

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

IN THE MATTER OF	)		
	)		
NORTHWEST AREA EDUCATION	)		
AGENCY, successor to the Area 4	)		
and Area 12 Education Agencies	)		
Petitioner/Public Employer,	)		
	)		
and	)	CASE NO 7879	
	)		
ASSOCIATE PROFESSIONAL STAFF	)		
ASSOCIATION,	)		
Petitioner/Certified	)		
Employee Organization	)		

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PUBLIC EMPLOYMENT  
RELATIONS BOARD

AMENDMENT OF BARGAINING UNIT AND CERTIFICATION

A combined petition for amendment of bargaining unit and amendment of certification was filed with the Public Employment Relations Board pursuant to PERB rules 621-4 6 and 621-4 8 The petition results from the reorganization of the Area Education Agency 4 and Western Hills Area Education Agency 12 into the Northwest Area Education Agency, and the parties' desire to amend the description of the bargaining unit employed by Western Hills Area Education Agency 12 into which employees of the Area Education Agency 4 are accreted pursuant to Iowa Code section 273 22(2), and which will thereafter be employed by the new Northwest Area Education Agency

A public notice of PERB's proposed decision to grant the requested amendments was issued and posted in accordance with PERB rules. No objections to the proposed decision having been filed within the time specified in such notice, and the Associate Professional Staff Association having complied with the relevant requirements of Iowa Code section 20 25,

IT IS THEREFORE ORDERED that the certification of the Associate Professional Staff Association as the exclusive bargaining representative for certain employees of the Western Hills Area Education Agency 12 issued in PERB Case No 1677 is

hereby amended to reflect its status as the certified bargaining representative for the following-described unit of employees of the Northwest Area Education Agency, the successor to Area Education Agency 4 and Western Hills Area Education Agency 12

IT IS FURTHER ORDERED that the description of the bargaining unit of employees of the Western Hills Area Education Agency 12 originally determined in PERB Case No 1677 and subsequently amended in Case Nos 5422 and 6584 is amended to provide

INCLUDED All full-time and part-time employees in the following categories Custodian, Media Van Driver, Secretary I, Secretary II, Paraprofessional, Media Technician I, Media Technician II, Professional Development Technician, Audiometrist, Early Childhood Child Find Paraprofessional, Juvenile Home Teacher Assistant, Physical Therapy Assistant, Technical Specialist, Data Technician, Classroom Para-educator, Interpreter for the Hearing Impaired, and Foreign Language Interpreter, LPN Para-educator, Professional Development Technician, Speech and Language Assistant, and Utility Person.

EXCLUDED. Chief Administrator, Director(s) of Special Education, Director(s) of Educational Service, Director(s) of Media Services, supervisors of all departments, confidential secretaries, administrative assistants, transportation drivers, and all licensed personnel except as noted above, and all other regular full-time and part-time employees of the public employer excluded under Iowa Code section 20 4

DATED at Des Moines, Iowa, this 4th day of September, 2007

PUBLIC EMPLOYMENT RELATIONS BOARD

By

  
James R. Riordan, Chair

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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IN THE MATTER OF	)	
	)	
WESTERN HILLS AREA EDUCATION AGENCY,	)	
Petitioner/Public Employer,	)	
	)	
and	)	CASE NO. 6584
	)	
ASSOCIATE PROFESSIONAL STAFF	)	
ASSOCIATION,	)	
Certified Employee Organization.	)	

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DECISION AND ORDER

This case concerns an amendment of bargaining unit petition filed with the Public Employment Relations Board (PERB or Board) by the Western Hills Area Education Agency 12 (AEA) pursuant to PERB rule 621-4 6. The AEA seeks to amend the existing bargaining unit represented by the Associate Professional Staff Association (Association) to exclude the newly created position of Program Assistant, claiming the position is supervisory pursuant to Iowa Code section 20.4(2). The AEA also seeks to update the description of the unit as a result of a reorganization by the AEA

Pursuant to PERB rule 621-2.1, a hearing was held before the full Board on May 2, 2003. The AEA was represented by James Hanks and the Association by Gerald Hammond. Each party had full opportunity to present testimony and evidence. Post-hearing briefs were timely filed by the parties

Based upon the entire record in this matter, and having considered the briefs and arguments of the parties, we issue the following findings of fact, conclusions of law and order.

of management and excluded from the bargaining unit on the basis of supervisory status

ORDER

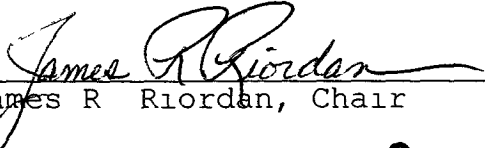
IT IS HEREBY ORDERED that the bargaining unit description is amended to read:

INCLUDED: Clerks, production technicians, professional development technicians, secretary-executive director, secretaries, secretaries-service centers, audiometrists, van drivers, custodians, paraprofessionals, interpreter for the hearing impaired, IMS data technician, and computer technician


EXCLUDED: Administrative assistants, communication secretary-administration office, circulation coordinator, financial specialist, program assistant, and all other persons specifically excluded under Iowa Code section 20.4.

DATED at Des Moines, Iowa, this 10th day of July, 2003

PUBLIC EMPLOYMENT RELATIONS BOARD

  
James R. Riordan, Chair

  
M. Sue Warner, Board Member

  
Neil A. Barrick, Board Member

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100 Court Ave., Ste. 600  
Des Moines IA 50309-2231

Gerald L. Hammond  
777 Third Street  
Des Moines IA 50309-1301

STATE OF IOWA  
BEFORE THE PUBLIC EMPLOYMENT RELATIONS BOARD

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WESTERN HILLS AREA EDUCATION AGENCY)	)	
#12,	)	
Public Employer,	)	
	)	
and	)	CASE NO 5422
	)	
ASSOCIATE PROFESSIONAL STAFF	)	
ASSOCIATION,	)	
Certified Employee	)	
Organization/Petitioner	)	

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IOWA PUBLIC EMPLOYMENT RELATIONS BOARD  
JAN 18 1995

**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 (1995) 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 and adds the position of interpreters for the hearing impaired to the existing list of positions specifically included in the bargaining unit, 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 THEREFORE ORDERED** that the bargaining unit previously determined in Case No 1677 and the certification of Associate Professional Staff Association is amended to read as follows

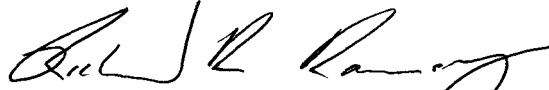
**INCLUDED:** All full-time and regular part-time clerks, production apprentices, typists, department secretaries (except as excluded below), service center secretaries, accounting secretaries, data accounting secretary, audiometrists, communication aides, drivers, production technicians, custodians, special education paraprofessionals, and interpreters for the hearing impaired

**EXCLUDED:** Division executive secretaries, department secretary (administration office), circulation coordinator, all

persons not included in this unit and excluded by PERB Case No 1387, and all other persons specifically excluded under Section 4 of the Iowa Public Employment Relations Act

DATED at Des Moines, Iowa this 8th day of January, 1996

PUBLIC EMPLOYMENT RELATIONS BOARD



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RICHARD R RAMSEY, CHAIRMAN

cc Jim Hanks  
Bruce Lear  
Bruce Hopkins

