07321	Offset Equipment Operator I
07322	Offset Equipment Operator II
07323	Offset Equipment Operator III
07381	Offset Platemaker
05151	Painter
05851	Parking Maintenance Worker I
05852	Parking Maintenance Worker II
08241	Patient Transport Driver
05241	Post Control Operator
05161	Pipfitter
05171	Plasterer
05331	Plumber
05431	Power Plant-Assistant Chief Operator
05461	Power Plant-Assistant Superintendent
05421	Power Plant-Boiler Operator
05461	Power Plant-Larryman
05441	Power Plant-Repairman
05411	Power Plant-Utilityman
07401	Pressman
07341	Printer
05181	Roofer
05191	Sheet Metal Mechanic
05221	Shops, Utilityman
05341	Sign Painter
05351	Steamfitter
07761	Storekeeper I
07762	Storekeeper II
07763	Storekeeper III
05751	Tree Trimmer
07931	Trimmer
07781	Typewriter Serviceman
05211	Upholsterer
05251	Vending Machine Mechanic
08281	Vending Routeman
05511	Water Plant Operator
05521	Water Systems Operator
05201	Welder
05261	Aircraft Mechanic - Auth. Inspector

NON-PROFESSIONAL
BLUE COLLAR MAINTENANCE UNIT

Regents Classifications

<u>Code No.</u>	<u>Classification</u>
07611	Animal Caretaker I
07612	Animal Caretaker II
05671	Arborist
05057	Automotive Mechanic
07331	Bindery Operator I
07332	Bindery Operator II
05511	Building Services Coordinator
05061	Carpenter
05271	Carpet Maintenance Worker
07301	Compositor
07311	Copy Center Operator
05701	Custodian I
05702	Custodian II
05811	Driver-Mechanic
05071	Electrician
05081	Elevator Mechanic
05091	Environmental Systems Mechanic
05101	Equipment Operator
06301	ERD Machinist
06311	ERD Machinist, Senior
06321	ERD Welder
05861	Farm Equipment Mechanic
05901	Farm Equipment Operator I
05902	Farm Equipment Operator II
05903	Farm Equipment Operator III
05281	Farrier
07071	Food Worker I
07072	Food Worker II
07073	Food Worker III
07074	Food Worker IV
05741	Gardener
05361	Glazier
05771	Golf Course Attendant
05621	Golf Course Maintenance Worker
05731	Groundskeeper
05291	Insulator
07081	Kitchen Helper
07082	Kitchen Helper II
05721	Laborer
08061	Laundry Checker
08071	Laundry Coordinator
08081	Laundry Machine Operator
08051	Laundry Press Operator
07981	Motor Vehicle Operator I
07982	Motor Vehicle Operator II
07983	Motor Vehicle Operator III
07984	Motor Vehicle Operator IV
05501	Power Plant Fireman/Utilities
05911	Athletic Facilities Attendant

NON-PROFESSIONAL
BLUE COLLAR BARGAINING UNIT

Regents Classifications

<u>Code No.</u>	<u>Classification</u>
07061	Cook I
07062	Cook II
07681	Mail Distributor
07691	Mail Carrier
07971	Mail Coordinator
01231	Mail Clerk
07731	Fire Safety Inspector
07051	Baker I
07052	Baker II
	Supervisor, Facilities Maintenance

ACCRETIONS TO THE BLUE COLLAR UNIT

Regents Classifications

<u>Code No.</u>	<u>Classification</u>
05231	Aircraft Mechanic - Licensed (A & P)
07333	Bindery Operator III
07841	Safety Technician
05451	Power Plant - Chief Operator

AUG 23 1977 3 30 PM

PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF IOWA

BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

STATE OF IOWA,
PUBLIC EMPLOYER

AND

AFSCME, PUBLIC EMPLOYEE COUNCIL
NO. 61, AFL-CIO,
CERTIFIED EMPLOYEE ORGANIZATION

Case No. 930

DECISION AND ORDER

A petition for amendment of a board determined bargaining unit and certification ^{1/} in the above entitled matter was filed with the Public Employment Relations Board on January 27, 1977, and amended by joint application dated July 8, 1977. Hearing was held on July 22, 1977. The State of Iowa (State) appeared by Mr. Gene Vernon and AFSCME, Public Employees Council No. 61, AFL-CIO (hereinafter AFSCME) appeared by Mr. Raymond E. Conley.

The parties jointly seek consolidation of several previously determined bargaining units, consisting of groups of employees generally denominated "blue collar," as well as all other "blue collar" classifications into a single statewide unit. Further, the parties request amendment of AFSCME's certification to conform to this proposed amended unit.

BACKGROUND

On August 10, 1976, we conducted a public hearing on petitions for unit determination for state "blue collar" employees. At that time the State and AFSCME stipulated that two units of

^{1/} Filed by Petitioners as a "Petition for Consolidation of Bargaining units," this matter has been considered by us as an action under Section 4.6(20) of our Rules and Regulations (Iowa Administrative Code, Chapter 660).

blue collar employees were appropriate for purposes of collective bargaining, a unit consisting of all blue collar employees of the Board of Regents and a unit of all blue collar employees engaged in highway maintenance operations for the Department of Transportation. In a decision and order dated August 16, 1976, we approved those stipulations and found those units appropriate for purposes of collective bargaining within the meaning of Section 13.2 of the Public Employment Relations Act (hereinafter the Act). In response to the issue raised at hearing concerning the possibility of later consolidation of those bargaining units, we said:

The stipulation of the parties included a statement of future intent to consolidate the above bargaining units under certain circumstances. In determining that the above two units constitute appropriate units within the meaning of Section 13.2 the Board is not holding that such consolidation, or a fewer number of units, would be inappropriate under the Act. ^{2/}

Thereafter, two additional units of state blue collar employees were found appropriate by us: a unit of all blue collar employees within the Department of Social Services (State of Iowa, PERB Case No. 996, 1977) and the Beer and Liquor Control Commission (State of Iowa, PERB Case No. 1015, 1977).

Representation elections have been conducted by this agency in each of the above four bargaining units and pursuant to those elections AFSCME has in each case been certified as the exclusive bargaining representative of those employees. In addition to the employees included in these bargaining units, there are approximately 450 blue collar employees who have neither been included in a bargaining unit nor had an opportunity to vote for exclusive bargaining representation.

POSITIONS OF THE PARTIES

The parties are agreed that the four previously determined units should be consolidated into a single unit. Additionally,

^{2/} State of Iowa, PERB Case No. 291 (1976).

they request that the remaining unrepresented employees, numbering approximately 450 in 30 different departments at over 200 locations, also be included in that unit. In support of that position, it is argued that the unrepresented group has a substantially similar community of interest with the larger unit, that AFSCME's negotiating team has included certain employees from this unrepresented group, and that there have been no objections from any of those employees to their inclusion. In addition, it is noted that if all previous election results were combined and these employees included in the number of eligible voters, AFSCME has received the affirmative votes of a substantial majority of the employees in this all-inclusive unit. Finally, the state contends that leaving these employees in their present unrepresented status causes administrative difficulties for it.

