

621—6.4(20) Public safety unit determination.

6.4(1) *Applicability.* This rule applies only to bargaining units which include at least one public safety employee, as defined in 621—subrule 1.6(12) or as required by Iowa Code section 20.32 concerning certain transit employees.

6.4(2) *Defined.* A public safety unit is a bargaining unit in which at least 30 percent of the employees are public safety employees.

6.4(3) *Determination of public safety unit status.* A bargaining unit will constitute a public safety unit if at least 30 percent of the employees in the unit were public safety employees at any one time in the six months preceding the applicable date identified in subrule 6.4(7).

6.4(4) *Identification of public safety or non-public safety unit.* Parties engaging in negotiations for a collective bargaining agreement shall endeavor to agree upon and stipulate to the public safety or non-public safety status of the unit at issue.

6.4(5) *Agreement and stipulation.* If the parties are in agreement, the parties shall complete a stipulation form prescribed by the agency. The stipulation shall be signed by the authorized representatives of the parties, and the certified employee organization shall submit it to the agency by email, ordinary mail, or personal delivery.

6.4(6) *Petition, response and hearing for determination of public safety or non-public safety unit status.*

a. If the parties fail to reach agreement, the party asserting public safety unit status shall file a petition for determination of the unit status on or before the applicable date identified in subrule 6.4(7). The petition shall be on an agency-prescribed form and electronically filed. The petitioning party shall promptly serve the other party with a copy of the petition and file proof thereof with the agency in accordance with 621—subrules 2.15(3) and 16.10(1).

b. The non-petitioning party shall, within ten days following the filing of the petition with the agency, file a response asserting its basis for identifying the unit as a non-public safety unit.

c. Hearings on the petition shall be conducted pursuant to 621—Chapter 2. The public employer shall present its evidence first.

6.4(7) *Deadlines.* The stipulation shall be submitted or a petition filed on or before the dates indicated:

a. August 1 for contracts that expire January 1 to March 31 of the subsequent year.

b. November 1 for contracts that expire April 1 to June 30 of the subsequent year.

c. February 1 for contracts that expire July 1 to September 30 of the same year.

d. May 1 for contracts that expire October 1 to December 31 of the same year.

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