

CHAPTER 1
GENERAL PROVISIONS

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

621—1.1(20) Construction and severability. These rules shall be liberally construed to effectuate the purposes and provisions of the public employment relations Act. If any provisions of these rules are held to be invalid, it shall not be construed to invalidate any of the other provisions of these rules.

621—1.2(20) General agency description. The purpose of the public employment relations board established by the Public Employment Relations Act is to implement the provisions of the Act and adjudicate and conciliate employment related cases involving the state of Iowa and other public employers and employee organizations. For these purposes the powers and duties of the board include, but are not limited to, the following:

Determining appropriate bargaining units and conducting representation elections.

Adjudicating prohibited practice complaints and fashioning appropriate remedial relief for violations of the Act.

Adjudicating and serving as arbitrators regarding state merit system grievances and grievances arising under collective bargaining agreements between public employers and certified employee organizations.

Providing mediators and arbitrators to resolve impasses in negotiations.

Collecting and disseminating information concerning the wages, hours, and other conditions of employment of public employees.

Preparing legal briefs and presenting oral arguments in the district courts, the court of appeals and the supreme court in cases affecting the board.

[ARC 8953B, IAB 7/28/10, effective 9/1/10]

621—1.3(20) General course and method of operation. Upon receipt of a petition or complaint, the board may assign an administrative law judge to process the case. The board may determine that the petition or complaint is without basis and dismiss it without further proceedings. Petitions and complaints not dismissed are assigned for a hearing before either an administrative law judge or the board, unless the procedures for informal settlement described in these rules are followed. The administrative law judge or the board will conduct a hearing on the complaint or petition and issue a decision and order. The decisions of administrative law judges are appealable to the board, and final orders and decisions of the board are appealable to the district court under the Iowa administrative procedure Act.

621—1.4(20) Method of obtaining information and making submissions or requests. Any person may obtain information from, make submission to, or make a request of the board by writing to Chairperson, Iowa Public Employment Relations Board, 510 East 12th Street, Suite 1B, Des Moines, Iowa 50319.

621—1.5(20) Petition for rule making. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

621—1.6(20) Definitions.

1.6(1) “Act” as used in these rules shall mean the public employment relations Act, Iowa Code chapter 20.

1.6(2) “Board” as used in these rules shall mean the public employment relations board. No official board action may be taken without the concurrence of at least two members of the board; provided, however, that when for compelling reasons only two members hear an appeal of a proposed decision in a contested case and the two members do not concur, the result shall be affirmation of the proposed decision. The board, in its discretion, may delegate to board employees duties which the Act does not specifically require be performed by the board.

1.6(3) *Petitioner—complainant—respondent—intervenor.*

a. “Petitioner” means the party filing a petition under Iowa Code section 20.13 or 20.14.

b. “*Complainant*” means the party filing a complaint under Iowa Code section 20.11, alleging the commission of a prohibited practice.

c. “*Respondent*” means the party accused of committing a prohibited practice.

d. “*Intervenor*” means a party who voluntarily interposes in a proceeding with the approval of the board or administrative law judge.

1.6(4) “*Party*” as used in these rules shall mean any person, employee organization or public employer who has filed a petition or complaint under the Act or these rules; who has been named as a party in a complaint, petition or other matter under these rules; or whose motion to intervene has been granted by the board.

1.6(5) “*Impasse item*” means any term which was a subject of negotiations and proposed to be included in a collective bargaining agreement upon which the parties have failed to reach agreement in the course of negotiations, except as provided for in 621—6.1(20). Failure of the parties to agree upon impasse procedures shall not constitute an impasse item or compel implementation of impasse procedures.

1.6(6) “*Impasse procedures*” means either the procedures set forth in Iowa Code sections 20.20 and 20.22 or any procedures agreed upon by the parties pursuant to Iowa Code section 20.19 which are designed to result in a binding collective bargaining agreement.

1.6(7) “*Contested case*” means a proceeding defined by Iowa Code section 17A.2(5) and includes any matter defined as a no factual dispute contested case under 1998 Iowa Acts, chapter 1202, section 14.

1.6(8) “*Adjudicatory proceeding*” means a contested case, a proceeding that may culminate in a contested case, a petition for declaratory order, a petition for expedited resolution of a negotiability dispute, or any other proceeding which may require the board or its designee to issue a decision, order, or ruling.

1.6(9) “*Agency*” as used in these rules means the public employment relations board and the board’s employees.

1.6(10) “*Confidential information*” means information excluded from public access by federal or state law or administrative rule, court rule, court or administrative order, or case law.

1.6(11) “*Protected information*” means personal information, the nature of which warrants protection from unlimited public access, including:

- a. Social security numbers.
- b. Financial account numbers.
- c. Dates of birth.
- d. Names of minor children.
- e. Individual taxpayer identification numbers.
- f. Personal identification numbers.
- g. Other unique identifying numbers.
- h. Confidential information.

1.6(12) “*Public safety employee*” means a public employee who is employed as one of the following:

a. A sheriff’s regular deputy.

b. A marshal or police officer of a city, township, or special-purpose district or authority who is a member of a paid police department.

c. A member, except a non-peace officer member, of the division of state patrol, narcotics enforcement, state fire marshal, or criminal investigation, including but not limited to a gaming enforcement officer, who has been duly appointed by the department of public safety in accordance with Iowa Code section 80.15.

d. A conservation officer or park ranger as authorized by Iowa Code section 456A.13.

e. A permanent or full-time fire fighter of a city, township, or special-purpose district or authority who is a member of a paid fire department.

f. A peace officer designated by the department of transportation under Iowa Code section 321.477 who is subject to mandated law enforcement training.

1.6(13) “*Public safety unit*” means a bargaining unit with at least 30 percent of employees in the unit who are public safety employees or as required by Iowa Code section 20.32 for certain transit employees.

1.6(14) “*Supplemental pay*” means a payment of moneys or other thing of value that is in addition to compensation received pursuant to any other permitted subject of negotiation specified in Iowa Code section 20.9 and is related to the employment relationship.

[ARC 8953B, IAB 7/28/10, effective 9/1/10; ARC 1583C, IAB 8/20/14, effective 9/24/14; ARC 3278C, IAB 8/30/17, effective 8/10/17; ARC 4457C, IAB 5/22/19, effective 6/26/19]

621—1.7(20) Computation of time. Time periods established by these rules shall be computed pursuant to Iowa Code section 4.1(34).

621—1.8(20,279) Fees of neutrals. See rule 621—14.4(2).

621—1.9(17A,20) Waiver of rules. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

621—1.10(20) Agency record and files.

1.10(1) Agency record. The official agency record for all adjudicatory proceedings includes the following:

- a. Electronic files maintained in the agency’s electronic document management system;
- b. Paper documents maintained by the agency in paper form when permitted by the board’s order; and
- c. Exhibits and other materials filed with or delivered to and maintained by the agency as part of the case file.

1.10(2) Paper case files. Except as otherwise provided in the agency’s rules or directed by the board, the agency will not maintain paper case files in adjudicatory proceedings filed on or after January 1, 2015.

[ARC 1583C, IAB 8/20/14, effective 9/24/14]

These rules are intended to implement Iowa Code section 17A.9A and chapter 20.

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