DISCUSSION

Two issues are presented for our determination in this case. The first is whether to accept the stipulation of the parties and permit consolidation of the four currently existing bargaining units of state blue collar employees into a single unit. The second, assuming the aforementioned consolidation is granted, is whether that unit should also include the remaining blue collar employees, for whom no unit has previously been determined and who have not voted for bargaining representation.

1. The certified units.

As we have previously stated, a proceeding on a petition to amend a bargaining unit is essentially a determination of an appropriate bargaining unit or units, and the legislative mandate of Section 13.2 of the Act applies. City of Des Moines, PERB Case No. 559 (1976). Section 13.2 states:

In defining the unit, the Board shall take into consideration, along with other relevant factors, the principles of efficient administration of government, the existence of a community of interest among public employees, the history and extent of public employee organization, geographical location and recommendations of the parties involved.

It is our judgment that an application of these statutory criteria supports acquiescence to the stipulation of the parties and approval of a consolidated bargaining unit. We have previously defined "principles of efficient administration of government" to require for any one employer the smallest number of bargaining units consistent with meaningful and effective representation of the employees involved, Des Moines Independent Community School District, PERB Case Nos. 21, 125 & 126 (1975). Consolidation of these units is consistent with that principle.

With regard to the existence of a community of interest among these employees, we note that all of them perform what has generally been described as "blue collar" functions. And we have previously stated our belief that for large multifunctional employers general occupational groupings of employees meet the community of interest requirement, and indeed such units provide a closer community of interest for purposes of collective bargaining than do departmental units comprised of employees of diverse occupations. Blackhawk County, PERB Case Nos. 48 & 57 (1975); Woodbury County, PERB Case Nos. 46, 118 & 470 (1975).

The history and extent of public employee organization in these units is predominately the same, and consists of representation by AFSCME for the past one year or less. Bargaining between the State and these units occurred on a coordinated basis, and the employees in all four units are covered by the same collective bargaining agreement.

With regard to geographic location, it is noted that either unit structure, i.e. separate units or a single consolidated unit, results in a statewide geographic distribution of employees.

Finally, the recommendations of the parties favor the requested consolidation. Notwithstanding notice of the hearing in this matter which, pursuant to Chapter 17A, set forth the issues herein addressed, no other person or party expressed objection.

In view of all the above factors, we believe consolidation

of the previously determined bargaining units constitutes a more appropriate unit structure for purposes of collective bargaining between the State and its employees, is consistent with our prior decisions, and appropriate under Section 13.2 of the Act. For those reasons, the consolidation is granted, the amended unit found appropriate, and amended certifications ordered.

2. Remaining unrepresented classifications.

The second issue for our consideration is whether the remaining unrepresented blue collar employees should also be included within this single consolidated unit. There are approximately 450 such employees, distributed among 30 departments and in over 200 locations throughout the state. Both the State and AFSCME request their inclusion in the consolidated statewide unit. No unit determination for these employees has previously been petitioned for or made, nor has any employee organization ever sought a representation election for the employees in this group.

Under the terms of the National Labor Relations Act, the National Labor Relations Board (NLRB) has recognized only one situation in which a group of employees may be included in a represented bargaining unit without a representation election. That situation has been described by the NLRB as an accretion, and occurs where a new employee complement comes into existence and is totally merged into the fabric and network of an existing bargaining unit. NLRB v. Horn and Hardart Co., 76 LRRM 2443 (CA-2, 1971). In such a case, as we recognized in City of Des Moines, PERB Case No. 559 (1976), the new group is so submerged into the existing unit structure that a separate unit would be undefinable and inappropriate.

This case, obviously, does not fit that classification. The employees at issue herein are not a "new" group, but were in existence at all times material to these unit determinations.

Thus, these employees may not be included in the larger unit as an "accretion" to it.

AFSCME argues that these employees would be considered by the NLRB as a "fringe group," one which belongs with the larger unit and cannot properly be designated a separate unit. In such cases the NLRB has included such employees in the existing unit without allowing them an opportunity to vote on that inclusion. The NLRB has not, however, included them in such a unit without allowing them to vote on union representation. The distinction is significant: unit determination is a matter within the province of the NLRB, and the decision as to whether under given circumstances employees are permitted to choose a separate unit or inclusion in a larger unit resides with the NLRB. Bargaining representation, however, is a matter to be decided by the employees themselves, and absent an accretion is not an appropriate determination for any administrative body. Hence, whether these employees would constitute a "residual" unit or a "fringe group" as those terms are applied by the NLRB is of little consequence here. In either instance they could not be given represented status without having designated a representative in an election under Section 15 of the Act.

For the above reasons it is our judgment that such an inclusion is unwarranted and inappropriate under the Act. First, these employees clearly do not constitute an accretion to the existing bargaining unit. They are not a new group of employees which came into existence after the other elections and certifications; indeed, all parties to this proceeding had full knowledge that the successive unit determinations for state blue collar employees would result in a group of unrepresented employees.

And secondly, but of primary significance, is the right of this group of employees to determine for themselves whether they wish to be represented for purposes of collective bargaining. Section 1 of the Act declares the State's public policy to be

promoting harmonious and cooperative relationships between government and its employees by permitting public employees to organize and bargain collectively. Section 8 gives public employees the right to organize, form, join or assist an employee organization or to refuse to participate in those activities. And Sections 14 and 15 provide for certification of an exclusive bargaining representative only upon demonstration in a Board-conducted election that the employee organization is in fact the majority representative of the unit employees. These employees must be given that opportunity.

For these reasons, and specifically because we believe these employees have a right to vote whether they wish to be represented by any employee organization, and in the absence of an accretion or other compelling circumstance which would require their inclusion in the represented unit, the request of petitioners for such inclusion is denied.

ORDER

IT IS HEREBY ORDERED THAT the bargaining units previously found appropriate in Case Nos. 291, 996 and 1015 be, and the same hereby are, amended by consolidation, and that the following unit is appropriate for purposes of collective bargaining within the meaning of Section 13.2 of the Act:

All blue collar employees of the State of Iowa in the following departments and as set forth in Case Nos. 291, 996 and 1015: Board of Regents; highway maintenance employees in the Department of Transportation; Beer and Liquor Control Department; and Department of Social Services.

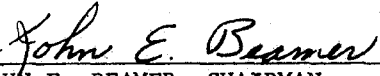
But excluding all classifications previously excluded in Case Nos. 291, 996 and 1015, and all other employees of the State of Iowa.

It is further ordered that the certifications previously issued in Case Nos. 823, 824, 995 and 1015 be, and the same hereby are, amended consistent with the bargaining units set forth above.


It is further ordered that the petitioners' request to include in the unit described above other unrepresented blue collar employees of the State of Iowa be, and the same hereby is, denied.

DATED at Des Moines, Iowa this 23rd day of August, 1977.

