

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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UNION EMPLOYMENT  
RELATIONS BOARD

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STATE OF IOWA, )  
 )  
 Public Employer, )  
 )  
 and ) CASE NO. 4600  
 )  
 STATE POLICE OFFICERS COUNCIL, )  
 )  
 Certified Employee )  
 Organization/Petitioner. )

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DECISION ON REMAND

This case is before the Public Employment Relations Board (PERB) on remand with instructions from the Iowa Supreme Court pursuant to the Court's ruling in State of Iowa, Iowa Department of Personnel v. Iowa Public Employment Relations Board and State Police Officers Council, Supreme Court No. 113/95-397 (May 22, 1996).

BACKGROUND

This case was initiated by the filing of a petition for amendment of bargaining unit with PERB by the State Police Officers Council (SPOC) seeking to amend the job classifications of Park Ranger I, II and III (employed by DNR) into an existing certified bargaining unit represented by SPOC. The State resisted the requested amendment, and an evidentiary hearing was held before a PERB administrative law judge.

The ALJ issued a proposed decision and order on February 12, 1993. One of the issues before the ALJ concerned the State's claim that the park rangers were not eligible for inclusion in any bargaining unit because they are "supervisory" employees excluded

The record does not establish that rangers are "supervisors" within the meaning of section 20.4(2) based upon their authority to adjust the grievances of other public employees.

In summary, after considering the previously-existing record as supplemented by the new evidence regarding the park attendants' inclusion into an AFSCME-represented bargaining unit, our essential conclusions concerning the alleged supervisory status of the park rangers remain unchanged.

The park attendants' new unit status has not in any way affected the park ranger/DNR aide relationship or our conclusions concerning alleged supervisory status based thereon. Nor does the park attendants' inclusion into an AFSCME-represented unit alter our prior conclusion that the rangers are not true supervisors on the basis of their authority concerning the attendants. The park rangers are lead persons as to the park attendants, rather than true supervisors, regardless of the attendants' bargaining unit status.


Consequently, we conclude that the park rangers are bargaining-eligible nonsupervisory employees who are appropriately included within the SPOC-represented unit, and therefore enter the following

#### ORDER

The bargaining unit of employees of the State of Iowa represented by the State Police Officers Council is hereby amended to include the classifications of Park Ranger I, II and III.

DATED at Des Moines, Iowa this 26th day of September, 1996.

PUBLIC EMPLOYMENT RELATIONS BOARD

  
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Richard R. Ramsey, Chairman

  
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M. Sue Warner, Board Member

STATE OF IOWA  
PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF:  
STATE OF IOWA,  
PUBLIC EMPLOYER  
AND  
STATE POLICE OFFICERS COUNCIL,  
PETITIONER

CASE NO. 858

ORDER OF CERTIFICATION

NOW on this 28<sup>th</sup> day of December, 1976, the Board being advised that an election was conducted pursuant to Order of the Board, and that State Police Officers Council, 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 State Police Officers Council, should be, and hereby is, designated and certified by this Board to be the exclusive bargaining representative for the employees of the State of Iowa,

a public employer, in the

following bargaining unit:

INCLUDED: Conservation officers (05355)<sup>1/</sup>, and State Waters Officers (05426) of the Conservation Commission; Special Agents, Arson Investigators, Fire Prevention Specialists, Troopers, Capitol Security Guards I, and Fire Inspectors in the Department of Public Safety.

EXCLUDED: Conservation Enforcement Supervisors (05360), Conservation Enforcement Superintendent (05365), State Waters Supervisors (05430), and State Waters Superintendent (05435) of the Conservation Commission; Sergeants, Lieutenants, Captains, Capitol Security Guards II, Capitol Security Chief, Assistant Capitol Security Chief, and Enforcement Coordinators in the Department of Public Safety; and all other 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.

<sup>1/</sup> Numbers appearing after job classifications denote the code number assigned to that classification by the Iowa Merit Employment Department.

  
JOHN R. LOYAL, BOARD MEMBER