PUBLIC EMPLOYMENT RELATIONS BOARD



JOHN E. BEAMER, CHAIRMAN



VERNON C. COOK, BOARD MEMBER



JOHN R. LOIHL, BOARD MEMBER

AUG 16 1976 -1 30 PM

STATE OF IOWA PUBLIC EMPLOYMENT RELATIONS BOARD
 BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:
 STATE OF IOWA,
 PUBLIC EMPLOYER
 AND
 ALL PETITIONERS AND INTERVENORS IN
 CASES NUMBERED HEREIN 1/

CASE NO. 291 2/

DECISION AND ORDER

The above-entitled matter came on for hearing before the Public Employment Relations Board on August 10, 1976, pursuant to prior order of the Board. Mr. Gene A. Vernon appeared on behalf of the State of Iowa; Mr. Raymond Conley appeared on behalf of State of Iowa Employees Association, American Federation of State, County and Municipal Employees (SIEA/AFSCME); and Robert Conley appeared on behalf of the Iowa Conference of Teamsters and certain of its affiliate locals, including petitioners Stagehands Local Union No. 67 and Warehouse, Inside Workers, Drivers and Helpers of Liquor Control Commission, Local No. 394.

The parties presented no sworn testimony or other formal evidence, and stipulated to two appropriate bargaining units of State employees. The first consists essentially of all "blue collar" employees of the State of Iowa within the Regents system; the second, of all highway maintenance employees in the Department of Transportation.

The Board, having reviewed the stipulations and finding no objection thereto, finds that the following units of employees of the State of Iowa are appropriate for purposes of collective bargaining within the meaning of Section 13(2) of the Public Employ-

1/ Also, Case Nos. 39, 44, 402, 403, 406, 481, and 643, which were, with the approval of the Board, withdrawn at hearing.
2/ As amended at hearing.

ment Relations Act:

Unit 1. Highway Maintenance Unit (D.O.T.)

Included: All blue collar highway maintenance employees of the State of Iowa located within the Department of Transportation as set forth under the title "INCLUDED" in Appendix A hereto;

Excluded: All persons whose job classifications are set forth under "EXCLUSIONS" in Appendix A hereto; all managerial, supervisory, confidential and all other employees of the State of Iowa; and all persons excluded by Section 4 of the Act.

Unit 2. Regents Blue Collar Unit

Included: All blue collar and related employees of the State of Iowa located within the Regents system, as set forth in Appendix B hereto;

Excluded: All persons whose job classifications are set forth in Appendix C hereto; managerial, supervisory, confidential and all other employees of the State of Iowa; and all persons excluded by Section 4 of the Act.

The stipulation of the parties included a statement of future intent to consolidate the above bargaining units under certain circumstances. In determining that the above two units constitute appropriate units within the meaning of Section 13(2), the Board is not holding that such consolidation, or a fewer number of units, would be inappropriate under the Act.

DATED at Des Moines, Iowa, this 16th day of August, 1976.

PUBLIC EMPLOYMENT RELATIONS BOARD

Edward F. Kolker

Edward F. Kolker, Chairman

Vernon C. Cook

Vernon C. Cook, Board Member

John R. Loihl

John R. Loihl, Board Member

APPENDIX AINCLUDED:

<u>Code</u> <u>No.</u>	<u>State Merit Classifications</u>
08105	Rest Area Attendant
08110	Highway Maintenance Worker I
08111	Highway Maintenance Worker II
08113	Highway Maintenance Worker III
08112	Asphalt Paving Machine Operator
08120	Highway Maintenance Specialist
08130	Suspension Bridge Maintenance Worker
08131	Suspension Bridge Maintenance Supervisor
08355	Truck Body Installer
08360	Auto Electrician
08370	Auto Mechanic Helper
08375	Auto Mechanic
08380	Auto Mechanic Supervisor
08390	District Mechanic

EXCLUDED:

<u>Code</u> <u>No.</u>	<u>State Merit Classifications</u>
08115	Highway Maintenance Supervisor I
08116	Highway Maintenance Supervisor II
08117	Highway Maintenance Supervisor III
08125	Highway Maintenance Supervisor IV
08385	Automotive Shop Supervisor

APPENDIX BINCLUDED:

<u>Code</u> <u>No.</u>	<u>Regents Merit Classification</u>
07371	Linotype Operator
05111	Locksmith
05121	Machinist
05311	Maintenance Mechanic
05301	Maintenance Repairman I
05302	Maintenance Repairman II
05131	Mason
07091	Meat Cutter
05321	Mechanics Assistant
05141	Mechanic, Preventative Maintenance
07711	Milker
07321	Offset Equipment Operator I
07322	Offset Equipment Operator II
07323	Offset Equipment Operator III
07381	Offset Platemaker
05151	Painter
05851	Parking Maintenance Worker I
05852	Parking Maintenance Worker II
08241	Patient Transport Driver
05241	Pest Control Operator
05161	Pipefitter
05171	Plasterer
05331	Plumber
05431	Power Plant-Assistant Chief Operator
05461	Power Plant-Assistant Superintendent
05421	Power Plant-Boiler Operator
05401	Power Plant-Larryman
05441	Power Plant-Repairman
05411	Power Plant-Utilityman
07401	Pressman
07341	Printer
05181	Roofer
05191	Sheet Metal Mechanic
05221	Shops, Utilityman
05341	Sign Painter
05351	Steamfitter
07761	Storekeeper I
07762	Storekeeper II
07763	Storekeeper III
05751	Tree Trimmer
07931	Trimmer
07781	Typewriter Serviceman
05211	Upholsterer
05251	Vending Machine Mechanic
08281	Vending Routeman
05511	Water Plant Operator
05521	Water Systems Operator
05201	Welder
05261	Aircraft Mechanic - Auth. Inspector
07611	Animal Caretaker I
07612	Animal Caretaker II
05671	Arborist
05051	Automotive Mechanic
07331	Bindery Operator I
07332	Bindery Operator II
05611	Building Services Coordinator
05061	Carpenter
05271	Carpet and Upholsterer Maint. Wkr.
07151	Cheesemaker

APPENDIX B (cont.)INCLUDED:

<u>Code</u> <u>No.</u>	<u>Regents Merit Classification</u>
07161	Cheesemaker Assistant
07301	Compositor
07311	Copy Center Operator
05701	Custodian I
05702	Custodian II
07351	Cutter Operator
05811	Driver-Mechanic
05071	Electrician
05081	Elevator Mechanic
05091	Environmental Systems Mechanic
05101	Equipment Operator
06301	ERD Machinist
06311	ERD Machinist, Senior
06321	ERD Welder
05861	Farm Equipment Mechanic
05901	Farm Equipment Operator I
05902	Farm Equipment Operator II
05903	Farm Equipment Operator III
05281	Farrier
07361	Folding Machine Operator
07071	Food Worker I
07072	Food Worker II
07073	Food Worker III
07074	Food Worker IV
05741	Gardener
05361	Glazier
05771	Golf Course Attendant
05621	Golf Course Maintenance Worker
05731	Groundskeeper
05291	Insulator
07081	Kitchen Helper I
07082	Kitchen Helper II
05721	Laborer
08061	Laundry Checker
08071	Laundry Coordinator
08081	Laundry Machine Operator
08051	Laundrey Press Operator
07981	Motor Vehicle Operator I
07982	Motor Vehicle Operator II
07983	Motor Vehicle Operator III
07984	Motor Vehicle Operator IV
05501	Power Plant Fireman/Utilities
05911	Athletic Facilities Attendant
07061	Cook I
07062	Cook II
07681	Mail Distributor
07691	Mail Carrier
07971	Mail Coordinator
01231	Mail Clerk
07731	Fire Safety Inspector
07051	Baker I
07052	Baker II
	Supervisor, Facilities Maintenance

APPENDIX CEXCLUDED:

<u>Code</u> <u>No.</u>	<u>Regents Merit Classification</u>
07613	Animal Caretaker III
05711	Custodian, Chief
01221	Dispatcher
07074	Food Worker IV
08091	Laundry Machine Operator, Chief
05451	Power Plant - Chief Operator
05062	Structural Technician - Buildings & Grounds
05072	Structural Technician - Utilityman
	Manager, Office
	Manager, Parking & Maintenance Service
	Manager, Shop Service
	Supervisor, Printing Services
	Supervisor, Service I
	Supervisor, Service II
	Supervisor, Stockroom Warehouse
	General Supervisor, Animal Care Unit
07075	Food Service Supervisor
05041	Supervisor - Skilled Trades

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:
STATE OF IOWA,
PUBLIC EMPLOYER
AND
AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, COUNCIL NUMBER 61,
PETITIONER

CASE NOS. 823, 824 & 883

ORDER OF CERTIFICATION

NOW on this 21st day of March, 1977, the Board being advised that elections were conducted pursuant to Order of the Board, and that the American Federation of State, County and Municipal Employees, AFL-CIO, Council Number 61, an employee organization, received an affirmative vote of the majority of employees in the above-referenced cases, 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 and Municipal Employees, AFL-CIO, Council Number 61, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for certain employees of the State of Iowa, a public employer, in the following bargaining units:

Case No. 823:

- INCLUDED: All blue collar highway maintenance employees of the State of Iowa located within the Department of Transportation as set forth under the title "INCLUDED" in Appendix A hereto;
- EXCLUDED: All persons whose job classifications are set forth under "EXCLUSIONS" in Appendix A hereto; all managerial, supervisory, confidential and all other employees of the State of Iowa; and all persons excluded by Section 4 of the Act.

Case No. 824:

INCLUDED: All blue collar and related employees of the State of Iowa located within the Regents system, as set forth in Appendix B hereto;


EXCLUDED: All persons whose job classifications are set forth in Appendix C hereto; managerial, supervisory, confidential and all other employees of the State of Iowa; and all persons excluded by Section 4 of the Act.

Case No. 883:

INCLUDED: All professional employees of the State of Iowa engaged in social services, as set forth under "Inclusions" in Appendix D;

EXCLUDED: All persons holding job classifications as set forth under "Exclusions" in Appendix D, managerial, supervisory, confidential, part-time and all other employees of the State of Iowa; and all other persons excluded by Section 4 of the Act.

DONE by the Public Employment Relations Board.



JOHN R. LOIHL, BOARD MEMBER

APPENDIX AINCLUDED:

<u>Code</u> <u>No.</u>	<u>State Merit Classifications</u>
08105	Rest Area Attendant
08110	Highway Maintenance Worker I
08111	Highway Maintenance Worker II
08113	Highway Maintenance Worker III
08112	Asphalt Paving Machine Operator
08120	Highway Maintenance Specialist
08130	Suspension Bridge Maintenance Worker
08131	Suspension Bridge Maintenance Supervisor
08355	Truck Body Installer
08360	Auto Electrician
08370	Auto Mechanic Helper
08375	Auto Mechanic
08380	Auto Mechanic Supervisor
08390	District Mechanic

EXCLUDED:

<u>Code</u> <u>No.</u>	<u>State Merit Classifications</u>
08115	Highway Maintenance Supervisor I
08116	Highway Maintenance Supervisor II
08117	Highway Maintenance Supervisor III
08125	Highway Maintenance Supervisor IV
08385	Automotive Shop Supervisor

APPENDIX BINCLUDED:

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07371	Linotype Operator
05111	Locksmith
05121	Machinist
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05302	Maintenance Repairman II
05131	Mason
07091	Meat Cutter
05321	Mechanics Assistant
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07711	Milker
07321	Offset Equipment Operator I
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07323	Offset Equipment Operator III
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05151	Painter
05851	Parking Maintenance Worker I
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05441	Power Plant-Repairman
05411	Power Plant-Utilityman
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07341	Printer
05181	Roofer
05191	Sheet Metal Mechanic
05221	Shops, Utilityman
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07763	Storekeeper III
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07921	Trimmer
07781	Typewriter Serviceman
05211	Upholsterer
05251	Vending Machine Mechanic
08281	Vending Routeman
05511	Water Plant Operator
05521	Water Systems Operator
05201	Welder
05261	Aircraft Mechanic - Auth. Inspector
07611	Animal Caretaker I
07612	Animal Caretaker II
05671	Arborist
05051	Automotive Mechanic
07331	Bindery Operator I
07332	Bindery Operator II
05611	Building Services Coordinator
05061	Carpenter
05271	Carpet and Upholsterer Maint. Wkr.
07151	Cheesemaker

APPENDIX B (cont.)INCLUDED:

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05702	Custodian II
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05811	Driver-Mechanic
05071	Electrician
05081	Elevator Mechanic
05091	Environmental Systems Mechanic
05101	Equipment Operator
06301	ERD Machinist
06311	ERD Machinist, Senior
06321	ERD Welder
05861	Farm Equipment Mechanic
05901	Farm Equipment Operator I
05902	Farm Equipment Operator II
05903	Farm Equipment Operator III
05281	Farrier
07361	Folding Machine Operator
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05771	Golf Course Attendant
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07082	Kitchen Helper II
05721	Laborer
08061	Laundry Checker
08071	Laundry Coordinator
08081	Laundry Machine Operator
08051	Laundry Press Operator
07981	Motor Vehicle Operator I
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07983	Motor Vehicle Operator III
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01231	Mail Clerk
07731	Fire Safety Inspector
07051	Baker I
07052	Baker II
	Supervisor, Facilities Maintenance

APPENDIX CEXCLUDED:

<u>Code</u> <u>No.</u>	<u>Regents Merit Classification</u>
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01221	Dispatcher
07074	Food Worker IV
08091	Laundry Machine Operator, Chief
05451	Power Plant - Chief Operator
05062	Structural Technician - Buildings & Grounds
05072	Structural Technician - Utilityman
	Manager, Office
	Manager, Parking & Maintenance Service
	Manager, Shop Service
	Supervisor, Printing Services
	Supervisor, Service I
	Supervisor, Service II
	Supervisor, Stockroom Warehouse
	General Supervisor, Animal Care Unit
07075	Food Service Supervisor
05041	Supervisor - Skilled Trades

opportunity to examine and cross-examine witnesses. Based upon the entire record, I make the following:

FINDINGS OF FACT

The classification of chief power plant operator is the highest plant-level operational position within the power plants located at each of the State's three university campuses. These plants produce and distribute heat, electrical power, and water to all campus facilities. In performing these functions, the power plants are staffed on a continuous, 24-hour, 7-day week basis. On each shift are, at a minimum, one chief power plant operator, one assistant chief power plant operator, two firemen/boiler operators, one fireman trainee, and one utility man. In addition, the day shift includes within the plant one manager and one group manager, administrative positions superior in the organizational hierarchy to those described above. During the other shifts no employee superior to the chief power plant operator is on duty.

The chief power plant operator has two major areas of responsibility. First, he is responsible for the overall plant-level functional operation of the power plant. In that capacity, his duties include taking readings on equipment, checking temperature and proper pressure on generators and boilers, controlling water distribution, entering hourly readings in logbooks, and completing certain book-keeping functions. While there was some conflicting testimony concerning the amount of work-time spent in these functions by the chief power plant operator, I find as a matter of fact that the chief power plant operator spends approximately 75 percent of his time engaged in such functions.

The chief power plant operator's second major area of responsibility concerns the performance of certain plant-level personnel functions. While his subordinate employee's job duties are fairly well set, the chief power plant operator is responsible for directing the

work on his shift, for the completion of that work, and for employee safety. He has the authority to change an employee's work assignments, or to reassign an employee to another job, if he determines such assignment is necessary. He may also call-in any additional personnel he finds necessary.

The chief power plant operator may approve an employee's request for sick leave or emergency leave, although it appears he does not have the authority to deny such a request. He may also decide which employee to call in as a replacement from either the swing shift or the shift not scheduled for work that day.

The chief power plant operator is responsible for maintaining order in the work area. To that end, he may give verbal reprimands and may order an intoxicated employee to punch out, resulting in a loss of pay. Any further disciplinary actions, however, are the responsibility of the manager.

The normal daily communication between the manager and the chief power plant operator consists only of notations made in the daily log kept at the power plant. The chief power plant operator communicates directly with the manager only in emergency situations. While the day shift chief power plant operator's communication with the manager is more direct, I find no significant differences between his responsibilities and those of chief power plant operators on other shifts.

The chief power plant operator is paid on an hourly basis, while the managers are salaried employees. The chief power plant operator earns about 30¢ per hour more than his assistant. The entire employee complement in each power plant consists of three managers, six chief power plant operators, and at least 42 other employees.

The chief power plant operator has no authority to hire, discharge, lay-off, recall, promote, or transfer employees on his own motion, nor effectively to recommend such action.

CONCLUSIONS OF LAW

The issue for my determination is whether the position of "chief power plant operator" is excluded from the coverage of the Public Employment Relations Act (Act) as a "supervisor", as defined in Section 4.2.

Section 4.2 of the Act defines "supervisory employee" as follows:

"...any individual having authority in the interest of the public employer, to hire, transfer, suspend, lay-off, recall, promote, discharge, assign, reward, or discipline other public employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend such action, if in connection with the foregoing exercise of such authority is not of a merely routine or clerical nature but requires the use of independent judgment."

The record clearly shows that the chief power plant operator does not have the power to hire, discharge, lay-off, recall, promote, or transfer employees, or to effectively recommend such action. However, it is also clear that the chief power plant operator is "in charge" of the employees on his shift, and his duties include the exercise of certain plant-level personnel functions. He approves requests for sick leave and emergency leave and decides who to call in as a replacement for overtime work. While the approval of such requests may indeed be a routine function, the selection of which employee from another shift to use as a replacement, (a selection which involves overtime compensation for that employee) is not a routine one. He is also responsible for directing work, for reassigning employees to other jobs if necessary, and for calling in additional personnel, if needed. He makes these decisions based upon his perception of what is needed, and without any review by his superiors. In performing the functions, the chief power plant operator operates without the prior authorization of his superiors, and in so doing, exercises independent judgment.

Although not determinative per se of supervisory standing, another significant factor is the ratio of supervisory to non-supervisory employees. If I were to conclude that chief power plant operators were not supervisors, there would only be three supervisors and 48 employees (and more importantly, no supervisors on any shift except the day shift). A finding that chief power plant operators are supervisors makes the supervisory/non-supervisory ratio one supervisor for every five employees.

Based upon the above, I find that the chief power plant operators exercise independent judgment in certain of their daily plant-level functions, and are thus supervisory employees as defined in Section 4.2 of the Act.

Upon the basis of the foregoing, I hereby issue the following:

ORDER

IT IS HEREBY ORDERED that the classification of chief power plant operator be excluded from the blue collar unit within the Board of Regents System.

DATED at Des Moines, Iowa this 18th day of November, 1977.


RONALD HOH/HEARING OFFICER

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)	
STATE OF IOWA,)	
PUBLIC EMPLOYER)	
AND)	CASE NO. 995
AFSCME, IOWA PUBLIC EMPLOYEES)	
COUNCIL 61, AFL-CIO,)	ORDER OF CERTIFICATION
PETITIONER)	
)	

NOW on this 26th day of May, 1977, the Board being advised that an election was conducted pursuant to Order of the Board, and that AFSCME, Iowa Public Employees Council 61, AFL-CIO, 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 AFSCME, Iowa Public Employees Council 61, AFL-CIO, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of State of Iowa [Social Services, Blue Collar], in the following bargaining unit:

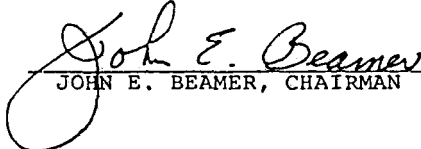
- INCLUDED: All Department of Social Services blue collar employees as follows: Automotive mechanic, Automotive mechanic helper, Automotive mechanic leader, Canteen Operator I & II, Carpenter I & II, Chief power plant engineer, Cook I & II, Corrections farm manager, Corrections food steward, Custodial leader, Custodial workers, Custodial assistant, Dormitory supervisor, Driver, Electrician I & II, Electronics technician, Facilities maintenance coordinator, Farm manager I, Farm worker, Farm leader, Food service leader, Food service worker, Furniture upholsterer, Heavy equipment operator, Herd leader, Ingredient room workers, Ingredient room worker II, Laundry worker I & II, Correctional building service coordinator, Linen room attendant I & II,

Locksmith, Machinist, Maintenance leader, Maintenance repairs leader, Meatcutter I & II, Trades helper, Maintenance repairer, Maintenance worker I & II, Mason, Nursery worker I & II, Nurses residence supervisor, Painter I & II, Plumber I & II, Power plant engineer I, II & III, Reproduction equipment operator I, Sewing room attendant I & II, Storekeeper I, II & III, Transport driver, Vehicle dispatcher, Water & disposal plant operator I & II.

EXCLUDED: Building services supervisor I & II, Buildings and grounds supervisor, Chief power plant engineer (supv.), Farm manager II, Food production supervisor, Laundry supervisor I & II, Maintenance repairs supervisor, Warehouse leader; Managerial, supervisory, confidential, part-time employees, and all other employees of the State of Iowa.

DONE by the Public Employment Relations Board this 26th day of May, 1977.

PUBLIC EMPLOYMENT RELATIONS BOARD



JOHN E. BEAMER, CHAIRMAN

IT IS FURTHER ORDERED that an election be conducted, under the supervision and direction of the Public Employment Relations Board at a time and place to be determined by the Board. Eligible to vote are all employees in the above defined bargaining unit who were employed during the payroll period immediately preceding the date below and who are also employed in the bargaining unit on the date of the election.

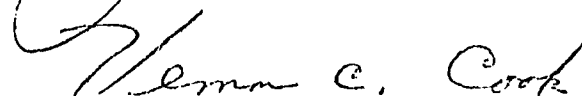
IT IS FURTHER ORDERED that the public employer in this case submit to the Board within seven days an alphabetical list of the names, addresses and job classifications of all the eligible voters in the unit described above.

DATED at Des Moines, Iowa, this 21st day of April, 1977.

PUBLIC EMPLOYMENT RELATIONS BOARD



JOHN R. LOIHL, BOARD MEMBER



VERNON C. COOK, BOARD MEMBER

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD MAR 31 1977 1:10 PM

PETITION

PUBLIC EMPLOYMENT RELATIONS BOARD

INSTRUCTIONS - Submit an original and two (2) copies of this Petition to the Board. If more space is required, attach additional sheets.

DO NOT WRITE IN THIS SPACE	
Case No.	995
Date Filed	3-31-77

The Petitioner alleges that the following circumstances exist and requests that the Board proceed, under its proper authority pursuant to the Public Employment Relations Act, to determine the appropriate unit for collective bargaining and/or whether the public employees in such unit wish to be represented by an employee organization for purposes of collective bargaining.

1. Purpose of this Petition:

a. Check one

- UD Unit Determination - Petitioner, an employer, employee, or employee organization, requests that the appropriate unit for collective bargaining be determined by the Board pursuant to Section 13 of the Act.
- UR - Unit Reconsideration - Petitioner, an employee or employee organization, alleges that a previous unit determination is no longer valid and requests that the Board review said determination. (Attach a sheet stating the reasons for this request.)
- Unit has previously been determined by the Board. Identify Case No., if known. Case No. _____

b. If an election is also requested by this Petition, check the appropriate box.

- RC - Certification - Petitioner, an employee organization, has submitted to a public employer a request to bargain collectively and 30 percent of the employees in an appropriate unit are members of the Petitioner or have authorized it to bargain on their behalf. (Submit with this Petition a showing of interest as required in rule 4.3 (2).)
- RD - Decertification - Petitioner, a public employee, alleges that a certified representative does not represent a majority of the employees in an appropriate unit and that the employees do not wish to be represented by an employee organization. (Submit with this Petition evidence that 30 percent of the employees in the unit support the Petition as required in rule 4.3 (2).)
- RM Representation - Petitioner, a public employer, alleges that one or more employee organizations have requested bargaining, and that no such organization has been certified by the Board as the bargaining representative of the employees in an appropriate unit.

2. Name and Address of Public Employer: State of Iowa, State Capitol, Des Moines, Iowa 50319

Employer's representative Gene Vernon

Phone No. 281-3883

3. Description of Unit Claimed Appropriate by the Petitioner

Included: All Department of Social Services blue collar employees of the State of Iowa as set forth in Appendix A.

3a. Approximate Number of Employees in Said Unit 1000

Excluded: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

4. Certified Employee Organization (if none, so state): None

Representative:

Phone No.

5. Names and Addresses of Other Individuals or Organizations Which May Claim to Represent the Employees in the Bargaining Unit (if none, so state): None

6. Name and Address of Petitioner: AFSOME Iowa Public Employees Council 61, AFL-CIO
2550 Harding Rd. Suite D
Des Moines, IA 50310

Petitioner's representative: David Williams, Executive Director 515/255-2196

I hereby declare that I have read the contents of the instant Petition and that the statements contained herein are true and accurate to the best of my knowledge and belief.

David E. Williams
Name and Title
Executive Director, Council 61

March 31, 1977
Date

STATE MERIT CLASSIFICATION

STATEWIDE SOCIAL SERVICES BLUE COLLAR UNIT

INCLUDED:

Automotive Mechanic
 Automotive Mechanic Helper
 Automotive Mechanic Leader
 Carpenter I
 Carpenter II
 Chief Power Plant Engineer
 Corrections Farm Manager
 Corrections Food Steward
 Custodial Leader
 Custodial Worker
 Custodial Assistant
 Dormitory Supervisor
 Driver
 Electrician I
 Electrician II
 Electronics Technician
 Facilities Maint. Coord.
 Farm Manager I
 Farm Worker
 Farm Leader
 Food Service Leader
 Food Service Worker
 Furniture Upholsterer
 Heavy Equipment Operator
 Herd Leader
 Ingredient Room Worker I
 Ingredient Room Worker II
 Laundry Worker I
 Laundry Worker II
 Corr. Bldg. Serv. Coord.
 Linen Room Attendant I
 Linen Room Attendant II
 Locksmith
 Machinist
 Maintenance Leader
 Maintenance Repairs Leader
 Trades Helper
 Maintenance Repairer
 Maintenance Worker I
 Maintenance Worker II
 Mason
 Nursery Worker I
 Nursery Worker II
 Nurses Residence Supv.

INCLUDED (con't)

Painter I
 Painter II
 Plumber I
 Plumber II
 Power Plant Engineer I
 Power Plant Engineer II
 Power Plant Engineer III
 Reproduction Equip. Oper. I
 Sewing Room Attendant I
 Sewing Room Attendant II
 Storekeeper I
 Storekeeper II
 Storekeeper III
 Transport Driver
 Vehicle Dispatcher
 Water & Disposal Plant Oper. I
 Water & Disposal Plant Oper. II
 Cook I
 Cook II
 Canteen Operator I
 Canteen Operator II
 Meatcutter I
 Meatcutter II

EXCLUDED:

Building Serv. Supervisor I
 Building Serv. Supervisor II
 Buildings & Grounds Supv.
 Chief Power Plant Engineer (Supv).
 Farm Manager II
 Food Production Supervisor
 Laundry Supervisor I
 Laundry Supervisor II
 Maintenance Repairs Supv.
 Warehouse Leader

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

507 TENTH STREET • DES MOINES, IOWA 50300 • (515) 247-4414

HON. ROBERT D. RAY
Governor

April 4, 1977

Edward J. Kulke
Chairman
247-4041
Vernon C. Cook
Member
247-4045
John R. Lohi
Member
247-4045
Peter L. J. Pashler
Executive Director
247-4048

Mr. Gene Vernon
Employee Relations Director
State Comptroller's Office
State Capitol
Des Moines, Iowa 50319

Re: Case No. 995 & 996

Dear Mr. Vernon:

This is to advise you that the enclosed petition for unit determination and bargaining representative determination accompanied by a Stipulation of Bargaining Unit form has been filed with the Board pursuant to the Public Employment Relations Act.

Enclosed is a copy of the petition and copies of the Notice to Employees. The employer is required to post copies of this Notice in conspicuous places customarily used for the posting of information to employees.

Please forward to this office within seven days an organizational chart of the employer's operations (if one exists) and a list of employees and their job classifications in the unit alleged as appropriate in the petition. This list will be used by the Board in verifying the showing of interest as submitted by the petitioner.

Upon receipt of the above requested information, the Board will consider the Stipulation of Bargaining Unit submitted with the petition and contact you concerning its approval. Any inquiry concerning this matter may be directed to Examiner, of the Board, at the address and phone number above.

For the Board,

Peter L. J. Pashler
Executive Director

PLJP:jkb
Enc.

STATEWIDE SOCIAL SERVICES BLUE COLLAR UNITState Merit Classification

<u>Code No.</u>	<u>Classification</u>
8375	Automotive Mechanic
8370	Automotive Mechanic Helper
8380	Automotive Mechanic Leader
8040	Carpenter I
8041	Carpenter II
8420	Chief Power Plant Engineer
5032	Corrections Farm Manager
7237	Corrections Food Steward
7010	Custodial Leader
7005	Custodial Worker
7015	Custodial Assistant
3066	Dormitory Supervisor
8205	Driver
8325	Electrician I
8326	Electrician II
8672	Electronics Technician
8012	Facilities Maint. Coord.
5030	Farm Manager I
5010	Farm Worker
5015	Farm Leader
7210	Food Service Leader
7200	Food Service Worker
8039	Furniture Upholsterer
8230	Heavy Equipment Operator
5025	Herd Leader
7215	Ingredient Room Worker I
7216	Ingredient Room Worker II
7305	Laundry Worker I
7306	Laundry Worker II
7313	Corr. Bldg. Serv. Coord.
7315	Linen Room Attendant I
7316	Linen Room Attendant II
8635	Locksmith
8305	Machinist
8010	Maintenance Leader
8020	Maintenance Repairs Leader
8015	Trades Helper
8016	Maintenance Repairer
8005	Maintenance Worker I
8006	Maintenance Worker II
8042	Mason
5005	Nursery Worker I
5006	Nursery Worker II
2010	Nurses Residence Supv.
8043	Painter I
8044	Painter II

STATEWIDE SOCIAL SERVICES BLUE COLLAR UNITState Merit Classification

<u>Code No.</u>	<u>Classification</u>
8045	Plumber I
8046	Plumber II
8410	Power Plant Engineer I
8415	Power Plant Engineer II
8416	Power Plant Engineer III
8525	Reproduction Equip. Oper. I
7320	Sewing Room Attendant I
7321	Sewing Room Attendant II
0235	Storekeeper I
0236	Storekeeper II
0237	Storekeeper III
8210	Transport Driver
8215	Vehicle Dispatcher
8405	Water & Disposal Plant Oper. I
8406	Water & Disposal Plant Oper. II
7220	Cook I
7221	Cook II
7245	Canteen Operator I
7246	Canteen Operator II
7230	Meatcutter I
7231	Meatcutter II

EXEMPT SOCIAL SERVICES BLUE COLLAR CLASSIFICATIONS
BASED UPON SUPERVISORY RESPONSIBILITY

State Merit Classification

<u>Code No.</u>	<u>Classification</u>
7025	Building Serv. Supervisor I
7027	Building Serv. Supervisor II
8025	Buildings & Grounds Supv.
8421	Chief Power Plant Engineer (Supv.)
5031	Farm Manager II
7235	Food Production Supervisor
7310	Laundry Supervisor I
7311	Laundry Supervisor II
8021	Maintenance Repairs Supv.
0250	Warehouse Leader

MAR 31 1977 10:11 AM

PUBLIC EMPLOYMENT RELATIONS BOARD

STATE OF IOWA

PUBLIC EMPLOYMENT RELATIONS BOARD

STIPULATION OF BARGAINING UNIT

Pursuant to a Petition duly filed under the Public Employment Relations Act, and subject to the approval of the Public Employment Relations Board, the undersigned parties hereby AGREE AS FOLLOWS:

- 1. The employer is a public employer within the meaning of Section 3 (1) of the Public Employment Relations Act.
- 2. The employee organization is an employee organization within the meaning of Section 3 (4) of the Public Employment Relations Act.
- 3. The following constitutes an appropriate unit for purposes of collective bargaining within the meaning of Section 13 of the Public Employment Relations Act:

INCLUDED: All Department of Social Services blue collar employees of the State of Iowa as set forth in Appendix A.

EXCLUDED: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

State of Iowa
(Employer)
State Capitol, Des Moines, Ia.
(Address) 50319

American Federation of State, County
& Municipal Employees, AFL-CIO
(Name of Organization)
2550 Harding Rd., Des Moines, Ia.
(Address) 50310

By [Signature]
(Name and Title) (Date)

By David E. Williams
(Name and Title) (Date)

Tentative Approval:

For the Board:

By [Signature] 4/4/77
(Board Member) (Date)

(Name of other Organization)

Final Approval _____

(Address)

For the Board:

By _____
(Board Member)

By _____
(Name and Title) (Date)

FILED

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

MAR 31 1977 -10 PM

PETITION

PUBLIC EMPLOYMENT RELATIONS BOARD

INSTRUCTIONS: Submit an original and two (2) copies of this Petition to the Board. If more space is required, attach additional sheets.

DO NOT WRITE IN THIS SPACE

Case No. 996
Date Filed 3-31-77

The Petitioner alleges that the following circumstances exist and requests that the Board proceed, under its proper authority pursuant to the Public Employment Relations Act, to determine the appropriate unit for collective bargaining and/or whether the public employees in such unit wish to be represented by an employee organization for purposes of collective bargaining.

1. Purpose of this Petition:

a. Check one

- UD Unit Determination - Petitioner, an employer, employee, or employee organization, requests that the appropriate unit for collective bargaining be determined by the Board pursuant to Section 13 of the Act.
- UR Unit Reconsideration - Petitioner, an employee or employee organization, alleges that a previous unit determination is no longer valid and requests that the Board review said determination. (Attach a sheet stating the reasons for this request.)
- Unit has previously been determined by the Board. Identify Case No., if known. Case No. _____

b. If an election is also requested by this Petition, check the appropriate box.

- RC Certification - Petitioner, an employee organization, has submitted to a public employer a request to bargain collectively and 30 percent of the employees in an appropriate unit are members of the Petitioner or have authorized it to bargain on their behalf. (Submit with this Petition a showing of interest as required in rule 4.3 (2).)
- RD Decertification - Petitioner, a public employee, alleges that a certified representative does not represent a majority of the employees in an appropriate unit and that the employees do not wish to be represented by an employee organization. (Submit with this Petition evidence that 30 percent of the employees in the unit support the Petition as required in rule 4.3 (2).)
- RM Representation - Petitioner, a public employer, alleges that one or more employee organizations have requested bargaining, and that no such organization has been certified by the Board as the bargaining representative of the employees in an appropriate unit.

2. Name and Address of Public Employer: State of Iowa, State Capitol, Des Moines, Iowa 50319

Employer's representative

Gene Vernon

Phone No.

201-3883

3. Description of Unit Claimed Appropriate by the Petitioner

Included: All Department of Social Services blue collar employees of the State of Iowa as set forth in Appendix A.

3a. Approximate Number of Employees in Said Unit _____

Excluded: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

4. Certified Employee Organization (if none, so state):

None

Phone No.

Representative:

5. Names and Addresses of Other Individuals or Organizations Which May Claim to Represent the Employees in the Bargaining Unit (if none, so state):

None

6. Name and Address of Petitioner:

State of Iowa
Gene Vernon
Comptroller's Office
State Capitol

Phone No.

201-3883

I hereby declare that I have read the contents of the instant Petition and that the statements contained herein are true and accurate to the best of my knowledge and belief.

Gene Vernon
Name and Title
Gene Vernon, Director
Employment Relations

3/11/77

Date

SERVICE SHEET

Case Name: State of Iowa Blue Collar Social Services

Case No.: 996 UD Assigned To: _____

Pending: _____ Closed: _____

SERVICES

PARTIES: (Address and Phone Number)

1. State of Iowa
Gene Vernon
Employee Relations Director
State Comptroller's Office
State Capitol
Des Moines

2. Dave Williams - Don Anderson
AFSCME
2550 Harding Road 2000 Walker
Des Moines, 50310
50317

3. _____

4. _____

STATE OF IOWA
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:

STATE OF IOWA,
PUBLIC EMPLOYER

AND

AFSCME IOWA PUBLIC EMPLOYEES
COUNCIL 61, AFL-CIO
PETITIONER

CASE NO. 1015

ORDER OF CERTIFICATION

NOW on this 30th day of June, 1977, the Board being advised that an election was conducted pursuant to Order of the Board, and that AFSCME Iowa Public Employees Council 61, AFL-CIO, 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,

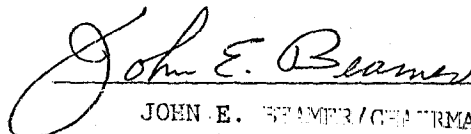
IT IS HEREBY ORDERED BY THE BOARD that AFSCME Iowa Public Employees Council 61, AFL-CIO should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of State of Iowa, a public employer, in the

following bargaining unit:

INCLUDED: All Beer & Liquor Control Department blue collar employees of the State of Iowa including Liquor Store Clerk, Liquor Store Manager I, Liquor Store Manager II, Storekeeper II, Warehouse Dispatcher, Warehouse Worker, Forklift Operator, Custodial Worker, Maintenance Repairer, Transport Driver, Automotive Mechanic, Automotive Mechanic Leader, Warehouse Coordinator, and Carpenter I.

EXCLUDED: Managerial, supervisory, confidential, part-time and all other employees of the State of Iowa.

DONE by the Public Employment Relations Board


JOHN E. BEAMER / CHAIRMAN

STATE OF IOWA
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:)	
STATE OF IOWA,)	FILED APR 5 1979 - 1 45 PM PUBLIC EMPLOYMENT RELATIONS BOARD
Public Employer/Petitioner)	
and)	CASE NO. 1304
AMERICAN FEDERATION OF STATE, COUNTY)	
AND MUNICIPAL EMPLOYEES, AFL-CIO,)	
COUNCIL 61,)	
Certified Employee Organization)	

RECOMMENDED DECISION AND ORDER

N. Morrison Torrey, Hearing Officer. Upon a petition duly filed pursuant to Section 13 of the Public Employment Relations Act, Chapter 20, The Code (1977) [hereafter the Act] and Rule 4.6 of the Rules and Regulations of the Public Employment Relations Board [hereafter the Board], a hearing was begun before me on January 9, 1979. Appearing on behalf of the State of Iowa was Steve Watson, Esq.; on behalf of the American Federation of State, County and Municipal Employees, AFL-CIO, Council No. 61 [hereafter AFSCME], John Ayers, Esq. All parties were present at hearing and had full opportunity to present evidence and cross-examine witnesses on all issues.

STATEMENT OF THE CASE

All parties stipulated that the State of Iowa is a public employer, that AFSCME is an employee organization, and that the Board has jurisdiction over the instant case. It was agreed that the issue presented in this case is whether the job classifications of Liquor Store Manager I [hereafter LSM I] and Liquor Store Manager II [hereafter LSM II] are supervisory as defined by the Act and thus should be excluded from the state-wide blue collar unit determined in State of Iowa, PERB Case No. 1225 (1978).

On March 26, 1979, after the commencement of the hearing, both parties jointly submitted the following stipulations:

(1) Employees in the job classifications of LSM I (Merit Class Code No. 00225) and LSM II (Merit Class Code No. 00226) are all employees of the Iowa Beer and Liquor Control Department;

(2) Employees in the foregoing job classifications who are charged with the responsibility of managing a liquor store perform supervisory responsibilities as those responsibilities are defined in Section 20.4(2), The Code (1977);

(3) Employees in the foregoing job classifications who are assistant managers of larger liquor stores are not supervisory employees as defined in Section 20.4(2), The Code (1977).

Based upon the above stipulations, the parties requested that the blue collar bargaining unit and AFSCME's certification be amended to exclude as supervisory those employees in the classifications LSM I and LSM II who are in charge of their own liquor store; and, that the existing unit and certification include those managers who are assistant managers and the classifications be designated as follows: Liquor Store Manager I (Assistant) and Liquor Store Manager II (Assistant).

FINDINGS OF FACT

Although the hearing was continued and not fully heard prior to the joint stipulations of the parties, evidence submitted during the hearing supports the above stipulated facts and I adopt them as requested by the parties.

CONCLUSIONS OF LAW

I approve the parties' request for unit amendment as being entirely appropriate and proper under the Act. Therefore, I issue the following recommended:

ORDER

IT IS HEREBY ORDERED that the bargaining unit previously determined in State of Iowa, PERB Case No. 1225 (1978), and the certification in that case be amended in the following manner:

INCLUDED: Liquor Store Manager I (Assistant) and Liquor Store Manager II (Assistant)

EXCLUDED: Liquor Store Manager I and Liquor Store Manager II.

DATED at Des Moines, Iowa this 5th day of April, 1979.

N. Morrison Torrey
N. MORRISON TORREY, HEARING OFFICER